

SUMTER COUNTY
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
PLANNING AND ZONING SPECIAL MASTER
JUNE 19, 2023
BOARD OF COUNTY COMMISSIONERS
JUNE 27, 2023

CASE NUMBER: SS-23-09655

LANDOWNER: Randall Thornton, Trustee

REPRESENTATIVE: Robbie Shoemaker and Leesa Wales

REQUESTED ACTION: A small scale land use amendment on 5 acres MOL to change the future land use assignment from Commercial to Rural Residential.

PARCEL NUMBERS: A portion of F30-014

LEGAL DESCRIPTION: See Attachment A

PARCEL SIZE: 5 acres MOL

LOCATION: Lake Panasoffkee – Northwest corner of N C-470 and CR 419 (Map 1)

GENERAL DESCRIPTION AND BACKGROUND

The applicant is requesting a Small Scale Future Land Use Amendment on five acres MOL from Commercial to Rural Residential (Map 2 and Map 3). Approval of the land use amendment and concurrent rezoning will allow consistent land use and zoning and facilitate the future development of the property. The site is located west of CR 419 and north of CR 470. The properties to the south and east have commercial future land uses and properties to the west have rural residential future land uses. The surrounding area is residential in nature with a mixture of suburban residential lots and vacant lands. Staff has reviewed the application for proof of ownership and authorization.

LAND USE SUITABILITY

Environmental Resources The subject property is predominantly open land with native plants. There are wetlands on site.

Soils and Floodplain The Soil Survey of Sumter County, Florida (USDA, 2022) identifies this property as having a combination of Paisley fine sand, boulder surface and Paisley fine sand, depressional (Map 4). A portion of the property is in the Area of Special Flood Hazard (Flood Zone AE).

Historical Resources No historical resources have been identified on the subject property.

CONCURRENCY ANALYSIS

Potable Water & Sewer

Potable water service is available. Future development will be required to connect.

Stormwater Drainage

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

CONSISTENCY WITH POLICIES OF THE COMPREHENSIVE PLAN

The requested land use amendment does not demonstrate any of the characteristics of urban sprawl (Attachment 1). The proposed amendment furthers the following policies of the Unified Comprehensive Plan:

Future Land Use Policy 1.3.6 Protection of Rural Areas

Rural and agricultural areas shall be protected from premature urbanization by managing the UDA restrictions. Areas shall be provided outside this UDA where agriculture and rural land uses can coexist and flourish without mandating the preservation of agriculture through government regulations.

While the subject property is within the UDA, it is in an area considered Rural. Surrounding parcels have Residential and Commercial future land uses. The land use amendment from Commercial to Rural Residential will help assure the property remain rural in nature.

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 requested amendment is compatible with the residential uses 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 from a higher intensity land use to Rural Residential, clustering and/or a PUD would not be applicable in this situation.

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 Comprehensive Plan and recommends approval of the petition.

Notices Sent: 109

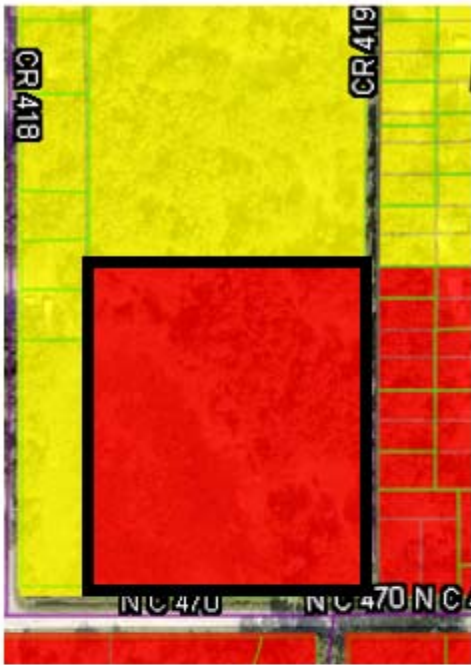
Map 1
General Location



Map 2
Zoning and Future Land Use of Surrounding Area



**Map 3
Future Land Use Map**



Existing land use: Commercial

- Commercial
- Rural Residential



Proposed land use: Rural Residential

Map 4 Soil Map



Key

- 9 Paisley fine sand, boulder surface
- 58 Paisley fine sand, depressional

Attachment A

From the SE corner of Government Lot 6, Section 30, Township 19 South, Range 22 East, Sumter County, Florida, run West along the south line of Government Lot 6 (said line also being the South line of Section 30) a distance of 1100.0 feet to the Point of Beginning of this description. From said POB continue West along the South line of Section 30, a distance of 470.24 feet; thence N 0°01'30.11" E 2026.03 feet more or less, to the waters of Lake Panasoffkee Outlet and a point hereby designated at Point "A"; return to the POB thence N 0°08'20" E 1844.49 feet; thence N 89°59'40" W 60.0 feet; thence N 0°08'20" E 168.28 feet more or less to the waters of Lake Panasoffkee Outlet, thence Westerly along and with said waters to intersect the aforementioned Point "A". LESS right of way for State Road No. 470 and also LESS right of way of road on East side of the above described property.

Attachment 1
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 requested amendment will not permit urban development of the subject parcel.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The subject property is not in an area of strip, radial, or ribbon patterned development.**
- 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 requested amendment will help preserve significant native vegetation and flood plains.**
- 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 not impact adjacent agricultural activities.**
- VI. Fails to maximize use of existing public facilities and services. **The subject property will be served by an existing water utility.**
- VII. Fails to maximize use of future public facilities and services. **The land use amendment will not maximize the future provision of facilities and services.**
- 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 help preserve residential uses in the county.**

- 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 contain significant native vegetation and wetlands the land use amendment will help protect the natural ecosystem.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The property is rural and the change would not impact any of these uses negatively.**
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs. **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 preserve open land.**

The proposed land use change does not demonstrate any of the characteristics of urban sprawl as defined by the applicable State Statutes.