

Item # 04.23SS.01

Summary Information (Whealey Acres Administrative SSFLUA and Rezone) Small Scale Future Land Use Amendment	
APPLICANT	Seminole County
PROPERTY OWNER(S)	Wiggins, Robert C & Shirley E Dumont, Jesse Carmon, Ashley P Dumont, Robert L Allcock, Johnathan D Sadar, Mohamed S Thevenet, Randall & Adorno, Matilde G Dowling, Tamara & Ian Czerwonka, Richard E & Pinas, Halina W
REQUEST	Amend the Future Land Use designation from <u>Commercial</u> to <u>Low Density Residential</u>
PROPERTY SIZE	3.7 +/- acres
PROPERTY LOCATION	North of W SR 426 and south of SR 417
PROPERTY TAX ID	31-21-31-505-0000-0010 31-21-31-505-0000-0030 31-21-31-505-0000-0050 31-21-31-505-0000-0070 31-21-31-505-0000-0100 31-21-31-300-0180-0000 31-21-31-505-0000-0110 31-21-31-505-0000-0140 31-21-31-505-0000-0150 31-21-31-505-0000-0180 31-21-31-505-0000-0220
AMENDMENT NUMBER	04.23SS.01
COMMISSION DISTRICT	Dallari- 1
NEIGHBORHOOD MEETING DATE(S)	May 16, 2023
HEARING DATE(S)	P & Z: 10/04/2023 BCC: 10/24/2023
EXISTING USE OF SUBJECT PROPERTY	Single-Family Residential: 31-21-31-505-0000-0010 31-21-31-505-0000-0030

	31-21-31-505-0000-0070 31-21-31-505-0000-0100 31-21-31-300-0180-0000 31-21-31-505-0000-0150 31-21-31-505-0000-0180 31-21-31-505-0000-0220 Vacant: 31-21-31-505-0000-0050 31-21-31-505-0000-0110 31-21-31-505-0000-0140	
EXISTING ZONING OF SUBJECT PROPERTY	A-1	
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE NORTH	EXISTING USE	FUTURE LAND USE DESIGNATION
	Single-family residential	OFFICE
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE EAST	Multi-family residential Commercial uses	COMMERCIAL
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE SOUTH	Commercial uses	PLANNED DEVELOPMENT
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE WEST	Single-family residential House of worship	OFFICE

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Future Land Use Element Amendment Review Criteria

The Future Land Use Element of the Comprehensive Plan establishes criteria to be used in the evaluation of proposed future land use amendments, consistent with requirements of State Law, and including individual site compatibility analysis. These criteria include:

A. Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.

Staff Findings

The character of the area has remained relatively the same throughout the past ten years, aside from a development directly east of the subject parcels, which has been developed as multi-family residential with a maximum density of 17.5 dwelling units per acre. However, the existing Future Land Use designation of Commercial is not consistent with the existing use of the subject parcels, which has been single-family residential since the 1950s. A change in the Future Land Use designation is not expected to change the character of the area and instead provide more consistency with the existing use.

B. Whether public facilities and services will be able to be available concurrent with the impacts of development at adopted levels of service, or whether approval of the proposal would create internal inconsistency within the Seminole County Comprehensive Plan by impacting adopted levels of service or other related Goals, Objectives and Policies, particularly those addressing capital improvement programs and fiscal feasibility.

The maximum density of the proposed Land Use Amendment to Low Density Residential allows up to four dwelling units per net buildable acre. The following table provides adopted levels of service standards for public services and facilities, and potential impacts of the proposed amendment. Information in the “Potential Impact” section of the table has been calculated by staff.

Facility or Service Level of Service (LOS) And Provider	Potential Impact
Potable Water Facilities LOS: 250 gpd Provider: Seminole County	0.004 mgd as LDR or 0.006 as COM
Sanitary Sewer Facilities LOS: 215 gpd Provider: Seminole County	0.003 mgd as LDR or 0.006 as COM
Recreation LOS: 3.6 total acres/1000 population 1.8 developed acres/1000 population Provider: Seminole County	0.131 acres total 0.066 developed acres
Solid Waste LOS: Seminole County Landfill LOS: 4.3 lbs/capita/day. Seminole County Transfer Station LOS: 4.0 lbs/capita/day	28.6 tons annual landfill demand 0.073 tons daily transfer station demand
Schools	*
* See attached Seminole County School Board Report	

Staff Findings

The proposed Future Land Use amendment and Rezone are not expected to have any impact on the above listed facilities since no change of use is proposed. The existing single-family residential homes are already in the Seminole County utility service areas.

With an estimated net buildable density of 3.7 acres, the Commercial Future Land Use would allow approximately 56,410 sq ft of floor area of commercial development and require more impact to Seminole County water and sewer facilities than the Low Density residential Future Land Use would allow.

- C. Whether the site will be able to comply with flood prone regulations, wetland regulations (if subject property is located within the Environmentally Sensitive Lands Overlay), and all other adopted development policies and regulations.**

Staff Findings

The subject parcels are not within the floodplain and do not appear to have wetlands present. The proposed Future Land Use amendment and Rezone will be consistent with existing development policies and regulations. There is no development proposed by Seminole County, the applicant, on the subject parcels.

- D. Whether the proposal adheres to other special provisions of law and the Seminole County Comprehensive Plan (e.g., the Wekiva River Protection Act, Seminole County Urban/Rural boundary, etc.)**

Staff Findings

The proposal is not in the East Rural Area, Wekiva River Protection Area, or other areas subject to special standards of review.

- E. Whether the proposed Future Land Use is compatible with existing surrounding development and future land uses in accordance with *FLU Exhibit: Compatible Transitional Land Uses*.**

Staff Findings

Existing development surrounding the subject parcels includes single family residential, multi-family residential, commercial, and agricultural uses. The proposed Future Land Use of Low Density Residential can be a transitional use to the Office and Commercial FLUs with sensitive site design. The development to the east, which is a high-density residential development with a Commercial FLU, has adequate buffering adjacent to the subject parcels. The parcels to the north and west that have an Office FLU currently have single family residential and agricultural uses, which are compatible with the proposed FLU. Any development on the parcels to the north and west will be evaluated during development review for consistency and sensitive site design.

F. Whether the proposed Future Land Use designation furthers the public interest by providing or enabling the provision of:

1. Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site (applicable to PD Future Land Use);
2. Dedications or contributions in excess of Land Development Code requirements (applicable to PD Future Land Use);
3. A range of obtainable housing opportunities and choices, including affordable or workforce housing;
4. Economic development (enabling higher paying jobs);
5. Reduction in transportation impacts on areawide roads;
6. Mass transit and a variety of transportation choices; and
7. Whether the proposed Future Land Use designation is consistent with other applicable Seminole County Comprehensive Plan Goals, Objectives and Policies, and supports and is consistent with the Central Florida Regional Growth Vision, the Strategic Regional Policy Plan and the State Comprehensive Plan.

Staff Findings

The proposed project is consistent with Objective FLU 3: Reduction of Nonconforming Uses and Antiquated Plats through Policy FLU 3.1 by reducing the nonconforming A-1 zoning.