

**LEVY COUNTY
PLANNING DEPARTMENT**

Application Number: **LSA 19-02** Staff Contact: Debbie Benton, Adm. Ast.II
352-486-5405

**Local Planning Agency
Board of County Commissioners**

**Hearing Date: January 6, 2020 - APPROVED
Transmittal Hearing: February 4, 2020 - APPROVED
Adoption Hearing: April 21, 2020 - TBD**

SUBJECT:

LSA 19-02: A request for a large scale land use amendment to the Future Land Use Map from “Forestry/Rural Residential” (one dwelling unit per 20 acres) to “Agricultural/Rural Residential” (one dwelling unit per 10 acres) on 2 parcels of vacant land approximately 20 acres in each parcel located in Section 18, Township 16, Range 17. Parcel I.D.s are 0386800100 (20 acres) and 038680010B (20 acres), and each front directly on U.S. Highway 19/98 approximately 1.8 miles north of the Town of Inglis Municipal Service District. Property owners are Thomas Reaves, Jr., Deanna C-Et-Al, Brian Reaves and Michael Reaves.

**APPLICANT/AGENT
OWNERS:**

Thomas Reaves, Deanna Reaves, Brian Reaves, Michael Reaves

PROPERTY DESCRIPTION:

Location: U.S. Highway 19/98 approximately 4 miles north of the Town of Inglis, Florida.
Parcel Numbers: 0386800100 & 038680010B
Section/Township/Range: 18/16/17
Land Use: Forestry/Rural Residential
Zoning: Forestry/Rural Residential
Existing Use: Vacant
Acreage: Total 40 acres

PREVIOUS REQUESTS:

None

ZONING VIOLATION HISTORY:

There are currently no violations on the site.

CHRONOLOGY:

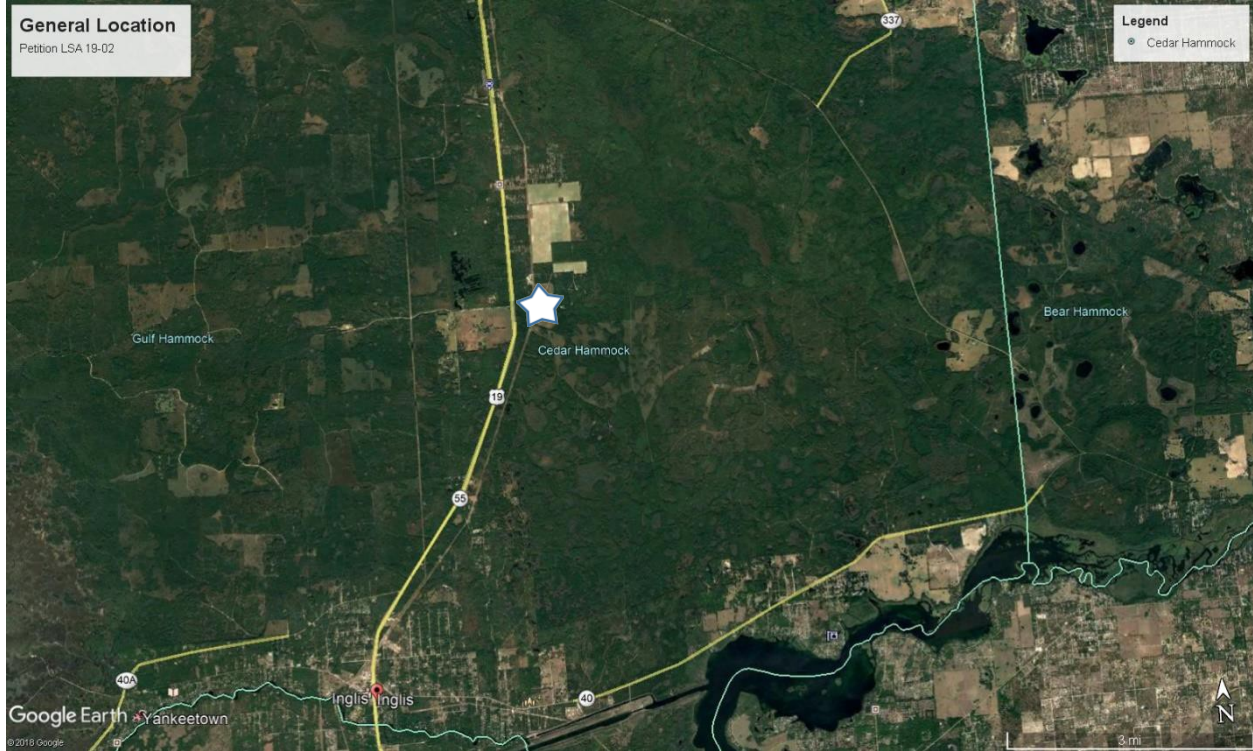
Original Staff Report Date: November 1, 2019
Planning Commission Hearing: January 6, 2020
Board of County Commission Transmittal: February 4, 2020
Board of County Commission Adoption: April 21, 2020

