



Alachua County – Growth Management Staff Report

Application Z24-000002

Application Details

Staff Contact

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Staff Phone Number

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Planning Commission Hearing Date

May 15, 2024

Board of County Commissioners Hearing Date

June 11, 2024

Requested Action

A request for a special exception for agricultural services (tree-trimming/horticultural)

Property Owner

William & Marcia Brant

Property Description

Address: 6115 SW 137th Ave.

Parcel Numbers: 07411-003-001

Section/Township/Range: 21/11/19

Land Use: Rural/Agriculture (1 dwelling unit/5 acres)

Zoning: A (Agriculture)

Acreage: 5.07 +/-

Previous Requests

None.

Zoning Violation History

None.

Applicant/Agent

CHW, Inc.

Project Timeline

- Submitted: March 12, 2024
- Staff Report Distributed: May 10, 2024
- Planning Commission Hearing: May 15, 2024

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve Z24-000002**, with the conditions and bases as listed in the staff report.

Planning Commission Recommendation

At its meeting on 5/15/24, the Planning Commission recommended (7-0) that the Board of County Commissioners **approve Z24-000002** with the conditions and bases as listed in the staff report.

Background

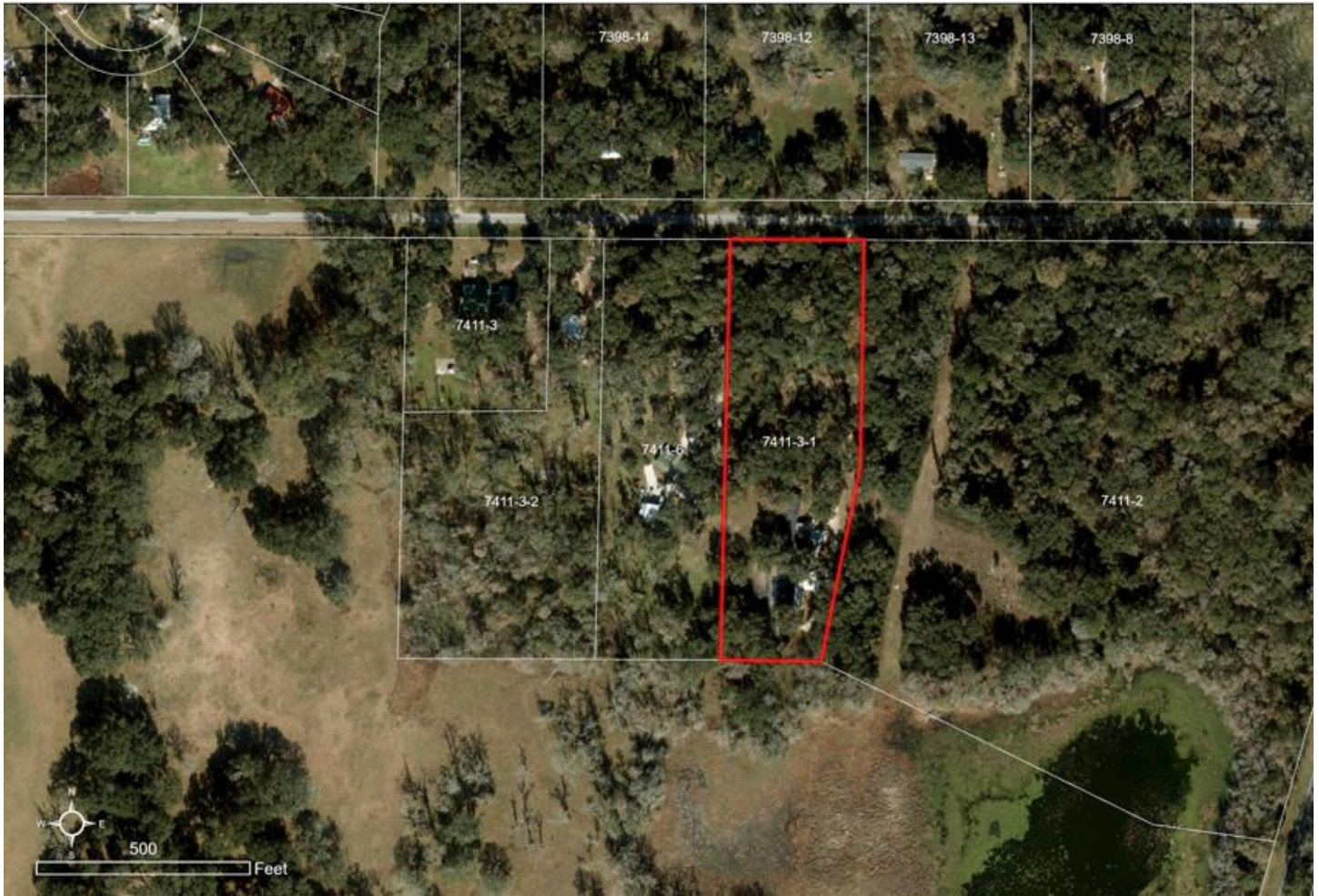


Figure 1: Aerial image of site



Figure 2: Future Land Use Map



Figure 3: Zoning Map

This application is a request for a special exception for agricultural services (tree-trimming/horticultural business) on parcel 07411-003-001. This application, if approved, would allow the business to locate its office in existing structures at the site as well as provide parking for staff and staging of work vehicles. The applicant is not proposing any new construction or wood processing activities to occur on site.

The Planning Commission heard this application at its meeting on 5/15/24. Questions raised by the commissioners included how existing buildings would need to be modified for the change of use in order to comply with floodplain regulations, employee parking needs, paving of the limerock road/tree protection, fire/rescue level of service, hours of operation, expected number of employees and existing impervious area (walkways) within the wetland buffer.

