

**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-23-05853

**LANDOWNER:** Shannon Kennedy, DVM

**REPRESENTATIVE:** Michael W. Radcliffe

**REQUESTED ACTION:** A small scale land use amendment on 3.02 acres MOL to change the future land use assignment from Agriculture to Commercial

**PARCEL NUMBER:** J12-059

**LEGAL DESCRIPTION:** See Attachment A

**PARCEL SIZE:** 3.02 acres MOL

**LOCATION:** Sumterville – Located on the east side of 301 and north of E C- 470 (Map 1).

**GENERAL DESCRIPTION AND BACKGROUND**

The applicant is requesting a Small Scale Future Land Use Amendment on 3.02 acres MOL from Agriculture to Commercial (Map 2). The landowner’s intent is to create a Veterinary clinic on the property.

The application site is within the Urban Development Area as well as a primary economic activity center. The site is located near the corner of U.S Hwy 301 and E C-470 within a node of commercially designated properties (Map 3). Sumter County owns the property immediately east of the application site. A new customer service center is being planned for the site. Commercial property south of the property is vacant. Agriculturally designated land west of the project site is developed as an RV park. Agricultural lands east of the the commercial node are in use as a limerock mine.

## **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 meet 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

Connection will be required at the time of availability in the area.

### 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:

### **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

- 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.

*The proposed land use and zoning are compatible with contiguous parcels to the east and south and within a node of commercially designated parcels. Additionally, the parcel fronts an arterial road, US 301.*

**Future Land Use Objective 1.2      Future Land Use Pattern**

The future land use pattern shall discourage the proliferation of urban sprawl while promoting orderly compact growth. The County and Cities shall utilize a variety of planning tools to balance efficient economic development and urban growth with maintaining the County’s rural and agricultural character.

*The land use amendment is within a node of commercial land use and zoning and within the Urban Development Area where this type of development is best suited. Additionally, the parcel being located within a primary economic activity center indicates these areas are the focus for commercial activities and employment opportunities.*

**Future Land Use Policy 1.3.4      Urban Development Area**

An Urban Development Area (UDA) is established and depicted on the Future Land Use Map. The UDA encompasses those lands that are or expected to become urban through 2045. The UDA shall encompass the city boundaries, MSA’s adopted by the Interlocal Service boundary Agreements, pursuant to Chapter 171, Part II, Florida Statutes, and those lands appropriate for urbanization and are able to be served by appropriate public infrastructure. The County intends and has determined that the UDA meets the definition of and serves as the County’s urban service area as defined in s. 163.3164(50), F.S.

- a. Economic development activities and the provision of urban infrastructure within the UDA shall be strongly encouraged;
- b. The Urban Residential future land use category shall only be located within the UDA;
- b. Agriculture land use category may only be located outside the UDA or within the UDA where it:
  - i. serves as a holding area in anticipation of future annexation consistent with the MSAs approved between the County and the cities of Bushnell, Center Hill, Coleman, Webster, and Wildwood,
  - ii. if it is within the jurisdiction of the Cities; or
  - iii. is held under a perpetual conservation easement, or similar legal instrument, dedicated to a public agency for resource conservation purposes while allowing for continued agricultural uses.
- d. Developments within the UDA shall connect to central water and sewer if available by a municipality, a private not-for-profit utility, or other off-site utility provider. Where central water or sewer is not available within the UDA, on-site facilities shall be provided

in accordance with the provisions of Chapter 64E-6, Florida Administrative Code. Use of wells, septic tanks or package treatment plants in these areas shall be considered a temporary measure an

*This property is located within the urban development area. This is the intended area for development of economic activities to be focused.*

**Policy 1.3.7 Conversion of Agricultural Lands**

Conversion of agricultural lands to a mixed-use, industrial, commercial or residential future land use category shall demonstrate the following:

- a. The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes;
- b. Availability of public infrastructure, including centralized water and sewer, to serve a more dense or intense use, will be available at the time of development and is secured under a Developers Agreement;
- c. The proposed use will complement the rural qualities of the community by supporting a diverse and efficient resource-based economy; and
- d. The relationship of the proposed amendment site to the UDA boundary and other more densely or intensely designated or developed lands.

