



AGENDA

City Commission Meeting

6:00 PM – Thursday, April 04, 2024 – City Hall

INVOCATION: PASTOR LUKE RACZYKOWSKI, BAY STREET BAPTIST CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. PRESENTATIONS

[2.1](#) Eustis Police Department Recognition of Chaplains

[2.2](#) Bay Street Baptist Church – North Eustis Beautification Project

[2.3](#) Magic Boys Productions

[2.4](#) Eustis Police Department Year in Review 2023

3. AUDIENCE TO BE HEARD

4. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

[4.1](#) Resolution Number 24-36: Lake Sumter State College Second Land Donation

[4.2](#) **FIRST READING**

Explanation of Ordinance Numbers 24-12, 24-13, and 24-14: Annexation, Future Land Use and Design District Assignment for Parcel with Alternate Key 2607173

Ordinance Number 24-12: Annexation for 2024-A-02 - Green Lynx LLC - Alternate Key 2607173

Ordinance Number 24-13: Future Land Use Assignment - Comprehensive Plan Amendment for 2024-CPLUS-02 - Green Lynx LLC - Alternate Key 2607173

Ordinance Number 24-14: Design District Assignment for 2024-DD-02 - Green Lynx LLC - Alternate Key 2607173

[4.3](#) **FIRST READING**

Ordinance Number 24-13: Future Land Use Assignment - Comprehensive Plan Amendment - 2024-CPLUS-02 – Future Land Use Assignment - Green Lynx LLC – Alternate Key 2607173

[4.4](#) **FIRST READING**

Ordinance Number 24-14: Design District for 2024-DD-02 - E CR 44 and Bates Ave - Green Lynx LLC - Alternate Key 2607173

4.5 FIRST READING

Explanation of Ordinance Numbers 24-15, 24-16, and 24-17: Annexation, Future Land Use and Design District Assignment for Parcel with Alternate Key 1064309

Ordinance Number 24-15: Annexation for 2024-A-03 - Envisage Homes LLC - Alternate Key 1064309

Ordinance Number 24-16: Future Land Use Assignment - Comprehensive Plan Amendment for 2024-CPLUS-03 - Envisage Homes LLC - Alternate Key 1064309

Ordinance Number 24-17: Design District Assignment for 2024-DD-03 - Envisage Homes LLC - Alternate Key 1064309

4.6 FIRST READING

Ordinance Number 24-16: Future Land Use Assignment - Comprehensive Plan Amendment - 2024-CPLUS-03 – Envisage Homes LLC – Alternate Key 1064309

4.7 FIRST READING

Ordinance Number 24-17: Design District Assignment - 2024-DD-03 – Envisage Homes LLC – Design District Assignment for Parcel with Alternate Key 1064309

4.8 FIRST READING

Ordinance Number 24-18: 2024-CPLUS-01 Grand Island Shores Road Future Land Use Map Amendment

4.9 FIRST READING

Ordinance Number 24-20: Amend the Land Development Regulations, Section 118. Construction Standards

4.10 FIRST READING

Ordinance Number 24-21: Approving a Conditional Use Permit for a Monopine Communication Tower with a height of 180 feet, located within Pine Meadows Subdivision on Future Acorn Meadows Loop - Street A

5. OTHER BUSINESS

6. FUTURE AGENDA ITEMS AND COMMENTS

6.1 City Commission

6.2 City Manager

6.3 City Attorney

6.4 Mayor

7. ADJOURNMENT

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record

of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.

“Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission and the public. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.”



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: Eustis Police Department Recognition of Chaplains

Introduction:

Police Chief Craig Capri will recognize the Eustis Police Department Chaplains.

Background:

The Eustis Police Department will recognize the following Eustis Police Department Chaplains.

1. Renee Hill
2. Kimberly Garry
3. Precious Miller
4. Rose Lindo
5. Craig Lindo
6. Markques Menefee
7. Tanasha Nelson

Prepared By:

Elena Pasek, Police Support Coordinator

Reviewed By:

Tom Carrino, City Manager



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: Bay Street Baptist Church – North Eustis Beautification Project

Introduction:

Mr. Randy Glisson will present the North Eustis Beautification Project.

Prepared By:

Christine Halloran, City Clerk

Reviewed By:

Tom Carrino, City Manager



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: Magic Boys Productions

Introduction:

A representative from Magic Boys Productions will speak to City commission regarding Magic Boys Car Show.

Prepared By:

Christine Halloran, City Clerk

Reviewed By:

Tom Carrino, City Manager



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: Eustis Police Department Year in Review 2023

Introduction:

Police Chief Craig Capri will provide a Year in Review 2023 for Eustis Police Department.

Prepared By:

Christine Halloran, City Clerk

Reviewed By:

Tom Carrino, City Manager



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: April 4, 2024

RE: RESOLUTION NUMBER 24-36
APPROVAL OF A SECOND EDUCATIONAL DEVELOPMENT
AGREEMENT WITH LAKE SUMTER STATE COLLEGE

Introduction:

This agreement transfers to Lake Sumter State College a parcel of land for the construction of a CDL and Utility Lineworker Training Facility. It is parallel to the agreement that was created and executed for transferring the first donation of land to the college for this purpose. Under the terms of the agreement, the College agrees to define and write the legal description for the additional parcel and include in the deed any easements identified by the City.

Background

At its last meeting on March 17, 2024 Commission gave consensus to move forward with a second donation of land to Lake Sumter State College (LSSC). The college requested the additional property pursuant to state regulations that require a larger CDL Practice Driving Pad. The additional land will not only allow LSSC to construct the expanded pad, but will also provide room for an enlarged utility pole farm for the lineman worker program, and the space needed to accommodate water retention on site. The first donation of land for this project was approved by Commission on November 17, 2022.

In response to a request for scholarships specifically for Eustis students, the LSSC Foundation has agreed to set aside a one-time amount of \$15,000 for ten \$1,500 scholarships for Eustis Students. This arrangement will be formalized in a Memorandum of Understanding (MOU) to follow.

In addition, as part of the original donation of land, LSSC has committed to providing up to five annual CDL training slots for City of Eustis employees.

Action

Approval of Resolution Number 24-36 authorizing the City Manager to execute the Second Educational Development Agreement with Lake Sumter State College.

Prepared by:

Al Latimer, Economic Development Director

RESOLUTION NUMBER 24-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; APPROVING THE SECOND EDUCATIONAL DEVELOPMENT AGREEMENT BETWEEN THE CITY OF EUSTIS AND LAKE-SUMTER STATE COLLEGE FOUNDATION, INC., AND THE DISTRICT BOARD OF TRUSTEES OF LAKE-SUMTER STATE COLLEGE CONCERNING THE CONVEYANCE OF A APPROXIMATELY FOUR ACRE PARCEL OF CITY-OWNED PROPERTY TO BUILD A COMMERCIAL DRIVER'S LICENSE AND UTILITY LINeworker TRAINING FACILITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS ASSOCIATED THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake-Sumter State College wishes to build a Commercial Driver's License and Utility Lineworker Training Facility in the City of Eustis; and

WHEREAS, Lake-Sumter State College previously requested the City Commission approve a donation of approximately four acres of land for this purpose; and

WHEREAS, at the November 17, 2022, regular City Commission meeting, the Commission approved Lake-Sumter State College's request and asked City staff to work with the College staff to identify a mutually agreed upon parcel of land; and

WHEREAS, the City of Eustis owned the 13.71-acre parcel of land located at the western corner of Hicks Ditch Road and SR 44, identified by the Lake County Property Appraiser by Alternate Key #1428441; and

WHEREAS, in September 2023, the City Commission donated four acres from within the larger 13.71-acre parcel identified as suitable for the construction of the Lake-Sumter State College Commercial Driver's License and Utility Lineworker Training Facility; and

WHEREAS, the Commercial Driver's License and Utility Lineworker programs are in need of expansion due to increased workforce demand; and

WHEREAS, the Lake-Sumter State College has subsequently asked for an additional donation of approximately four acres from within the larger 13.71-acre parcel of which 9.71 acres remain owned by the City of Eustis; and

WHEREAS, Lake-Sumter State College further agrees to define and write the legal description for the additional parcel and include in the deed any easements identified by the City; and

WHEREAS, the proposed project serves a public purpose by having a positive impact on the local economy and workforce development efforts, thereby providing a benefit to the City of Eustis and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

Section 1. The City Commission hereby approves the Second Educational Development Agreement as presented to facilitate the transfer of ownership of the additional four acre parcel.

Section 2. The City Commission hereby authorizes the City Manager to execute the Second Educational Development Agreement and all documents and instruments as may be necessary to transfer the previously identified four acre parcel to Lake-Sumter State College.

Section 3. This Resolution shall become effective upon passage.

DONE AND RESOLVED this 4th day of April, 2024, in Regular Session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 4th day of April, 2024, by Christine Halloran, City Clerk, who is personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-36 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

SECOND EDUCATIONAL DEVELOPMENT AGREEMENT

THIS SECOND EDUCATIONAL DEVELOPMENT AGREEMENT (the “Agreement”) is made and entered into this ___ day of April, 2024, by and between the CITY OF EUSTIS (hereafter referred to as the City or Grantor) and LAKE-SUMTER STATE COLLEGE FOUNDATION, INC., and THE DISTRICT BOARD OF TRUSTEES OF LAKE-SUMTER STATE COLLEGE (hereafter collectively referred to as the College or Grantee).

NOW, THEREFORE, for and in consideration of the terms and covenants set forth in this Agreement, the parties hereto agree as follows:

I. SUBJECT OF AGREEMENT

Subject to the terms and conditions set forth in this Agreement, the City shall convey to the College, a portion of real estate of approximately four acres located at the northwest corner of State Road 44 and Hicks Ditch Road, across from Cobb Tractor, and diagonally adjacent to Cobb Commerce Park (the “Property”).

The College acknowledges it shall conduct a survey of the Property. Prior to closing the parties shall agree on the legal description for the Property to be conveyed and said legal description will be added to this Agreement as an addendum and will be included on the special warranty deed. Title to the Property shall be conveyed subject to rights of reversion to City, easements, restrictions, zoning ordinances, covenants, and rights of way of record.

II. CONSIDERATION

For and in consideration of the transfer of Property to the College, the College represents, warrants, and agrees to the following terms and conditions:

1. Within two (2) years after the Property is conveyed to the College, the College shall enter into a contract with a qualified construction company/contractor to build the Commercial Driver’s License and Utility Lineworker Training Facility. The construction of the Commercial Driver’s License and Utility Lineworker Training Facility must be completed within five (5) years of its conveyance. Completion is defined as issuance of a certificate of occupancy by the appropriate governmental authority. The quality and type of construction will be substantially similar to the other College facilities in Lake County, Florida. To ensure the quality and type of construction conforms to the standards sought by the City, prior to commencement of construction, the College shall present to the City schematics and conceptual plans of the proposed facility for approval.

2. The initial authorized use for this Property shall be for the Commercial Driver’s License and Utility Lineworker Training Facility and related educational/training courses. If, after the Commercial Driver’s License and Utility Lineworker Training Facility is built and the program is running, the College wishes to discontinue the program and offer an alternate educational use at the Property, the College shall notify the City in writing of their intent to do so no later than ninety (90) days prior to

implementing the alternate educational use. The City shall not object to the College's intended use if the use is considered educational in nature as determined by the City at its reasonable discretion. The City shall provide the College with written confirmation of its approval or its objection to the intended use as soon as possible, but no later than sixty (60) days after being notified by the College. If the City fails to provide notice to the College as specified herein, approval will be considered to have been given to the College for intended use. If the College fails to provide notice to the City as specified herein, the City at its sole discretion may deem it a breach of the terms of the Agreement resulting in the Property reverting to back to the City. The College must notify the City and obtain the necessary written approval as stated herein each time the College seeks to change the current authorized educational use of Property.

3. Per the original Educational Development Agreement with the College for conveyance of land in 2023, once the Commercial Driver's License and Utility Lineworker Training Facility is built and the program is running, the College shall provide the City free of charge five (5) training slots per year in perpetuity.

III. CLOSING

The closing shall occur within one-hundred and twenty (120) days from the date of execution of this Agreement. If closing does not occur on the specified date and the parties have not agreed to extend the closing date in writing prior to the expiration of said date, this Agreement is immediately null and void and neither party shall have any further rights or obligations under this Agreement.

IV. TITLE

The City will convey title of the Property to the College by a special warranty deed, free and clear of all liens, encumbrances, defects, and burdens, except for easements, restrictions, and rights of reversion stated herein, and rights of way.

Grantor and Grantee agree that title to the Property will be conveyed to Lake-Sumter State College. The College shall not convey, sell or otherwise transfer its interest in the Property for any purpose without the prior written consent of the City.

V. PROOF OF TITLE

The College shall obtain, at the College's sole cost and expense, a standard owners policy of title insurance from a licensed title company in an amount not less than the cost of construction of the Commercial Driver's License and Utility Lineworker Training Facility.

