



Levy County Planning and Zoning Department

Application # SSA 22-02

Staff Contact: Stacey Hectus, Planning and Zoning Director
352-486-5203; hectus-stacey@levycounty.org

Staff Report Date: September 20, 2022, updated for BoCC October 17, 2022
Local Planning Agency: Hearing Date: October 3, 2022
Board of County Commissioners: Tentative Adoption Hearing Date: November 8, 2022

SUBJECT: **SSA 22-02:** 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 5 acres of 11.61 acres of land within the Williston Municipal Service District.

APPLICANT/AGENT: Crystal and Dan Pinkston

OWNER: Infinity Pink Holdings, LLC

PROPERTY DESCRIPTION: Parcel Number: 0433100100 (portion),
Section/Township/Range: 01/13/18
Land Use: Urban Medium Density Residential
Existing Use: Vacant
Acreage: Approximately 5 of 11.1 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.

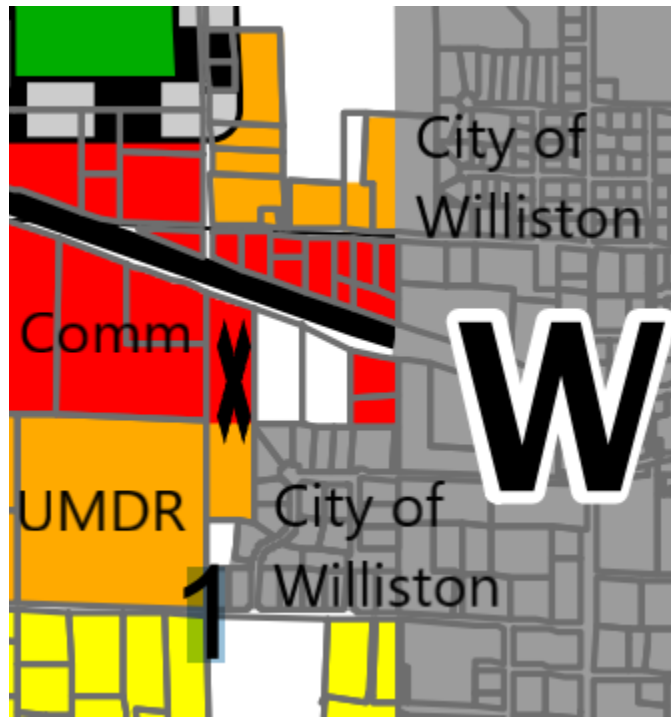
LPA RECOMMENDATION: 4-0 approval

BOCC ACTION: TBD

Aerial Showing General Location of Subject Property and Surrounding Parcels for SSA 22-02



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 Medium Density Residential” (five dwelling units per acre) to “Commercial” on a portion of parcel number 0433100100, 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 NE HWY 27 ALT.

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 expansion of their commercial endeavors. The 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 5 acres of 11.61 acres of property fronting NE HWY 27 ALT within the Williston Municipal Service District (MSD). The property adjacent to the south and east is City of Williston residential, north is NE HWY 27 ALT and west is primarily vacant land with residences and properties with a future land use of commercial located in unincorporated Levy County, per the property appraiser website. All these surrounding properties carry the UMDR or Commercial future land use except for the property to the east which are City of Williston designated “undetermined” on their Future Land Use Map which is Camellia Plantation Subdivision. There is no central water or sewer on this property but it is close.

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 such as the Williston Winn-Dixie shopping center. Additionally, across NE HWY 27 ALT there is a Future Land Use of Commercial.

This parcel has a split future land use and zoning. I believe that was because of the close proximity of the rear of the parcel to residential. However, the development potential for it being split does not make sense either way. Would you drive through a commercial development to get back to your residential duplex or triplex? One future land use makes sense from a development stand point and compatibility with the commercial placed on NE HWY 27 ALT. Additionally, because of the slope of the land and any commercial development requiring stormwater the rear approximate 5 acres is the likely place for that. The current future land use designation on that approximate 5 acres is UMDR which is 5 units to the acre so with it being 5 acres with services they could yield about 25 units give or take.

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. 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 it. The main ingress and egress for this activity will be off NE HWY 27 ALT and coordinated through the Florida Department of Transportation.

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 HWY	Commercial and HWY
South	City of Williston Residential Subdivision Camellia Plantation	Undetermined
East	City of Williston Residential Subdivision Camellia Plantation	Undetermined
West	Residential and Pasture	County Urban Medium Density Residential and Commercial

Properties in the surrounding area are generally a mix of vacant, residential, pasture and NE Hwy 27 ALT and all within the Williston Municipal Service District. The Williston Municipal boundary is adjacent to the subject property to the south and east.

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, well expansion and stormwater.

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.

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 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.

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	NE HWY 27 ALT
Fire Protection	.25 mile
Police Protection	.5 mile
Emergency Medical Service	.5 mile
Nearest School	.5 mile
Centralized Water and Sewer	N/A approximately .25 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 98% 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. 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 5 acres. Commercial land use is encouraged in the MSD.

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 amendment directs growth and development to area of the community in a manner that does not adversely impact natural resources by increasing the commercial potential for the area, which is in cohesion with the future land use.

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

Response: The proposed amendment promotes efficient and cost effective provision of public infrastructure by extending the MSD infrastructure further west, creating more services available to the MSD area.

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: Not applicable, does not promote walkable and connecting communities through mixed uses and densities.

4. Promotes conservation of water and energy;

Response: The proposed amendment conserves water and energy by connecting to the city infrastructure.

5. Preserves agricultural areas and activities;

Response: The proposed amendment preserves agriculture area and activities got other lands, as the proposed land is located within the already determined future land use of commercial and city MSD, therefore preserving other land for agriculture.

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

Response: Not applicable, the proposed amendment does not promote open space and natural land and public space and recreation needs.

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

Response: **The proposed amendment, creates a balance of land uses based on the demands of the area for more commercial space providing needs for the residential population by means of commercial development.**

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 amendment provides uses for commercial density for expansion of services that would support more population growth into the area.**

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 5 acres.

At the October 3, 2022 meeting of the Planning Commission they voted 4-0 to recommend approval to the Board of County Commission.

Local Review:

Planning Commission Recommendation, October 3, 2022

Vote: Approved 4-0

Board of County Commissioners Action, November 8, 2022

Vote: TBD