

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 18.7 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBERS Q19-060, Q19-089, Q19-088, Q19-087, and Q19-090) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO INDUSTRIAL ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE..

WHEREAS, Southern Properties Florida LLC, and Robert Sanchez, who share the mailing address: PO Box 2728. Bushnell, FL 33513 (Tax Parcel Identification Numbers Q19-060, Q19-089, Q19-088, Q19-087, and Q19-090), is the owner of the property which is the subject of this Ordinance; and

WHEREAS, The real property, totaling 18.7 +/- acres in size, is located on the east side of SR 471; and

WHEREAS, Robert Sanchez, whose mailing address is 218 N Florida St., Ste 2, Bushnell, FL 33513 is the Authorized Person and Manager for Southern Properties Florida, LLC.: and

WHEREAS, Robert Sanchez of Southern Properties Florida, LLC has initiated voluntary annexation into the municipal limits of the City of Webster, Florida.; and

WHEREAS, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the Industrial and Heavy Commercial (County) zoning districts to the Industrial zoning district.

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 18.7 acres MOL in size, is located on the east side of SR 471 (Tax Parcel Numbers Q19-060, Q19-089, Q19-088, Q19-087, and Q19-090). The legal description of the subject property is provided in Attachment A.

(c). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.

(a). Upon enactment of this Ordinance the following described property, as depicted in Attachment A of this Ordinance, and totaling is 18.7 acres MOL in size, shall be rezoned from Industrial (County) and Heavy Commercial (County) zoning districts/classification to Industrial zoning district/classification.

(b). The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action

taken herein and to revise and amend the Official Zoning Map or Maps of the City of Webster as may be appropriate to accomplish the action taken in this Ordinance.

SECTION 3. INCORPORATION OF MAP. The map attached to this Ordinance as the Attachment is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

SECTION 4. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. NON-CODIFICATION. This Ordinance shall not be codified in the *City Code of the City of Webster* or the *Land Development Code of the City of Webster*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Webster by the City Manager, or designee.

SECTION 7. EFFECTIVE DATE This Ordinance shall take effect immediately upon enactment provided, however, that the rezoning of property herein set forth shall not take effect until Ordinance Number 2023-17 relating to the Comprehensive amendment becomes effective.

PASSED AND ENACTED this _____ day of _____, 2023.

CITY COUNCIL OF THE CITY
OF WEBSTER, FLORIDA

Bobby Yost, Mayor

Approved as to form and

ATTEST:
Legality:

Amy Flood
City Clerk

William L. Colbert
City Attorney

**Attachment A
Legal Description**

The Northerly 1037.40 feet of the following described parcel of land:

The Southwest 1/4 of the Southwest 1/4 and the South 1/2 of the Northwest 1/4 of the Southwest 1/4, Section 19, Township 21 South, Range 23 East, Sumter County, Florida.

LESS road right of way;

AND LESS the North 300 feet of the West 300 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4;

AND LESS the East 417.42 of the West 989.17 feet of the South 233.71 feet of the Southwest 1/4 of the Southwest 1/4;

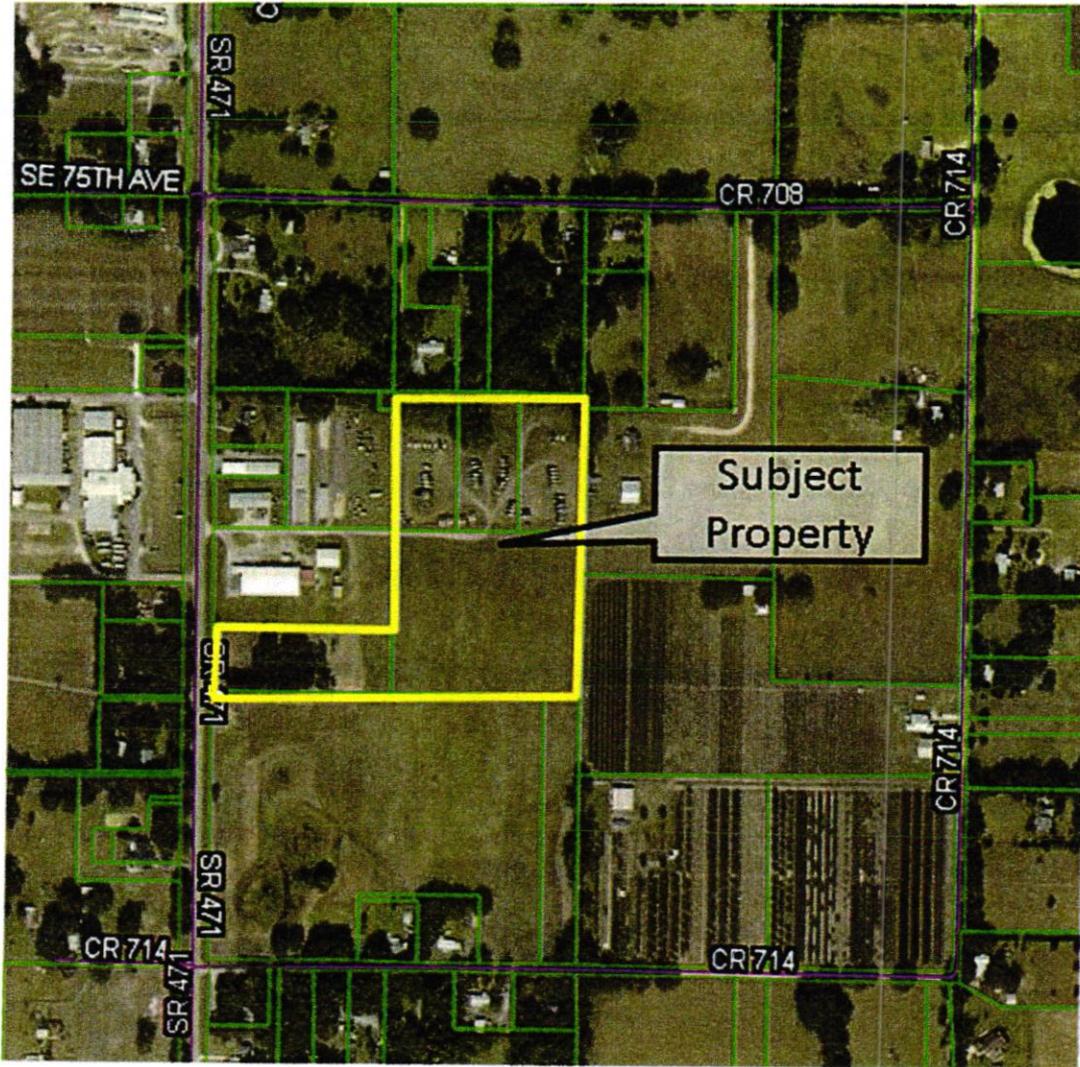
AND LESS the South 350.00 of the North 827.40 feet of the West 672.76 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

AND LESS the South 177.40 feet of the North 477.40 feet of the West 300 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

AND LESS the East 90 feet of West 390 feet of the North 477.40 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

AND LESS the North 477.40 feet of the East 282.76 feet of the West 672.76 feet of the South 3/4 of the West 1/2 of the Southwest 1/4.