Any change of use for existing buildings will be evaluated to see if they would be reclassified per the Florida Building Code. Depending on the proposed changes modification may be necessary to comply with floodplain requirements. The proposed employee parking area (as shown on the Special Exception Master Plan) will accommodate the projected needs for SkyFrog. A note on the Special Exception Master Plan indicates where paving is prohibited in order to protect adjacent large trees. The Alachua County Fire/Rescue Department has discussed the need for a supply of water on site to provide the necessary fire flow. The fire department is able to provide tanker shuttles, but the nearest station is greater than 5 road miles away, which will affect response time. The intended hours of operation at the site will be between 6:30am and 6-7pm. Employees are expected to have staggered start/end times based on daily assignments. The existing impervious area in the southern portion of the site (within the proposed wetland buffer) consists of a concrete walkway. The impervious area here is not proposed to be expanded and staff's proposed condition (Condition #4) prohibits any future encroachments.

Site description

The site consists of a parcel totaling approximately 5.07 acres located at 6115 SW 137th Ave., in the southwestern part of Alachua County. Previously, a commercial animal raising operation (exotic reptiles) was established for several years. The site contains several buildings from this former use which will be repurposed for the agricultural services business.

To the north of the site are 5-acre residential parcels; to the east of the site is 26- acre timberland parcel that is undeveloped; to the south of the site is a 125-acre residential parcel, largely classified as pasture/grazing by the Property Appraiser; to the west of the site is a 5-acre residential parcel. All surrounding parcels have Rural/Agriculture (1 dwelling unit/5 acre) future land use designation and Agricultural zoning.

Wetlands cover the southernmost portion of the site and the entire parcel is within the "AE" flood zone (1% annual flood chance with base elevations) as shown on the maps below. The site does not have steep topography and is not located in a strategic ecosystem. This site is identified as "vulnerable" on the Floridian Aquifer High Recharge Area map.