In the event the College has valid objections to the marketability of the title to the Property, the City may satisfy said valid objections or the City may declare this Agreement null and void in which event the College shall convey the Property to the City by special warranty deed similar in form and content to that executed by the City.

The College hereby waives any and all claims, causes of action, and its right to recover any damages, costs, expenses or losses which result out of or are incurred by the College in connection with this Agreement, and/or the development, design, and construction of the Commercial Driver's License and Utility Lineworker Training Facility on the Property.

VI. PAYMENT OF EXPENSES

The City shall have no liability of any cost, fees, obligations, real estate taxes, or any other cost related hereto, and all costs including but not limited to financing, title insurance, closing, appraisals, mortgages and registration fees related to this Agreement, or the transfer of the Property, shall be paid by the College.

VII. THE CITY'S REVERSIONARY INTEREST AND CONVEYANCE RESTRICTION

The College acknowledges that the special warranty deed, which transfers title of the Property, will contain the following reversionary language:

“Absent a written agreement by the Grantor to subordinate its reversionary interest, if the Grantee fails to initially construct and operate a Commercial Driver's License and Utility Lineworker Training Facility as specified in the Educational Development Agreement between the Grantor and Grantee, and thereafter use the Property for an educational purpose for which the Grantor has provided the Grantee written approval for, then all right, title, and interest in the Property, as well as all buildings, structures, fixtures, and other improvements on the Property shall revert to the Grantor and shall be deemed the Grantor's sole and exclusive property, as allowed by law. If title of the Property and all buildings, structures, fixtures, and improvements revert to the Grantor, the Grantee shall not receive any compensation for the Property, or any buildings, structures, fixtures, and improvements located on the Property.”

“Furthermore, without the Grantor's prior written consent, the Grantee shall not convey, sell or otherwise transfer this Property.”

Title to the Property shall revert to the City in the event the College fails, in any respect, to comply with the terms and provisions of this Agreement including, but not limited to, the duties imposed upon the College which arise subsequent to the date of transfer of the Property.

VIII. DAMAGES

In the event the College fails to comply with any term or warranty in this Agreement, then title to the Property shall immediately revert to the City and this Agreement shall immediately become null and void, whereupon all rights of the College hereunder shall end all at the option of the City.

The College acknowledges and understands that should this Agreement be declared null and void and should a reversion of title to the Property occur that the College shall have no claim against the City for any damages, costs, or claims for specific performance or other cause of action, and the failure to comply with the terms of this Agreement shall be solely at the risk of the College without liability or obligation on behalf of the City.

AT CLOSING THE COLLEGE MAY BE REQUIRED TO GRANT TO THE CITY MANAGER OF CITY OF EUSTIS POWER OF ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY REVEST TITLE TO THE PROPERTY TO THE CITY INCLUDING, BUT NOT LIMITED TO, THE RIGHT TO EXECUTE DEEDS, LIEN RELEASES, AND AFFIDAVITS AS REQUIRED. THE COLLEGE SHALL NOT REVOKE SAID POWER OF ATTORNEY WITHOUT PRIOR WRITTEN CONSENT FROM THE CITY.

IX. CONDITION OF PROPERTY

The City makes no representations or warranties of any kind whatsoever, express or implied, regarding the condition of the Property or the condition of title to the Property (except as noted in the special warranty deed). The College acknowledges that the City has made no representations or warranties, express or implied, as to the condition of the Property or the condition of title to the Property. The College is granted, up to the day prior to the Closing Date, the right to access the Property and have it inspected at the College's sole cost and expense. Any damages caused by said inspections shall be paid by the College. The College agrees that it will rely solely upon the results of any inspections it has conducted. The College agrees that it is taking title to the Property in its "as is, where is" condition. In the event any inspection conducted by the College reflects a condition which is unacceptable to the College, the College shall have the right to terminate this Agreement at any time prior to the Closing in which event the parties will be relieved of any further right, duty or obligation set forth in this Agreement. The City makes no representations or warranties of any kind whatsoever, express, or implied, relative to the inclusion or exclusion of the Property from a flood fringe area or flood-way area, as the same are defined by the Federal Emergency Management Agency (FEMA). The College agrees to make any and all inquiries deemed appropriate or required in said regard, and further agrees that the exclusion of the Property from said described areas is not a condition to the Closing of this Agreement.

X. NO ASSIGNMENT

The College may not assign its respective interests, rights, and responsibilities under this Agreement without the prior written consent of the City. In addition, and without limitation, the City acknowledges and agrees that the College may encumber its interest in the Property with a mortgage or similar instrument or indenture, which instruments shall in all cases be subject to the rights of the City outlined in this Agreement.

XI. AMENDMENTS

No amendment, modifications, or alterations of the terms hereof shall be binding unless the same are in writing, dated subsequent to the date hereof, and duly executed by the parties hereto.

XII. AGREEMENT TO SURVIVE DELIVERY OF SPECIAL WARRANTY DEED

All terms and conditions of this entire Agreement (and all attachments and addendums) shall survive the delivery of the special warranty deed to the College.

XIII. BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and permitted assigns. This provision does not alter the requirement that the College cannot assign all or any portion of this Agreement without the prior written consent of the City.

XIV. NOTICES

All notices required by this Agreement shall be sent in writing via certified mail, return receipt requested or via mail delivery requiring signature. Courtesy copies may be sent via email, however electronic mail shall not satisfy the notice requirement. Notice shall be sent to the parties as stated below:

City of Eustis
 City Manager
 10 N. Grove Street
 Eustis, FL 32726
 (with a copy to the City Attorney listed on the City's website)

Lake-Sumter State College Foundation, Inc./Lake-Sumter State College
 College President
 9501 US Highway 441
 Leesburg, FL 34788

XV. NO WAIVER

Neither failure nor delay on the part of the City in exercising any right under this Agreement shall operate as a waiver of such right, nor shall any single or partial exercise of any such right preclude any further exercise thereof or the exercise of any other right. No waiver of any provision of this Agreement or consent to any departure by the City therefrom shall be effective unless the same shall be in writing, signed on behalf of the

City by a duly authorized officer thereof, and the same shall be effective only in the specific instance for which it is given.

XVI. HEADINGS

The headings of the articles, sections and paragraphs used in this Agreement are for convenience only and shall not be read or construed to affect the meaning or construction of any provision.

XVII. ENTIRE AGREEMENT

This Agreement and all exhibits hereto, if any, contain the entire understanding between parties and no other warranty, representations or agreements shall be binding upon the parties unless heretofore set forth in writing.

XVIII. PREVAILING PARTY

In the event of any litigation between the parties arising out of or relating to this Agreement, the prevailing party shall be entitled to recover all costs incurred and reasonable attorneys' fees, including attorneys' fees in all investigations, trials, bankruptcies, and appeals.

XIX. GOVERNING LAW, JURISDICTION AND VENUE

This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The parties agree that Lake County, Florida shall have exclusive personal jurisdiction for all legal actions and disputes which arise out of this Agreement. The parties further agree the sole venue for any legal actions or disputes which arise out of this Agreement shall be Lake County, Florida.

XX. CITY COMMISSION APPROVAL

This Agreement must be approved by the Eustis City Commission via Resolution.

IN WITNESS WHEREOF, the parties have executed this instrument on the day and year first above written.

City of Eustis

By: _____
Tom Carrino, City Manager

Attest : _____
Christine Halloran, City Clerk

College: _____
Dr. Heather Bigard, President
Lake-Sumter State College Foundation, Inc.
9501 US Highway 441
Leesburg, FL 34788

STATE OF FLORIDA)
COUNTY OF LAKE)

On this ____ day of April, 2024 before me, a notary public in and for the county and state, personally appeared Tom Carrino, City Manager of the City of Eustis and Christine Halloran, City Clerk of the City of Eustis, who are personally known to me to be the same persons who executed the foregoing instrument and who duly acknowledge the execution of the same.

Witness my hand and seal this ____ day of April, 2024.

Notary Public

STATE OF FLORIDA)
COUNTY OF LAKE)

On this ____ day of April, 2024, before me, a notary public in and for the county and state, personally appeared Heather Bigard, President of Lake-Sumter State College Foundation, Inc., who is personally known to me to be the same person who executed the foregoing instrument and who duly acknowledges the execution of the same.

Witness my hand and seal this ____ day of April, 2024.

Notary Public



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: **FIRST READING**

ORDINANCE NUMBERS 24-12, 24-13, AND 24-14: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCEL WITH ALTERNATE KEY 2607173.

Ordinance Number 24-12 – Voluntary Annexation

Ordinance Number 24-13 – Comprehensive Plan Amendment

Ordinance Number 24-14 – Design District Assignment

Introduction:

Ordinance Number 24-12 provides for the voluntary annexation of approximately 1.26 acres of land located at the east side of East CR 44 and south side of Bates Avenue (Alternate Key Number 2607173). Provided the annexation of the subject property is approved, via Ordinance Number 24-12, Ordinance Number 24-13 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-14 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-12 is denied, then there can be no consideration of Ordinance Numbers 24-13 and 24-14.

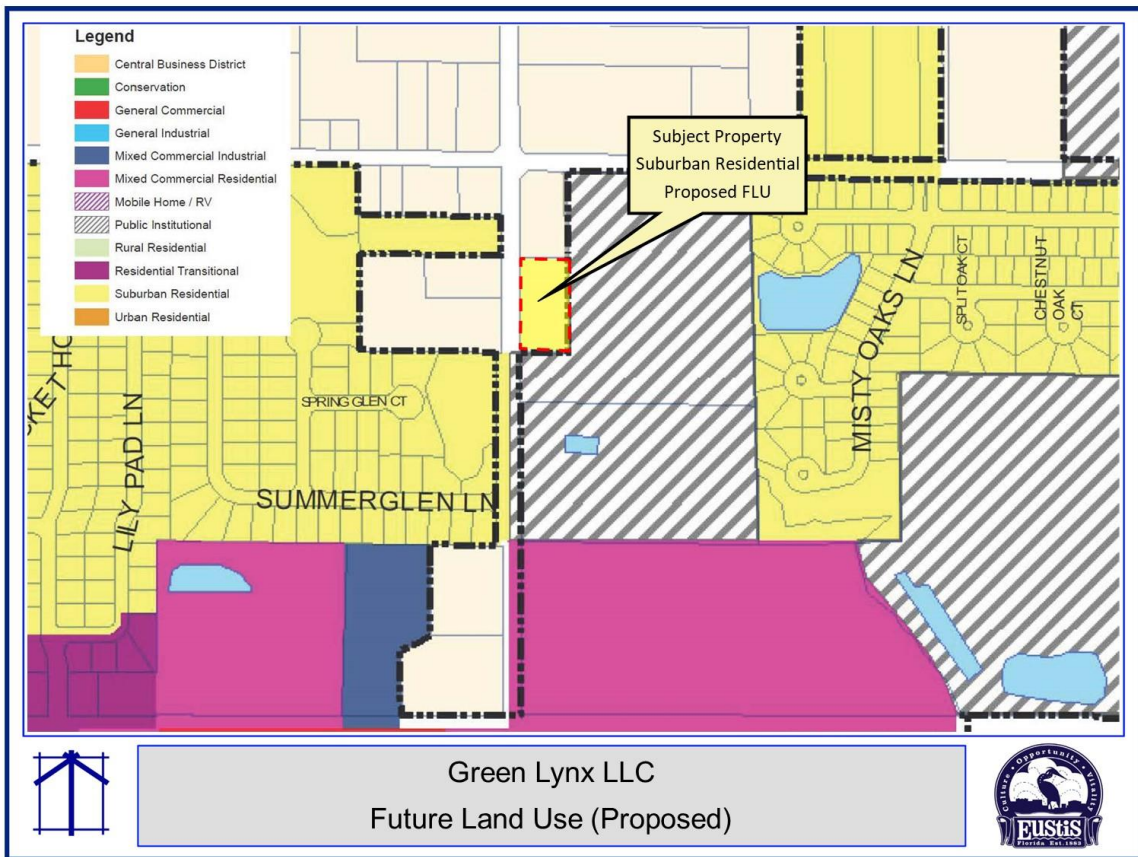
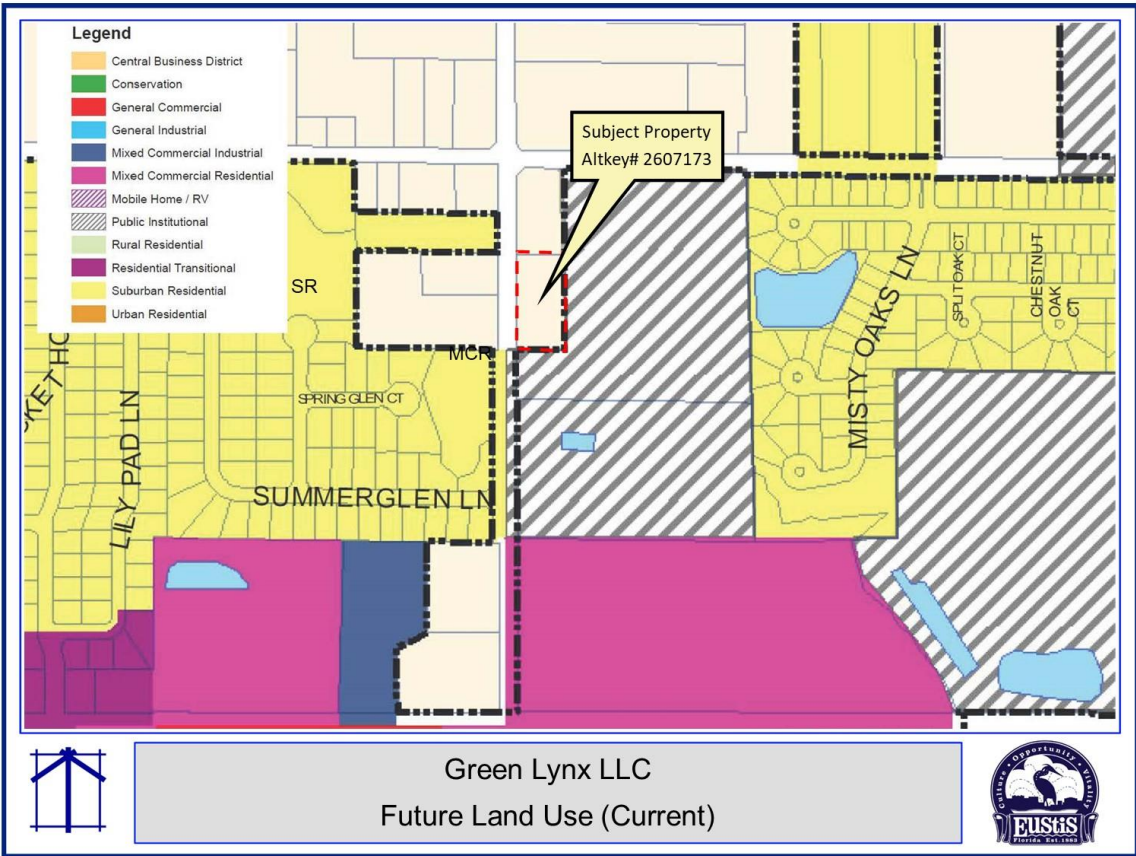
Background:

1. The site contains approximately 1.26 acres and is located within the Eustis Joint Planning Area.
2. The proposed annexation property is within an enclave area of the city and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-13 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (Lake County)	N/A
North	Single-Family	Urban Low (Lake County)	N/A
South	City Property	PI (Public/ Insitutional)	Suburban Neighborhood
East	City Property	PI (Public/ Insitutional)	Suburban Neighborhood
West	Single-Family	Urban Low (Lake County)	N/A
	Vacant		



Applicant's Request

The applicant and property owners, Green Lynx LLC, wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 24-12)

1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested Suburban Residential future land use designation.

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; the property is part of a partial enclave, it is contiguous to the City limits on the eastern and southern boundaries, and the owner petitioned for annexation.

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

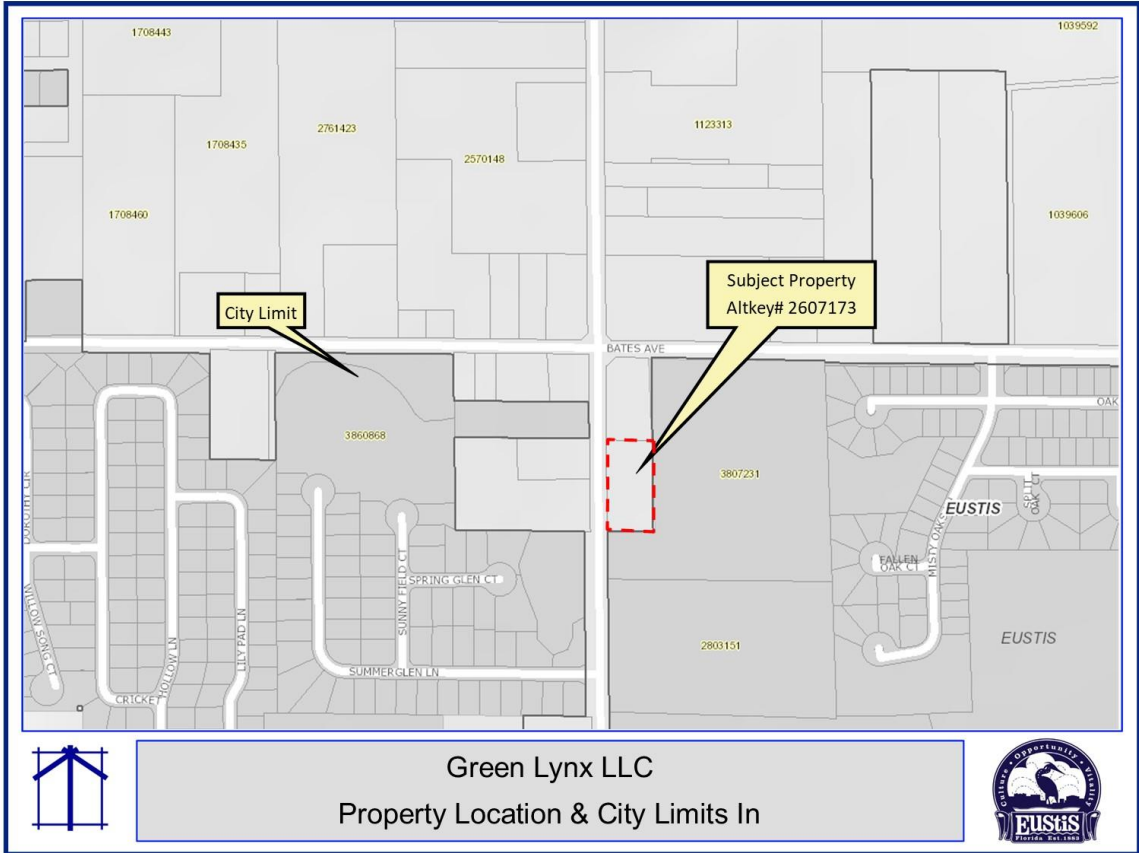
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on March 25, 2024, and again on April 1, 2024.

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject property is included in a portion of the city that can be considered a partial or open enclave.



5. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

The department provided notice to the Lake County Board of County Commissioners, via email and by Certified Mail on March 11, 2024.

Analysis of Comprehensive Plan/Future Land Use Request **((2024-CPLUS-02) Ordinance Number 24-13)**

In accordance with the Florida Statutes Chapter 163.3177.9:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

Review of Indicators

1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The requested future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.

2. Urban Development in Rural Areas:

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.

This indicator does not apply. The subject property is located in an enclave area and will be requiring city services in order to develop.

3. Strip or Isolated Development:

Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The subject property is located in an enclave area and will be requiring city services in order to develop. The underlying lot within the proposed annexation that will be subject to the Suburban Residential Future land Use was platted in the early to mid-1950s.

4. Natural Resources Protection:

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.

This indicator does not apply. The subject property is subject to floodplain impact, and does not contain wetland areas. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

5. Agricultural Area Protection:

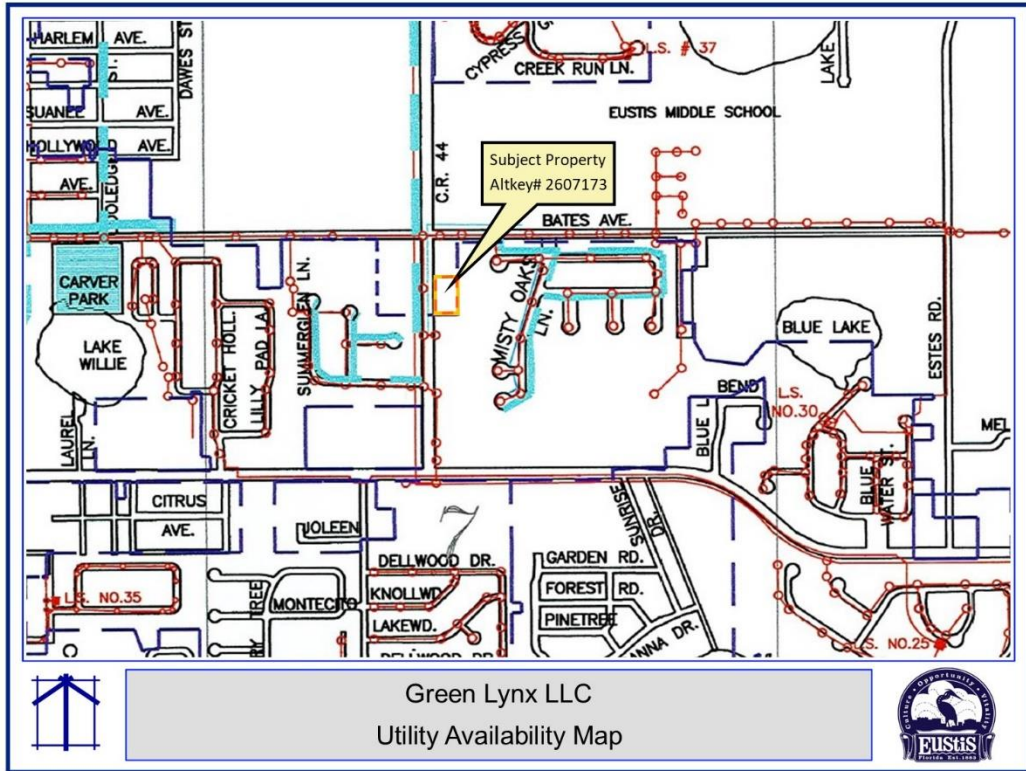
Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process.



7. Cost Effectiveness and Efficiency of Public Facilities:

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.

This indicator does not apply. Adequate capacity is available to serve the existing and future development.

8. Separation of Urban and Rural:

Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

9. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This indicator does not apply. This property will promote infill development by allowing access to public facilities.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

12. Open Space:

Results in the loss of significant amounts of functional open space.

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject property is an existing residential lot.

13. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

a. Direction of Growth:

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 and protects natural resources and ecosystems.

The site is adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land

Development Regulations have provisions to protect natural resources ecosystems at the time of site plan approval.

b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Water and Sewer service is available. The development of the property will further encourage the efficient provision of services.

c. Walkable and Connected Communities:

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, if available.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy-efficient and water-efficient appliances.

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The proposed land use is consistent with the surrounding area of the site and is not positioned to front primary or secondary corridors that would encourage commercial development.

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.

c. Potable Water & Sanitary Sewer:

Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property

d. Schools:

The proposed change should not negatively impact schools. At the time of development application, verification of capacity will be required from Lake County Schools.

e. Solid Waste:

The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.

f. Stormwater:

The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

g. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcel being annexed include existing platted lot.

2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

a. Groundwater recharge areas:

The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

b. Historical or archaeological sites:

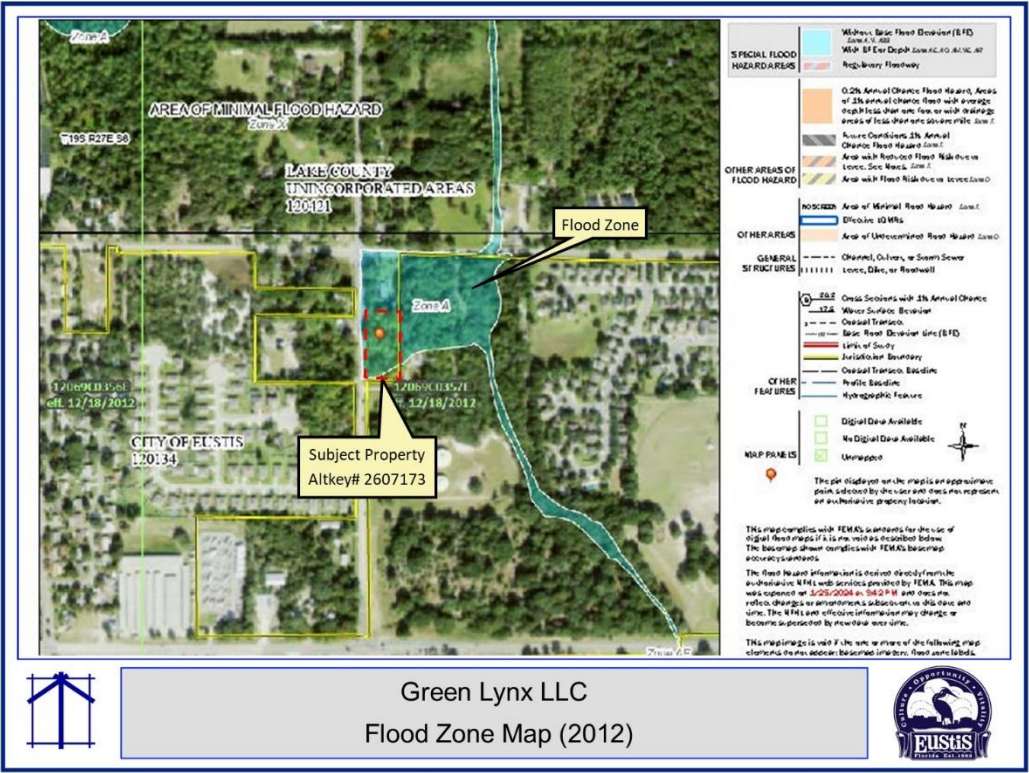
The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

c. Flood zones:

The subject property is impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.

d. Soil and topography:

The site soils are primarily Myakka sands and Placid sand. These sands are all typically moderately to poorly drained soils.