Map



**CITY OF WEBSTER
REZONING APPLICATION**

**PLANNING & ZONING
AUGUST 10, 2023**

**CITY COUNCIL
AUGUST 17, 2023 and SEPTEMBER 14, 2023**

CASE NUMBER: R-23-010355

LANDOWNER: Southern Properties Florida , LLC and Robert Sanchez.

APPLICANT: City of Webster

REQUESTED ACTION: Rezone 18.7 acres MOL from County – Industrial and Heavy Commercial to Industrial

PARCEL NUMBERS: Q19-060, Q19-089, Q19-088, Q19-087, and Q19-090

LEGAL DESCRIPTION: See Attachment

EXISTING ZONING: County – Industrial and Heavy Commercial (CH)

EXISTING USE: Vacant and outdoor storage
FUTURE LAND USE: County - Industrial (Concurrent land use amendment SS-23-10354 to Webster - Industrial)

PARCEL SIZE: 18.7 acres MOL

LOCATION: East side of SR 471, 950-ft north of CR 714 (Map 1).

SURROUNDING LAND USE AND ZONING

The application site is a cluster of parcels on the east side of SR 471 across from the Sumter County Fair Grounds. It is located in a commercial/industrial with surrounding uses including the Sumter County Fairgrounds, warehouses, an indoor/outdoor storage facility, and a gun/gunsmithing shop. There are agricultural fields to the east and houses

on areage to the north. The property is in an Economic Activity Center and has frontage on SR 471, an arterial road. Surrounding zoning includes Rural Residential (RR1/RR1C) to the north Agriculture (A10C) to the east, Industrial on the south and west, and heavy Commercial (CH) on the west (Map 2).

CASE SUMMARY

The Subject properties were recently annexed into the City of Webster. The property has a combination of County-Industrial and County- Heavy Commercial zoning. This rezoning action will add the property to the Webster zoning map with an Industrial zoning assignment. .

Municipal utilities are available to the site and connection will be required when the site is developed.

CASE ANALYSIS:

The request is to adopt City zoning following annexation. This application is concurrent with small scale land use amendment SS-23-10354 which seeks an Industrial Future Land Use assignment

LDC Section 13-313 (d), *General Administration of Amendment and Permit Applications-Review and Approval Process*, provides for the following review criteria for LDC and zoning map amendments:

- a) Change of conditions, or absence of changed conditions.
The property was recently annexed into Webster..
- b) Community need, or lack of community need.
The requested rezoning will allow industrial development in an area with similar uses.
- c) Benefits to the community.
The rezoning will provide an additional product/service to the area and jobs.
- d) The rights of private property owners.
This rezoning will preserve the existing industrial development rights currently in place with County land use and zoning.

Staff has reviewed land ownership and authorization.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

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

Notices Sent: 30

**Attachment
Legal Description**

The Northerly 1037.40 feet of the following described parcel of land:

The Southwest 1/4 of the Southwest 1/4 and the South 1/2 of the Northwest 1/4 of the Southwest 1/4, Section 19, Township 21 South, Range 23 East, Sumter County, Florida.

LESS road right of way;

AND LESS the North 300 feet of the West 300 feet of the South 1/2 of the Northwest 1/4 of the Southwest 1/4;

AND LESS the East 417.42 of the West 989.17 feet of the South 233.71 feet of the Southwest 1/4 of the Southwest 1/4;

AND LESS the South 350.00 of the North 827.40 feet of the West 672.76 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

AND LESS the South 177.40 feet of the North 477.40 feet of the West 300 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