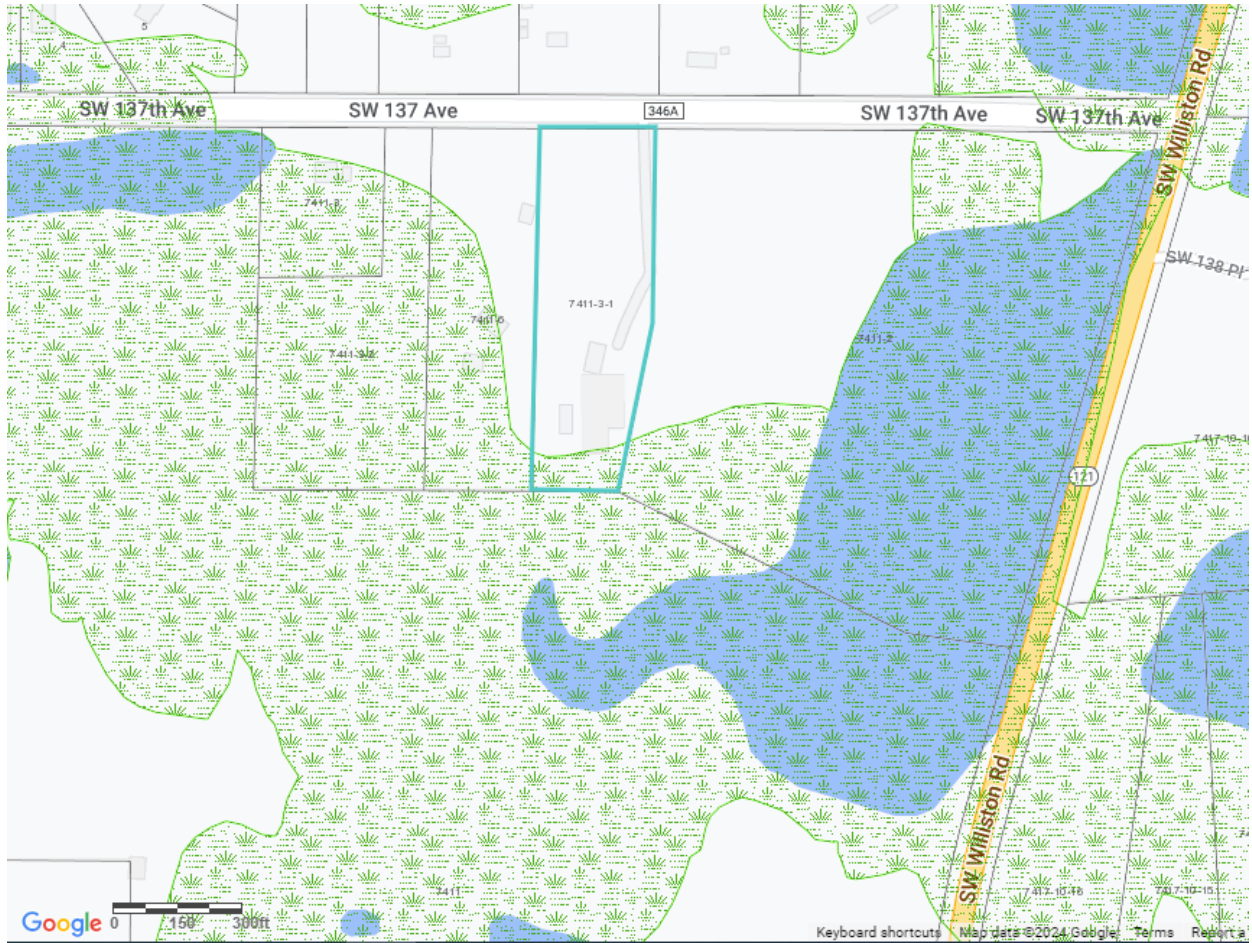


Figure 4: Wetland Map

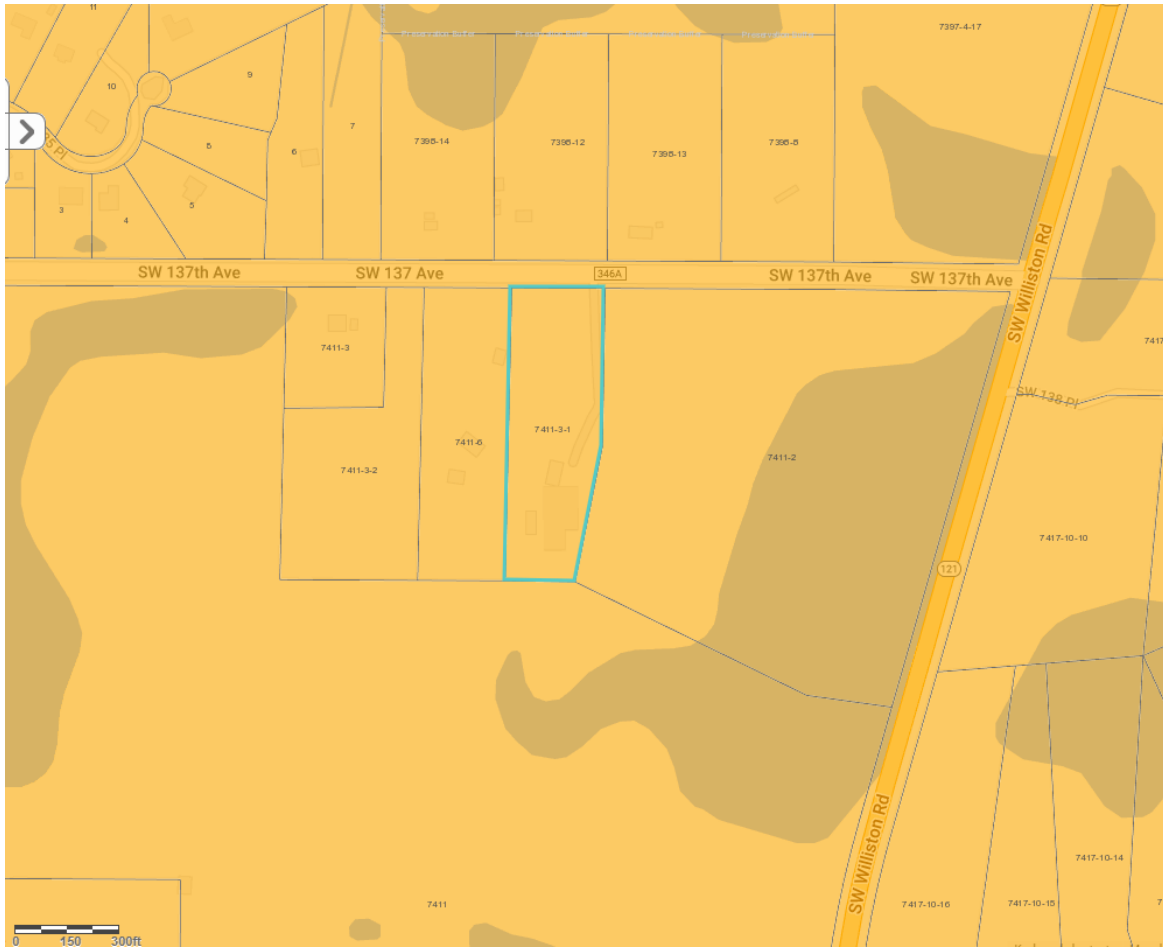


Figure 5: Flood Zone Map, orange = AE zone

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 and Policy 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

From data generated by the ITE Trip Generation Manual, 11th Edition, based on 25 employees, an average of 77 daily trips are expected. Development on the subject property will mitigate its impacts through the mobility fee program. Any necessary operational improvements will be analyzed during development plan review.

Water and Sewer

Policy 1.2.4 (d) 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

The site is located outside of the Urban Cluster and will be served by a private well and septic system. The proposed special exception will not impact the water and sewer levels of service.

Drainage

Policy 1.2.4 of the Capital Improvements Element states that the minimum drainage LOS standard for non-residential development requires a floor elevation of one (1) foot above the 100-year/critical duration storm elevation or flood resistant construction. 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 rural area is as follows:

- Initial unit response within 12 minutes for 80% of all responses within 12 months.

- Development shall provide adequate water supply for fire suppression and protection, and fire service compliant fire connections.

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

Solid Waste

Policy 1.2.4 (b) 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 0.8 tons per person per year. LOS standards for solid waste will not be exceeded by this request.

Schools

The proposed special exception does not authorize additional residential units and would not impact the level of service for public schools.

Recreation

The proposed special exception does not authorize additional residential units and would not impact the level of service for recreation.

