



Alachua County – Growth Management Staff Report

Application ZOM-07-19

Application Details

Staff Contact

Mehdi J. Benkhatar

Staff Phone Number

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Planning Commission Hearing Date

September 18, 2019

Board of County Commissioners Hearing Date

November 12, 2019

Requested Action

A request to rezone from “R-1a” (residential, 1 to 4 dwelling units/acre) to “R-1c” (residential, 1 to 4 dwelling units/acre) in order to allow for the placement of a mobile home residence.

Property Owner

Mario & Regina Perez

Property Description

Address: None. (fronts SE 207th St.)

Parcel Number: 20113-000-000

Section/Township/Range: 27/11/22

Land Use: Rural Cluster (Lochloosa)

Zoning: R-1a (single-family residential)

Acreage: 2.93

Previous Requests

None.

Zoning Violation History

None.

Applicant/Agent

Mario Perez

Project Timeline

- Submitted: July 1, 2019
- Staff Report Distributed: September 11, 2019
- Planning Commission Hearing: September 18, 2019

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve ZOM-07-19.**

Planning Commission Recommendation

Approve (8-0)

Background



Figure 1: Aerial map of site

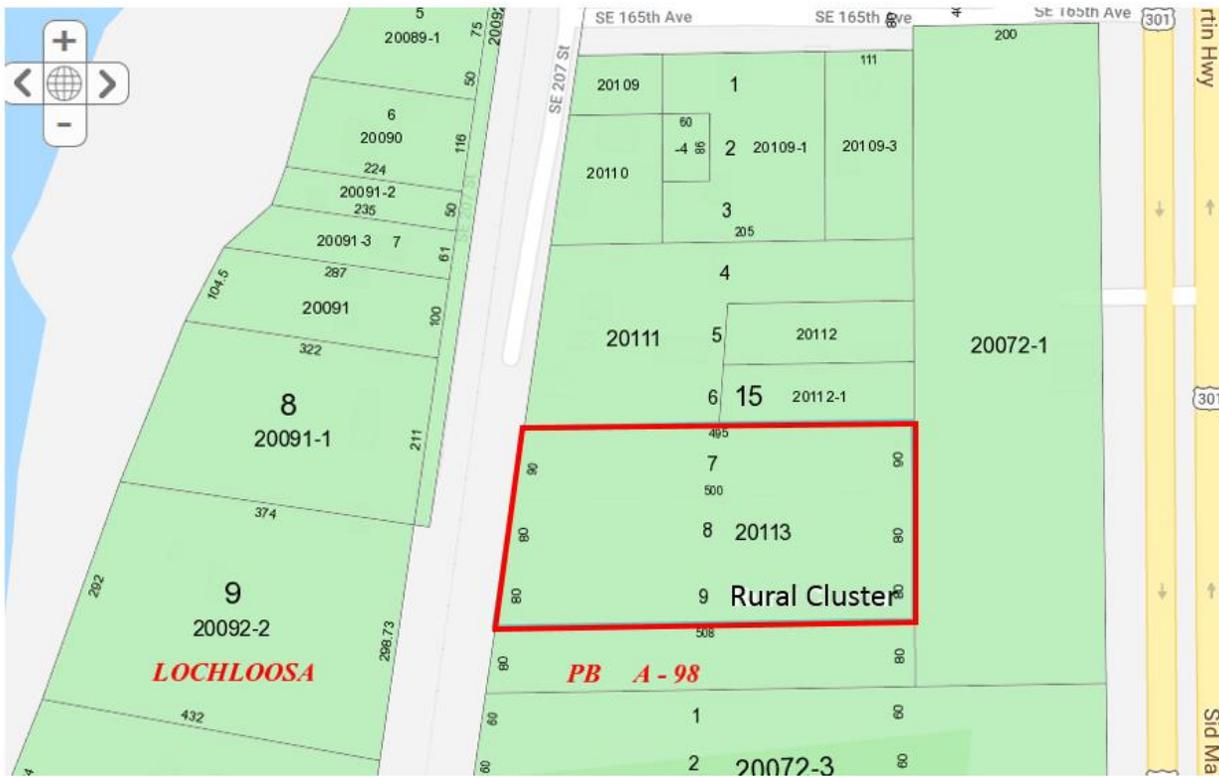


Figure 2: Land use map

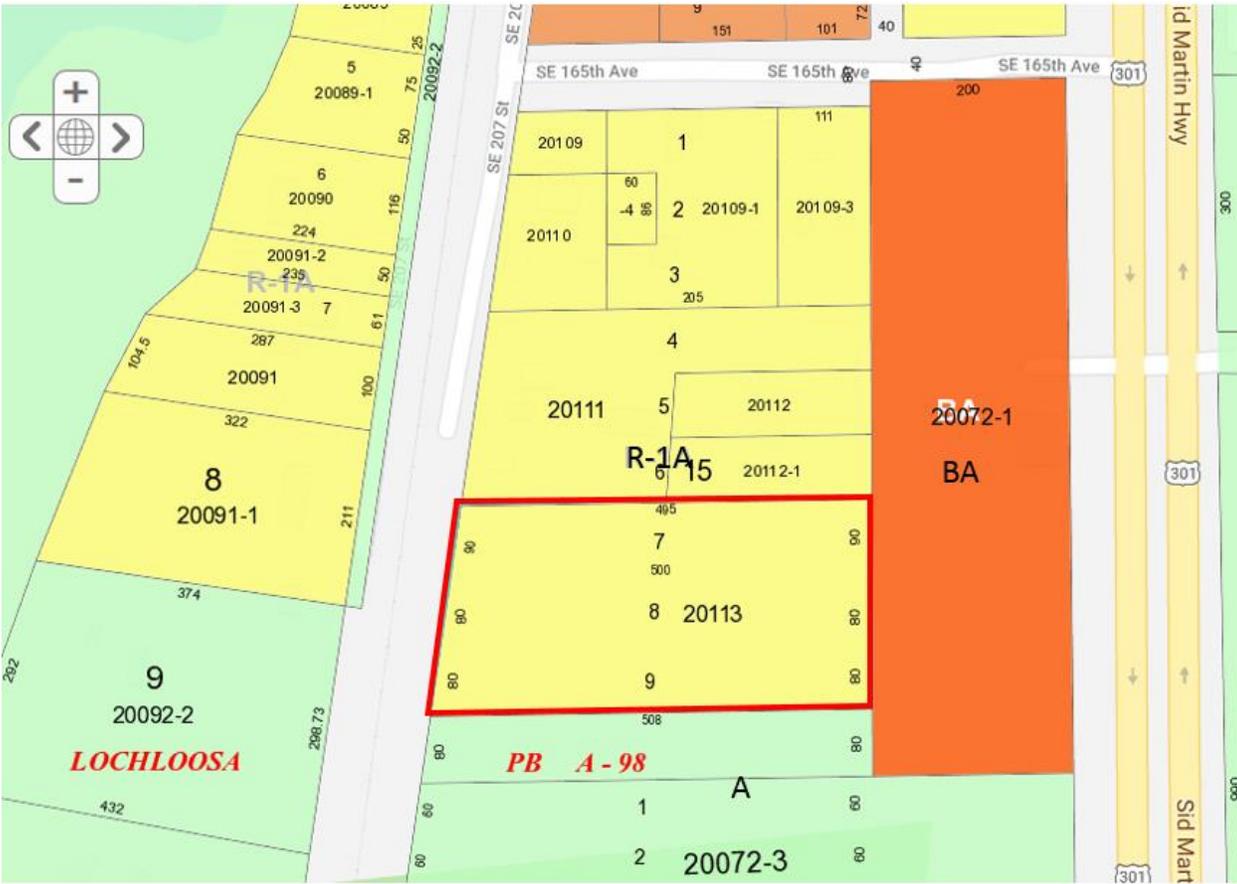


Figure 3: Zoning Map

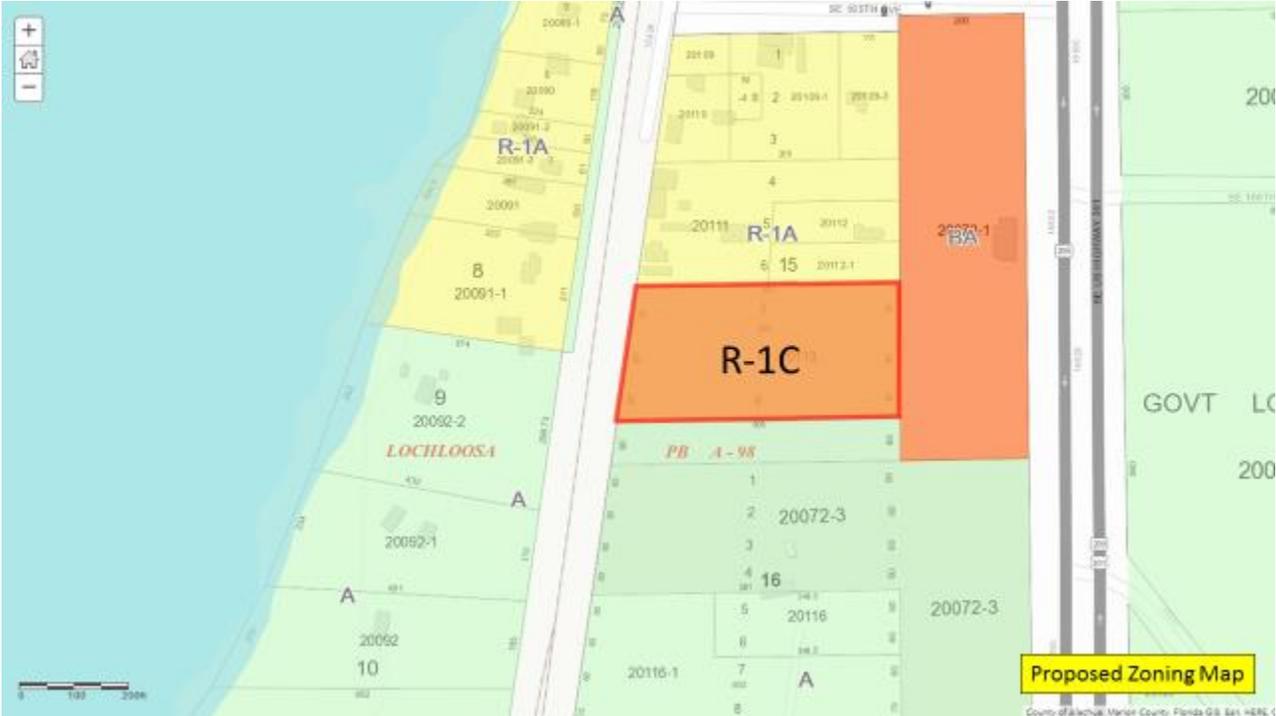


Figure 4: Proposed Zoning Map

Site description

This application is a request to rezone from the R-1a (single-family residential) zoning district to the R-1c (single-family residential) district on a parcel approximately 2.93 acres located within the Lochloosa Rural Cluster. If approved, the site would allow either a site built or mobile home single-family residence.

To the north of the site are parcels zoned R-1a with single-family residences. To the east of the site is a 4.5 acre parcel with a closed repair service shop. This parcel has BA (automotive oriented business) zoning. To the south of the site is a right of way that forms part of the historic plat (1912). To the west is a railroad right of way, with single-family residences in the R-1a and Agriculture zoning districts beyond. All surrounding parcels have a future land use designation of Rural Cluster.