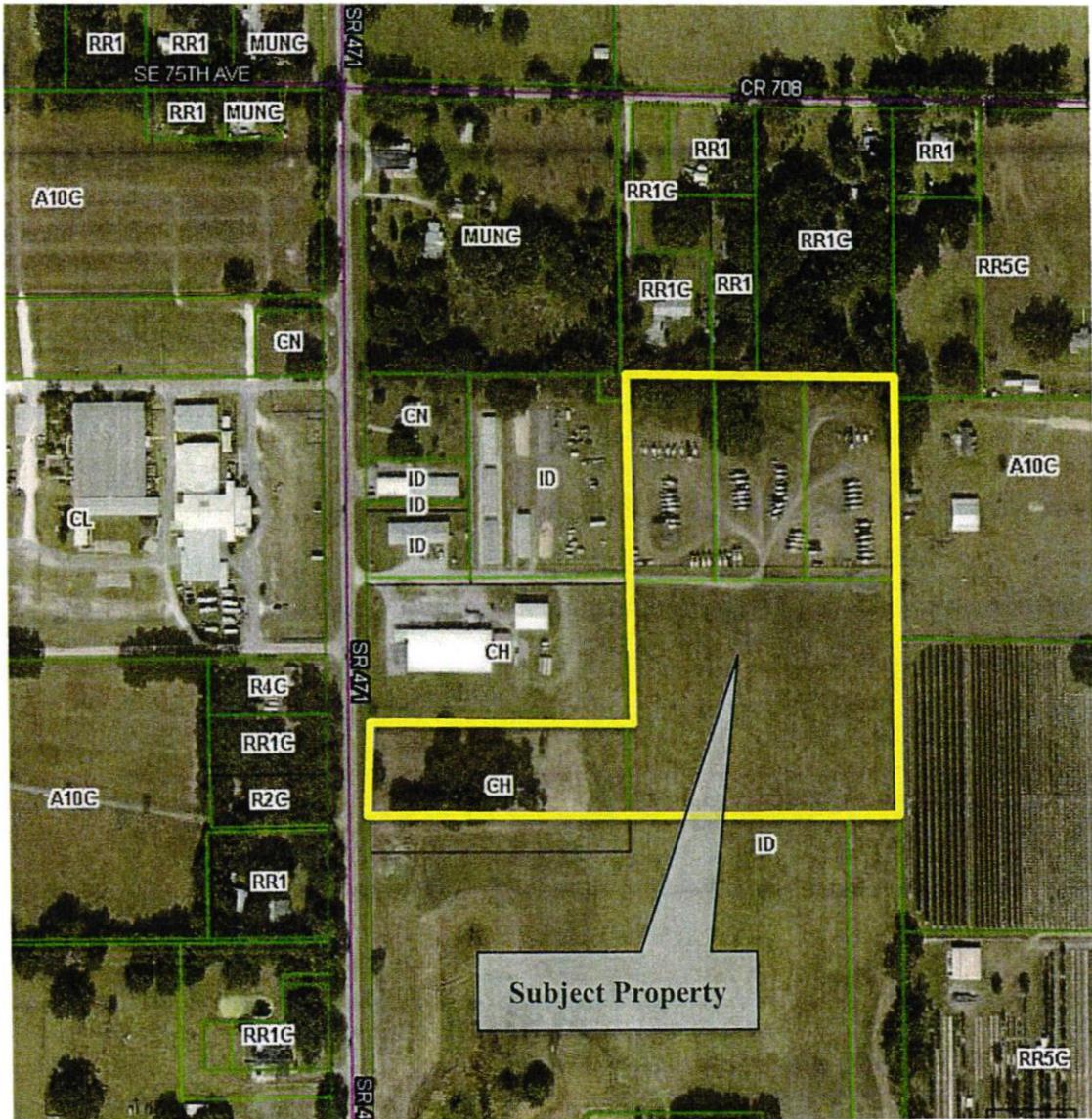
AND LESS the East 90 feet of West 390 feet of the North 477.40 feet of the South 3/4 of the West 1/2 of the Southwest 1/4;

AND LESS the North 477.40 feet of the East 282.76 feet of the West 672.76 feet of the South 3/4 of the West 1/2 of the Southwest 1/4.

Map 1
General Location



Map 2
Surrounding Zoning Assignments



ORDINANCE NO. 2023-22

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA AMENDING THE CITY OF WEBSTER COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WEBSTER COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY, APPROXIMATELY 4.9 ACRES (TAX PARCEL IDENTIFICATION NUMBER N36E006), AND DESCRIBED IN THIS ORDINANCE FROM THE COMMERCIAL FUTURE LAND USE DESIGNATION (COUNTY) TO THE URBAN RESIDENTIAL FUTURE LAND USE DESIGNATION (WEBSTER); PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Antonio and Fely Palafox, whose mailing address is PO Box 535, Groveland, FL (Tax Parcel Identification Number N36E006), are the owners of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 4.9 acres MOL in size, is located on north side of CR 740; and

WHEREAS, Fely Palafox applied to the City of Webster, for voluntary annexation into the City; and

WHEREAS, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the Commercial (County) future land use designation to the Urban Residential future land use designation; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the future land use amendment action set

forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF WEBSTER, FLORIDA:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed amendment to the *City of Webster Comprehensive Plan* pertaining to the subject property.

(b). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Webster* and the proposed *Comprehensive Plan* amendment does not trigger any urban sprawl indicators and adoption of this amendment will discourage the proliferation of urban sprawl within the City of Webster.

(d). Public services are available to the real property which is the subject of this Ordinance.

(e). The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

SECTION 2. AMENDMENT TO FUTURE LAND USE MAP.

(a). The Future Land Use Plan Element of the *Comprehensive Plan of the City of Webster* and the City's Future Land Use Map are hereby amended by changing the land use designation from the Commercial (County) land use designation to the Urban

Residential land use designation regarding the real property which is the subject of this Ordinance as set forth herein (Attachment B).

(b). The property which is the subject of this *Comprehensive Plan* amendment is as described as follows:

TRACT 6 ROGERS SUBD PB 4 PG 47

SECTION 4. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER. It is the intention of the City Council of the City of Webster, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Webster Comprehensive Plan and/or the Code of Ordinances of the City of Webster, Florida in terms of amending the Future Land Use Map of the City.

SECTION 7. EFFECTIVE DATE The small-scale *Comprehensive Plan* amendment set forth herein shall not become effective, in accordance with Section 163.3187(5) (c), Florida Statutes, until 31 days after the enactment of this Ordinance. If challenged within 30 days after enactment, the small scale amendment set forth in this Ordinance shall not become effective until the State land planning agency or the Administration Council, respectively, issues a final order determining that the subject

small scale amendment is in compliance with controlling State law.

PASSED AND ENACTED this _____ day of _____, 2023.

**CITY COUNCIL OF THE CITY OF
WEBSTER, FLORIDA**

Bobby Yost, Mayor

ATTEST:

Approved as to form and Legality:

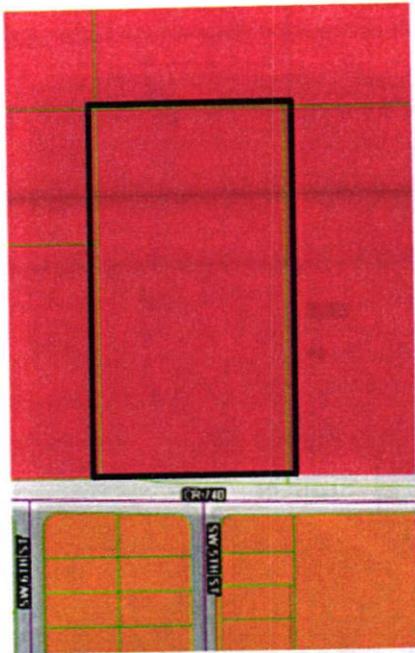
**Amy Flood
City Clerk**

**William L. Colbert
City Attorney**

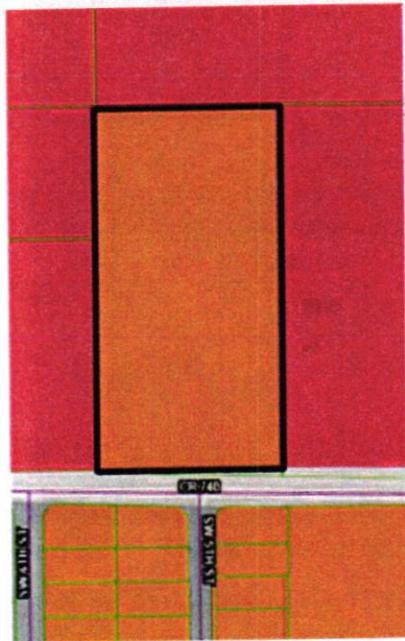
Attachment A
Map



Attachment B



Existing Future Land Use Designations



Proposed Future Land Use Designations

- Commercial (County)
- Urban Residential

FUTURE LAND USE MAP AMENDMENT

CITY OF WEBSTER LOCAL PLANNING AGENCY

September 14, 2023

CITY OF WEBSTER CITY COUNCIL

September 21, 2023

October 19, 2023

CASE NO.: SS-23-14490

LANDOWNER: Fely Palafox

APPLICANT: City of Webster

REQUESTED ACTION: Amend the future land use designation from Commercial (Sumter County), to Urban Residential (City of Webster) on 4.85 acres MOL following annexation.

PARCEL NO: N36E006

LEGAL DESCRIPTIONS: TRACT 6 ROGERS SUBD PB 4 PG 47

EXISTING ZONING: RR5 (Rural Residential - County)

EXISTING USE: Vacant

GENERAL LOCATION: North side of CR 740 across from SW 5th St (Attachment A).

GENERAL DESCRIPTION AND BACKGROUND

This land use amendment is being initiated by staff in conjunction with voluntary annexation into the City. This amendment will add the property to the City's Future Land Use Map with an Urban Residential Future Land Use assignment (Attachment B). The property is currently designated Commercial on the County Future Land Use Map. The Commercial land use assignment may have presumed access to the north on E C-478, a major collector road that serves the flea markets and other commercial uses. This parcel does not have access to E C-478. Access to the property is through residential areas. Staff is recommending Urban Residential future land use assignment for the property. Urban Residential will allow for suburban residential zoning and residential development consistent with adjacent neighborhoods.

The subject property is vacant. It was previously used for agricultural purposes. It is located in a suburban area with access to a minor local road (CR 740) and City water utilities. Live Oak Park subdivision (Homes in Partnership) is immediately to the south. Bays subdivision and Webster RV Park are nearby.

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 C).

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 allow for increased availability of housing.

CONCURRENCY ANALYSIS

Potable Water & Sewer

Water and sewer service is available to the site.

Stormwater Drainage

Subdivision 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:

Policy 1.1.4 Compatibility

Zoning districts and the uses permitted within them shall be compatible with the character of the neighborhood or community. In the context of this comprehensive plan, the term “compatible” shall denote the extent to which adjacent or nearby land uses can be established without significant negative impacts or the unreasonable loss of quiet enjoyment of private property. The term “compatible” does not require land uses to be similar in type or scale. Land development regulations shall provide standards to assure compatibility of proposed projects with surrounding land uses:

- a. New residential development shall be compatible with the predominant housing type in the surrounding neighborhood;

- b. Developments shall be consistent with the fundamental development pattern of the surrounding neighborhood in scale, mass of buildings, and density/intensity;
- c. Development standards shall require techniques to mitigate negative impacts between adjacent land uses. Such techniques may include buffers and visual barriers (i.e. vegetative buffers, fences, and berms), and setbacks; and
- d. Development standards shall provide consistency in the size, design, and location of site design features such as landscaping, buffers, signs, parking lots and vehicular circulation.

The proposed land use is compatible with surrounding land uses. It is located in a suburban area with water and sewer service available to support development.

Policy 1.2.6 Urban Residential

The “Urban Residential” future land use category is applied to land that is primarily used for or is suitable for residential uses and residential accessory uses. Accessory uses are limited activities that are customary and incidental to residential use undertaken for the personal use and enjoyment of the residential occupant.

Secondary uses may include small-scale, neighborhood-serving commercial uses, community facilities as described in Policy 1.6.4, public schools, and parks.

- a. This land use category may be applied only to lands within the UDA;
- b. Maximum gross density shall be 6 dwelling units per acre subject to the use of central water and sewer;
- c. Multifamily dwellings and attached single-family dwellings may be located in this land use area, subject to limitations adopted by individual municipalities as contained in this comprehensive plan; and
- d. Central water and sewer must be available for rural or agricultural land to be converted to this future land use category.

The subject property is located within the UDA in a location with central water and sewer. Surrounding neighborhoods have densities between four and six units per acre..

Future Land Use Policy 1.3.8 Compatibility for Rezoning and Amendments

Proposed rezonings and future land use amendments shall be compatible with adjacent land uses and community character. Compatibility shall be achieved through the following measures:

- a. Rezoning and future land use amendments shall consider potential maximum impacts of the potential land uses; and

The Urban Residential future land use assignment will allow for residential development consistent with neighborhoods on the south side of CR 740..

- b. The use of clustering, PUD, or other innovative development techniques shall be considered to assure the compatible transition between differing land uses and zoning districts.

The five-acre parcel is too small to warrant the use of a PUD.

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 City's Capital Improvements program.

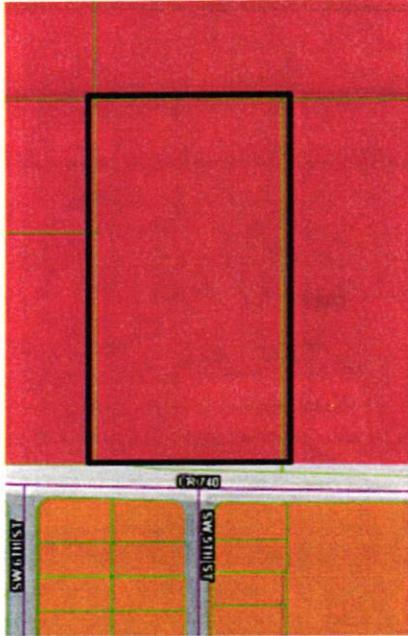
CONCLUSIONS

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.