STAFF RECOMMENDATION:

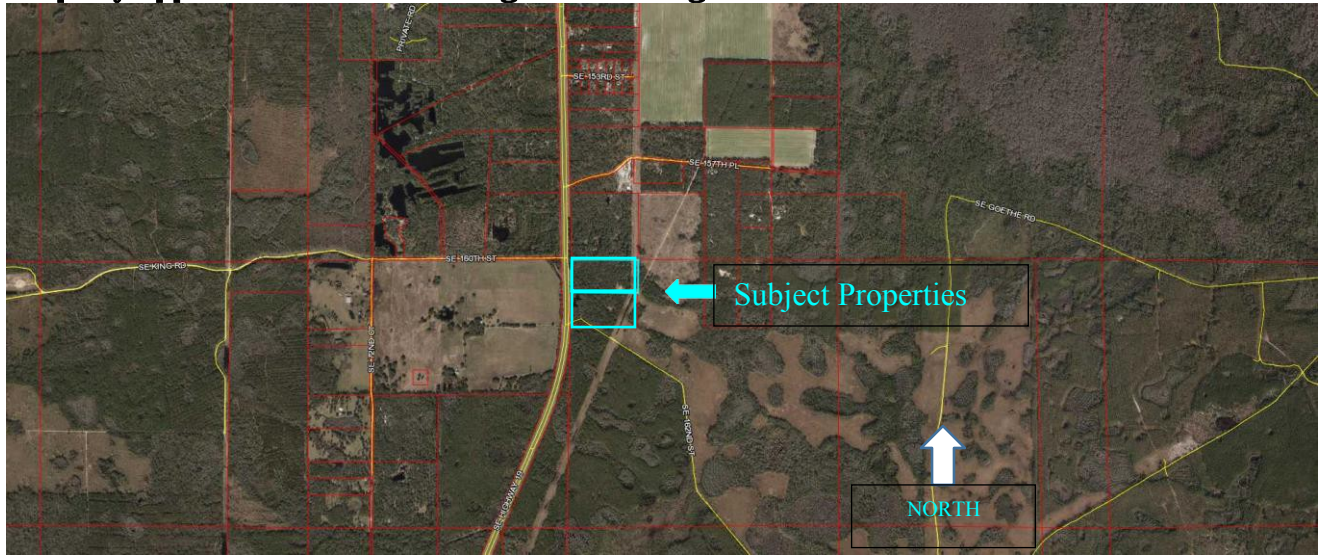
Staff recommends adoption of Petition LSA 19-02 (Levy County 20-01ESR) large scale land use amendment.

