



PLANNING & ZONING BOARD MEETING AGENDA

October 19, 2023 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

APPROVAL OF MINUTES

PUBLIC HEARINGS

DISCUSSION ITEMS

- 1. DISCUSSION, SB 102 LIVE LOCAL ACT**
- 2. WORKSHOP, BASIS FOR TEXT AMENDMENTS AND REZONING**

REPORTS FROM OFFICERS

Planning Department Comments
Town Attorney Comments
Board Member Comments
Chairperson Comments

ADJOURNMENT

PUBLIC NOTICE: Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)

If you are a person with disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the town clerk's office at 202 east main street, Dundee, Florida 33838 or phone (863) 438-8330 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.



PLANNING AND ZONING BOARD MEETING

October 19, 2023 at 5:30 PM

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- AGENDA ITEM TITLE:** DISCUSSION, SB 102 LIVE LOCAL ACT
- SUBJECT:** The Planning and Zoning Board will be brought up to speed on Senate Bill 102, known as the Live Local Act.
- STAFF ANALYSIS:** None
- FISCAL IMPACT:** No Fiscal Impact
- STAFF RECOMMENDATION:** None
- ATTACHMENTS:** None



PLANNING AND ZONING BOARD MEETING

Item 2.

October 19, 2023 at 5:30 PM

AGENDA ITEM TITLE: WORKSHOP, BASIS FOR TEXT AMENDMENTS AND REZONING

SUBJECT: The Planning and Zoning Board will receive an informational workshop regarding text amendments and rezoning.

STAFF ANALYSIS: None

FISCAL IMPACT: No Fiscal Impact

STAFF RECOMMENDATION: None

ATTACHMENTS: Land Development Code Section 7.04.01

7.04.01. Basis for text amendments and rezonings.

In reviewing and formulating recommendations to the town commission on requested or proposed changes in this code or changes in land use classification, the planning and zoning board shall consider and evaluate the changes in relation to all pertinent factors, including the following:

- (A) The character of the district and its peculiar suitability for particular uses.
- (B) Conservation of the value of buildings and encouraging the most appropriate use of land throughout the town.
- (C) The applicable portions of any current town plans and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing.
- (D) The needs of the town for land areas for specific purposes to serve population and economic activities.
- (E) Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.
- (F) The facts and opinions presented to the planning and zoning board through hearings.
- (G) The public welfare: Is there a substantial relationship between the protection and advancement of the health, safety, morals and general welfare of Dundee and the zoning or land use classification you are recommending for the property in question? A recommendation to keep the zoning or land use the same, and therefore deny the request, still requires you to answer this question.
- (H) Comprehensive planning: Has the town undertaken a thorough study of all of the factors and conditions that influence the growth and development of Dundee, and developed a comprehensive plan that safeguards the wishes of the people and their general welfare? Has the comprehensive plan been adopted according to Florida Statutes, and how does it direct and guide the zoning or land use decision before you?
- (I) Need of the change: Has there been a significant change in the assumptions that underlie the comprehensive plan and the zoning map for Dundee, that would support the requested rezoning? Has there been a great deal of growth or has new infrastructure been extended to the property or has the petitioner presented a market analysis or other information that would change the planning conclusions supporting the present zoning district?
- (J) State concerns (level of service): This is another way of describing the system of infrastructure in the town. It refers not only to water, sewer, streets and drainage, but also to fire and police protection, recreation facilities, schools, garbage collection and disposal, health care, jails, and the condition of the natural environment itself. What impact will the change in zoning or land use have on the current and future level of service of all of these systems and services?
- (K) Zoning and use of nearby property: What is the pattern of zoning of nearby property, and how does the pattern of the actual land use compare to the zoning? This knowledge is important in judging whether the comprehensive plan and the zoning map are reasonably consistent in accommodating development and in respecting the timing of development. Depending on the inconsistency of the two patterns, rezoning may be overdue, or early, and the comprehensive plan may require amending to keep things synchronized.
- (L) Substantial change in land use circumstances: Apart from paragraph (I), above, have there been significant changes in land use in the vicinity of the property requested for rezoning? Such changes are substantial if they include: widening of a street from two lanes to three or four lanes; a large expansion of an existing use like a new wing on the hospital or the doubling of an office complex; the completion of a subdivision that was only platted a few years ago; the construction of a new public facility like a

park, fire station, or even a town hall; or any number of other examples. One such change may not be significant, but several would be.

- (M) Effect on property values: Has evidence been presented that the proposed rezoning will adversely affect the value of neighboring property? This information can be presented by either the petitioner or the opponents. And, has the petitioner presented any information that shows that the current zoning classification has devalued the property by removing some or all of its reasonable use?
- (N) Suitability: Is the land, the location and the amount of property suitable for the purposes for which it is zoned, or is the proposed rezoning or land use change better? This idea also requires an answer to a related question: Is the requested zoning or land use classification compatible with development on surrounding property, or can it be made so with the imposition of conditions, buffers or limitations on the uses within the zone? The answers to these questions should lead to a conclusion as to the appropriate use of the property.
- (O) Time vacant: How long has the property been vacant under the present zoning classification, or a similar classification prior to its present one? This information should be compared to the rate of land development in the vicinity of the property and particularly in the conversion of vacant land to development in the same zoning district in other parts of the town.
- (P) Gain versus hardship: This idea has only one interpretation and should be answered before you recommend denial. Is the public gain in maintaining the present zoning or land use classification so great that the hardship imposed on the property owner is justified?

(Ord. No. 12-12, § 1, 2-14-12)