

# Alachua County

## Office of Planning and Development Staff Report

**Application Number: ZOM-05-12** Staff Contact: Jerry Brewington, Sr. Planner  
352-374-5249

Local Planning Agency

**Hearing Date: June 20, 2012**

Board of County Commissioners

**Hearing Date: July 10, 2012**

**SUBJECT:** A request for a rezoning from 'A' (Agriculture) district to 'R-1c' (Single Family residential) District.

**APPLICANT/AGENT:** Karen Vallario

**PROPERTY OWNER:** Karen Vallario

**PROPERTY DESCRIPTION:** Location: 9721 SW 72nd Avenue  
Parcel Numbers: 07070-001-004  
Section/Township/Range: 30-10-19  
Land Use: Low Density Residential  
Zoning: Agriculture  
Existing Use: Residence  
Acreage: 2.0

**PREVIOUS REQUESTS:** None.

**ZONING VIOLATION HISTORY:** There are currently no violations on the site.

**STAFF RECOMMENDATION:** Approval with bases in report.

**PC RECOMMENDATION:** Approval with bases in report (7-0)

# Alachua County Office of Planning and Development Staff Report

## Analysis of Request

### Background

The subject parcel is zoned 'A' (Agricultural) district. However, the underlying land use designation is low density residential, which allows 1-4 dwelling units per acre. The existing zoning and land use are therefore inconsistent. The applicant wishes to obtain an R-1c zoning. This will bring the land use and zoning into conformance.



**Figure 1. - Aerial View of Subject Property**

# Alachua County

## Office of Planning and Development Staff Report

### **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 reasonable timeframe. Per **Policies 1.2.4** and **1.2.5** of the Capital Improvements Element of the Alachua County Comprehensive Plan, LOS standards have been adopted for various types of public facilities.

### **Traffic**

The proposed land use change will allow for one additional single family residence which is considered a *de minimus* impact.

### **Water and Sewer**

Centralized water and sewer is not currently available at the site, and any future development on the site will not be required to provide a connection (PWSS Policy 2.1).

### **Drainage**

Policy 1.2.4 (D) 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 development at this site will be required to meet this standard at the time of final DRC approval.

### **Emergency Services**

Policy 1.2.5 (A) states the LOS standards for fire services within the rural area 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 less than 10.
- Development shall provide adequate water supply for fire suppression and protection and fire service compliant fire connections.

The LOS standard for emergency services will not be exceeded by this request.

### **Solid Waste**

Policy 1.2.4 (C) 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

# Alachua County

## Office of Planning and Development Staff Report

per person per year. In the year 2001-2002, there was generated 3.9 pounds/day (0.71 tons/year per person) in Alachua County (Source: Alachua County Public Works Department Website). Any development at this site will be required to meet these minimum LOS standards as part of development plan approval.

### Recreation

The proposed single lot zoning change will not impact the level of service standards for recreation as adopted in the comprehensive plan. The proposed change in zoning represents a *di minimus* impact to the recreation level of service.

### Schools

The proposed single lot zoning change will not impact the level of service standards for public schools as adopted in the comprehensive plan. The proposed change in zoning represents a *di minimus* impact to the public school of service.

## Comprehensive Plan and ULDC Consistency

Staff finds the request to be consistent with the Alachua County Comprehensive Plan and the Unified Land Development Code as a whole and specifically with the policies and outlined here.

**Policy 1.3.7** of the Future Land Use Element (FLUE) states that *Low Density Residential land use category shall provide for a gross density of one to four dwelling units per acre except as provided for in Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.* The density of the proposed zoning district (R-1c) is one to 4 dwelling units per acre. The request is thus consistent with this policy of the Future Land Use Element.

**Policy 1.3.7.1** of the FLUE states that *Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.* The proposed zoning district (R-1c) permits single family detached dwelling units including manufactured housing. The request for an R-1c zoning district is thus consistent with Policy 1.3.7.1 of the FLUE.

**Policy 1.3.7.2** of the FLUE states that *The Low Density residential land use category shall provide for various housing types, such as **conventional site-built single family homes, accessory living units**, attached structures including townhouses, multi-family developments in planned developments, dwellings with zero lot line orientation, **factory-built modular units, manufactured homes, or mobile homes.*** The R-1c zoning

# Alachua County

## Office of Planning and Development Staff Report

district permits site built homes; modular homes as well as manufactured housing and is thus consistent with this policy of the FLUE.

**Policy 1.3.7.3** of the FLUE states that *The County's Land Development Regulations shall allow Low or Medium density residential land use to include flexible and mixed minimum lot sizes, relying on design standards and gross density. Such provisions shall address the need for affordable housing, compatibility with transit alternatives, and open space preservation including greenway corridors.* As shown in the standards for the R-1c zoning district found later in this report, the R-1c district does not have minimum/maximum lot sizes but rather prescribe a density range of 1-4 dwelling units per acre. This density range is consistent with the underlying low-density residential land use designation. Further, the R-1c district permits manufactured housing, which is considered an affordable housing alternative to custom-built homes.

**Policy 7.1.2** of the FLUE states that proposed changes to the zoning map shall consider consistency with the Comprehensive Plan, the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity. Currently, the subject property has a zoning district of 'A' (Agricultural) district which does not implement the underlying Low Density land use designation. The R-1c zoning district, if approved, does implement the low-density residential land use designation. The surrounding agriculturally zoned parcels will continue to be inconsistent with the underlying low-density residential land use. The rezoning to R-1c will not introduce an incompatible uses into the area as the surrounding parcels (all of which are zoned 'A') permit both single family residences as well as manufactured homes as does the R-1c district. As shown in the level of service section of this report, there are adequate facilities to serve the proposed site, which has contained a residence for many years. Therefore, this application is consistent with Policy 7.1.2 of the Alachua County Comprehensive Plan.