3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the

appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).

The surrounding properties, immediately adjacent to the north and west, are unincorporated areas designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

Proposed Residential Land Uses.

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks, is provided and available, which lessens the impact to the proposed residences.

This area is predominantly residential in nature and the proposed use of the land will continue to be residential.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

1. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The use of the land is already residential in nature and was previously platted; increase in traffic should be negligible.

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

In Accordance with Chapter 102-16(f), Land Development Regulations

Standards for Review:

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the city limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply,

drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation.

Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, therefore, efficiency will improve.

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The site contains no apparent natural resources and is not connected to significant open space.

g. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lot will not cause incompatibilities with those development patterns.

h. *Public Interest and Intent of Regulations:*

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.

i. *Other Matters:*

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

No other matters.

Analysis of Design District Request (**Ordinance Number 24-14**):

Form-Based Code:

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. *Standards for Review:*

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. *Section 102-17(a) "...Section 109-3 Design Districts:*

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

b. *Sec. 109-3.4. Suburban development pattern intent statements:*

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.

c. *Section 102-17(a)*

The following guidelines must be followed when proposing the reassignment of the district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

Reassignment is not being proposed; a Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.

d. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

e. *Consistent with Surrounding Uses:*

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.

f. **Changed Conditions:**

Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.

g. **Public Facilities.**

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.

h. *Impact on Environment:*

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation

controls the density, intensity, and minimum open space permitted on the so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

i. Property Values:

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

j. Orderly Development Pattern:

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

k. Public Interest and Intent of Regulations:

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

l. Other Matters:

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.

Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban

services provided by the City, and might therefore be annexed into the City in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. “The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

3. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
 - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
 - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 24-12, 24-13, and 24-14.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 24-12 (Annexation), 24-13 (Comp. Plan Amendment), and 24-14 (Design District Designation).
2. Deny Ordinance Numbers 24-12, 24-13, and 24-14.

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Sherri Takaloo, Senior Planner

Reviewed By:

Mike Lane, AICP, Development Services Director

Jeff Richardson, AICP, Deputy Development Services Director

ORDINANCE NUMBER 24-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 1.26 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 2607173, ON EAST SIDE OF EAST CR 44 AND SOUTH SIDE OF BATES AVENUE.

WHEREAS, Green Lynx LLC. made an application for voluntary annexation of approximately 1.26 acres of real property located on the east side of East CR 44 and south side of Bates Avenue, more particularly described as:

- Alternate Key Number: 2607173
- Parcel Number: 07-19-27-0002-000-05400
- Legal Description: THAT PART OF S 1/2 OF NW 1/4 OF NE 1/4 OF NW 1/4 LYING EAST OF ST RD 44-A ORB 5195 PG 1164

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

WHEREAS, the subject property is reasonably compact and contiguous; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on April 4th, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on April 18th, 2024, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 1.26 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

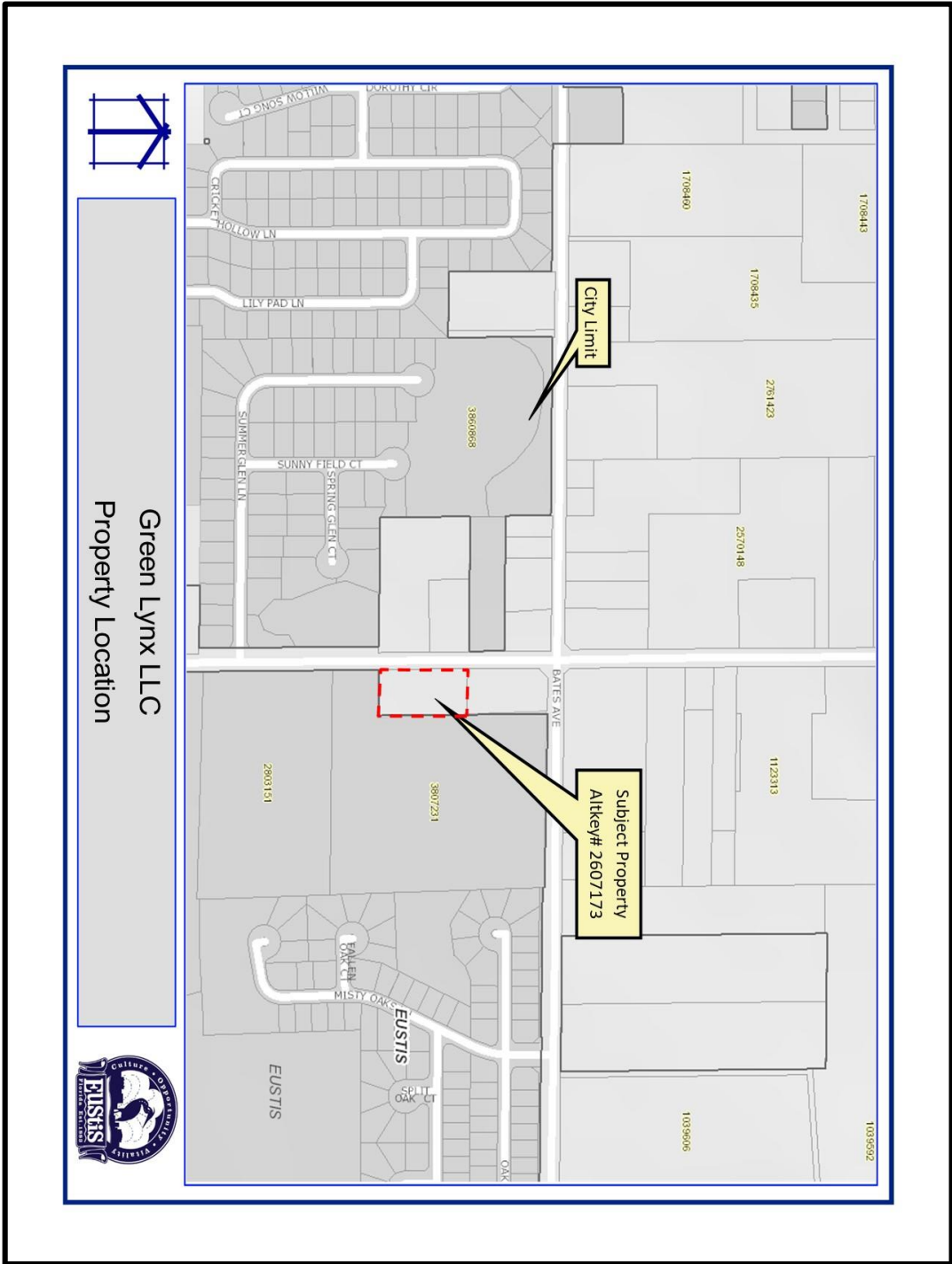
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-12 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



ORDINANCE NUMBER 24-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.26 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 2607173, ON EAST SIDE OF EAST CR 44 AND SOUTH SIDE OF BATES AVENUE. FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENIAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 1.26 acres of real property at Lake County Property Appraiser’s Alternate Key Number 2607173, on east side of East CR 44 and south side of Bates Avenue., and more particularly described herein; and

WHEREAS, on April 4, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on April 4, 2024, the City Commission held the 1st Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential within the City of Eustis:

Alternate Key Number: 2607173

Parcel Number: 07-19-27-0002-000-05400

Legal Description: THAT PART OF S 1/2 OF NW 1/4 OF NE 1/4 OF NW 1/4 LYING EAST OF ST RD 44-A ORB 5195 PG 1164

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

Severability: That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

Effective Date: The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

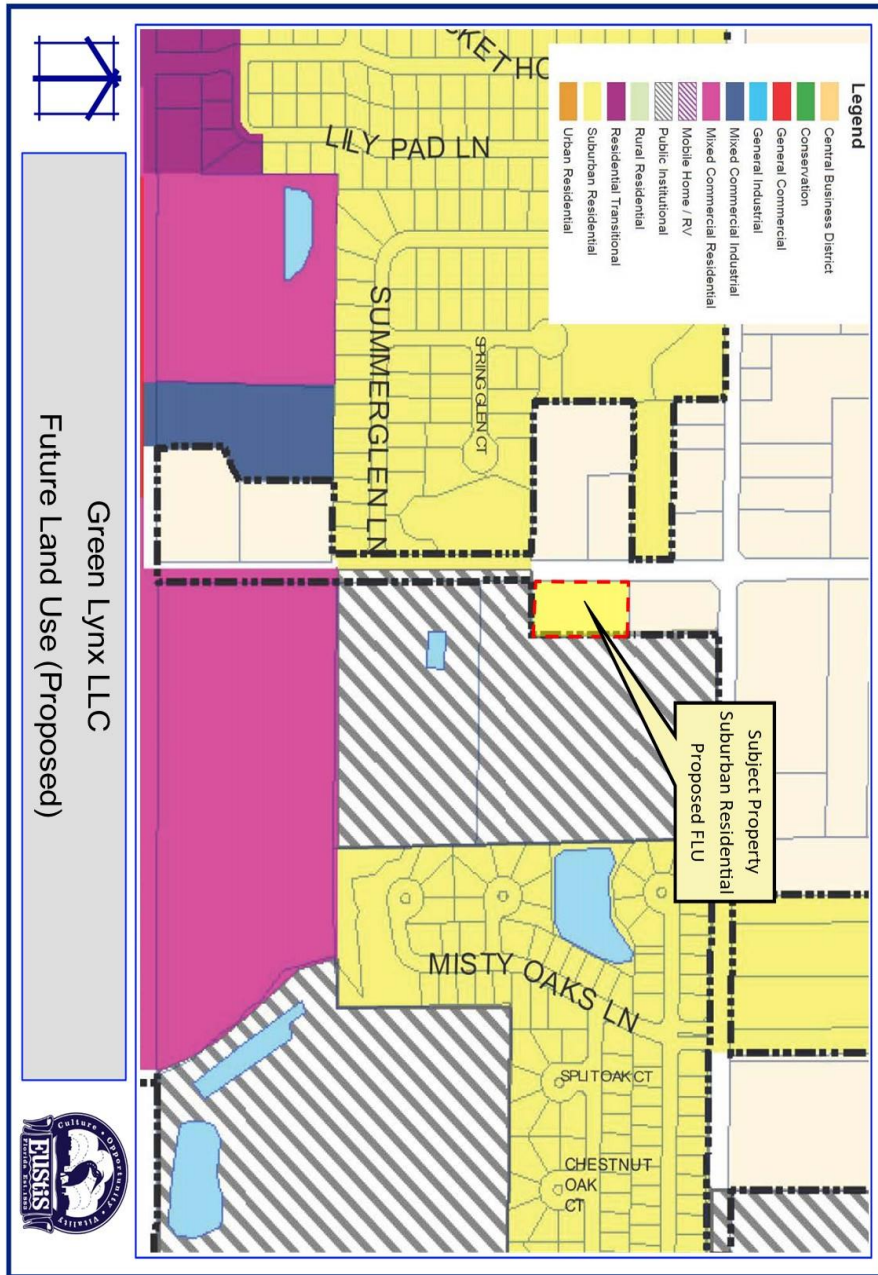
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-13 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



Future land Use Map

ORDINANCE NUMBER 24-14

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 1.26 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 2607173, ON THE EAST SIDE OF EAST CR 44 AND SOUTH SIDE OF BATES AVENUE.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 1.26 acres of recently annexed real property further described below, and

WHEREAS, on April 4th, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on April 18th, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Neighborhood:

Alternate Key Number: 2607173
Parcel Number: 07-19-27-0002-000-05400
Legal Description: THAT PART OF S 1/2 OF NW 1/4 OF NE 1/4 OF NW 1/4 LYING EAST OF ST RD 44-A ORB 5195 PG 1164

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall become effective upon annexation of the subject property through approval of Ordinance Number 24-14.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