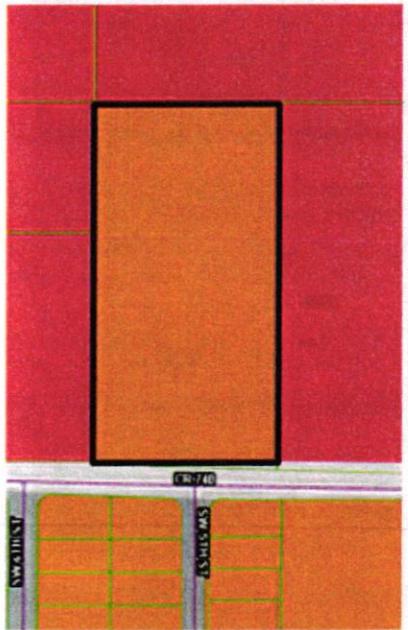
Attachment A
Project Location



Attachment B Future Land Use



Existing Future Land Use Designations



Proposed Future Land Use Designations

-  Commercial (County)
-  Urban Residential

Attachment C

Urban Sprawl Analysis

The Community Planning Act (Florida Statutes Chapter 163) requires future land use amendments 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 subject property is five acres in size and does not represent a substantial area of the jurisdiction.
- 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 subject property is located in a suburban area adjacent to other suburban residential developments. It is not located in a rural area or a substantial distance from the City center.
- III. *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

The proposed development is not isolated, linear, or creating a ribbon pattern.
- 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 site has no significant natural resources that require protection.
- 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 subject site does not contain unique or prime farmland
- VI. *Fails to maximize use of existing public facilities and services.*

The property will be served by public utilities.
- VII. *Fails to maximize use of future public facilities and services.*

The property will be served by public utilities.
- 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.*

The project site is in the City of Webster and will not require a disproportionate increase in the cost, time, money or energy to serve.

- IX. *Fails to provide a clear separation between rural and urban land uses.*
The project site is in an urbanized area.
- X. *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*
The subject property does not discourage infill or redevelopment.
- XI. *Fails to encourage a functional mix of uses.*
The project does not discourage a functional mix of uses.
- XII. *Results in poor accessibility among linked or related land uses.*
The project will not result in poor accessibility among related land uses.
- XIII. *Results in the loss of significant amounts of functional open space.*
The project will not result in a significant loss of functional open space.

Further, a future land use amendment is required to meet four or more criteria listed in F.S. 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 proposed project will direct development to a property with little impact on protected natural resources.
- II. *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.* The project will be served by public utilities.
- III. *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit.* The proposed amendment proposes residential use within walking distance of the City center.
- IV. *Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.* The proposed project will improve the balance of land uses in an urban area.

The proposed land use change does not demonstrate any of the characteristics of urban sprawl as defined by the applicable State Statutes.

ORDINANCE NO. 2023-23

AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING 4.85 ACRES, MORE OR LESS, IN SIZE (TAX PARCEL IDENTIFICATION NUMBER N36E006) WITHIN THE CITY LIMITS (MAP OF PROPERTY ATTACHED) TO R6C ZONING DISTRICT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF A MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Fely Palafox, whose mailing address is PO Box 535, Groveland, FL (Tax Parcel Identification Number N36E006), is the owner of the property which is the subject of this Ordinance; and

WHEREAS, the real property, totaling 4.85 acres MOL in size, is located on north side of CR 740; and

WHEREAS, Fely Palafox applied to the City of Webster, for annexation into the City; and

WHEREAS, The City Manager of the City of Webster pursuant to the controlling provisions of State law and the Code of Ordinances of the City of Webster, is petitioning to have the subject property reassigned from the Rural Residential (RR5) (County) zoning district to the Suburban Residential (R6C) zoning district; and

WHEREAS, the City Council of the City of Webster, Florida has taken, as implemented by City staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.

(b). The subject property, which is 4.85 acres MOL in size, is located on the north side of CR 740 (Tax Parcel Number N36E006).

(c). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.

(a). Upon enactment of this Ordinance the following described property, as depicted in the Attachment of this Ordinance, and totaling is 4.85 acres MOL in size, shall be rezoned from Rural Residential-5 (RR5-County) to Suburban Residential (R6C) zoning district/classification:

TRACT 6 ROGERS SUBD PB 4 PG 47

(b). The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Webster as may be appropriate to accomplish the action taken in this Ordinance.

SECTION 3. INCORPORATION OF MAP. The map attached to this Ordinance

as the Attachment B is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

SECTION 4. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. NON-CODIFICATION. This Ordinance shall not be codified in the *City Code of the City of Webster* or the *Land Development Code of the City of Webster*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Webster by the City Manager, or designee.

SECTION 7. EFFECTIVE DATE This Ordinance shall take effect immediately upon enactment; provided, however, that the rezoning of property herein set forth shall not take effect until Ordinance Number 2023-22 relating to the Comprehensive Plan amendment becomes effective.

PASSED AND ENACTED this _____ day of _____, 2023.

CITY COUNCIL OF THE CITY
OF WEBSTER, FLORIDA

Bobby Yost, Mayor

Approved as to form and

ATTEST:
Legality:

Amy Flood
City Clerk

William L. Colbert
City Attorney

Attachment A
MAP



**CITY OF WEBSTER
REZONING APPLICATION
CITY OF WEBSTER LOCAL PLANNING AGENCY
September 14, 2023**

**CITY OF WEBSTER CITY COUNCIL
September 21, 2023
October 19, 2023**

CASE NUMBER: R-23-014491

LANDOWNER: Fely Palafox

APPLICANT: City of Webster

REQUESTED ACTION: Rezone 4.85 acres from RR5 (County) to R6C following annexation.

PARCEL NO: N36E006

LEGAL DESCRIPTIONS: TRACT 6 ROGERS SUBD PB 4 PG 47

EXISTING ZONING: RR5 (County)

EXISTING USE: Vacant

GENERAL LOCATION: North side of CR 740 across from SW 5th St.