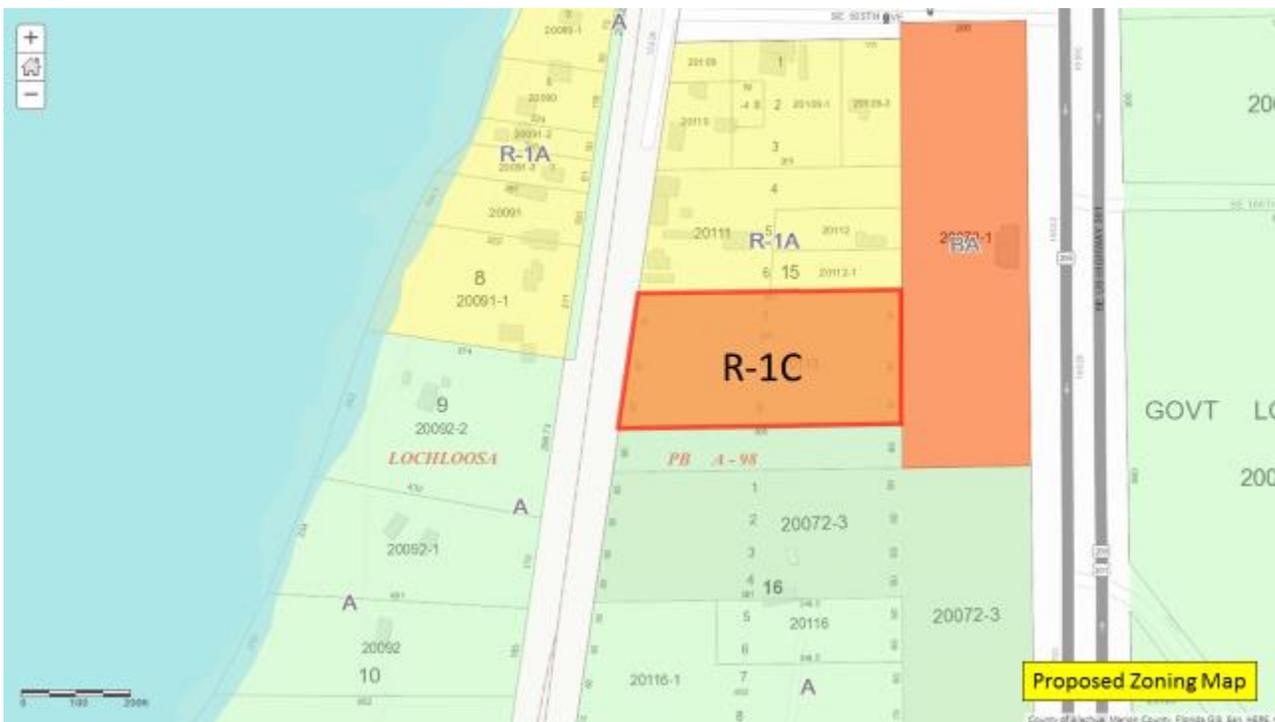


Figure 3: Proposed Zoning Map

Consistency with Comprehensive Plan

Levels of Service

The Alachua County Comprehensive Plan Capital Improvement Element requires that the public facilities and services needed to support development be available

concurrent with the impacts of development and that issuance of a Certificate of Level of Service Compliance (CLSC) be a condition of all final development orders. ‘Concurrent’ shall mean that all adopted levels of service (LOS) standards shall be maintained or achieved within a specified timeframe. Per **Policy 1.2.4 of the Capital Improvements Element** of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

Traffic

This rezoning will not result in any additional impacts to the transportation network.

Water and Sewer

Policy 1.2.4 (e) of the Capital Improvements Element describes the minimum Level of Service standards for potable water and sewer. These are summarized in the following table:

	Peak Residential & Non Residential	Pressure	Storage Capacity
Potable Water	200 gallons/day/du	40 p.s.i.	½ peak day volume
Sanitary Sewer	106 gallons/day/du	N/A	N/A

There will be no impacts to water and sewer levels of service resulting from this request. The site will be served by on-site well water and septic systems.

Drainage

Policy 1.2.4 of the Capital Improvements Element states that the minimum drainage LOS standard for residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation. Any future development on this site would be required to meet this standard.

Emergency Services

Policy 1.2.5 (a) of the Capital Improvements Element states that the LOS standard for fire services in the area outside the urban cluster is as follows:

- Initial unit response within 12 minutes for 80% of all responses within 12 months.
- Fire protection service level of ISO (Insurance Service Office) Class Protection 10 or better.
- Development shall provide adequate water supply for fire suppression and protection and fire service compliant fire connections.

All development will be required to meet these standards at the time of development plan approval.

Solid Waste

Policy 1.2.4 (c) of the Capital Improvements Element states that the minimum level of service standard for solid waste disposal used for determining the availability of disposal capacity to accommodate demand generated by existing and new development, at a minimum, shall be 0.73 tons per person per year. LOS standards for solid waste will not be exceeded by this request.

Schools

The proposed rezoning does not authorize additional residential units and will not have an impact on the school system.

Recreation

The proposed rezoning does not authorize additional residential units and will not have an impact on the recreation system.

Policy 7.1.2 of the Future Land Use Element

Policy 7.1.2 of the Future Land Use Element states that:

Proposed changes in the zoning map shall consider:

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed rezoning is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site is located in the Lochloosa rural cluster. Per Policy 6.4.4 of the Future Land Use Element, “Zoning and development standards shall be established in the Unified Land Development Code to implement the objective and policies for Rural Clusters...” Sec. 403.05 of the Unified Land Development Code states that single family residential zoning districts implement the rural cluster policies of the Comprehensive Plan.