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City Attorney's Office

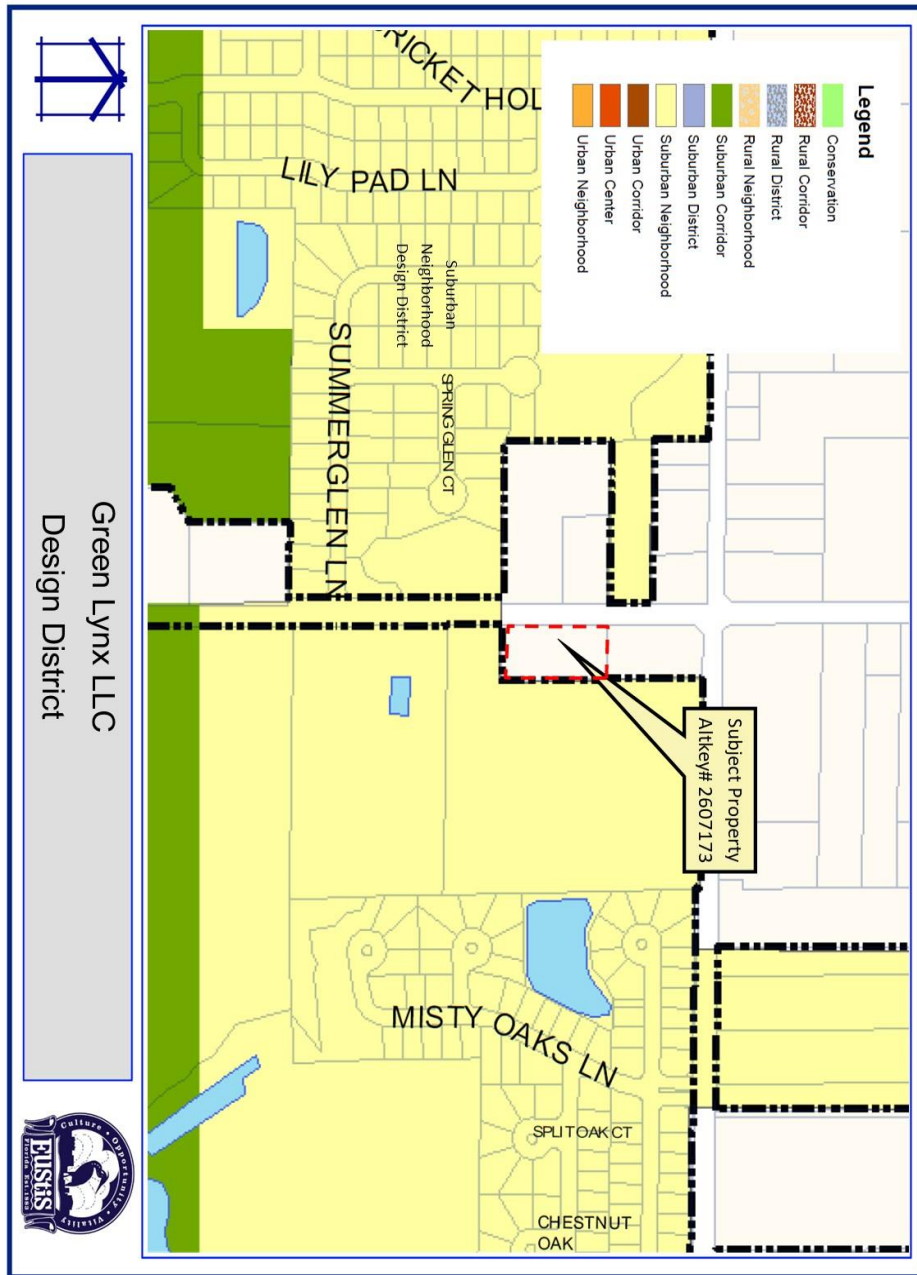
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-14 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



Design District Map



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: **FIRST READING**

ORDINANCE NUMBERS 24-15, 24-16, AND 24-17: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEYS 1064309.

Ordinance Number 24-15 – Voluntary Annexation

Ordinance Number 24-16 – Comprehensive Plan Amendment

Ordinance Number 24-17 – Design District Assignment

Introduction:

Ordinance Number 24-15 provides for the voluntary annexation of approximately 0.3 acres of land located at Coolidge street and Suanee Avenue, on the north side of Suanee Ave. (Alternate Key Number 1064309). Provided the annexation of the subject property is approved, via Ordinance Number 24-15, Ordinance Number 24-16 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-17 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-15 is denied, then there can be no consideration of Ordinance Numbers 24-16 and 24-17.

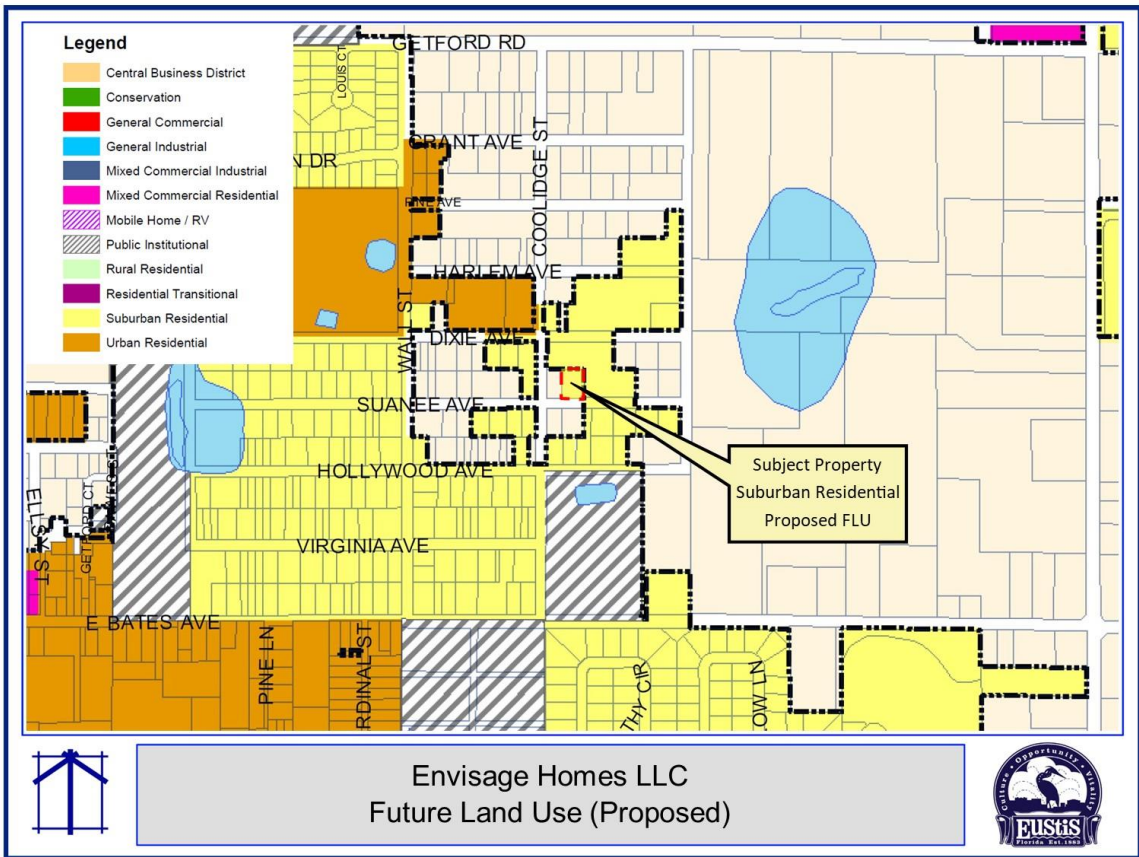
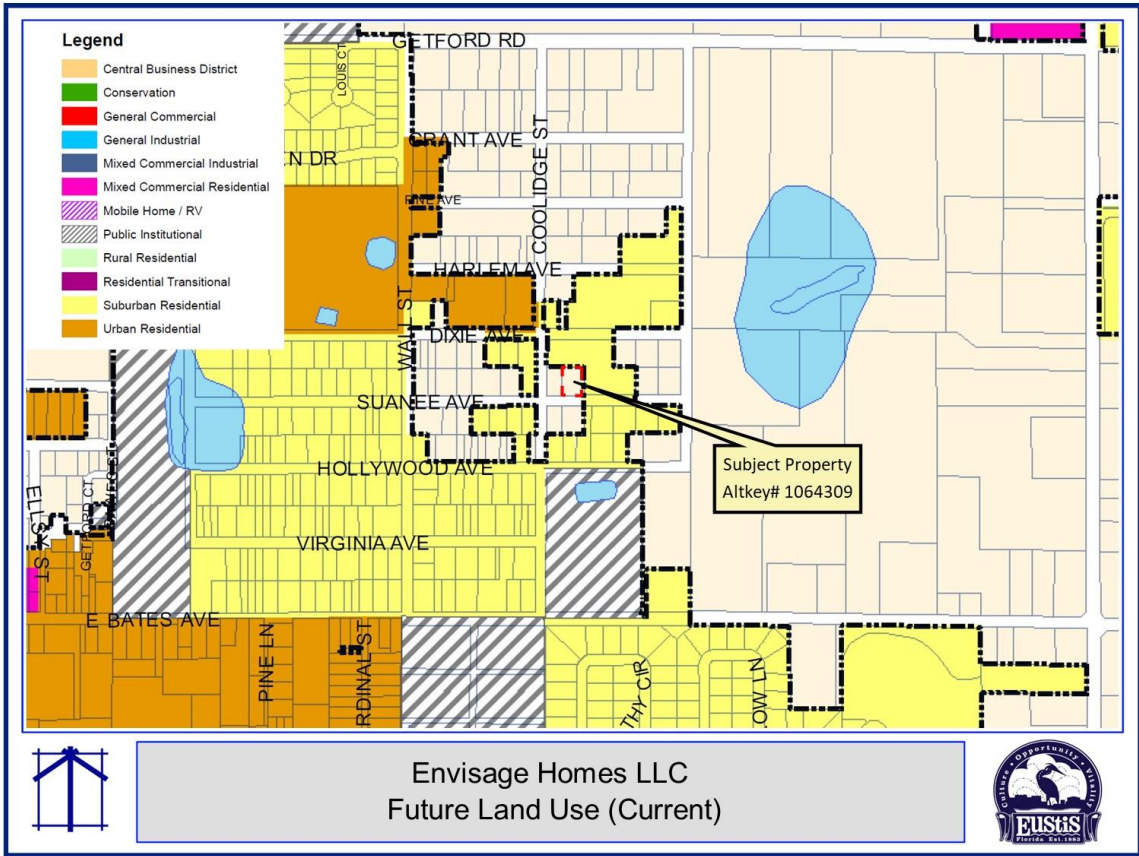
Background:

1. The site contains approximately 0.3 acres and is located within the Eustis Joint Planning Area. The property to be annexed is a portion of the Rosenwald Gardens subdivision and a subsequent partial replat dating back to 1954. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The proposed annexation property is within an enclave area of the City and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-16 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (Lake County)	N/A
North	Vacant	Suburban Residential	Suburban Neighborhood
South	Single-Family	Urban Low (Lake County)	N/A
East	Vacant	Suburban Residential	Suburban Neighborhood
West	Vacant	Urban Low (Lake County)	N/A



Applicant's Request

The applicant and property owners, Envisage Homes LLC, wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 24-15)

1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested Suburban Residential future land use designation.

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; the property is part of a partial enclave, it is contiguous to the City limits on the Northern and eastern boundaries, and the owner petitioned for annexation.