*The amendment will not result in urban sprawl as indicated in Attachment B. While there is currently no availability of water and sewer, connection will be required at the time of development. Extension of utility lines to the County-owned property is under design.*

**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 landuse 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 contiguous parcels.*
- 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.  
*This parcel would not be creating an issue of transition as the parcel is in an area of similar intensity uses.*

**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 subject site is provided by an arterial road with no known environmental constraints. The parcel is of sufficient size for the intended use and, given the location within the urban development area, is within an area capable of supporting the use.*

#### **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**

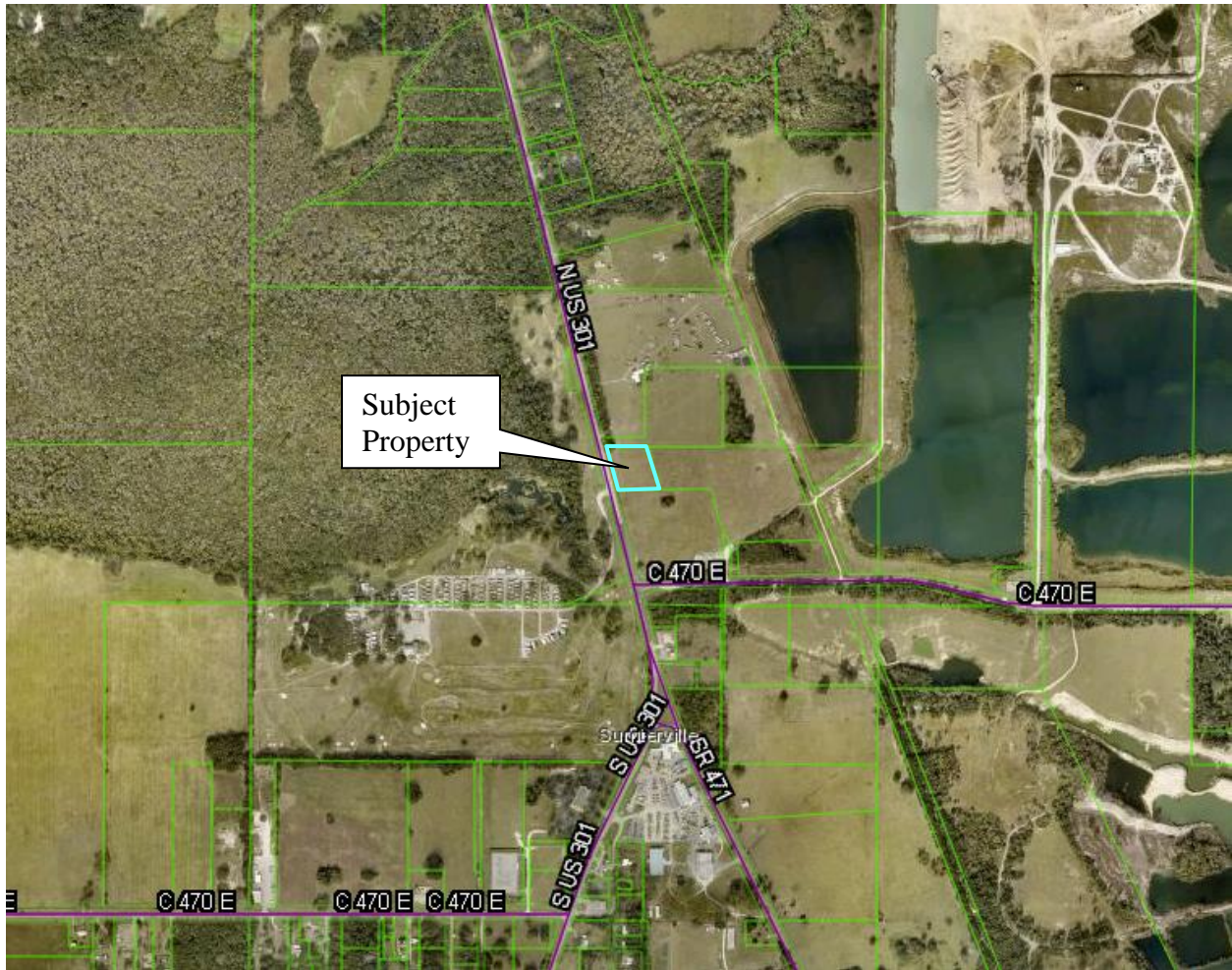
The proposed amendment does not affect the County's Capital Improvements program.

