

SUMTER COUNTY
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
PLANNING AND ZONING SPECIAL MASTER
MAY 15, 2023
BOARD OF COUNTY COMMISSIONERS
JUNE 13, 2023

CASE NUMBER: SS-23-06300

LANDOWNER: John A. Papagno

REPRESENTATIVE: John A. Papagno

REQUESTED ACTION: A small scale land use amendment on 1.12 acres MOL to change the future land use assignment from Rural Residential to Commercial

PARCEL NUMBERS: F31F007

LEGAL DESCRIPTION: LOT 1, BAILEY’S SUBDIVISION PLAT BOOK 4 PAGE 9

PARCEL SIZE: 1.12 acres MOL

LOCATION: Lake Panasoffkee – Located directly South of N C.R. 470 (Map 1).

GENERAL DESCRIPTION AND BACKGROUND

The applicant is requesting a Small Scale Future Land Use Amendment on 1.12 acres MOL from Rural Residential to Commercial (Map 2). The landowner’s intent is to create a storage space for inside and outside storage with plans for the future of units for small businesses to occupy. Approval of the land use amendment and concurrent rezoning will allow consistent land use and zoning on the parcel and facilitate the future development of the property.

The application site is within the Urban Development Area. The site is located on the corner of C.R. 416 N and N C.R. 470 near a strip of commercial uses to the east. These existing commercial uses include a mix of heavy and light commercial uses such as auto repair and paint & body shops. Staff has reviewed the application for proof of ownership and authorization.

LAND USE SUITABILITY

Urban Sprawl

The proposed amendment displays none of the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9(a) and meets all four (4) of the sprawl test criteria in Florida Statutes Chapter 163.3177.9(b) (Attachment).

Environmental Resources

The property does not contain significant natural resources.

Historic Resources

This location does not appear on the Master Site File of Historic Resources.

Population and Housing

The proposed amendment will not impact the availability of housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

Sanitary water is available and required by the future development.

Stormwater Drainage

All development must conform to Southwest Florida Water Management District regulations for stormwater systems.

CONSISTENCY WITH POLICIES OF THE COMPREHENSIVE PLAN

The proposed amendment is consistent with the following policies of the Unified Comprehensive Plan:

Future Land Use Policy 1.1.4 Compatibility

Zoning districts and the uses permitted within them shall be compatible with the character of the neighborhood or community. In the context of this comprehensive plan, the term “compatible” shall denote the extent to which adjacent or nearby land uses can be established without significant negative impacts or the unreasonable loss of quiet enjoyment of private property. The term “compatible” does not require land uses to be similar in type or scale. Land development regulations shall provide standards to assure compatibility of proposed projects with surrounding land uses:

- a. New residential development shall be compatible with the predominant housing type in the surrounding neighborhood;
- b. Developments shall be consistent with the fundamental development pattern of the surrounding neighborhood in scale, mass of buildings, and density/intensity;
- c. Development standards shall require techniques to mitigate negative impacts between adjacent land uses. Such techniques may include buffers and visual barriers (i.e. vegetative buffers, fences, and berms), and setbacks; and July 12, 2022 6

d. Development standards shall provide consistency in the size, design, and location of site design features such as landscaping, buffers, signs, parking lots and vehicular circulation.

Proposed development will make the parcel consistent with the development pattern in the area. If approved, site development will require setbacks and buffering to mitigate any potential for negative impacts on residential uses to the south.

Future Land Use Policy 1.3.8 Compatibility for Rezoning and Amendments

Proposed rezonings and future land use amendments shall be compatible with adjacent land uses and community character. Compatibility shall be achieved through the following measures:

a. Rezoning and future land use amendments shall consider potential maximum impacts of the potential land uses; and

The amendment of the current land use will make the parcel conforming with the parcels in the surrounding area.

b. The use of clustering, PUD, or other innovative development techniques shall be considered to assure the compatible transition between differing land uses and zoning districts.

Based on the proposed change being on a lot fronting two roads and conforming with properties to the east, this would not be creating an issue of transition as the parcel is in an area of similar intensity uses.

