

APPLICATION CZ 25-02

CONCURRENT ZONING MAP AMENDMENT
SUBMITTED BY AIR 22, LLC

Levy County

Planning Commission
Public Hearing

September 22, 2025

Application CZ 25-02

- Applicant: AIR 22, LLC
- Agent: Kenneth Metcalf, AICP
- Concurrent Zoning Map Amendment: **Change the Zoning District from on Parcel 051500010A (21.25 acres) from R-1 to C-3**
- Address: 21350 NE 30th Street (Southwest corner of US 27 and NE 30th Street (AKA County Highway 121 and County Highway 316))
- Application determined complete on May 20, 2025

Quasi-Judicial Hearing

- Decision must be based on ***competent substantial evidence*** (professionally accepted data, analysis and methodologies and expert testimony).
- §163.3194(1)(b), Fla. Stat. - Development orders, including Zoning Map amendments, must be consistent with the adopted Comprehensive Plan.
- **Competent substantial evidence demonstrates Zoning Amendment CZ 25-02 is consistent with Levy County Comprehensive Plan and Land Development Code**, including professional reports, presentations and expert testimony provided by:
 - Laura Jones, Levy County Interim Zoning Official.
 - Ken Metcalf, SWM Director of Planning and Development Services

Ken Metcalf, AICP



- 40 years professional planning experience
 - 16 years with Florida Department of Community Affairs (DCA)
- Masters of Science in Urban and Regional Planning, Florida State University
- Periodic FSU Adjunct Instructor (Graduate Courses in Urban and Regional Planning)
- American Institute of Certified Planners (AICP)
- Expert witness in 50+ DOAH administrative and circuit court proceedings. Accepted expertise:
 - Urban and regional planning
 - Comprehensive planning/growth management
 - Chapter 163 and 380 Implementation
 - Development order consistency
 - Transportation planning
 - Land use compatibility
 - Assessment of development impacts

Director of Planning &
Development Services

STEARNS WEAVER MILLER

Zoning Map Amendment Review Criteria

LDC Section 50-665

LDC Section 50-665 requires **consideration** of the following criteria in reviewing a zoning map amendment:

- (1) **Consistency.** The proposed rezoning is consistent with the comprehensive plan and this land development code.
- (2) **Compatibility.** The proposed rezoning is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.
- (3) **Development patterns.** The proposed rezoning shall result in logical and orderly development patterns.
- (4) **Suitability.** The property is suitable for the uses that are allowed in the proposed zoning district(s).
- (5) **Adequate public facilities/services.** The property is served by public facilities that are adequate for the uses that are allowed in the proposed zoning district(s).
- (6) **Access.** Available ingress and egress is adequate for the uses that are allowed in the proposed zoning district.
- (7) **Public health, safety, and welfare.** The uses allowed within the proposed zoning district shall not adversely affect public health, safety, and welfare.

Zoning Map Amendment Review Criteria

LDC Section 50-665

LDC Section 50-665 requires consideration of the following criteria in reviewing a zoning map amendment:

(1) Consistency. The proposed rezoning is consistent with the comprehensive plan and this land development code.

Finding: The Board of County Commissioners unanimously approved the Commercial future land use category for the property. The proposed zoning amendment is consistent with the Comprehensive Plan, including the Commercial future land use category:

This land use category allows for commercial land uses and the development of central business districts. **Commercial land uses are described by levels of intensity of Commercial/Professional Office, Neighborhood/Retail Services, Community/Retail and Wholesale Business and Regional/Retail and Wholesale Business. The minimum lot size is one-fourth [1/4] acre and the maximum floor area ratio is 0.5. Lot coverage shall be based on and shall be required to meet all other local and state land development regulations. This land use is only permitted within a Municipal Service Districts...**

Zoning Map Amendment Review Criteria

LDC Section 50-665

Sec. 50-661. Establishment of districts; intent of districts.