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

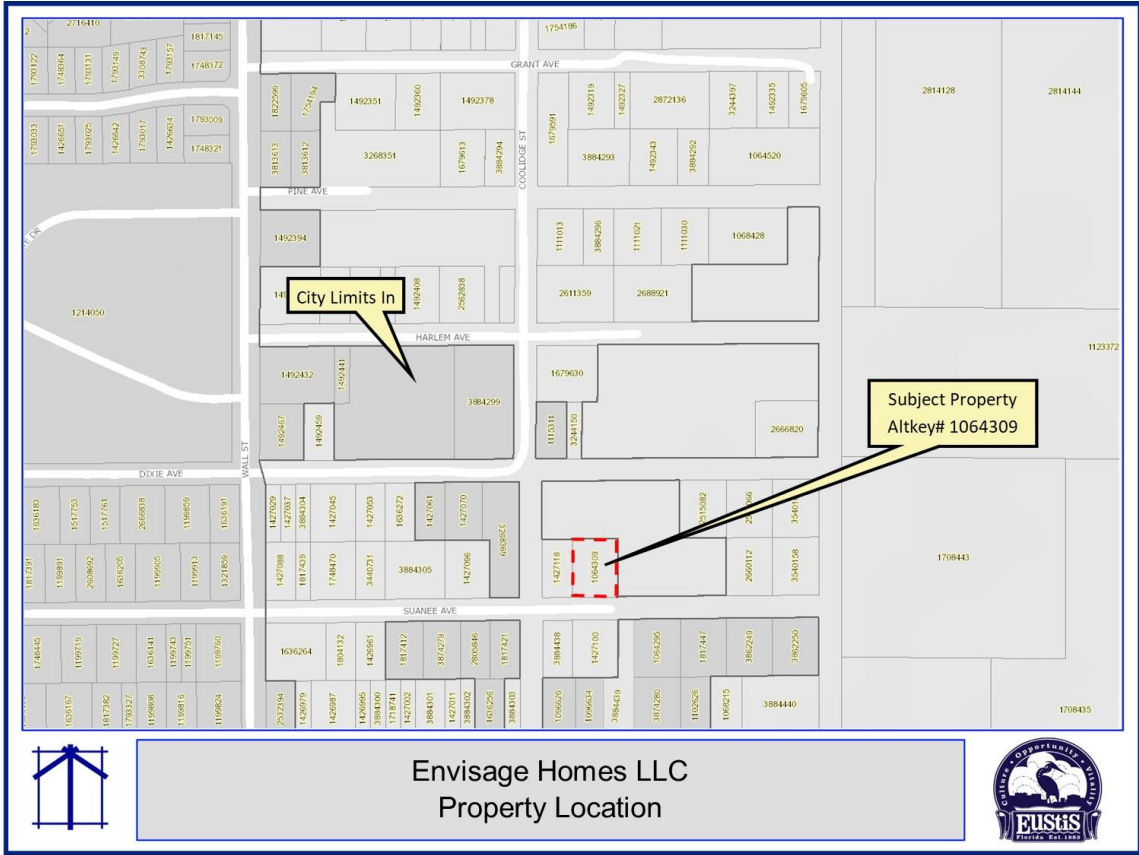
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on March 25, 2024, and again on April 1, 2024.

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject property is included in a portion of the city that can be considered a partial or open enclave.



5. Florida Statues Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

The department provided notice to the Lake County Board of County Commissioners on February 26,2024, via email and by Certified Mail on February 26, 2024, an updated email notice on March 21, 2024 was sent to the Lake County Board of County Commissioners for the rescheduled datse for LPA and City Commision public hearing.

Analysis of Comprehensive Plan/Future Land Use Request (2024-CPLUS-03) Ordinance Number 24-16)

In accordance with the Florida Statutes Chapter 163.3177.9:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

Review of Indicators

1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The requested future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.

2. Urban Development in Rural Areas:

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.

This indicator does not apply. The subject property is located in an enclave area and will be requiring city services in order to develop.

3. Strip or Isolated Development:

Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The subject property is located in an enclave area and will be requiring city services in order to develop. The underlying lot within the proposed annexation that will be subject to the Suburban Residential Future land Use was platted in the early to mid-1950s.

4. Natural Resources Protection:

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.

This indicator does not apply. The subject property is not subject to floodplain impact, and does not contain wetland areas. The subject property was originally platted in the 1950s as part of the Rosenwald Gardens subdivision. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

5. Agricultural Area Protection:

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.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water will be available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also

This indicator does not apply. This property will promote infill development by all access to public facilities.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

12. Open Space:

Results in the loss of significant amounts of functional open space.

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject property is an existing residential lot.

13. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

a. Direction of Growth:

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 and protects natural resources and ecosystems.

The site is adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at the time of site plan approval.

b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Water and Sewer service will be available. The development of the property will further encourage the efficient provision of services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

c. Walkable and Connected Communities:

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, if available.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not

currently exist. The Coolidge Street/Rosenwald Garden area is the target for planned improvement project that includes street improvements and sidewalks.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy-efficient and water-efficient appliances.

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The proposed land use is consistent with the surrounding area of the site and is not positioned to front primary or secondary corridors that would encourage commercial development.

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.

c. Potable Water & Sanitary Sewer:

Water and sewer will be available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.

d. Schools:

The proposed change should not negatively impact schools. At the time of development application, verification of capacity will be required from Lake County Schools.

e. Solid Waste:

The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.

f. Stormwater:

The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects

designed to meet these standards will not negatively affect the existing facilities and services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes improvements and additions to address stormwater management for the vicinity.

g. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.

2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

a. Groundwater recharge areas:

The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

b. Historical or archaeological sites:

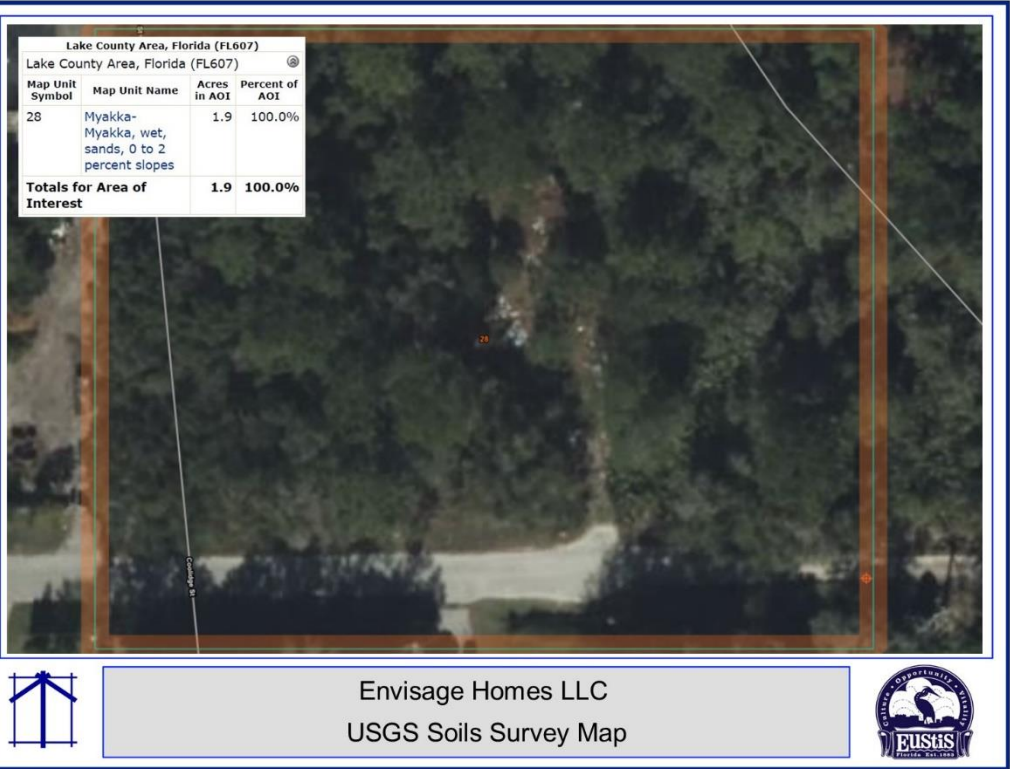
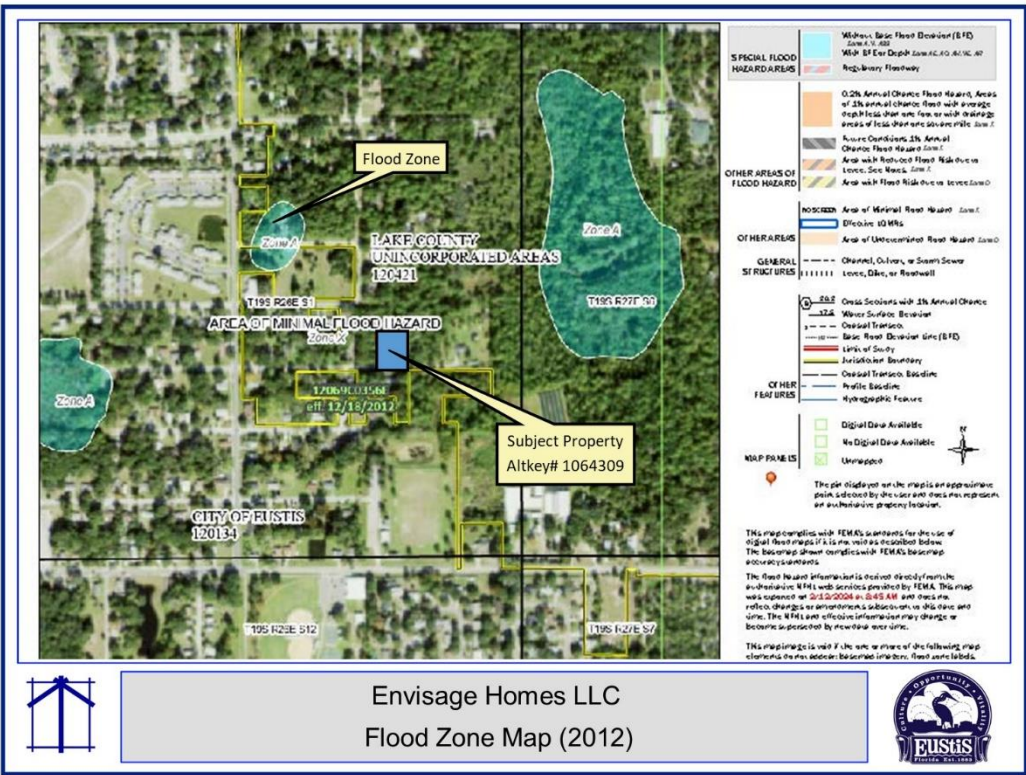
The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

c. Flood zones:

The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.

d. Soil and topography:

The site soils are primarily Myakka sands. These sands are all typically moderately to poorly drained soils.



3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).

The surrounding properties, immediately adjacent to the south and west, are unincorporated areas are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

Proposed Residential Land Uses.

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks, is provided and available, which lessens the impact to the proposed residences.

This area is predominantly residential in nature and the proposed use of the land will continue to be residential.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

1. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The use of the land is already residential in nature and was previously platted; the increase in traffic should be negligible.

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

City water service and other services will be available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity will be available. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.

In Accordance with Chapter 102-16(f), Land Development Regulations

Standards for Review:

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the city limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer services will be available and in close proximity to the site. Adequate capacity will be available to serve future development consistent with the requested Suburban Residential future land use designation. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area therefore, efficiency will improve.

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The site contains no apparent natural resources and is not connected to significant open space.

g. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.

h. *Public Interest and Intent of Regulations:*

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potential

providing additional housing, and the application of the LDRs to development will ensure consistency with the community character and lifestyle of the city.

i. Other Matters:

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

No other matters.

Analysis of Design District Request (Ordinance Number 24-17):

Form-Based Code:

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. Standards for Review:

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. Section 102-17(a) "...Section 109-3 Design Districts:

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

b. Sec. 109-3.4. Suburban development pattern intent statements:

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, and civic spaces as focal points in the neighborhoods.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.

c. Section 102-17(a)

The following guidelines must be followed when proposing the reassignment of the design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

Reassignment is not being proposed; a Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.

d. Consistent with Comprehensive Plan:

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

e. Consistent with Surrounding Uses:

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.

f. Changed Conditions:

Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.

g. Public Facilities.

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond

that already anticipated. Also, see the analysis of public facilities in the a sections of this report.

h. Impact on Environment:

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

i. Property Values:

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

j. Orderly Development Pattern:

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

k. Public Interest and Intent of Regulations:

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

l. Other Matters:

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request

assigns a Suburban Neighborhood design district designation to an annexed parcel, which is consistent with the existing transect.

Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: “The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. “The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

3. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
 - a. all such housing is attached to foundations as in the case of conventional site-built construction; and

- b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.
- 4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
- 5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 24-15, 24-16, and 24-17.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 24-15 (Annexation), 24-16 (Comp. Plan Amendment), and 24-17 (Design District Designation).
2. Deny Ordinance Numbers 24-15, 24-16, and 24-17.

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Sherri Takaloo, Senior Planner

Reviewed By:

Mike Lane, AICP, Development Services Director

Jeff Richardson, AICP, Deputy Development Services Director

ORDINANCE NUMBER 24-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 0.3 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1064309, COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE AVE.