LEVY COUNTY PLANNING DEPARTMENT

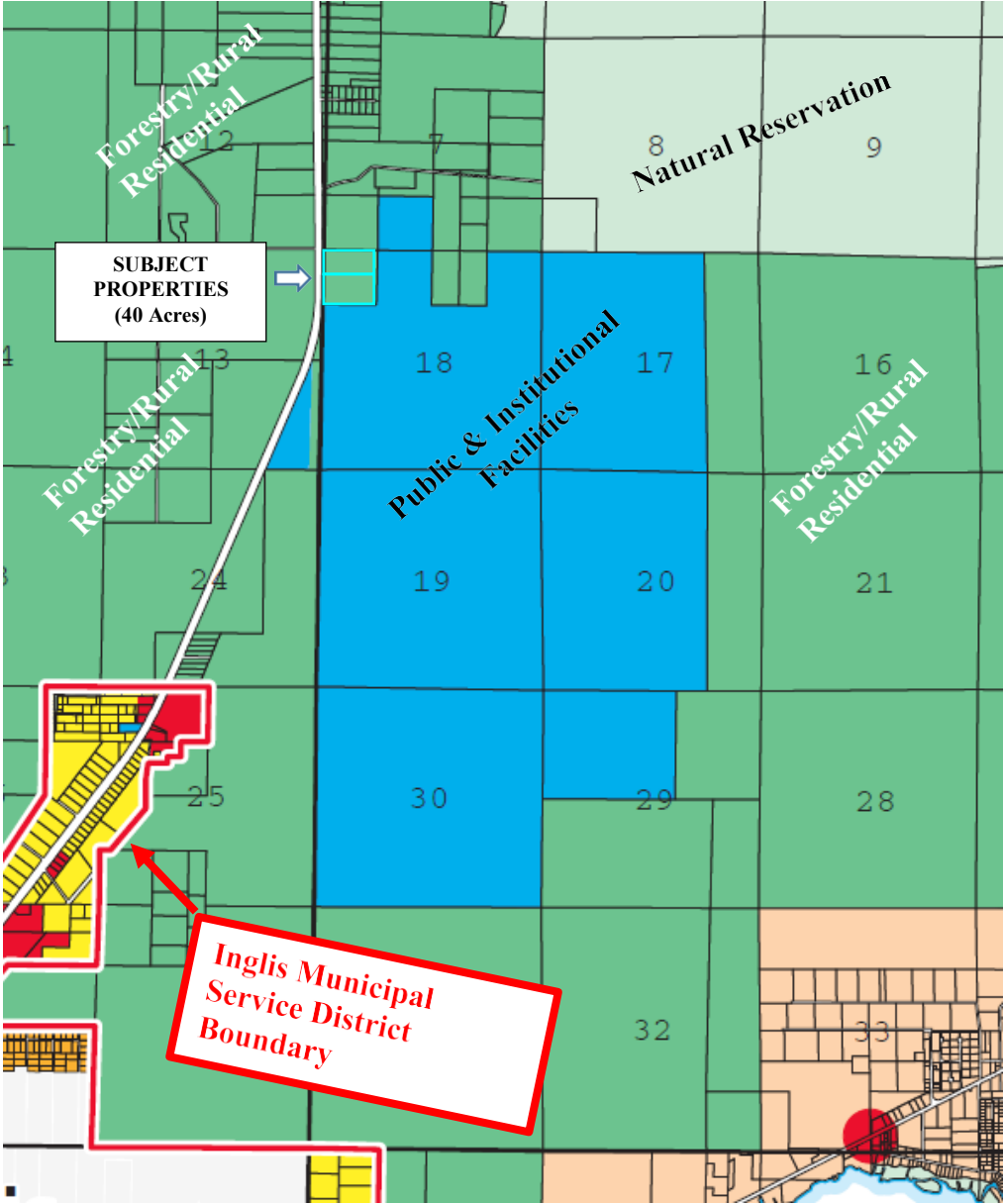
Aerial Showing General Location of Subject Property