The following zoning districts are established to implement the comprehensive plan and to classify and regulate the use of land, buildings and structures within the county in order to promote orderly growth and development and discourage urban sprawl:

Commercial Districts	
C-1	Exclusive Office
C-2	Neighborhood Commercial
C-3	Moderately Intensive Commercial
C-4	Highway Commercial

Moderately intensive commercial (C-3) district. The C-3 district is intended to provide locations for intensive commercial uses. The uses typically require more off-street parking, stormwater, and outdoor storage, than neighborhood and office uses.

Zoning Map Amendment Review Criteria

LDC Section 50-665

Sec. 50-663. Compatibility of zoning districts with future land use categories.

Land Use—Zoning Compatibility Table	
Land Use Categories	Zoning Districts
Commercial (C)	C-1, C-2, C-3 , C-4, NR-CON, REC, PF, PUD

Zoning Map Amendment Review Criteria

LDC Section 50-665

The C-3 zoning district is consistent with the following locational requirements, permitted uses and intensity standards of the Commercial Future Land Use category:

- Located within the Williston MSD
- Permits community-scale commercial and warehouse/distribution businesses, which are permitted by LDC Section 50-700 in the C-3 zoning district
- Minimum lot size of $\frac{1}{4}$ acre: LDC Section 50-677 requires a minimum lot size of 1 acre in the C-3 zoning district
- Maximum floor area ratio of .50

Finding: The C-3 zoning district is consistent with the LDC:

- LDC Section 50-663 confirms C-3 zoning district is compatible with, and intended to implement, the Commercial future land use category.

Zoning Map Amendment Review Criteria

LDC Section 50-665

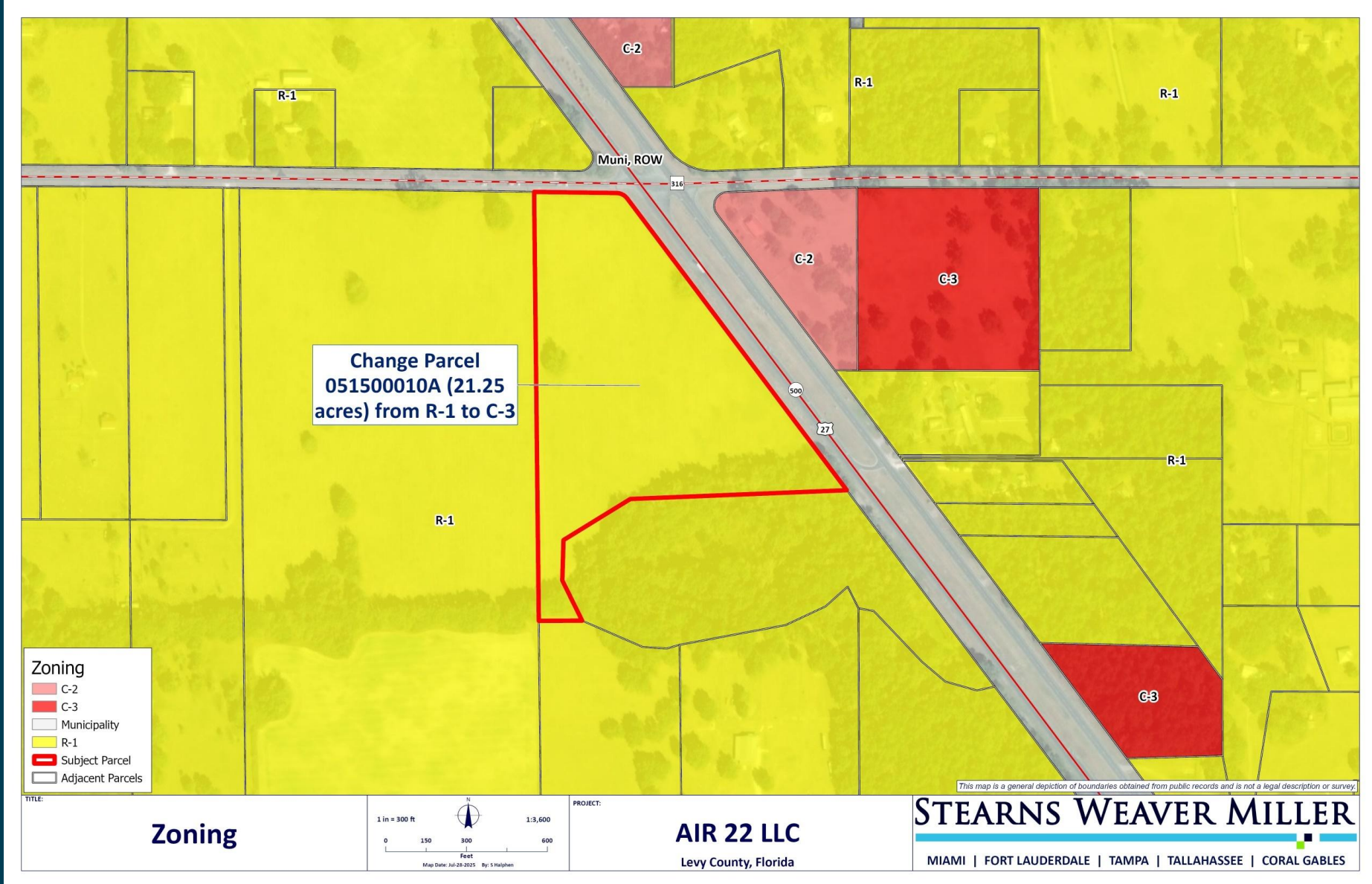
(2) Compatibility. The proposed rezoning is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

