

**SUMTER COUNTY
AMENDMENT TO THE VILLAGES OF SUMTER DEVELOPMENT
OF REGIONAL IMPACT DEVELOPMENT ORDER**

**PLANNING AND ZONING SPECIAL MASTER
September 21, 2020**

**BOARD OF COUNTY COMMISSIONERS
October 13, 2020
October 27, 2020**

CASE NO.: DRI2020-0002

LAND OWNER: The Villages Operating Company

REPRESENTATIVE: Darrin Taylor

REQUESTED ACTION: Amendment to the Tri-County Villages of Sumter Development of Regional Impact (DRI). The amendment proposes the following changes to the DRI Development Order (DO):

1. Removes references to state and regional review from the DRI DO;
2. Adds multi-family as a permitted use in the DRI;
3. Removes references to acreage for residential and non-residential uses; and
4. Extends the phase and buildout dates for the DRI.

PARCEL NUMBER: D12-001J.

LEGAL DESCRIPTION: TRACT J THE VILLAGES OF SUMTER UNIT NO 9 LESS THAT PORTION LYING IN LAND DESC IN OR 3253 PG 425

EXISTING ZONING: RPUD

EXISTING USE: Vacant

FUTURE LAND USE: Mixed-Use

PARCEL SIZE: 7.31 Acres

LOCATION: 1200 Morse Blvd and other such locations as are currently designated Mixed-Use by the DRI Development Order

SURROUNDING LAND USE AND ZONING

The subject property and all surrounding properties are zoned RPUD and have a Future Land Use designation of Mixed-Use.

CASE SUMMARY

The Villages is proposing to amend the Tri-County Villages of Sumter Development of Regional Impact Development Order in order to do the following:

1. AMEND THE DRI DO TO REFLECT THE REMOVAL OF STATE AND REGIONAL REVIEW FROM DRI PROCESS

In 2018 the Florida Legislature amended Chapter 380, F.S. to eliminate the DRI review process, rescinded all of the implementing DRI administrative rules and removed the state and regional agencies from the DRI process. As a result, local governments now have the full authority to adopt and amend DRI development orders based on their local requirements, which typically means consistency with the local comprehensive plan and land development regulations. Thus, large portions of adopted DRI development orders need to be updated to reflect these new requirements. In this amendment, The Villages is requesting the following revisions to the DRI DO to reflect state law:

- A. Adopt language in the DRI DO stating that the Tri-County Villages DRI DO is a local development order and is consistent with the Sumter County comprehensive plan and land development regulations;
- B. Remove all references to the Chapter 380 DRI review process including substantial deviation review and criteria and requiring further review pursuant to Chapter 380.06(19), F.S. ;
- C. Remove all references to state and regional review including transmitting or sending documents to DCA/DEO, RPCs (East Central and Withlacoochee) and all other state agencies;
- D. Delete all references to annual and final report;
- E. Delete all references and provisions related to air modeling;
- F. Delete consistency requirements with the East Central Florida and Withlacoochee Strategic Regional Policy Plans; and
- G. Remove the Town of Lady Lake portion from this DRI that requires amending the Master Plan, the entitlements table and the legal description. This amendment is needed because Sumter County has no jurisdiction over that portion of the DRI and the state requirements are no longer in effect that required both portions to be included.

2. ADD MULTI-FAMILY TO DRI DO

The Villages proposes to amend the DRI DO to add multi-family as a permitted use in the DRI and amend the Master Plan to permit multi-family in Mixed-Use, Villages Commercial and Residential at the Hacienda Hills portion of the DRI.

In order to permit multi-family in the DRI DO the following amendments are needed:

A. Amend DRI DO to state that the approved 11,719 residential units are approved for single-family and multi-family attached or detached units. Also, delete the phrase "not more than" because it is possible that non-residential square footage could be converted, resulting in more than 11,719 residential units at buildout.

B. Rename Map Has Master Plan and create a single Master Plan for the DRI by eliminating Map H-1.

C. Amend Master Plan to add multi-family as a permitted use and change a portion of Village Center to Mixed Use. In addition to multi-family, The Villages is also proposing to amend the list of permitted land uses to remove those uses that are not located in the Sumter County portion of the project.

D. Add multi-family residential to the DRI's land use conversion table. The conversion table will allow The Villages to add multi-family units by the conversion of other land uses without having to file a DRI amendment. The conversion table ensures that no new external traffic impacts are created.

E. Delete the 3.354 dwelling unit per gross acre density standard in the DRI DO and Map H. This density standard is no longer needed because the comprehensive plan establishes the maximum density permitted and the DRI DO establishes the total development entitlements permitted.

3. REMOVE REFERENCES TO TOTAL ACREAGE FOR RESIDENTIAL AND NONRESIDENTIAL

The DRI DO contains total acreage for residential and non-residential. The original DRI process required the acreage by use as part of the substantial deviation review. Over time, the acreage requirements were deleted from the Statutes but they have remained in the adopted DRI DO.