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 special exception, as conditioned, is consistent with the goals, objectives, policies and adopted maps of the Comprehensive Plan. The site has a future land use designation Rural/Agriculture and is in the Agriculture zoning district. Agricultural services such as tree-trimming/horticultural businesses are allowed in the Agriculture zoning district by means of a special exception.

- 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 will not be required to be served by centralized potable water and sanitary sewer systems. The proposed special exception does not authorize any new residential units and will not have an impact on public school or recreation levels of service. The special exception will not negatively impact the traffic level of service. Any development on the subject property will mitigate its impacts through the mobility fee program.

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 mostly of single-family residences with Rural/Agriculture land use. The special exception allows the business to locate its office and park work vehicles/equipment on site. No on-site wood processing is permitted as part of this special exception. Staff has proposed a condition limiting the square footage of the use to that of the existing structures on site (approx. 14,000 sq. ft.). Staff has not identified any issues related to environmental justice or opportunities for redevelopment that would result from the approval of this special exception.

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 special exception request does not have a particular density or intensity associated with it. The special exception would allow an agricultural services business to operate from a site with existing buildings in place.

Policy 3.4.1 of the Conservation and Open Space Element

Policy 3.4.1 of the Conservation and Open Space Element states that:

All applications for land use change, zoning change and development approval shall be required to submit an inventory of natural resource information.