Finding: C-2 and C-3 zoning districts are located on US 27 immediately to the east of the subject property and at other locations along US 27 adjacent to residential use. The Comprehensive Plan (FLUE Policy 10.3) requires buffers to ensure compatibility of C-3 zoning district uses with adjacent agricultural uses and any incompatible uses. LDC requires special exception for uses requiring additional mitigation.

(3) Development patterns. The proposed rezoning shall result in logical and orderly development patterns.

Finding: C-3 zoning represents a logical and orderly development pattern, as an extension of commercial zoning from the east side of US 27. C-3 zoning is appropriate at this intersection of US 27 and Highway 316 so serve neighborhood and community commercial demands.

Zoning Map



Land Use, Zoning and Development Patterns

	Future Land Use	Zoning	Existing Use
North	Urban Low Density Residential	R-1	Right-of-way (NE 30 th Street) Single Family Detached
East	Commercial and Urban Low Density Residential	C-2/C-3	Right-of-way (US 27) Vacant one-story office Single Family Detached
West	Urban Low Density Residential	R-1	Agriculture
South	Urban Low Density Residential	R-1	FDOT Water Retention Area

Zoning Map Amendment Review Criteria

LDC Section 50-665

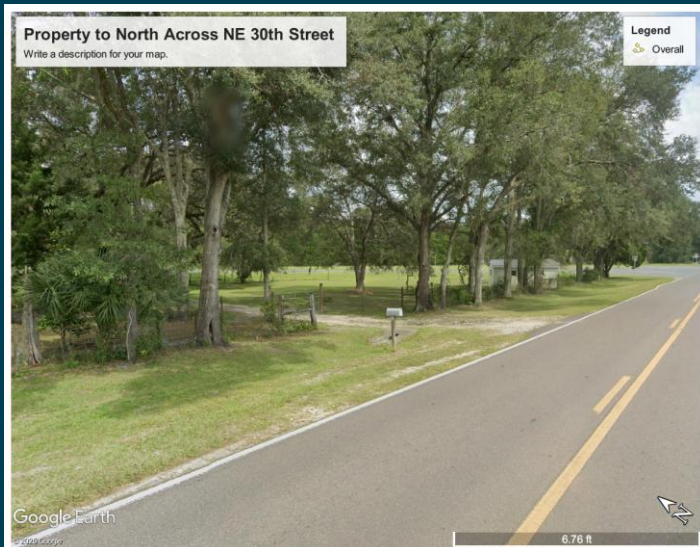
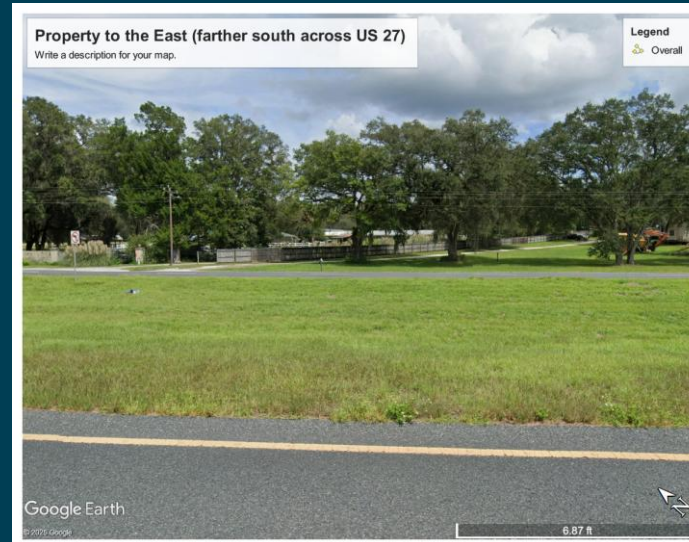
- **The lot size and dimensions are consistent with the following standards of the C-3 zoning district set forth in LDC Section 50-677:**
 - Minimum lot size of one acre (site = 21.25 acres)
 - Minimum lot width of 100' (site > 300' in width at narrowest point and > 1,000' in width along southern boundary)
 - Minimum lot depth of 200' (site > 1,000 in depth)
- **The zoning map amendment is consistent with the Comprehensive Plan and LDC**