Future Land Use Policy 1.6.3 Commercial and Industrial Conversion

Amendments of the Future Land Use Map to convert land to General Commercial or Industrial future land use category shall be based on the following criteria:

a. New commercial and industrial land uses shall gain access from a collector or arterial roadway;

b. New commercial or industrial sites shall have few environmental constraints or it has been demonstrated that environmental impacts can be mitigated.

c. Project site is of sufficient size to meet land development regulations, including road access, internal circulations, parking, drainage, and setback/buffers;

d. New industrial and commercial land uses within a designated utility service area shall connect to available public facilities or have a service agreement with the utility provider addressing future connection;

e. For new commercial or industrial uses there are necessary facilities and services available or planned to support the commercial or industrial use; and

f. Relationship and proximity to the Economic Activity Centers identified in Policy 8.1.1 and Map 8-1 of the Economic Development Element and Primary Economic Activity Centers identified on Map 1-8.

Access to the parcel is provided by an arterial and a local road. There are no environmental constraints with this parcel and could feasibly develop as proposed. Water is available in the area and, if required, shall connect. While the parcel is not located in an economic development area, it is within an area of other commercial uses nearby.

PROPOSED AMENDMENT TO THE TEXT OF THE COMPREHENSIVE PLAN

The proposed amendment does not affect the text of the Comprehensive Plan.

PROPOSED AMENDMENT TO THE CAPITAL IMPROVEMENTS PLAN

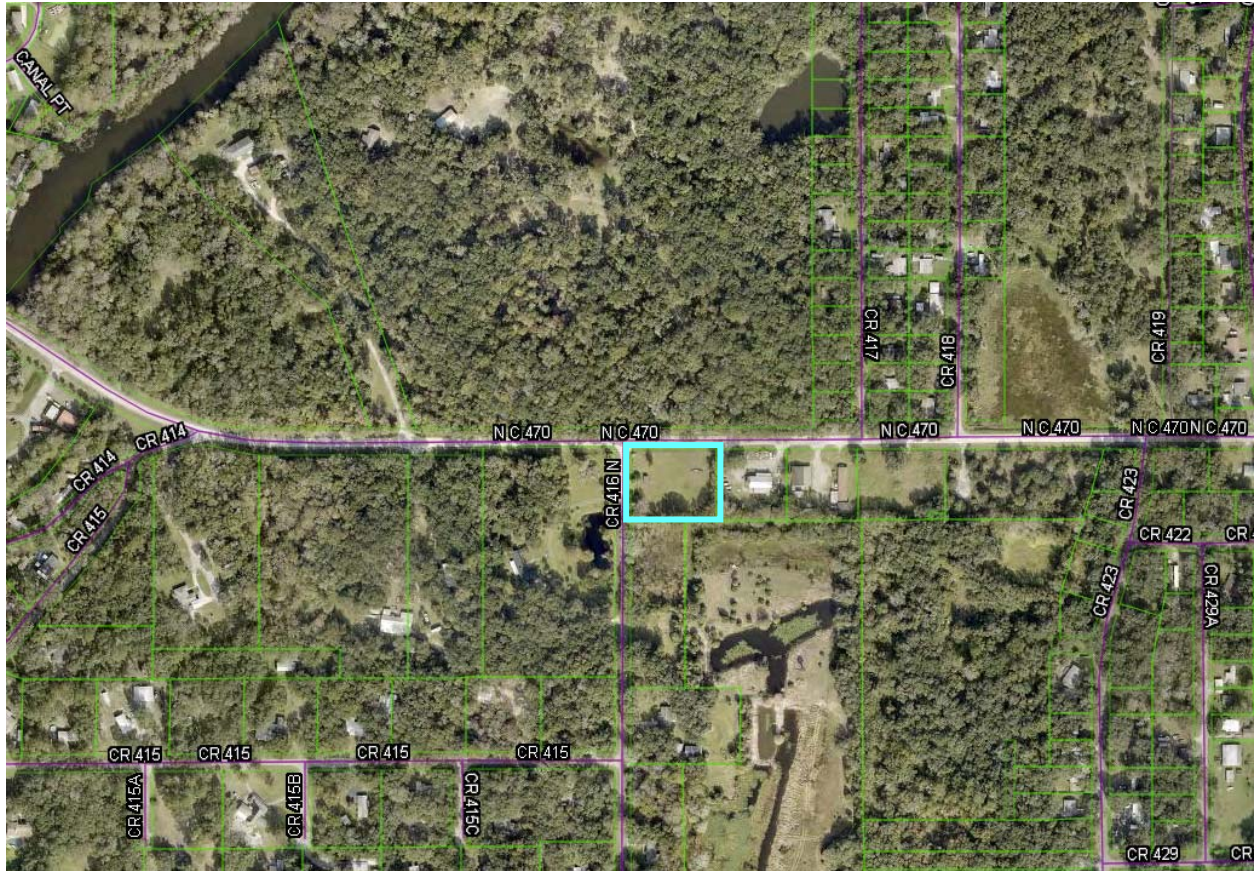
The proposed amendment does not affect the County's Capital Improvements program.