(a) The inventory shall include site specific identification, mapping, and analysis of each natural resource or natural resource characteristic present on or adjacent to the site.

(b) The inventory shall be prepared by person(s) qualified in the appropriate fields of study, and conducted according to professionally accepted standards.

(c) The County shall provide a natural resources checklist to each applicant identifying natural resources that must be analyzed.

(d) The analysis shall consist of a resources management plan that includes the following:

(1) an assessment of the existing quality and characteristics of each natural resource,

(2) an evaluation of the impact of the proposed land use change, zoning change, or development on the resource, with consideration of the indicators in Policy 2.1.2,

(3) a discussion of the proposed measures to protect or mitigate the impacts on the resource, and

(4) a maintenance and monitoring plan.

(e) In the land use and zoning context, the County shall use this information to determine whether the requested change is consistent with protection of natural resources. In the development review context, the County shall use this information to determine appropriate site designs and strategies that maintain and protect the character and amenities of the natural environment on the site during construction and after development.

The applicant submitted an environmental resource assessment report and checklist of natural resources present on site as part of this special exception application. The report and checklist were prepared and signed by a qualified professional. County Environmental Protection Department (EPD) staff visited the site on 2/22/24 to verify field conditions. A wetland exists along the southern portion of the site. Condition #4 prohibits any further encroachment into the wetland buffer. As conditioned, staff finds the proposed special exception consistent with the protection of natural resources.

Unified Land Development Code (ULDC) Consistency

Sec. 402.113. – Special exception criteria for approval.

The board of county commissioners shall, as part of a decision to approve an application for special exception, make a finding that an application complies with both the general criteria and the review factors listed below.

(a)The proposed use is consistent with the comprehensive plan and ULDC;

The proposed use is consistent with the comprehensive plan and ULDC. Agricultural services are allowed in the Agriculture zoning district by means of a special exception.

(b)The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;

The existing land use pattern surrounding the site consists mostly of 5+ acre parcels with single-family residences on Agricultural zoned parcels and grazing/timberland agricultural uses. A rural subdivision is located further west on SW 137th Ave. The proposed use of Agricultural Services is only allowed in the rural part of the county with A (Agricultural) zoning, by means of a special exception or A-RB (Agricultural rural business) as a permitted use.

(c)The proposed use shall not adversely affect the health, safety, and welfare of the public; and

As conditioned, the proposed use of an agricultural services business will not adversely affect the health, safety or welfare of the public. As shown on the special exception master plan the use will be limited to existing buildings on site and will not involve the processing of wood or tree debris on site. This site will house the business's offices and vehicles as a base. Sky Frog vehicles will drive from this base and conduct their services at customers' properties.

(d)Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:

(1)Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

The proposed agricultural services business would have ingress and egress from SW 137th Ave. This site is not open to the public.

(2)Off-street parking and loading areas where required, with particular attention to item (1) above;

Adequate space exists for off-street parking and loading areas, were the special exception to be approved. The exact location and number of parking spaces would be determined as part of the development plan review process.

(3)The noise, glare or odor effects of the special exception on surrounding properties;

Staff has not found any likely effects of noise, glare or odor to surrounding properties that would result from approval of this special exception. The actual agricultural services (tree trimming, horticultural services) would occur off-site at customers' properties.

(4)Refuse and service areas, with particular reference to location, screening and items (1) and (2);

Adequate space exists on site for refuse and services areas associated with this use. The exact location would be determined as part of the development plan review process.

(5)Utilities, with reference to location and availability;

The site is located outside of the Urban Cluster boundary line and is not required to connect to centralized water and sewer lines. The site will be served by on site well and septic tanks.

(6) Screening and buffering with reference to type, dimensions and character;

As shown on the special exception master plan, property boundary and wetland buffers will be required.

(7) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;

The agricultural services business will not be open to the public and will not have signage (other than wayfinding signage). The applicant is not proposing any lighting other than any required lighting for safety purposes. Staff does not anticipate any glare, traffic safety or compatibility issues for surrounding properties related to exterior lighting.

(8) Required yards and other greenspace;

The proposed agricultural services use would be required to meet the setback requirements of the Agriculture zoning district. Open space is not required for this use.

(9) General compatibility with surrounding properties; and

“Compatibility” is defined in the Community Planning Act (F.S. 163.3164) as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition”.