Property Appraiser's Aerial Showing Surrounding Parcels

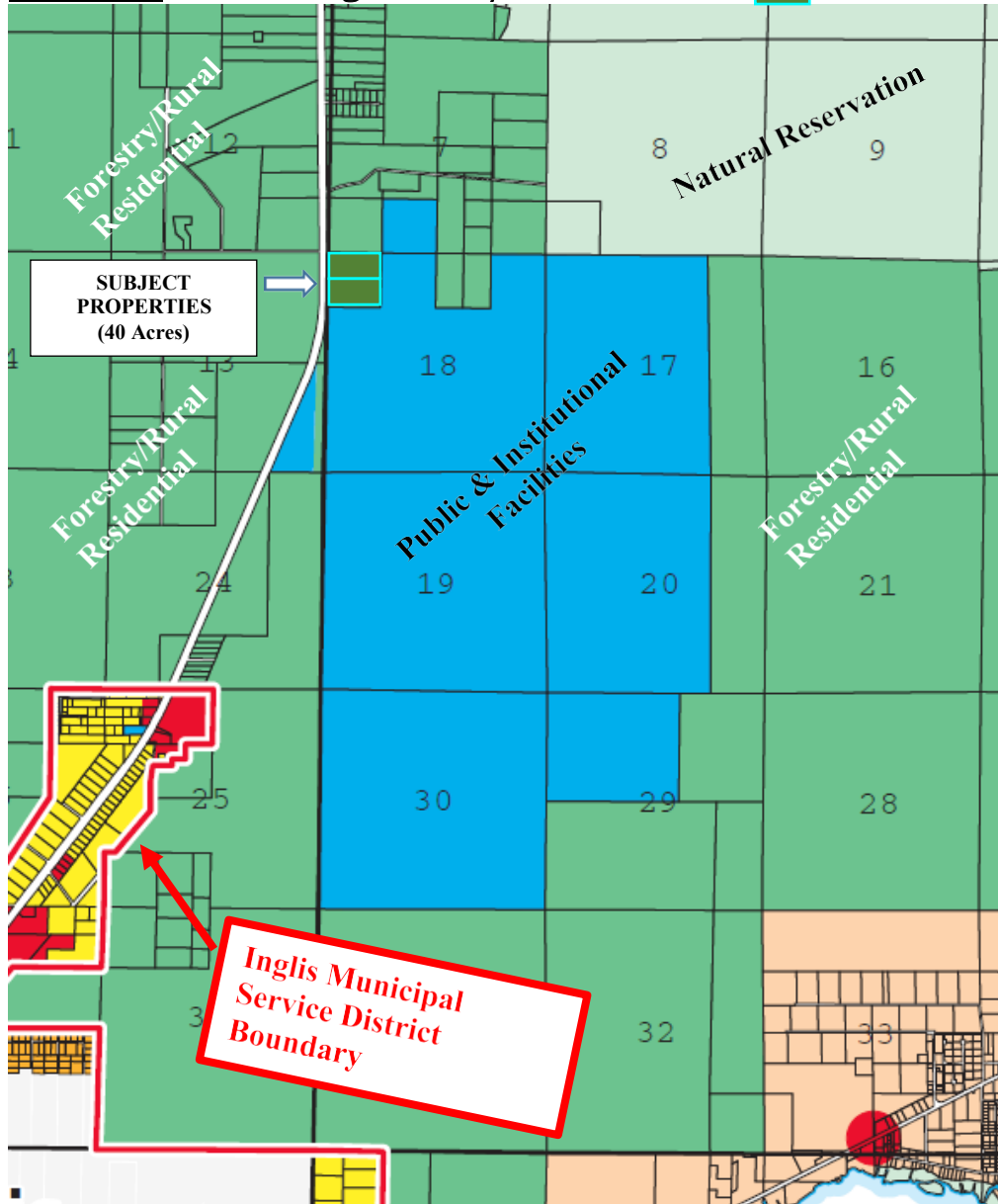


FUTURE LAND USE MAP
EXISTING LAND USE- Forestry/Rural Residential ■



FUTURE LAND USE MAP

PROPOSED LAND USE- Agricultural/Rural Residential



ANALYSIS OF REQUEST

Background

The applicant is requesting a large-scale land use amendment to the Future Land Use Map from “*Forestry/Rural Residential*” (one dwelling unit per 20 acres) to “*Agricultural/Rural Residential*” (one dwelling unit per 10 acres) on parcels 0386800100 & 038680010B, located directly on U.S Highway 19/98 about 4 miles north of the Town of Inglis, Florida. The subject property is located outside the Town of Inglis Municipal Service District (MSD). The property is undeveloped and does not yet have a physical address.

The *Agricultural/Rural Residential* land use designation provides for “*areas predominantly used for agriculture, accessory and supportive uses to the agricultural industry, resource based and/or non-spectator based recreational uses, conservation uses, and very low density rural development. The maximum residential density is one (1) unit per ten (10) acre, except as otherwise provided by Policy 3.3. The minimum parcel size is ten (10) acres, or parcel of record as of December 31, 1989. Public schools are permitted in this land use category*”.

Description of Site and Surrounding Properties

The proposed land use change applies to a total of approximately 40 acres of vacant undeveloped property fronting U.S. Highway 19/98, approximately 4 miles north of the Town of Inglis. The subject property and surrounding area are well outside the Yankeetown/Inglis Municipal Service District (MSD).

Property immediately to the north and to the west both carry a *Forestry/Rural Residential* future land use designation. Properties immediately to the east and south carry a *Public and Institutional Facilities* future land use designation.