#### **CONCLUSIONS**

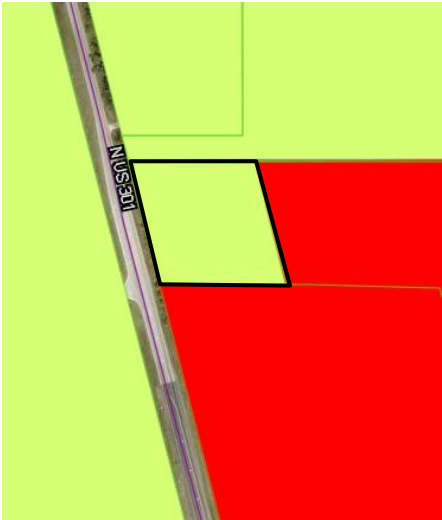
Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval of the petition.

**Notices Sent: 5**

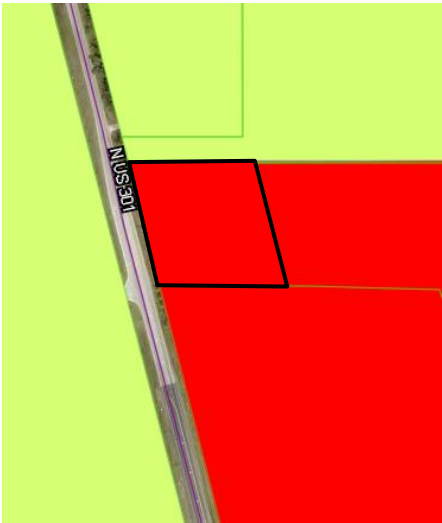
# Map 1 General Location



**Map 2  
Future Land Use Map**



Existing land use: Agriculture



Proposed land use: Commercial

**Key**



Agriculture



Commercial







## **Attachment A**

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 12, Township 20 South, Range 22 East, Sumter County, Florida, described as follows: Commence at the Southwest corner of said Southwest 1/4 of Southeast 1/4, thence run S89°37'55"E along the South line of said Southwest 1/4 of Southeast 1/4, a distance of 670.55 feet to the East line of the 100.00 feet wide (50.00 feet each side of centerline) right-of-way of U.S. Highway No. 301; thence N14°13'49"W along said right-of-way line a distance of 1008.90 feet to the POINT OF BEGINNING of this description, from said point continue N14°13'49"W along said right-of-way line, 368.00 feet to the North line of said Southwest 1/4 of Southeast 1/4; thence departing said right-of-way line run S89°30'36"E along the North line of said Southwest 1/4 of Southeast 1/4, a distance of 368.00 feet; thence S14°13'49"E, 368.00 feet; thence N89°30'36"W, 368.00 feet, to the POINT OF BEGINNING.

## 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 in the Urban Development Area fronting on U.S. 301 within a node of commercial land use and zoning. This property is contiguous to the same land use being sought and is not looking to establish a commercial use in an area where commercial land use is already existing.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The amending of land use for this property will not create any of the design patterns listed above.**
- 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 does include FEMA designated flood zone on a majority of the property.**
- 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 conform with properties to the east and south. Additionally, the intended use of veterinary office will support the Agricultural uses in the area by offering animal care services.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be required to connect when public facilities and services are available.**
- VII. Fails to maximize use of future public facilities and services. **The subject property will be required to connect when public facilities and services are available.**
- 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. **While the property has Agriculture land use and zoning, the property is not being used Agriculturally 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 nearby population within the area and their needs for products and services provided by commercial uses.**