SURROUNDING LAND USE AND ZONING

The property is located on the north side of CR 740, across from Live Oak Park (Homes in Partnership) (Map 1). Properties on the south side of CR 740 are designated Suburban Residential (R6C and R6M on the City's zoning map. Surrounding zoning assignments (Map 2) range from Rural Residential (west), to Heavy Commercial (east), to RVPUD (north). Parcels east and north are owned by RAM Swap LLC and are used as open storage for the flea market operations. These properties access E C-478 to the north. Properties west of the site have homes on acreage. The south side of CR 740 is developed as suburban residential homesites (Live Oak Park and Bay's Subdivision). The surrounding area is a mixture of residential, rural, and commercial uses. Uses along CR 740 where the property gains access is suburban residential in nature.

The property is outside the 100-year floodzone.

CASE SUMMARY

Staff is initiating this application to rezone 4.85 acres from RR5 (Rural Residential-County) to R6C (Suburban Residential) following annexation into the City. Rezoning to R6C will allow for

suburban residential development consistent the adjacent neighborhoods and the Urban Residential Future Land Use assignment currently under application (SS-23-014490).

CASE ANALYSIS:

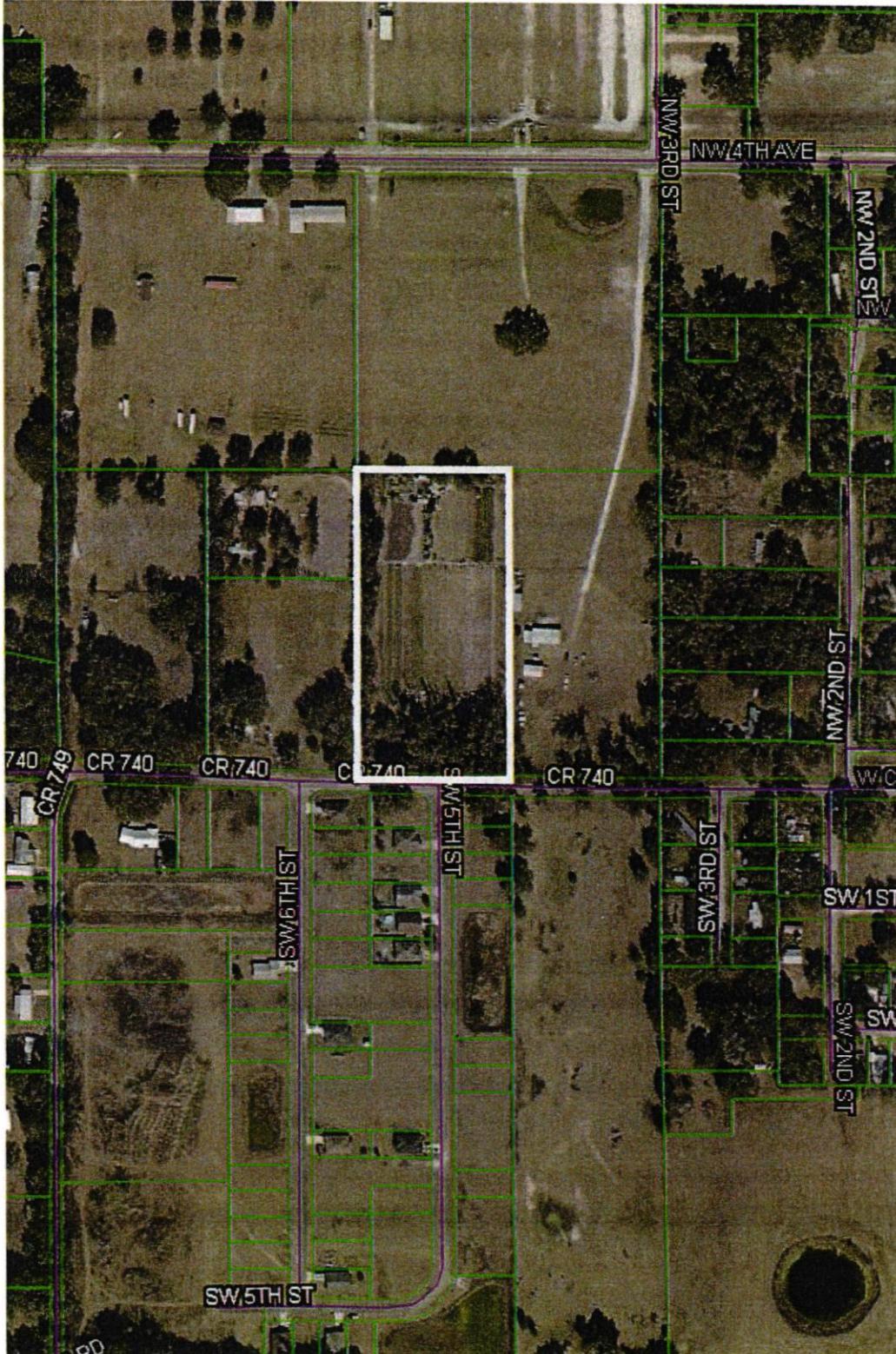
Section 13-313 (e) (1) (c) *General Administration of Amendment and Permit Applications-Reviews and Approvals Process* provides for the following review criteria for LDC and zoning map amendments:

- a) Change of conditions, or absence of changed conditions.
The property is proposed for annexation into the City.
- b) Community need, or lack of community need.
There is a community need for more housing sites. This rezoning will allow future residential development.
- c) Benefits to the community.
The rezoning will allow for compatible uses in a residential area.
- d) The rights of private property owners.
The rezoning will not impinge on the rights of adjacent property owners.

DEVELOPMENT SERVICES DEPARTMENT STAFF CONCLUSIONS

Staff deemed the application sufficient for review and consideration by Council. Staff finds the application in compliance with the minimum requirements of the Webster Land Development Code and recommends **APPROVAL**.

Map 1
General Location



Map 2
Surrounding Area with Zoning Designations



SOUTH SUMTER CONNECTOR TRAIL CONSTRUCTION

S.R. 471 from S.R. 50 to C.R. 478

Sumter County

PROJECT DESCRIPTION

The Florida Department of Transportation (FDOT) will construct a portion of the proposed South Sumter Trail along the west side of State Road (S.R.) 471 from S.R. 50 to County Road (C.R.) 478.