The surrounding area is primarily agricultural / timber low density residential uses. Vacant property to the east and south are part of the Progress Energy (Duke Energy) land use change and special exception use project initiated around 2005.

COMPREHENSIVE PLAN CONSISTENCY

The *Agricultural / Rural Residential (A/RR)* future land use category is discussed in policy 1.2 of the Future Land Use Element of the Levy County Comprehensive Plan. Development of the *A/RR* land use category is implemented through the *Agricultural/Rural Residential (A/RR)* zoning category. Permitted uses in the *A/RR* future land use category include uses predominantly used for agriculture, accessory and supportive uses to the agricultural industry, resource based and/or non-spectator based recreational uses, conservation uses, and very low density rural development.

Both *Agricultural/Rural Residential* and *Forestry/Rural Residential* future land uses are prohibited within the County's eight Municipal Service Districts (MSDs). The delineation between "urban" and "rural" areas of the county are accomplished by permitting only "urban" type uses within the eight (8) MSDs.

EFFECT OF AMENDMENT ON AFFORDABLE HOUSING

Staff does not expect the land use amendment to have a negative effect on affordable housing.

STAFF ANALYSIS:

Bases:

1. **Policy 1.2** states: *This category provides for areas predominantly used for agriculture, accessory and supportive uses to the agricultural industry, resource based and/or non-spectator based recreational uses, conservation uses, and very low density rural development. The maximum residential density is one (1) unit per ten (10) acres, except as otherwise provided by Policy 3.3. The minimum parcel size is ten (10) acres, or parcel of record as of December 31, 1989. Public schools are permitted in this land use category.*

The amendment would potentially allow two (2) additional residential units to be constructed.

2. 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.*

3. **Objective 1: Guidelines for Future Land Use Categories** states: *Establish land use categories that allow sufficient acreage for residential, commercial, office, mixed-use, industrial, education, agricultural, recreation, conservation and public and institutional uses **while establishing a clear separation between urban and rural land uses.***

4. **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	Vacant Timber land (Fronts US 19)	Forestry/Rural Residential
South	Vacant Duke Energy & Timber	Public & Institutional Facilities
East	Vacant Duke Energy & Timber (Behind)	Public & Institutional Facilities
West	Agricultural; Low Density Residential/ Agricultural (other side of US 19)	Forestry/Rural Residential

Properties in the surrounding area are generally a mix of vacant timber, agricultural lands and some low density rural residential development on large acreage. The proposed land use designation is appropriate and consistent with the predominant development pattern in the surrounding area.

Environmental Suitability

It appears the subject property is outside any environmentally sensitive lands, as depicted in the County’s adopted *Generalized Environmentally Sensitive Lands* Map. Keeping in mind the map is generalized and details of site specific development will be addressed through the County’s Development Department through various requirements that address setbacks, building for flood zones, septic tank / soil issues, etc. The subject property appears to be outside any storm surge zones identified in the County’s adopted *Coastal High Hazard Surge* map.

Impact on Adopted Level of Service Standards

	Comp Plan Element	Level of Service Standard
Solid Waste	Infrastructure Element Solid Waste Sub-Element Policy 1.8	The LOS standard is 2.8 lbs. per person per day or an equivalent residential unit 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.
Parks and Recreation	Recreation and Open Space Element, Policy 1.2	The LOS standard is two acres of public park and recreation lands per 1,000 persons. The County has approximately 119,000 acres of state and federal parklands and at least 3,500 acres of County parklands. Based on its current population estimate of 41,330 the County is well within the adopted level of service standard for parks.
Centralized Sewer	Infrastructure Element	Not currently provided to serve subject property. Nearest provider is possibly Crystal River.
Potable Water	Infrastructure Element	Not currently provided to serve subject property. Nearest provider is Town of Inglis.

Drainage	Infrastructure Element, Stormwater Management Sub-Element, Policy 1.2 outlines design standards to address stormwater management systems addressing quantity and quality of water treatment.	Design standards for stormwater management systems to address quantity and quality of water treatment is outlined in Policy 1.2, and is consistent with F.A.C. Chapter 62-330.
Transportation	Transportation Element, Policies 1.1, 1.2, 3.4 and 4.5.	U.S. 19 is a Principal Arterial-Rural and is part of the State of Florida's Strategic Intermodal System (SIS). The state's adopted policy on automobile mode level of service for rural areas is 'C'.