Compatibility

- Section 163.3177(6)(a)
- 163.3164(9), defines *compatibility*:

“Compatibility means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that **no use or condition is unduly negatively impacted directly or indirectly by another use or condition.**”
- Comprehensive Plan requires commercial use to be located within MSDs to allow for the extension of centralized water and sewer and proximity to urban services. Requires locations with appropriate access.
- Comprehensive Plan supports commercial uses on US 27 within the MSD and relies on setbacks, buffers and screening to achieve compatibility where commercial uses will typically abut agricultural or residential uses.
- C-3 Zoning is compatible with adjacent zoning, existing uses and mixed use character of area.

Adjacent Existing Land Uses



Zoning Map Amendment Review Criteria

LDC Section 50-665

4) Suitability. The property is suitable for the uses that are allowed in the proposed zoning district(s).

Finding: Site is devoid of wetlands, environmentally sensitive lands and other resources. Limited floodplain and forest exist near the south property line that will be protected by applicable regulations. Soils are rated good for construction, but soils will be replaced for the on-site disposal system drainfield.

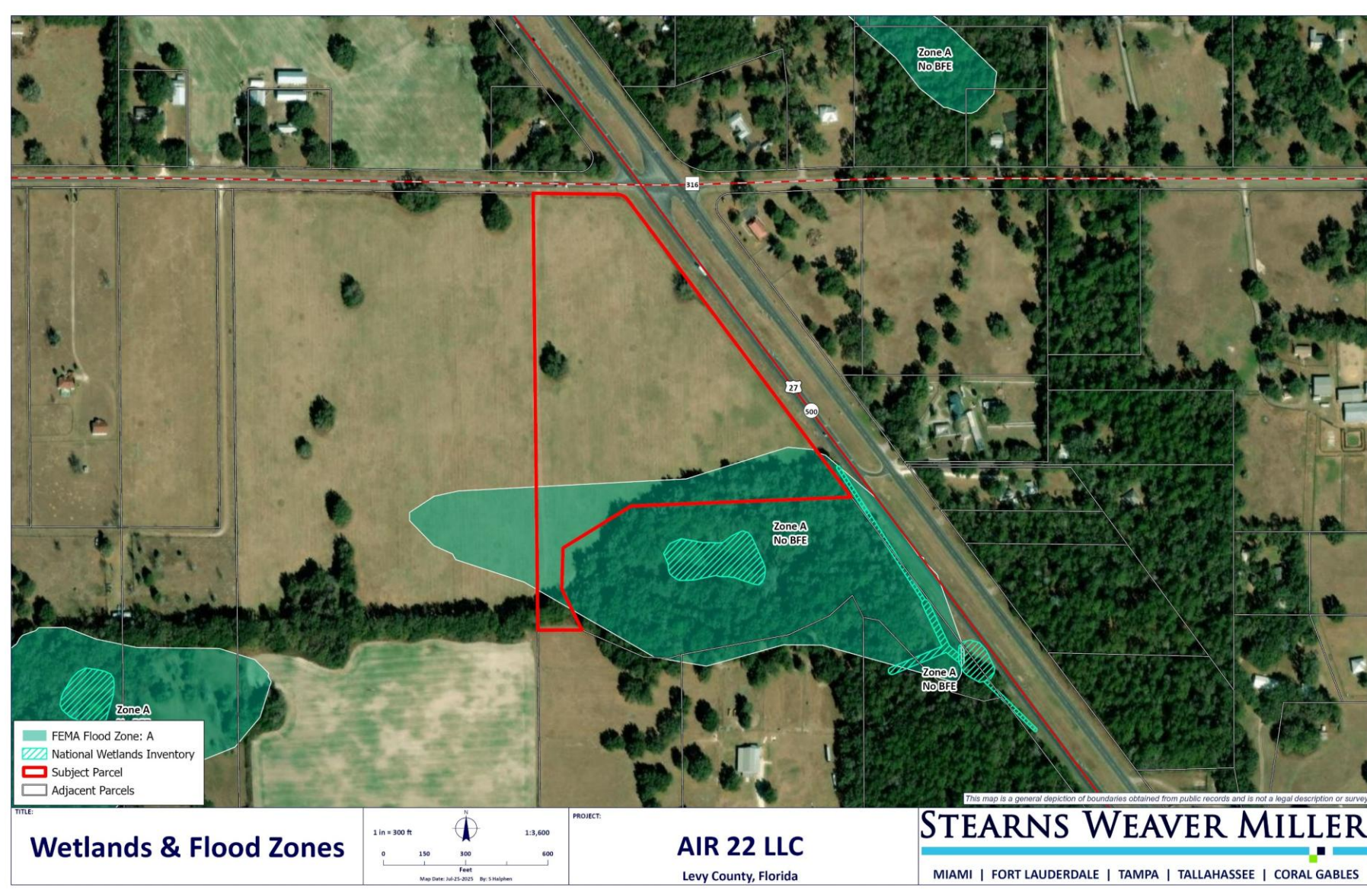
(5) Adequate public facilities/services. The property is served by public facilities that are adequate for the uses that are allowed in the proposed zoning district(s).

Finding: Commercial uses allowed by the C-3 zoning district are feasible at limited intensity/scale per Department of Health and South Florida Water Management District rules/regulations until centralized utilities are extended to the site per MSD policies.