WHEREAS, Envisage Homes LLC. made an application for voluntary annexation of approximately 0.3 acres of real property located on Coolidge Street and Suanee Avenue, on north side of Suanee Ave. , more particularly described as:

Alternate Key Number: 1064309

Parcel Number: 01-19-26-0600-011-02100

Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 21, 22, 23 BLK 11
ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

WHEREAS, the subject property is reasonably compact and contiguous; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and;

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on April 04, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 0.3 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

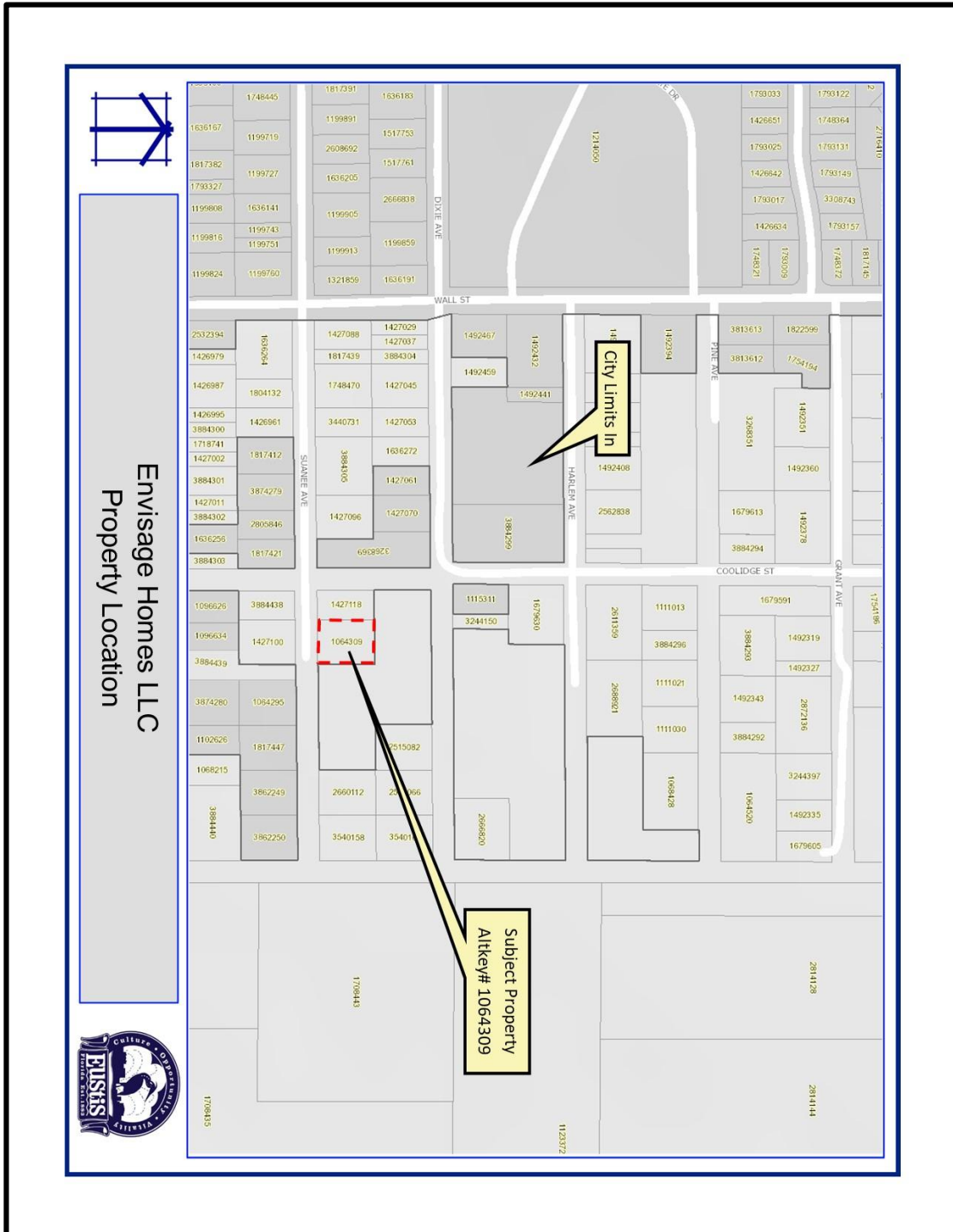
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-15 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



ORDINANCE NUMBER 24-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.3 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1064309, ON COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE AVE. FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENIAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 0.3 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1064309, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue, and more particularly described herein; and

WHEREAS, on April 04, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on April 04, 2024, the City Commission held the 1st Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential within the City of Eustis:

Alternate Key Number: 1064309

Parcel Number: 01-19-26-0600-011-02100

Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 21, 22, 23 BLK 11
ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

Severability: That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

Effective Date: The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

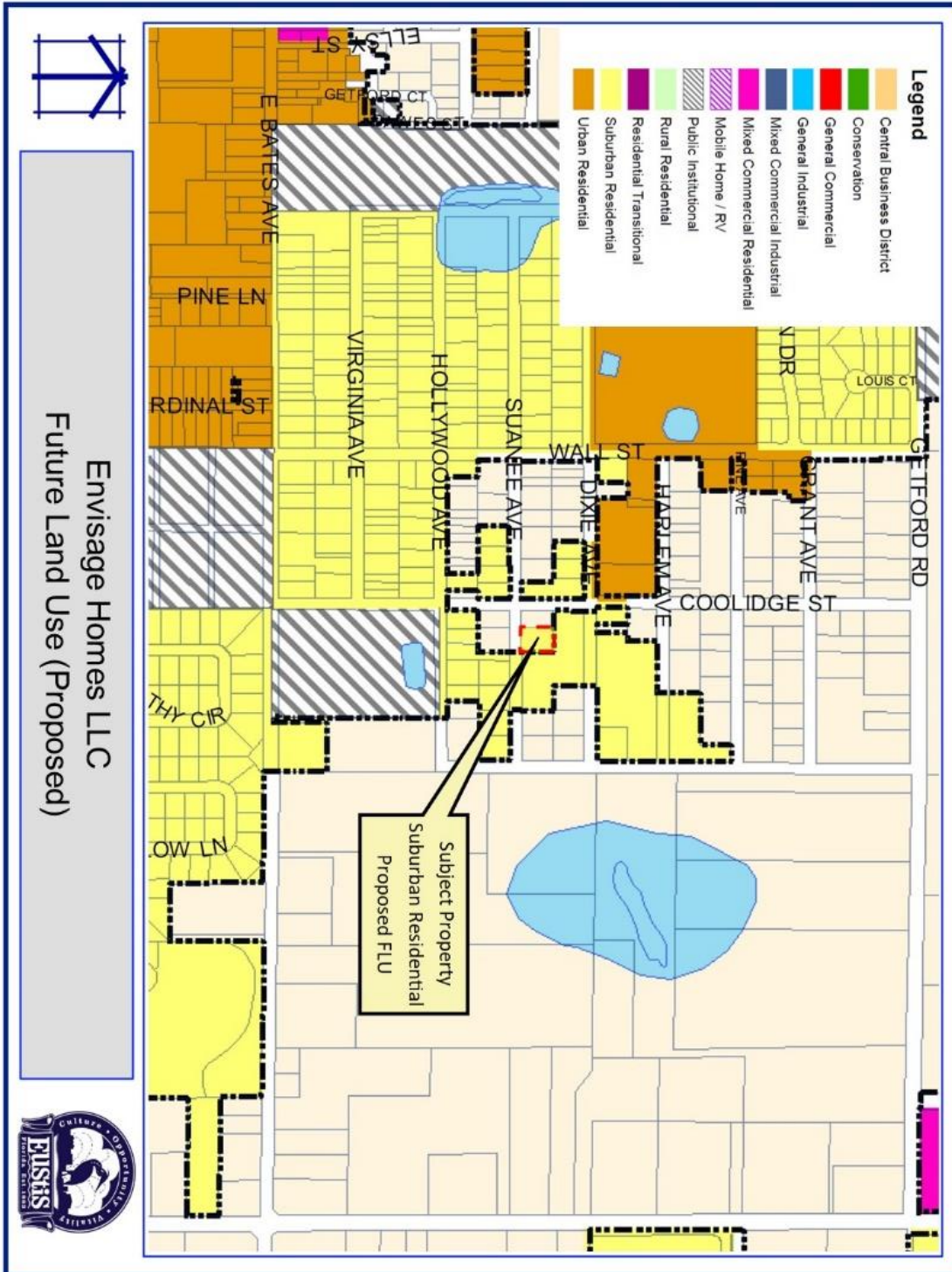
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-16 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



ORDINANCE NUMBER 24-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.3 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1064309, ON COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE AVE.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 0.3 acres of recently annexed real property further described below, and;

WHEREAS, on April 04, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Residential:

Alternate Key Number: 1064309
Parcel Number: 01-19-26-0600-011-02100

Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 21, 22, 23
BLK 11 ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to

be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall become effective upon annexation of the subject property through approval of Ordinance Number 24-17.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

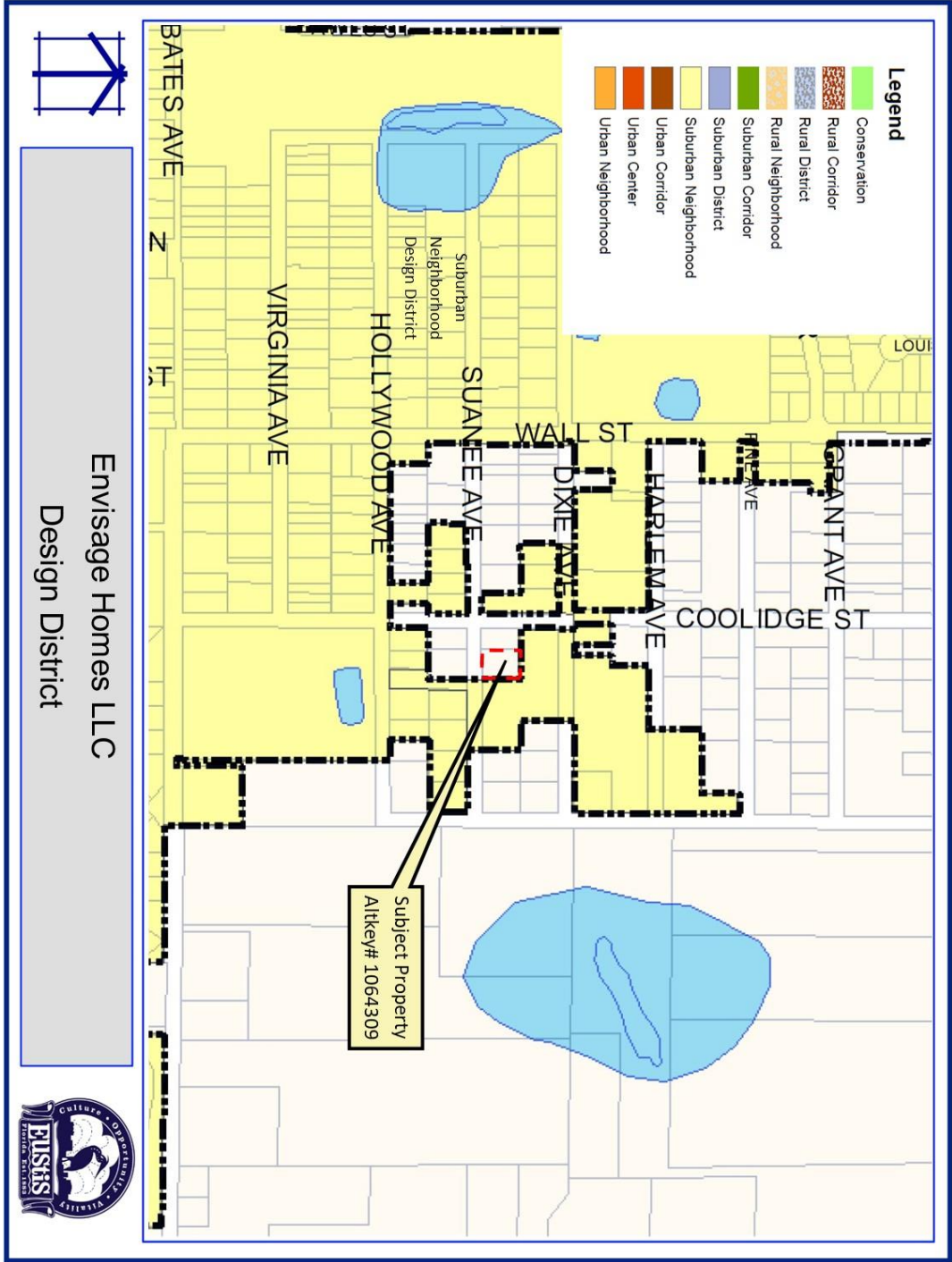
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-17 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: APRIL 4, 2024

RE: ORDINANCE NUMBER 24-18: SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN (2024-CPLUS-01) – NORTHWEST OF THE INTERSECTION OF GRAND ISLAND SHORES ROAD AND COUNTY ROAD 44

Introduction:

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (seven lots of Johnson's Point Subdivision) totaling 1.99 acres located at the northwest side of the intersection of Grand Island Shores Road and County Road from Suburban Residential (SR) to Urban Residential (UR).

Recommended Action:

Staff recommends approval of Ordinance Number 24-18.

Background:

1. Site Information

- a. The property under consideration includes seven lots of the Johnson's Point Subdivision totaling approximately 1.99 acres.
- b. The majority of the site contains 7 duplexes on 1.99 acres (7 dwelling units per acre, which is non-conforming to the SR land use maximum density of 5 dwelling units per acre) that were built in 1999.
- c. The site and surrounding properties land use, design district designations, and existing uses are shown below in Figures 1, 2 and 3.