Transportation Impacts: A traffic analysis estimates the maximum traffic impact of the proposed land use to determine if adequate facilities are available to support a proposed land use change to Agricultural/Rural Residential. The roadway for which the site could obtain access is US Highway 19. U.S. Highway 19 is classified as a "Principal Arterial-Rural" by the County and is a "Strategic Intermodal System (SIS)" as determined by Florida Department of Transportation (FDOT). The *"Generalized Annual Average Daily Volumes for Florida's Rural Undeveloped Areas and Developed Areas Less Than 5,000 Population"* for a 4 lane divided rural undeveloped area for Uninterrupted Flows Highways states that the annual average daily trip count to maintain a Level of Service of C would be 40,300 trips. The FDOT estimates that this segment of US 19/98 will carry a total of 7,108 AADT. The impact of the addition of approximately 2 single family homes are *de minimis* and would not negatively impact the Level of Service "C" on this portion of US Highway 19/98.

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 will not be adversely impacted; and drainage must meet all applicable rules. The proposed will not render roadway links LOS deficient.

Accessibility to Public Services:

Road Access	US 19/98
Fire Protection	Approx. 5 Miles
Police Protection	Approx. 5 Miles
Emergency Medical Service	Approx. 5 Miles
Nearest School	Approx. 6 Miles
Centralized Water and Sewer	Approx. 6 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 *Forestry/ Rural Residential* (one dwelling per 20 acres) future land use category comprises approximately 292,016 acres within the County. The category makes up an approximate total of 42.9% of all land uses in the County. Approximately 220,099 acres is designated as *Agricultural/ Rural Residential* (one dwelling per 10 acres) future land use. This is about 32.3% of all land uses in Levy County. As such, 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* (32.3%) and *Natural Reservation* (17.9%). Together, these three categories make up 93.1% of all land uses in unincorporated Levy County.

The Levy County Comprehensive Plan encourages and has as its Goal 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.

The proposed is located outside the designated "urban" area surrounding the Town of Inglis and associated Municipal Service District future land use category. Land surrounding the subject property to the north, east and south are designated as "rural", with the exception of Public and Institutional Facilities which is allowed within both "urban" and "rural" areas of the county. The subject property is located along 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 19/98 can accommodate the *de minimis* impact of two additional residential units to maintain a Level of Service "C" for the highway.

Summary: This amendment would increase the amount of acreage designated for *Agricultural/Rural Residential* by approximately 40 acres.

Urban Sprawl Analysis

The plan amendment is reviewed to determine whether the proposed discourages the proliferation of urban sprawl, as required by Florida statute.

The primary indicators that a plan or plan amendment promotes or does not promote urban sprawl are listed below. The evaluation of the presence of these indicators, and to what extent, shall consist of an analysis of the plan or plan amendment within the context of characteristics unique to the community or area of the community in order to determine whether the plan or plan amendment does the following:

- 1. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development of uses in excess of demonstrated need.**

The proposed is a request for a rural residential land use within existing areas designated as "rural" on the Future Land Use map and the Levy County Comprehensive Plan. The proposed is located outside an "urban" area of the County, and will maintain the natural rural character of the county. The Land Allocation Analysis provides the analysis of demonstrated need.

- 2. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.**

The subject parcel is located within an existing "rural" area of the county and will not result in significant amounts of urban development to occur in rural areas at a substantial distance from existing urban areas. The proposed intensification of land use is appropriate within this rural area outside the Inglis/Yankeetown MSD as designated in the Levy County Comprehensive Plan and associated Future Land Use Map.

- 3. Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.**

The proposed is in compliance with the comprehensive plan and does not promote nor allow urban strip development.

- 4. As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.**

The County's adopted Environmentally Sensitive Lands map shows the proposed land use change is not located within adopted environmentally sensitive lands, and is located outside the surge zones designated in the Coastal Hazard Map. The proposed is located outside of the County's Municipal Service District for the Town of Inglis/Yankeetown, and will not result in premature or poorly planned conversion of rural land to other uses, nor fail to protect and conserve natural resources. There are several applicable goals, objectives and policies within the County's comprehensive plan to protect the County's precious natural resources while allowing for the appropriate development of land within the its jurisdiction.

- 5. Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.**

It appears the proposed would not adversely affect nearby agricultural uses.