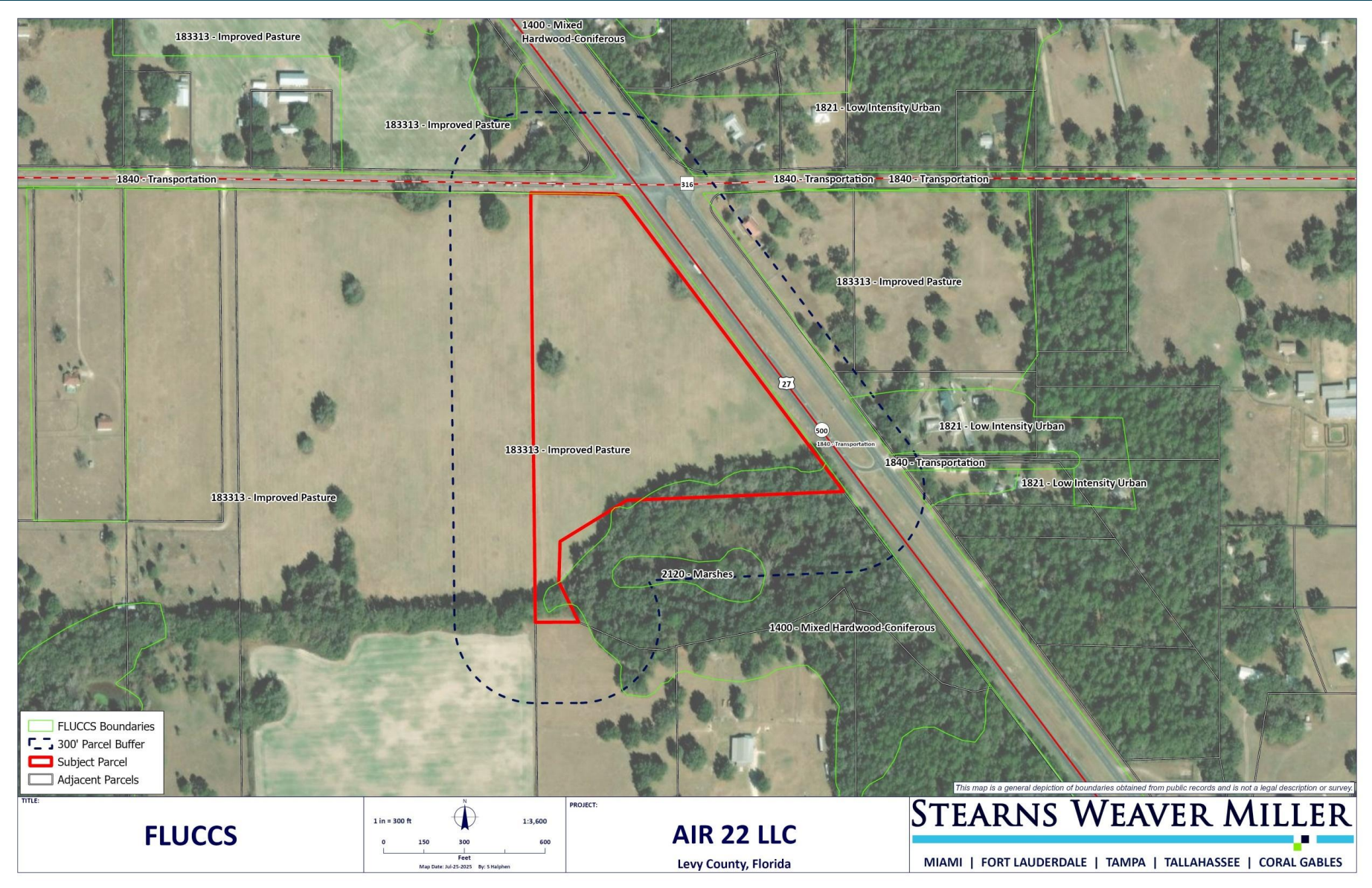
Soils



Wetlands and Floodplain



Florida Land Use Classification and Cover System (FLUCCS)