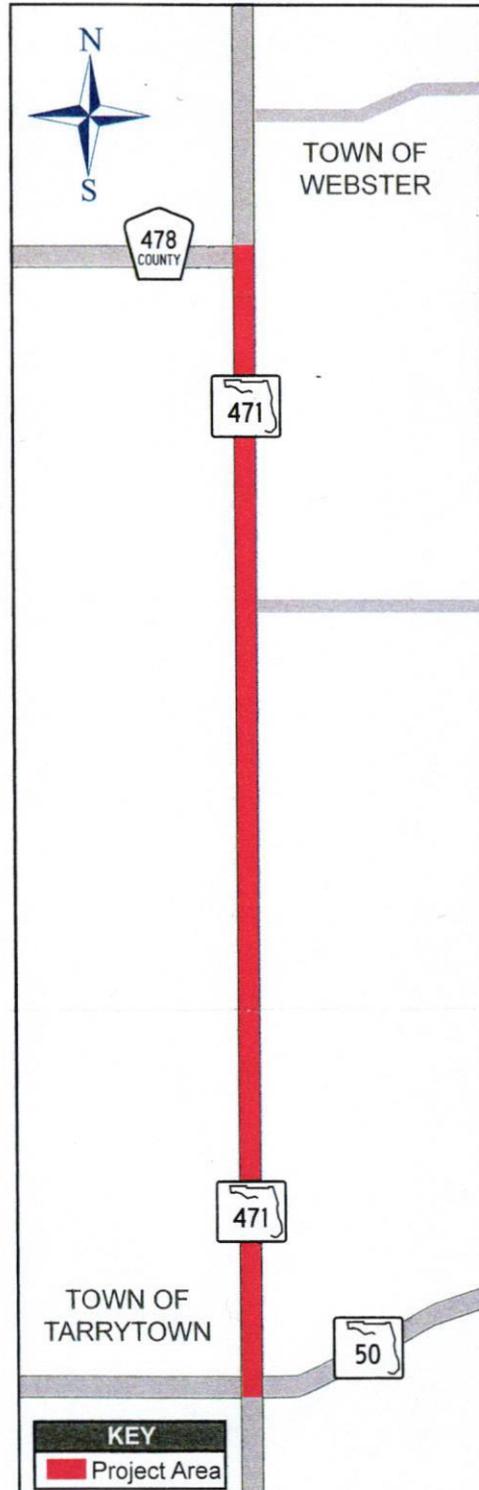
The project will include paving the 10-foot-wide shared-use path while adding drainage improvements, lighting, and new signs and pavement markings. A new pedestrian crossing south of Central Avenue will also be constructed.

WHAT TO EXPECT

Motorists should be aware of and adhere to any posted signage or flaggers in and around the work zone. The construction schedule may change due to weather or other unexpected conditions. For the most current project details, please visit FDOT's Central Florida Roads website, www.cflroads.com.

FLORIDA COAST-TO-COAST TRAIL

The South Sumter Connector Trail is part of the larger Florida Coast-to-Coast Trail, which extends approximately 250 miles across the peninsula of Florida from the Gulf of Mexico in St. Petersburg to the Atlantic Ocean in the vicinity of the Canaveral National Seashore. The Coast-to-Coast trail is a non-motorized, multi-use trail that will accommodate any users wishing to walk, bike, or roll.



Financial Project Identification (FPID) No.: 435471-2

CONTRACTOR

Ranger Construction Industries, Inc.

PROJECT COST

\$8.4 Million

PROJECT START

August 2023

ESTIMATED COMPLETION

Fall 2024



FOR QUESTIONS, CONCERNS, OR PROJECT UPDATES

Send a request to:

Matt Young

Community Outreach Coordinator
352-326-7744

matta.young@dot.state.fl.us



Scan the QR code using your mobile device to view more information about this project.



CFLRoads.com



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Memo

To: Webster City Council
Thru: Deanna Naugler, City Manager
From: Sue Farnsworth, Planner
Date: 9/14/2023
RE: LDC text amendment to adopt R4M and R4C zoning

The Webster Land Development Code currently has a limited range of residential zoning districts. Current residential zoning options are Agricultural (A10C-10 acre parcels), Rural Residential (RR1/RR1C – one acre lots), and suburban residential (R6C, R6M, and R6W – six units per acre). Council has expressed a desire for an intermediary suburban residential zoning district between one-acre lots and six units per acre. I recommend four-unit per acre residential zoning districts to fill the gap between rural and high intensity suburban zoning.

R4M and R4C zoning categories are in use by Sumter County and the City of Center Hill. The standards are similar to the existing R6M and R6C zoning categories with adjustments for the lower density. I recommend Webster be consistent with Sumter County and Center Hill standards for lot size, lot width, and setbacks. R6C would allow for homes that meet Florida Building Code standards. R6M would allow for manufactured homes (mobile homes) as well as homes that meet Florida Building Code standards.

The attached draft standards shows how the new zoning districts would fit within the existing Land Development Code. Please provide direction on this subject.

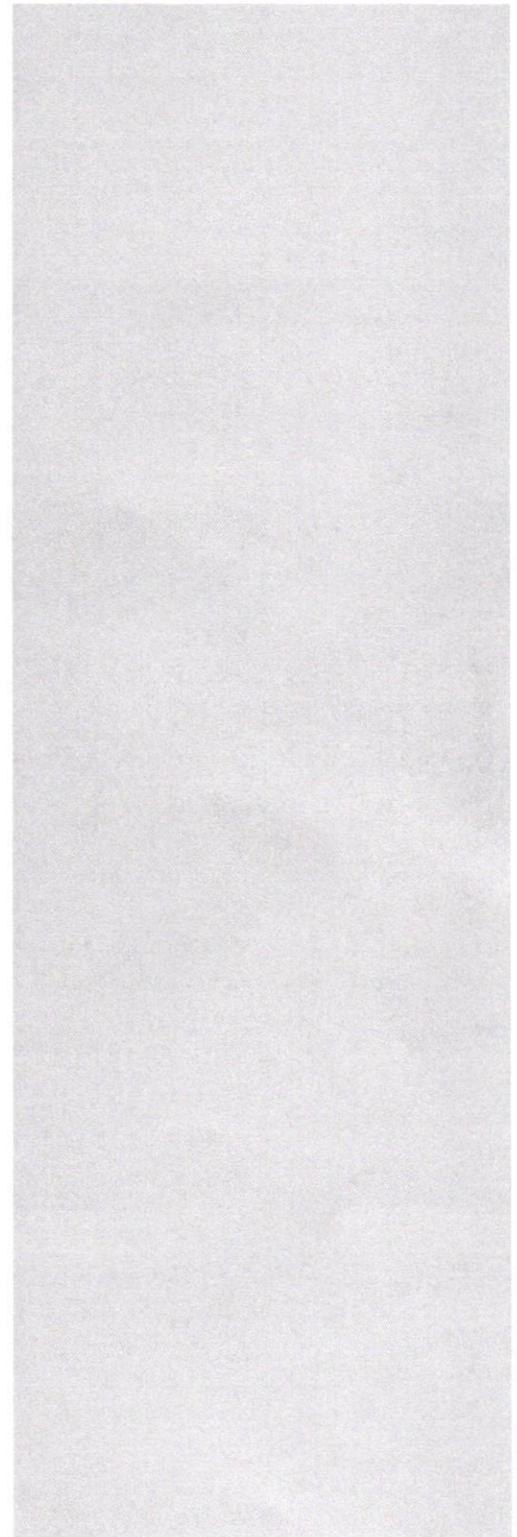
TABLE 13-401A FUTURE LAND USE AND ZONING DISTRICT CORRELATION