- 6. Fails to maximize use of existing public facilities and services.**

Water and sewer public facilities are not currently provided to the subject property, and rural developments of this low intensity are served by well and septic.

- 7. Fails to maximize the use of future public facilities and services.**

The proposed low density use is in an area where existing transportation networks are of adequate capacity.

- 8. Allows for land use patterns or timing which disproportionately increases the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, educational, health care, fire and emergency response, and general government.**

The proposed does not allow a land use pattern or timing that disproportionately increase the cost in time, money and energy of providing and maintaining facilities and services. This low intensity land use is located within the rural area of the county, outside the more “urban” uses found within the municipalities and surrounding Municipal Service Districts that are serviced by utilities and facilities typically characterized as more “urban” in nature.

- 9. Fails to provide a clear separation between urban and rural uses.**

The subject property is located outside the identified Municipal Service District and continues to provide for rural uses outside designated “urban” uses and so provides a clear separation between urban and rural areas.

- 10. Discourage or inhibits infill development or redevelopment of existing neighborhoods and communities.**

The proposed does not inhibit infill or redevelopment.

- 11. Fails to encourage an attractive and functional mix of uses.**

The proposed does not fail to encourage an attractive and functional mix of uses. Allowable land use categories and types of development permitted outside the MSD provide for and encourage an attractive and functional mix of uses that are complementary to the proposed.

- 12. Results in poor accessibility among linked and related land uses.**

The proposed would not result in poor accessibility between linked or related uses.

- 13. Results in loss of significant amounts of functional open space.**

The proposed amendment would not result in loss of significant functional open space.

The proposed amendment is evaluated to determine whether it discourages the proliferation of urban sprawl. If the proposed achieves four or more criteria listed in CH. 163, F.S. The following provides four (4) criteria:

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

The proposed Agricultural/Rural Residential land use category is a very low density use that is only allowed outside the County’s identified Municipal Service Districts. It will continue to maintain the rural character of the area and will not adversely impact natural resources.

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

The proposed Agricultural/Rural Residential land use category is a very low density and low intensity land use that does not require the extension of public infrastructure as a more intense and “urban” proposal would require.

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.**

The proposed Agricultural/Rural Residential land use category is located in an area identified in the comprehensive plan as appropriate for rural low densities and low intensities of uses which support a mix of uses and ranges of housing choices and multiple transportation modes.

4. **Promotes conservation of water and energy.**

The proposed low density land use change will promote conservation of water and energy due to its location outside the Town’s Municipal Service District, an area identified on the Future Land Use Map as being appropriate for more intense development and higher density residential development than what is permitted outside these boundaries. These more intense types of land uses require centralized water and sanitary sewer services, making them in close proximity to municipal boundaries. The MSD acts essentially as an urban growth boundary that prevents urban sprawl, therefore promoting the conservation of water and energy.

Recommendations and Action

Staff findings:

1. **Comprehensive Plan Policies:** The proposed land use change is consistent with Comprehensive Plan policies related to “rural” areas of the County. **Policy 1.2** states: *This category provides for areas predominantly used for agriculture, accessory and supportive uses to the agricultural industry, resource based and/or non-spectator based recreational uses, conservation uses, and very low density rural development. The maximum residential density is one (1) unit per ten (10) acres, except as otherwise provided by Policy 3.3. The minimum parcel size is ten (10) acres, or parcel of record as of December 31, 1989. Public schools are permitted in this land use category.*

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.*

Objective 1 Guidelines for Future Land Use Categories states: *Establish land use categories that allow sufficient acreage for residential, commercial, office, mixed-use, industrial, education,*

agricultural, recreation, conservation and public and institutional uses while establishing a clear separation between urban and rural land uses.

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.*

2. **Urban Sprawl Indicators:** The evaluation of the proposed amendment for urban sprawl indicators 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. Nearby properties, include low density residential uses and timber and agricultural uses appropriately located outside of the Town of Inglis/Yankeetown Municipal Service District. Staff finds that the proposed land use amendment would be compatible with land use patterns in the surrounding area.

Local Review:

Planning Commission Recommendation, January 6, 2020

Vote: APPROVED

Board of County Commissioners Action, February 4, 2020

Vote: APPROVED

Board of County Commissioners Action, April 21, 2020

Vote: TBD