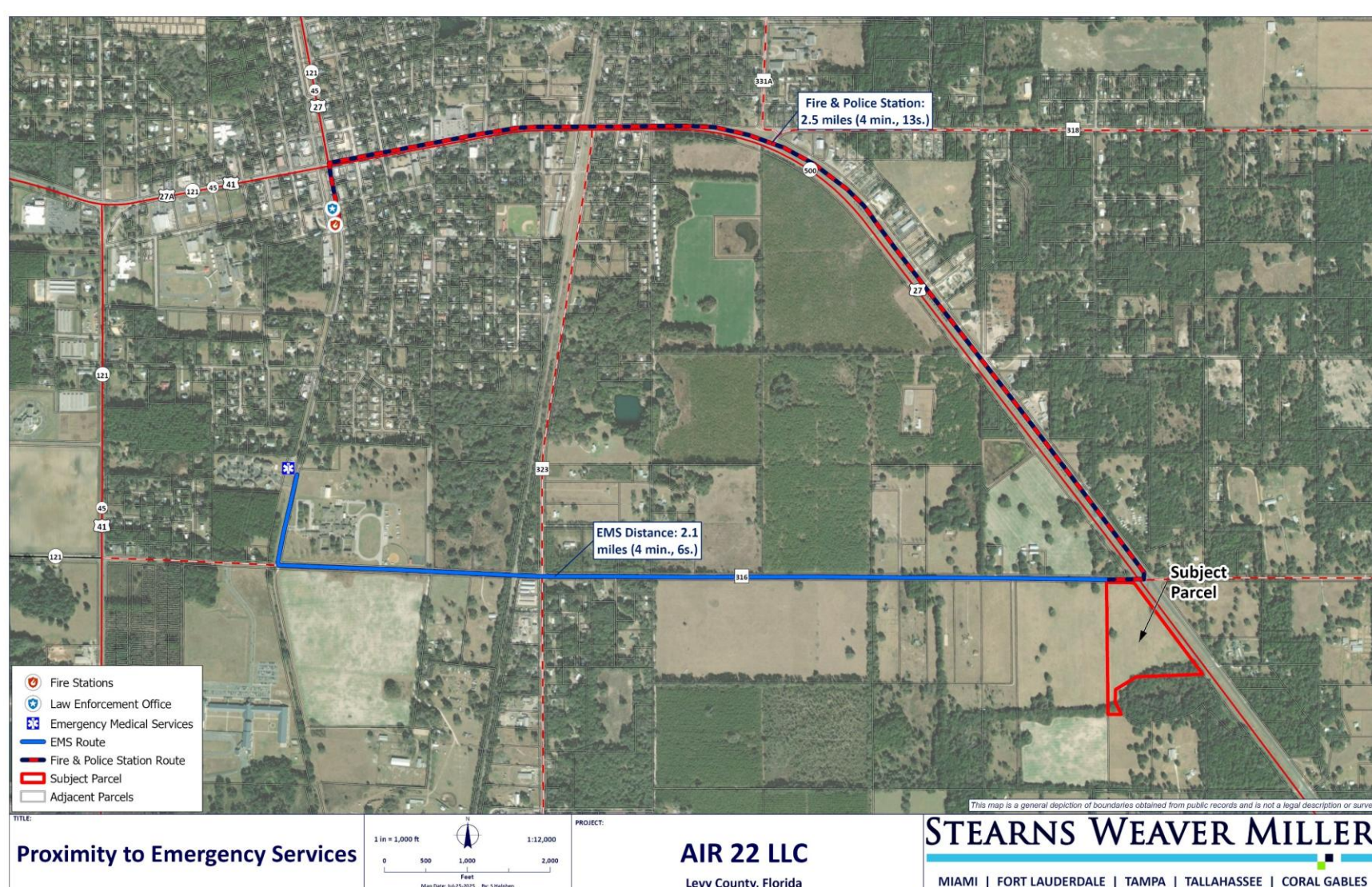
Zoning Map Amendment Review Criteria

LDC Section 50-665

(5) Adequate public facilities/services. The property is served by public facilities that are adequate for the uses that are allowed in the proposed zoning district(s).

- **Sufficient water supply** via wells until centralized water is extended to US 27 to serve the established commercial land use node.
- **Commercial intensity will be limited** in accordance with Department of Health regulatory requirements for on-site treatment and disposal system until sanitary sewer is extended to US 27 to serve the established commercial land use node.
- **Emergency services** (sheriff station, fire station and EMS) are all **less than 3 miles** from site.
- **Solid waste capacity is sufficient** to support commercial land use.

Emergency Services



Transportation Level of Service

- US 27 and Hwy 121 have sufficient capacity to serve commercial development at this location.

Road	Count Station	AADT	Daily LOS "C" Service Volume
US 27	0133	9,100	45,800
HWY 121	9141	5,000	8,200

Road	Count Station	Peak Hour/Peak Direction Volume	PHPD LOS "C" Service Volume
US 27	0133	475	2,390
HWY 121 (30 th Street)	9141	261	430