There are four zoning districts that can implement the low-density residential zoning district as shown in the table below: RE-1, R-1aa, R-1a and R-1c. However, the RE-1 and R-1aa districts do not implement the full density range allowed by the land use designation (1-4du/acre). The R-1a district does implement this range but permits only single family residential dwellings as a building type.

# Alachua County

## Office of Planning and Development Staff Report

As shown in this table found in Chapter 403.07 of the Unified Land Development Code (ULDC) the R-1c zoning district allows up to four dwelling units per acre.

Density Range	Zoning Districts				
	RE	RE-1	R-1aa	R-1a or R-1c	R-1b
Dwelling units per acre	0-.5	1-2	1-3	1-4	4-8

Further, a manufactured home is allowed in the R-1c zoning district and the surrounding agriculturally zoned properties per Chapter 404.21 of the ULDC, which states that *A manufactured home is allowed as a limited use on an individual lot within the A, R-1c, and RM districts.* Therefore, the proposed rezoning to R-1c would not introduce an incompatible building type into the neighborhood. The rezoning to R-1c is thus consistent with the Alachua County ULDC.

### Staff Recommendation

Staff recommends **approval** of ZOM-05-12 with the following bases:

#### Bases

**1. Policy 1.3.7** of the Future Land Use Element (FLUE) states that *Low Density Residential land use category shall provide for a gross density of one to four dwelling units per acre except as provided for in Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.* The density of the proposed zoning district (R-1c) is one to 4 dwelling units per acre. The request is thus consistent with this policy of the Future Land Use Element.

**2. Policy 1.3.7.1** of the FLUE Land Use Element states that *Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.* The proposed zoning district (R-1c) permits single family detached dwelling units including manufactured housing. The request for an R-1c zoning district is thus consistent with Policy 1.3.7.1 of the FLUE.

**3. Policy 1.3.7.2** of the FLUE states that *The Low Density residential land use category shall provide for various housing types, such as conventional site-built single family homes, accessory living units, attached structures including townhouses, multi-family*

# Alachua County

## Office of Planning and Development Staff Report

*developments in planned developments, dwellings with zero lot line orientation, **factory-built modular units, manufactured homes, or mobile homes.*** The R-1c zoning district permits site built homes; modular homes as well as manufactured housing and is thus consistent with this policy of the FLUE.

**4. Policy 1.3.7.3** of the FLUE states that *The County's Land Development Regulations shall allow Low or Medium density residential land use to include flexible and mixed minimum lot sizes, relying on design standards and gross density. Such provisions shall address the need for affordable housing, compatibility with transit alternatives, and open space preservation including greenway corridors.* As shown in the standards for the R-1c zoning district found later in this report, the R-1c district does not have minimum/maximum lot sizes but rather prescribe a density range of 1-4 dwelling units per acre. This density range is consistent with the underlying low-density residential land use designation. Further, the R-1c district permits manufactured housing, which is considered an affordable housing alternative to custom-built homes.

**5. Policy 7.1.2** of the FLUE that proposed changes to the zoning map shall consider consistency with the Comprehensive Plan, the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity. Currently, the subject property has a zoning district of 'A' (Agricultural) district which does not implement the underlying Low Density land use designation. The R-1c zoning district, if approved, does implement the low-density residential land use designation. The surrounding agriculturally zoned parcels will continue to be inconsistent with the underlying low-density residential land use. The rezoning to R-1c will not introduce an incompatible uses into the area as the surrounding parcels (all of which are zoned 'A') permit both single family residences as well as manufactured homes as does the R-1c district. As shown in the level of service section of this report, there are adequate facilities to serve the proposed site, which has contained a residence for many years. Therefore, this application is consistent with Policy 7.1.2 of the Alachua County Comprehensive Plan.

**6.** There are four zoning districts that can implement the low-density residential zoning district as shown in the table below: RE-1, R-1aa, R-1a and R-1c. However, the RE-1 and R-1aa districts do not implement the full density range allowed by the land use designation (1-4du/acre). The R-1a district does implement this range but permits only single family residential dwellings as a building type.

# Alachua County

## Office of Planning and Development Staff Report

As shown in this table found in Chapter 403.07 of the Unified Land Development Code (ULDC) the R-1c zoning district allows up to four dwelling units per acre.

Density Range	Zoning Districts				
	RE	RE-1	R-1aa	R-1a or R-1c	R-1b
Dwelling units per acre	0-.5	1-2	1-3	1-4	4-8

Further, a manufactured home is allowed in the R-1c zoning district and the surrounding agriculturally zoned properties per Chapter 404.21 of the ULDC, which states that *A manufactured home is allowed as a limited use on an individual lot within the A, R-1c, and RM districts.* Therefore, the proposed rezoning to R-1c would not introduce an incompatible building type into the neighborhood. The rezoning to R-1c is thus consistent with the Alachua County ULDC.

### Staff and Agency Comments

**Department of Environmental Protection:** EPD staff has no comment regarding this item.

**Transportation/Concurrency:** The proposed land use change will allow for one single family residence which is considered a *de minimus* impact.

**Department of Public Works:** The Public Works Department has no comment with regard to this request.