4. EXTEND DRI BUILDOUT AND EXPIRATION DATES

The DRI DO currently has a buildout date of December 31, 2018 and an expiration date of December 31, 2023. The Villages has already mitigated for all of the approved development entitlements and is not seeking new entitlements. However, in the abundance of caution The Villages is requesting an extension of the DRI buildout and expiration dates to December 31, 2025. This development order amendment does not create any new external impacts and is consistent with the Sumter County Comprehensive Plan and land development regulations.

CASE ANALYSIS:

Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides review criteria for LDC and zoning map amendments. Most of the requested amendments for DRI2020-0001 relate to changes in statute or the revision of obsolete standards. However, some of the requested amendments

relate to actual changes in use designation and therefore the standards of 13-313 (d) are utilized for the purposes of review, as follows:

- a) Change of conditions, or absence of changed conditions.

There are significant changed conditions associated with the identified parcel (D12-001J). The previous use of the property was removed after being determined not to be economically viable. The property is now vacant.

- b) Community need, or lack of community need.

The need for additional housing alternatives in Sumter County is supported by the current development and planned development of a number of multi-family residential projects. An assessment of the multi-family rental market in Sumter County conducted in 2018 by the Sumter County Economic Development Office indicated significant unmet demand for multi-family rental housing.

- c) Benefits to the community.

The addition of residential uses to the list of allowable uses in the DRI will provide additional economic flexibility to the property owner and potentially result in meeting additional housing needs.

- d) The rights of private property owners.

There are three single-family lots that abut the subject property. One is on the extreme north end of the tract and two are on the southern end. The perimeter of the tract is approximately 2600 feet and approximately 280 feet border private residences. The remainder of the perimeter abuts property owned by the applicant, property owned by the Village Center Community Development District or North Morse Boulevard. Impact on adjacent property owners is difficult to access since there is no specific development proposal accompanying the requested amendment, but any structural development of the site is likely to be set back significantly from the adjacent residences. The previous height limitation of 50 feet remains in effect. The previous use of the property generated significant traffic, but only during limited operating hours. The adjacent segment of Morse Boulevard is designated as a level of service (LOS) "F" by the Sumter County Board of County Commissioners and provides for no volume based improvements to the roadway based upon future changes. Potential impacts on adjacent and nearby property owners could be significant if the site were redeveloped, but both commercial and/or residential development will have significant impacts. Total automobile trip generation is limited on a DRI-wide basis by the DRI Development Order, but localized impacts may vary.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Most of the proposed amendments are administrative in nature and will have no actual impact on the development of The Villages. However, Parcel D12-001J will have significant additional use rights established. The subject property has a land use of Mixed-Use and a zoning of RPUD. The subject property is identified in The Villages Master Plan as “Village Center”, but the amendment would change the designation to Mixed-Use. The Mixed-Use designation provides for all commercial and residential uses available under the Development of Regional Impact Development Order. The addition of multi-family residential as a potential use is consistent with the current land use and zoning designation of the property.

The Mixed-Use Land Use is established by Policy 1.2.7 of the Sumter County Unified Comprehensive Plan. This policy provides that “*the master site plan for the related DRI or PUD must include a minimum of three (3) distinct land uses (residential, commercial, office, industrial, institutional, public services, parks and open space).*” This provision indicates that residential use is anticipated in the Mixed-Use district and is therefore consistent with the applicant’s request.

The RPUD zoning district is established by Section 13-422 of the Sumter County Land Development Code. The purpose and intent of the district is as follows:

“ ...to provide lands which are suitable for planned residential communities, multi-family or mixed-use residential/commercial developments, on relatively large tracts of land under unified ownership or control, while encouraging coherent, flexible and creative concepts of site planning.”

The requested change is consistent with the purpose and intent of the RPUD zoning district.

Other Comprehensive Plan policies supporting approval of the application include: Policy 1.1. 2. *Land development regulations shall encourage a development pattern that maximizes the utilization of existing and planned infrastructure, promotes a vibrant economy, and protects agricultural and natural resources. Such regulations shall address the following:*

- a. Focus urban development to areas with appropriate existing or planned infrastructure;*
- b. Encourage adaptive reuse and/or redevelopment of existing facilities;*
- c. Promote a diverse economy by providing appropriate and adaptable development standards that encourage economic development in areas most suitable for development;*
- e. Encourage the clustering of dwellings by providing incentives such as allowing shared access drives, zero lot lines, and density bonuses.*

Policy 1.4.8 Cluster Development Objective 1.5 Residential Land Uses

Designate and promote sufficient areas for quality residential development by focusing residential densities to the urban areas and municipalities where public services are available, while protecting the rural character of the agricultural district.

Policy 6.1.3 Allocation of Mixture of Housing Densities and Types

The County and Cities shall provide space for future growth and development with proposed land uses on the Future Land Use Map allowing a mixture of residential densities and housing types to increase the opportunity for future housing to accommodate different income groups, groups with special needs, and for all current and future residents.

Based upon the foregoing, staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

Notices Sent: 58 (Support/no comment) 0 (Oppose) 50

Map 1
General Location of DRI2020-0002

Location Map for Parcel D12-001J

