

SUMTER COUNTY
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
PLANNING AND ZONING SPECIAL MASTER
AUGUST 7, 2023
BOARD OF COUNTY COMMISSIONERS
AUGUST 22, 2023

CASE NUMBER: SS-23-11760

LANDOWNER: Kari's Korner, Hot dogs, ice Cream, and More LLC

REPRESENTATIVE: Michael Pederson

REQUESTED ACTION: A small scale land use amendment on 1.23 acres MOL to change the future land use assignment from Agriculture to Commercial

PARCEL NUMBER: F02-002

LEGAL DESCRIPTION: BEG 2201.69 FT S AND 25 FT E O F NW COR OF NE1/4 RUN E 208.71 FT S 309.81 FT TO ROAD R/W NW/ LY ALONG R/W TO A POINT 208.71 FT S OF BEG N TO POB. ALL BEING IN SEC 2, TWP 19 S, RNG 22 E.

PARCEL SIZE: 1.23 acres MOL

LOCATION: Wildwood – NE corner of the intersection of C-44A, CR 225, and SR 44 (Map 1).

GENERAL DESCRIPTION AND BACKGROUND

The applicant is requesting a Small Scale Future Land Use Amendment on 1.23 acres MOL from Agriculture to Commercial (Map 2). The State of Florida previously owned the property and utilized it for a fire tower. The fire tower was removed in 2008 and the property transferred to private ownership. The purchaser rezoned the property to Neighborhood Commercial (R2019-0035) and established a small business on the site. The property is currently developed with a small business and contains no native habitat or agricultural use. The applicant is petitioning for a future land use amendment to Commercial to allow for higher intensity commercial uses on site.

The application site is located near SR 44 between Wildwood and the Interstate 75 interchange. It is located within the Urban Development Area and within a Primary Economic Activity (Map

3) Center. The SR 44 corridor includes a mixture of commercial and agricultural uses. The subject property is surrounded by agricultural, commercial and Mixed Use future land use assignments (Map 4). The subject property is very close to the Sumter LLC master planned development. Sumter LLC has been approved for over 2000 residential units.

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:

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 Primary Economic Activity Center (Map 3) where commercial development and job creation is encouraged.

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. The subject property is located within a Primary Economic Activity Center. The property is not in agricultural use and is not appropriately sized for future agricultural 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.

The property is located on a major collector road within 100 feet of a principal arterial roadway (SR 44). The parcel has no environmental constraints and is located within a Primary Economic Activity Center..

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

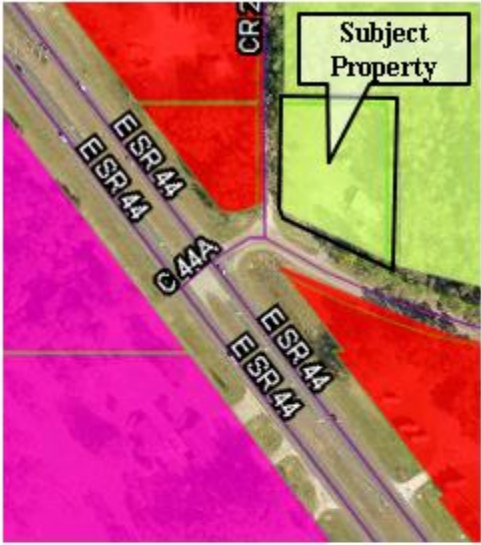
Staff deemed the application sufficient for review. Staff has found the request in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval of the petition.