CONCLUSIONS

Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval of the petition.

Notices Sent: 14

Map 1
General Location



**Map 2
Future Land Use Map**



Existing land use: Rural Residential



Proposed land use: Commercial

Attachment B
URBAN SPRAWL ANALYSIS

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments to include an analysis to determine whether the proposed amendment contributes to urban sprawl. The proposed land use amendment does not display the sprawl indicators as identified in Florida Statutes Chapter 163.3177.9.a and listed below.

- I. Promotes, allows, or designates for development substantially areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The project site does not make up a substantial part of the County.**
- II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The subject property is within the Urban Development Area fronting on N C.R. 470 abd C.R. 416 N contiguous to a line of commercial connected to node of commercial to the east. This is the last parcel on the block fronting N C.R. 470 that is not commercial designated. Amending the land use of this parcel would make it consistent with those parcels buffering the residential uses from N. C.R. 470 and to no detriment of undeveloped land available and suitable for development; the area includes a large amount of vacant land designated residential that is available for development.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The subject property is the end of a block with lots fronting the main road being designated commercial. The amendment of this land use will complete the block frontage and provide a clean break between commercial uses and residential uses to the east across C.R. 416 N.**
- IV. Fails to adequately 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 subject property does not contain significant native vegetation but it includes FEMA designated flood zones at and wetland areas to the north.**
- V. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. **The proposed development will have no impact on Agricultural uses and looks to amend land use to a designation already existing in the area.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property is within an area where central water is provided. Once developed, they will connect.**
- VII. Fails to maximize use of future public facilities and services. **The subject property will be expected to connect to any future public facilities and services that are developed in the area.**
- VIII. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water,

sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. Fails to provide a clear separation between rural and urban land uses. **The proposed land use amendment will not disproportionately increase the cost of public services in the area.**

- IX. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The requested amendment does not discourage infill.**
- X. Fails to encourage a functional mix of uses. **The proposed project will encourage a functional mix of uses. The surrounding area includes a variety of Commercial, Residential, and Agriculture uses.**
- XI. Results in poor accessibility among linked or related land uses. **The proposed land use amendment will not affect the accessibility of adjacent lands.**
- XII. Results in the loss of significant amounts of functional open space. **The subject property does not impact functional open space.**

Further, a future land use amendment is required to meet four or more criteria listed in FS 163.3177.9.b. The proposed land use amendment meets the following four listed criteria:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on that protects natural resources and ecosystems. **The subject property does not contain significant native vegetation and any impacts to the wetlands will be regulated by SWFWMD.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The property is not Agricultural and the change would not impact any of these uses negatively.**
- (V) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area. **The land use change will not significantly affect the mixture of land uses in the County.**
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. **This amendment would change land use to a use that can support the residential population within the area and their needs for products and services provided by commercial uses.**