- b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

The site is located outside of the Urban Cluster and is not required to be served by a centralized potable water and sanitary sewer system. This rezoning is not expected to result in any additional impacts to the transportation network.

- c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

Existing development in the vicinity of the site consists residentially zoned parcels with single family residences, including mobile homes. Staff has not identified any environmental justice or redevelopment issues that would result from the approval of this application.

d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.

This request is to rezone from one single-family residential zoning district (R-1A) to another (R-1C) in order to allow the owner to place a mobile home on the site. Staff has not identified any adverse impacts to public health, safety or welfare that would result from the approval of this request.

Unified Land Development Code (ULDC) Consistency

Sec. 402.77. - Review criteria and standards for rezoning applications.

When considering any application for rezoning, the standards and criteria listed below shall apply:

(a) Consistency.

(b) Compatibility.

(c) Development patterns.

(d) Suitability.

(e) Adequate public services.

(f) Access.

(g) Public health, safety, and welfare.

The requested rezoning is consistent with the Unified Land Development Code. Section 403.05 states that single-family residential districts (e.g. R-1c) implement the rural cluster policies of the Comprehensive Plan. If approved, the

potential uses in the R-1c district are compatible with those single family residential uses in the vicinity. The development pattern is marked by small residential parcels (under 5 acres) in the Lochloosa rural cluster, bounded by Highway 301 to the east and a railroad right of way to the west. The site is suitable for residential uses; the Environmental Protection Department conducted a site visit to confirm that adequate space exists outside of wetlands and the flood zone in which to locate a home. Adequate public services exist to serve the site. As the site is in the rural part of the county, it will be served by private well and septic. Access to the site is from SE 207th St. Staff has not identified any concerns related to public health, safety or welfare that would result if this rezoning were to be approved.

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve ZOM-07-19.**

Bases

1. The proposed zoning district of R-1c implements the land use designation of Rural Cluster per **Future Land Use Element Policy 6.4.4 of the Comprehensive Plan.**
2. **Section 403.05 of the Unified Land Development Code** states that single-family residential zoning districts implement the rural cluster policies of the Comprehensive Plan.
3. There is adequate area outside of flood zones and wetlands (and its associated buffer) in which to locate a single-family residence.
4. The applicant has submitted an environmental resource assessment as part of the rezoning application. Staff has reviewed the information on this inventory of natural resources and has concluded that the rezoning request is consistent with the protection of natural resources, as required **by Policy 3.4.1 of the Conservation and Open Space Element of the Comprehensive Plan.**
5. **Section 402.77 of the Unified Land Development Code** provides criteria and standards for rezoning applications. The criteria include consistency, compatibility, development patterns, suitability, adequate public services and access. The

proposed rezoning meets the criteria and standards of this section. Single-family residential districts implement the rural cluster policies of the Comprehensive Plan. Potential uses in the R-1c district are compatible with those single family residential uses in the vicinity. The development pattern is marked by small residential parcels (under 5 acres) in the Lochloosa rural cluster, bounded by Highway 301 to the east and a railroad right of way to the west. The site is suitable for residential uses; the Environmental Protection Department conducted a site visit to confirm that adequate space exists outside of wetlands and the flood zone in which to locate a home. Adequate public services exist to serve the site. As the site is in the rural part of the county, it will be served by private well and septic. Access to the site is from SE 207th St. Staff has not identified any concerns related to public health, safety or welfare that would result if this rezoning were to be approved.

Staff and Agency Comments

Department of Environmental Protection

Staff conducted a site visit to determine the extent of wetlands and floodplains on the site and determined that there was adequate area in which to locate a single-family residence



Figure 4: Wetland and floodplain map of the site

Department of Public Works

The following comments need to be addressed at DRC review level.

The parcel has FEMA designated 100 year flood plain on the property. The property will be using the existing driveway connection to SE 207th Street and no new driveway connection to SE 207th Street is being proposed. We recommend the proposed mobile home be placed in the northwest corner of the parcel as that is at a higher topography then the rest of the parcel.

Transportation

No comment.