Notices Sent: 9

**Map 1
General Location**



**Map 2
Future Land Use Map**



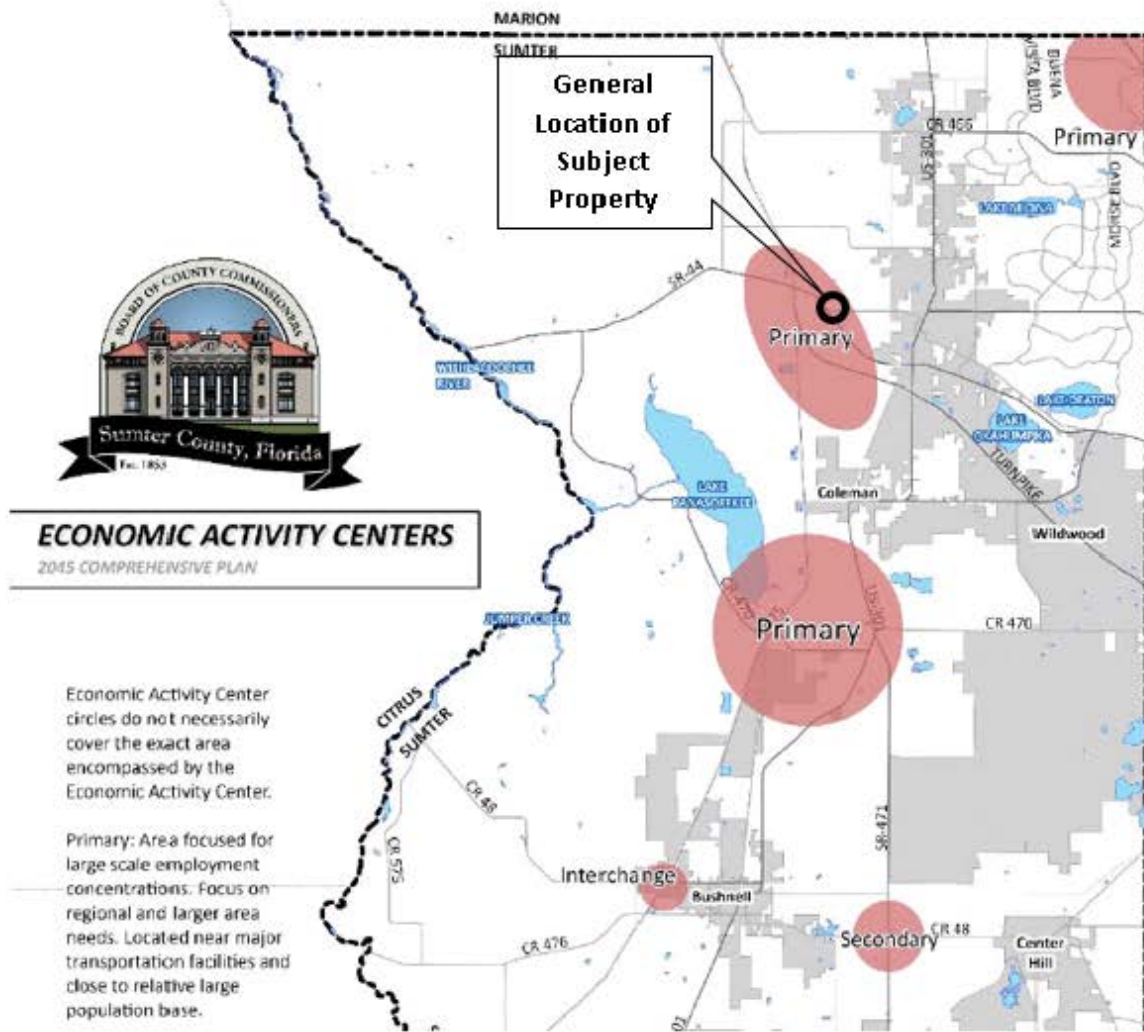
Existing Future Land Use Designations



Proposed Future Land Use Designations

-  Agriculture
-  Mixed Use
-  Commercial

Map 3
 Excerpt from Map 1-8-Primary Economic Activity Centers



Map 4
Surrounding Zoning and Land Use



Attachment A 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 property is less than two acres in size and does not represent a significant amount of land. It is located within the Urban Development Area adjacent to a commercial corridor.**
- 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.**
- 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 land use amendment will not impact adjacent agricultural activity.**
- 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 or habitat.**
- (V) Preserves Agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils. **The subject property is not in agricultural use.**
- (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.**