



Levy County Planning and Zoning Department

Application # SSA 21-02

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

Staff Report Date: December 17, 2021
Local Planning Agency: Hearing Date: January 3, 2021
Board of County Commissioners: Adoption Hearing Date: February 8, 2021

SUBJECT: **SSA 21-01:** A request for a small scale land-use amendment to the Future Land Use Map from “Urban Low Density Residential” (1 dwelling unit per acre) to “Commercial” on approximately 3.80 acres of land within the Williston Municipal Service District.

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

OWNER: Arthur Suggs

PROPERTY DESCRIPTION: Parcel Number: 042700500
Section/Township/Range: 34/12/18
Land Use: Urban Low Density Residential
Existing Use: Auto Repair Business and vacant
Acreage: Approximately 3.80 acres

COMMISSION DISTRICT 5: Commissioner Matt Brooks

PREVIOUS REQUESTS: None

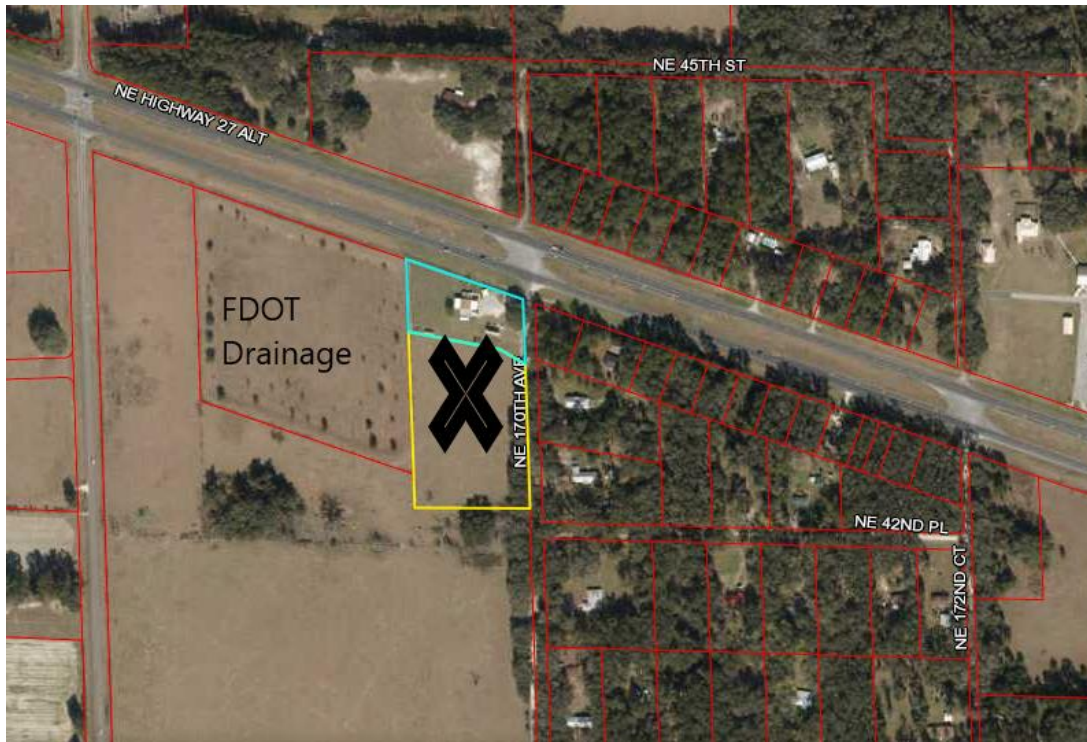
ZONING VIOLATION HISTORY: The zoning and the future land use are not compatible. No actual violations have been issued. There are too many signs on the property that do not meet code.

STAFF RECOMMENDATION: Staff recommends that the Board of County Commissioners hear the proposed small scale land-use amendment request and approve the change on 3.80 acres to Commercial Future Land Use.