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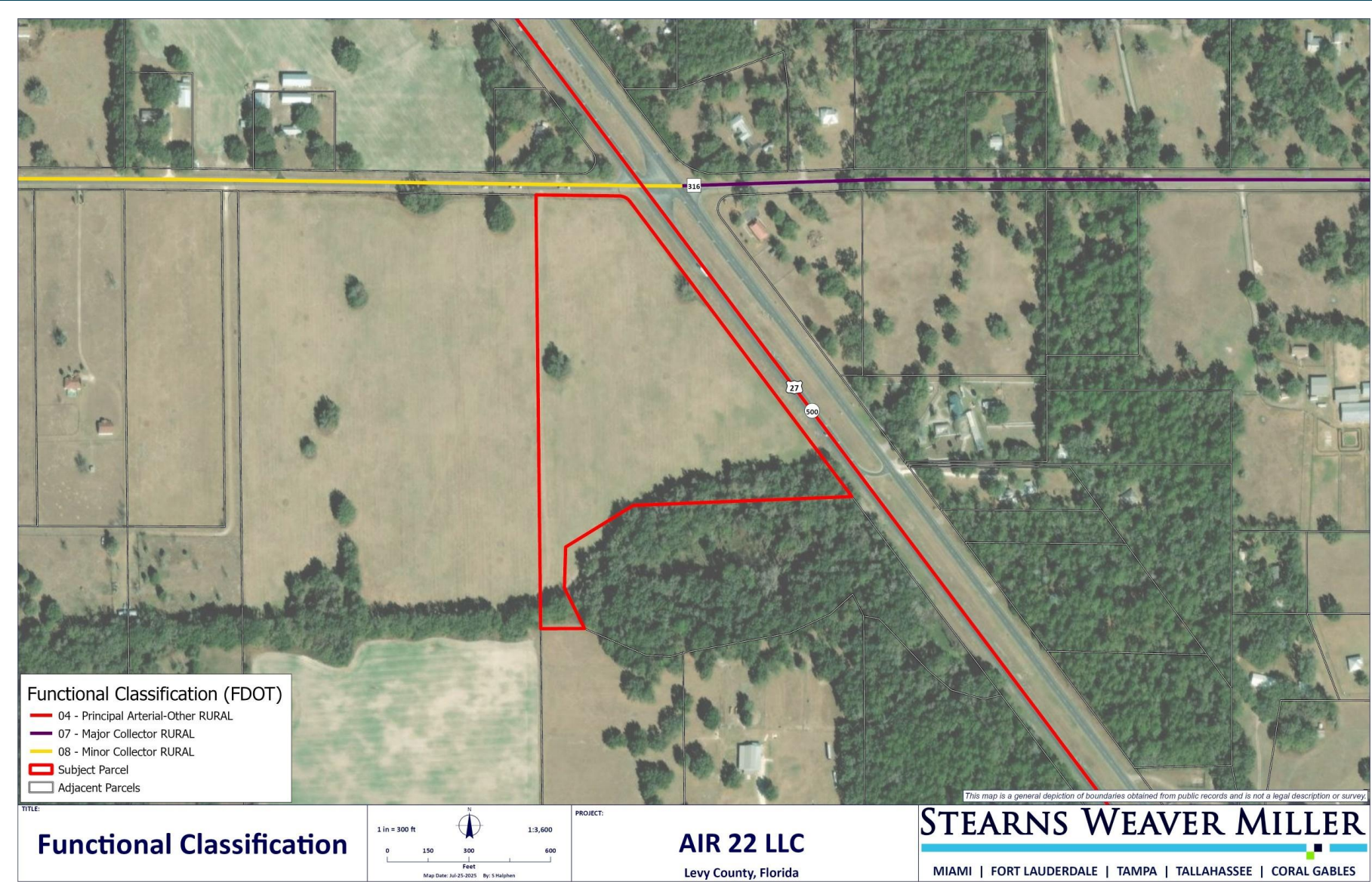
(6) Access. Available ingress and egress is adequate for the uses that are allowed in the proposed zoning district.

Finding: The property has substantial frontage to allow for access on both US 27 and Highway 316 to ensure safe ingress/egress for permitted uses in the C-3 zoning district.

(7) Public health, safety, and welfare. The uses allowed within the proposed zoning district shall not adversely affect public health, safety, and welfare.

Finding: C-3 zoning allows for community retail and a variety of other uses to serve the needs of the community at large, which is appropriate for the site's location at the intersection of US 27 and Highway 316. C-3 uses are compatible with nearby uses and will not adversely affect public health, safety and welfare.

Functional Classification



CONCLUSIONS

- **Proposed zoning map amendment (R-1 to C-3) warrants a recommendation of approval:**
 - Consistent with Comprehensive Plan and LDC
 - Implements County's economic development strategies
 - **Supported by competent substantial evidence**
 - Zoning Official recommends approval