The proposed agricultural services business is located in a rural part of Alachua County and is surrounded by parcels with similar Rural/Agriculture land use designation and Agricultural zoning. The site will use existing buildings and structures to house the office and store equipment for this use. Staff has proposed a condition that limits the maximum square footage for this use, which corresponds to the existing level that currently exists. As the actual agricultural services (tree-trimming/horticultural services) are conducted off-site, staff has not found any likely effects from noise, glare or odor to surrounding properties owners. Condition

#1 also requires a development plan demonstrating compliance with these conditions and the Unified Land Development Code.

(10) Any special requirements set forth in this ULDC for the particular use involved.

The ULDC does not specify any special requirements for major utilities.

Staff Recommendation

Staff recommends that the Board of County Commissioners **approve Z24-000002**, with the conditions and bases as listed in the staff report.

Conditions

1. Development Plan approval will be required in order to change the use from residential to Ag Services.
2. The site shall be limited to no more than 15,000 square feet under roof. This shall include both conditioned and unconditioned space.
3. No outdoor area lighting shall be installed. Lighting for pedestrian walkways and unenclosed areas under roof shall be permitted.
4. No further encroachment within the wetland buffer shall be permitted.
5. Paving of the existing limerock driveway shall be prohibited in the area as depicted on the special exception master plan.

Bases

1. **Chapter 404, Article II (Use Table) of the Unified Land Development Code** lists “agricultural services” as a use that may occur in the Agricultural zoning district by means of a special exception. This site is located within the Agricultural zoning district and the applicant has applied for a special exception for this use.
2. As conditioned, the special exception complies with the criteria as found in **Sec. 402.113 of the Unified Land Development Code**.

The proposed use is consistent with the comprehensive plan and ULDC. Agricultural services are allowed within the Agriculture zoning district by means of a special exception. The proposed use is compatible with the existing land use pattern of this portion of SW Williston Rd., marked by single-family residences on Ag zoned parcels and timberland/grazing agricultural uses.

As conditioned, the proposed use of agricultural services for a landscaping business will not adversely affect the health, safety or welfare of the public. Proposed conditions include maximum sq. ft. for the use, lighting restrictions, protection of the wetland buffer, a prohibition on paving near large diameter trees and the requirement for an approved development plan.

The site has existing ingress/egress that can adequately serve the needs of this use. Adequate space exists for off-street parking and loading areas.

Staff has not found any likely effects of noise, glare or odor to surrounding properties that would result from approval of this major amendment to the special exception.

Adequate space exists on site for refuse and services areas associated with this use.

The site is located outside of the Urban Cluster. The site has an existing well and septic systems and will not impact levels of service for public utilities.

The applicant is not proposing any signage for this site other than internal wayfinding signage to ensure compatibility with surrounding properties.

The business will maintain the setback requirements of the Agriculture zoning district.

The ULDC does not specify any special requirements for agricultural services.

- 3. Objective 6.2 of the Future Land Use Element** identifies areas on the future land use map of Alachua County with the Rural/Agriculture designation for various uses, including commercial uses on a limited scale serving or ancillary to agricultural activities. The applicant's business involves tree-trimming and other horticultural services to support agricultural operations throughout the county.

Staff and Agency Comments

Department of Environmental Protection

1. As an FYI for Final Development Plan, the Construction Permit shall not be issued until the applicant has recorded in the public records of Alachua County the required permanent protection document regarding on-site conservation management area (406.103, ULDC).

Department of Public Works

1. PW will evaluate the need for a left turn lane and acceleration and/or deceleration taper based on the truck traffic on the roadway segment as well as crash data on CR337.
2. At Development Plan, PW will review the need for stormwater basin.
3. At Development Plan, PW will review the building (occupied) elevations as they appear to be lower than the base flood elevation (BFE) and will be required to come into compliance with the floodplain code. PW will need the history of the buildings (when they were installed, slab on grade OR building on Blocks, compensation storage if on fill, compensation storage location and volumes)

Transportation

No comments.

Fire/Rescue

1. Provide a letter signed by the applicant that acknowledges the requirements of the Florida Fire Prevention Code 8th Edition NFPA 1 18.3, a supply of water available on site to supply the Needed Fire Flow. Also in the acknowledgment letter, due to no reliable water distribution system exists in this area, indicate which system the applicant chooses i.e. approve reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles or other approved systems to comply with NFPA 1 18.3.1.1 ACFR can offer the fire department tanker shuttle but requires this acknowledgment of the applicant, in the above mention letter, of the distance of their property to an emergency responder is greater than 5 road miles which could have an effect to emergency response times.