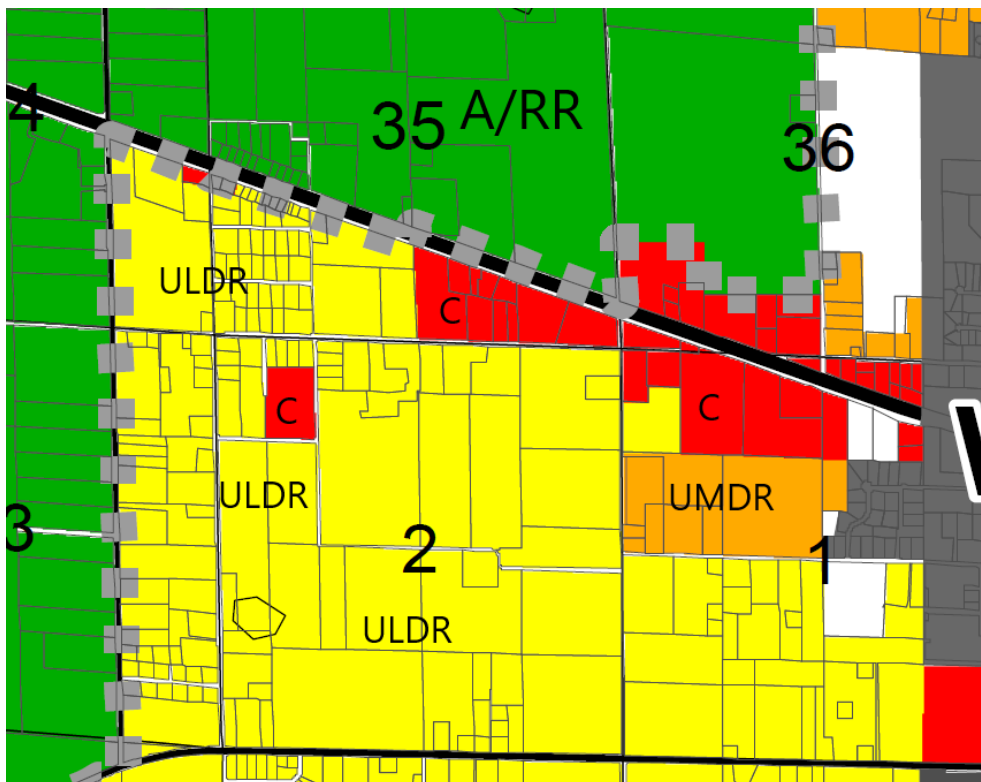
LPA RECOMMENDATION: TBD

BOCC ACTION: TBD

Aerial Showing General Location of Subject Property and Surrounding Parcels for SSA 21-02



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 Low Density Residential” (one dwelling unit per acre) to “Commercial” on parcel number 0427000500, located at 4350 NE 170th Avenue, Williston, Florida. The subject property is located within the Williston Municipal Service District (MSD). The property has an existing auto repair on a portion and the rest is undeveloped and fronts on US HWY 27.

Commercial land use allows for commercial uses such as the existing business that has been operating for years. This land use is permitted within an MSD. Additionally, this request will be fixing the incompatibility on the property with the auto repair business with the zoning that will be forthcoming. The parcel that houses the auto repair business has a future land use of commercial already. The undeveloped portions are requesting the Commercial Future Land Use. This land use change request is the necessary first step for the applicant’s future plans for other commercial endeavors such as a mini storage business with accessory boat and RV storage. 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 3.80 acres of property fronting US HWY 27 within the Williston Municipal Service District (MSD). The property adjacent to the south is pasture land, east is NE 170th Avenue and residential, north is US 27 and residential and west is the FDOT stormwater basin. All these surrounding properties carry the ULDR future land use except for the applicant’s small piece that has the auto repair business which has a Commercial future land use. There is no central water or sewer in this area.

COMPREHENSIVE PLAN CONSISTENCY

The Commercial future land use request for a portion of this parcel will bring it into consistency with the comprehensive plan and with the additional request it will allow and already established business to expand. The adjacency to US HWY 27 where these types of uses are promoted adds to the compatibility because of service off a main state road.

This subject request on the 3.80 acres has a zoning fall-back of Forestry/ Rural Residential (F/RR) which is one unit to 20 acres. This is inconsistent with the ULDR and Commercial future land use on these parcels as being more urban in nature. The adjacent residential range in size from less than one acre to about 1.25 primarily with some others in the 2-acre range. Since Commercial is one of those uses promoted in the MSD this request would be compatible. The companion rezoning following this application will be for Highway Commercial (C-4) and 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.

STAFF ANALYSIS:

Bases:

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.*

Existing and Future Land Use Pattern and Compatibility

Existing Development Patterns	Existing Use	Future Land Use Designations
North	US HWY 27 and Residential	Agriculture/Rural Residential
South	Pasture land	Urban Low Density Residential
East	Residential	Urban Low Density Residential
West	FDOT stormwater basin	Urban Low Density Residential

Properties in the surrounding area are generally a mix of vacant, residential (adjacent residential range in size from less than one acre to about 1.25 primarily with some others in the 2-acre range) and all within the Williston Municipal Service District.

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

Source for Concurrency Review: North Central Florida Regional Planning Council

Potable Water Impact

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

Sanitary Sewer Impact

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

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.

Drainage Impact

Design standards for stormwater management systems to address quantity and quality of stormwater treatment is outlines in Policy 1.2 and is consistent with F.A.C. Rule 40B and 62-25.

Recreation Impact

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

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
Alt. US27 (SE of CR339A)	7,403a	B	0	2	1,221	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.

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 HWY 27
Fire Protection	3 miles
Police Protection	3 miles
Emergency Medical Service	3 miles
Nearest School	2 miles
Centralized Water and Sewer	N/A approximately 2 miles

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 occasional land use map amendments proposed to convert land from Commercial to other land uses, usually Residential, have been due to relatively recent changes in the County's Land Development Code to not allow residential dwelling units on property with a Commercial land use or zoning. 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 proposed is located inside the Williston MSD. Land within this MSD surrounding the subject property to the east, west and south are designated as A/RR and ULDR Future Land Use.

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. The design of US Highway 27 can accommodate a capacity of 7,403a annual average daily trips to maintain a Level of Service "B" for the highway.

Summary: This amendment would increase the amount of acreage designated for Commercial by approximately 3.80 acres.

Urban Sprawl Analysis

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 Willison 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 and therefore, will not negatively affect preservation of agricultural areas and activities. According to the Levy County Property Appraiser, the land is currently classified as either Auto Sale/Repair (Use Code 2700) or Vacant (Use Code 0000).

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: A portion of the property has had a commercial business operating on site successfully for many years. The proposed Commercial land use designation on the remaining land under common ownership will allow for this business to expand and meet the non-residential demand that is being experienced by the property owner.

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 expansion of an existing commercial use on the property that is located along a state arterial roadway and is within a Comprehensive Plan designated 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 an existing land use pattern that has been around for years with is automotive repair business.

Based on the four above findings staff recommends the Board of County Commissioners review the applicant’s request to change the future land use from Urban Low Density Residential to Commercial on approximately 3.80 acres. Staff recommends approval.

Local Review:

Planning Commission Recommendation, January 3, 2022

Vote: Approved 5-0

Board of County Commissioners Action, February 8, 2022

Vote: TBD