Future Land Use Category	Zoning Districts
Agriculture ¹	
1 dwelling unit/10 acres	AC—Agricultural Conservation A10—General Agricultural with Optional Housing A10C—General Agricultural with Conventional Housing
Rural Residential	RR1, RR1C
Urban Residential	R4C R4M R6C R6M R6W RPUD RVPUD
Mixed Use	WMPD
General Commercial	CL, CH, CR, CP, CN, DTMU
Industrial	ID, IP, CN
Public/Institutional	PIE
Recreational	REC
Conservation	CV

Sec. 13-420. - General.

This division defines and establishes zoning districts, as allowed within each future land use category specified in division 2.

District Abbreviations	District Name
Residential	
RR1	Low Density Rural Residential with Optional Housing



RR1C	Low Density Rural Residential with Conventional Housing
R4M	Medium Density Residential with Mobile Home Housing
R4C	Medium Density Residential with Conventional Housing
R6M	High Density Residential with Mobile Home Housing
R6C	High Density Residential with Conventional Housing

Sec. 13-422. - Residential zoning districts.

(a) *Residential districts.* These districts identify and provide for lands which are suitable for residential uses. Unless specified otherwise in this Code, in rural residential zoning districts, the numeric value in the district title generally denotes the minimum parcel size allowed, in acres. In residential zones, the numeric value denotes the maximum number of dwelling units allowed per gross acre. The letter "C" following the designation denotes that only conventional construction and class A manufactured homes are allowed. The letter "M" denotes that class A and B manufactured homes are allowed in addition to conventional construction.

(2) *Suburban residential zoning districts (R4M and R4C; and R6M, and R6C).* The purpose and intent of the suburban residential zoning districts is to provide a range of suburban densities, residential atmosphere where families, depending on the district, may reside in one conventional or Class A or B mobile home dwelling unit per parcel, or a multifamily building, and to provide a buffer between districts of lower and higher residential densities, commercial or other more intensive zoning districts. See table 13-431A for permitted uses.

Table 13-423A: Residential zoning districts dimensional standards

	RR1, RR1C	R4M, R4C	R6M, R6C	RPUD ¹	RVPUD ^{1, 2}
LOT STANDARDS					
Min. lot area	1 ac	10,890 s.f.	7,260 s.f. (R6C) 5,000 s.f. (R6M)	None	None
Min. lot width (ft.)	100		50 (10% reduction on lot width for existing parcels)	None	None
MINIMUM SETBACKS (ft.)					

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	RR1, RR1C	R4M, R4C	R6M, R6C	RPUD ¹	RVPUD ^{1, 2}
Road			See section 13-440		
Side and Rear ³	5 Side/ 10 Rear	10	10	None	Class A: 7.5 Class B: 5 Other: 10
BUILDING HEIGHT (ft.)					
All uses by right	35	35	35	35	35

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Table 13-431A: Schedule of Uses

	R4M	R4C
AGRICULTURAL USES		
<i>Agricultural products</i>		
For domestic consumption only	P	P
RESIDENTIAL USES		
Single-family detached, site-built and modular structures	P	P
Mobile home (Class A)	P	
Mobile home (Class B)	P	
Community Residential Home with maximum of 6 residents, see section 13-636		P
Community Residential Home with 7 or more residents, see section 13-636		S
Duplex		P
Home occupation with sales and services conducted on residential premises, see section 13-642	S	S
RETAIL, SERVICE & BUSINESS USES		
Bed & breakfast for not more than 4 guests at any given time, see Section 13-632		S
Bed & breakfast, not more than 8 guests at any given time, see Section 13-632		S

PUBLIC, SEMI-PUBLIC and INSTITUTIONAL FACILITIES		
Churches, synagogues, temples and accessory buildings including elementary or secondary school buildings & residential structures for religious personnel		<u>S</u>
Civic organization, union hall, and similar uses		<u>S</u>
Electric & gas transmission station and major distribution lines	<u>S</u>	<u>S</u>
Distribution electric substation	<u>S</u>	<u>S</u>
Emergency medical aid and transport station (Ambulance service)	<u>S</u>	<u>S</u>
Government buildings used to conduct business with the public	<u>S</u>	<u>S</u>
Kindergarten or family day care center (not more than 5 persons)	<u>P</u>	<u>P</u>
Kindergarten or family day care center (more than 5 persons)		<u>S</u>
Non-specified uses and structures maintained or operated by a body having the power of eminent domain	<u>S</u>	<u>S</u>
Police and fire departments operations and training facilities, except firing ranges	<u>S</u>	<u>S</u>
Public schools, colleges, universities (accredited) including associated grounds and facilities such as athletic buildings and dormitories	<u>S</u>	<u>S</u>
Public parks, open spaces & passive recreational facilities	<u>P</u>	<u>P</u>
Social, fraternal club or lodge, sorority, veterans organization and similar uses	<u>S</u>	<u>S</u>
Well fields for community water systems, water treatment plants	<u>S</u>	<u>S</u>
Wastewater treatment plants owned and operated by governmental bodies	<u>S</u>	<u>S</u>
Wastewater treatment plants owned and operated by private entities	<u>S</u>	<u>S</u>