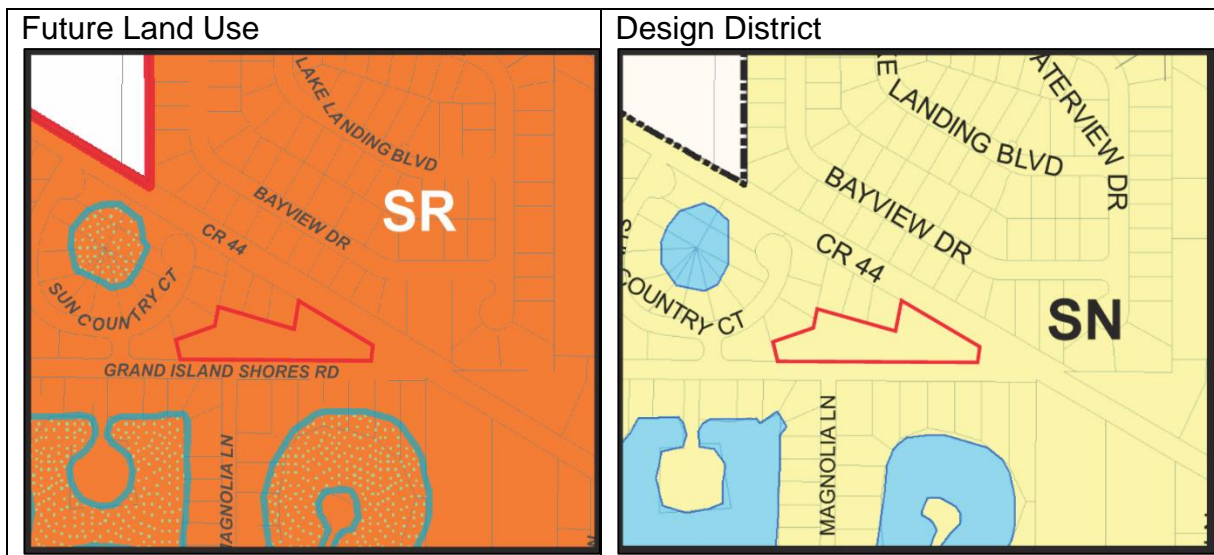
2. Applicant’s Request

The applicant is requesting to change to the existing future land use from SR to Urban Residential (UR) to facilitate future redevelopment (conversion of the 7 duplexes into 14 individually owned townhomes or condominiums).

Figure 1: Existing and Surrounding Land Use

	Future Land Use	Existing Use	Design District
Site	SR	Duplexes	Suburban Neighborhood
North	SR	Residential Subdivision	Suburban Neighborhood
South	SR	Residential Subdivision	Suburban Neighborhood
East	SR	Residential Subdivision	Suburban Neighborhood
West	SR	Residential Subdivision	Suburban Neighborhood

Figure 2 and 3: Surrounding Future Land Use and Design Districts



3. Analysis of Comprehensive Plan/Future Land Use Request in Accordance with Florida Statutes Chapter 163.3177.9.: The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

Not applicable since the property has been developed.

- a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

- (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.

This indicator does not apply. The properties are part of an existing, urban developed area.

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The properties are part of a developed urban residential area. The proposed designations are consistent with the character of the surrounding area.

- (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.

This indicator does not apply. The properties are already developed.

- (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.

This indicator does not apply. This is a developed urban area with no agricultural activities.

- (VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The site is currently connected to City water but not sewer.

- (VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no proposed facilities or services projected for future development in the area.

- (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.

This indicator does not apply. Adequate capacity is available to serve the existing and proposed development. The City provides these services to this and other properties in the area.

- (IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The property is within an existing urban developed area.

- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This indicator does not apply. The future land use map amendment will facilitate redevelopment of an existing development.

- (XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing urban developed area.

- (XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing developed area. Access to the site is already developed.

- (XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The existing site provides limited open space primarily in the rear of each structure.

- b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- (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 and protects natural resources and ecosystems.

This property is part of an existing developed area in an established neighborhood.

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The City provides water services to the existing site. The existing site is located in a developed area and therefore no additional provision of services are required.

- (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, if available.

This parcel is part of an existing developed area in an established suburban core.

- (IV) Promotes conservation of water and energy.

This is an infill redevelopment, which will maximize existing infrastructure.

- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; the site is located in the suburban core where there is no agriculture.

- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable; the site is completely covered with suburban development and does provide some open space.

- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing developed area in an established suburban core.

- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable; the site is completely developed.

4. Analysis of Comprehensive Plan/Future Land Use Request in Accordance with Comprehensive Plan Future Land Use Element Appendix: All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

Based upon the remarks within A through E, this development meets the policies of the Comprehensive Plan.

- A General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and

services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: *The subject property is located approximately 2.8 miles from a fire station with paramedical services. This parcel is in an existing developed area and already receives City services.*

Parks & Recreation: *The existing property provides no on-site recreation facilities.*

Potable Water & Sanitary Sewer: *This property is already connected to the City's water system and is included in any capacity analysis for the City.*

Schools: *The proposed change will not negatively affect schools. While the proposed density of 12 dwelling units per acre exceeds the existing maximum density of 5 du/ac, the existing development onsite has a density of 7 du/ac.*

Solid Waste: *The City contracts with Waste Management for hauling of solid waste. The company already services this development and will continue to provide curbside pickup.*

Stormwater: *The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. The existing development appears to have been designed prior to these standards and does not provide stormwater abatement.*

Transportation Network Analysis: *(Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing use is 7 duplexes on 1.99 acres. The proposed use will be 14 single family residences on 1.99 acres. The single-family use will have no impact on peak hour trips or the average daily trips.*

- B Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

Ground water recharge areas: *The property is part of an existing developed area, and is not considered a prime groundwater recharge area.*

Historical or archaeological sites: *The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future development, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.*

Flood zones: *The subject property does not have any flood zones.*

Soil and topography: *The property is classified as having mostly Tavares sand, 0 to 5 percent slopes soil. The Tavares series consist of very deep, moderately well drained soils that formed in sandy marine deposits. Mean annual temperature is about 72 degrees F, and the mean annual precipitation is about 55 inches. As the site is currently developed with no soil issues, it can be assumed that issues related to soils may be minimal.*

- C Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

The property owner has requested the Urban Residential land use designation within the City of Eustis. The following table illustrates the maximum development potential under the proposed FLU and the existing FLU.

<i>FLU</i>	<i>AC</i>	<i>Density/FAR</i>	<i>Max. Potential</i>	<i>Proposed/Existing</i>	<i>Actual Density</i>
<i>UR</i>	<i>1.99</i>	<i>12 du/ac</i>	<i>23 du</i>	<i>14 du</i>	<i>7</i>

The table above indicates the maximum development potential of the site under the City future land uses but does not account for stormwater, landscaping and access requirements. The actual density of the rental units is a little more than the allowable limit under the current land use designation (7 du/ac vs. 5 du/ac). The proposed density of 12 du/acre is greater than the existing density; however, there is no redevelopment other than converting the duplexes into individual townhomes or condominiums.

- D Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The proposed land use designation is consistent with the Transportation Element. This is an existing parcel already incorporated into the transportation system.

- E Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth and

redevelopment consistent with this development, so both supply and capacity are available.

5. Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 24-18) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

- (1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

- (2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. The proposed development will make the site conforming.

- (3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The proposed amendment will make the density of the site more conforming than the existing future land use. However, it will make the mobile homes non-conforming with the proposed future land use. Mobile homes are not permitted in the Urban Residential land use district. Future redevelopment will remove the mobile homes, which will eliminate the non-conformity.

- (4) Whether there have been changed conditions that justify an amendment.

The proposed redevelopment of the site is the changed condition. Redevelopment of the property is consistent with the City's Strategic Plan, Comprehensive Plan and Redevelopment Plan.

- (5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water is available to the site. Adequate capacity is available to serve future development consistent with the requested UR future land use designation. The City provides these services to this and other properties in the area.

- (6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

There are no impacts on the natural environment.

- (7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The parcel is surrounded by developed properties. This parcel is considered a redevelopment project, which will result in orderly and logical development.

- (8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and life style”

The proposed UR future land use designation for the subject parcels will provide for orderly growth and development. This designation would advance the public interest by bringing the site into conformance with the land development regulations (LDRs) and protect the natural resources, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

- (9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

All matters have been addressed.

6. Applicable Policies and Codes

Urban Residential (UR)

This land use designation has a maximum density of 12 du/acre. The UR allowable uses include single family with accessory units and multi-family dwellings.

Alternatives:

1. Approve Ordinance Numbers 24-18.
2. Deny Ordinance Numbers 24-18.

Discussion of Alternatives:

1. Alternative 1 approves the ordinance.

Advantages:

- The land use designation is consistent with the proposed use of the property and the character of the surrounding area.

- The action is consistent with the goals, objectives, and policies of the Comprehensive Plan.

Disadvantages:

- The designation would make the duplexes non-conforming uses.

2. Alternative 2 denies the ordinance

Advantages:

- The duplexes will remain conforming.

Disadvantages:

- The existing density of the units would remain nonconforming.
- Redevelopment of the site would be delayed or prevented.

Community Input

The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted.

Budget / Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By: Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 24-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.99 ACRES OF REAL PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND ISLAND SHORES ROAD AND COUNTY ROAD 44, FROM SUBURBAN RESIDENTIAL (SR) TO URBAN RESIDENTIAL (UR).

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, State of Florida Department of Community Affairs (Now Known as the Florida Department of Commerce) found the City of Eustis Comprehensive Plan 2010-2035 In Compliance, pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan, in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 1.99 acres of real property located northwest of the intersection of Grand Island Shores Road and County Road 44, and more particularly described herein; and

WHEREAS, on April 4, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, On April 4, 2024, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency’s recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, On April 18, 2024, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1.

Land Use Designation

That the Future Land Use Designation of the real property as described below shall be changed from Suburban Residential to Urban Residential:

PARCEL #: 33-18-26-0350-000-05100 (AK#: 2857340)

EUSTIS, JOHNSON'S POINT SUBDIVISION LOTS 51, 52, 53, 54, 58, 59, AND 60 PB 28 PG 14 ORB 6264 PG 966

Section 2.

Map Amendment and Notification

That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

Section 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

Section 5.

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6.

That this Ordinance shall become effective upon passing.

Section 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-18 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: ORDINANCE NUMBER 24-20: AMENDMENT TO CHAPTER 118, CONSTRUCTION STANDARDS, OF THE LAND DEVELOPMENT TO UPDATE REFERENCE TO THE STATE OF FLORIDA CODES ADOPTED BY REFERENCE (EDITION AND YEAR)

Introduction:

The 1998 Florida Legislature amended Chapter 553, Florida Statutes, Building Construction Standards, to create a single state building code that is enforced by local governments. As of March 1, 2002, the Florida Building Code, which is developed and maintained by the Florida Building Commission, supersedes all local building codes.

The Florida Building Code is updated every three years and may be amended in the interim in accordance with criteria set out in Section 553.73, Florida Statutes.

Ordinance 24-20 amends Chapter 118, Construction Standards, of the Land Development Regulations to update reference State codes adopted by reference (edition and year).

Background:

Periodic revisions and updates to the Land Development Regulations are needed to update references to State code and for practical application of the code. The following outlines the proposed amendments.

1. Update to reflect the 2023 Florida Building Code 8th Edition
2. Update to reflect the 2020 National Electrical Code
3. Update to reflect the 2023 Florida Fire Prevention Code 8th Edition
4. Update to reflect the 2024 International Property Maintenance Code

Community Input:

Development Services has properly advertised the Ordinance and there is an opportunity for community input at the public hearing.

Recommended Action:

The Administration recommends approval of Ordinance Number 24-20.

Budget/Staff Impact:

None

Prepared By:

Mike Lane, AICP, Director, Development Services

Attachment:

Ordinance Number 24-20

ORDINANCE NUMBER 24-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, SECTION 118 CONSTRUCTION STANDARDS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Eustis City Commission adopted revised Land Development Regulations under Ordinance 09-33 on July 16, 2009, amended by Ordinance 15-13 on October 1, 2015, Ordinance 16-18 on April 7, 2016, Ordinance 16-13 on May 19, 2016, Ordinance 16-31 on December 15, 2016, Ordinance 17-17 on November 2, 2017, Ordinance 19-12 on June 6, 2019, Ordinance 19-22 on August 1, 2019, and Ordinances 20-44, 20-45, 20-46 on November 19, 2020, AND Ordinance Number 21-09 on June 17, 2021; and

WHEREAS, the City Commission finds it necessary to periodically revise and update the Land Development Regulations; and

WHEREAS, the City Commission finds that revisions are necessary to for consistency with State law and for clarification; and

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That the following portions of Chapter 118, City of Eustis Land Development Regulations, are hereby amended as shown in the redline/strike through below; all other existing language, sections, paragraphs and subparagraphs shall remain in full force and effect:

Sec. 118-2. - Florida Building Code—Building ([2023, 8th Edition](#)).

The [2023](#) Florida Building Code, [8th Edition](#) is hereby adopted by reference, as amended, as the Building Code of the City, administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-3. - Florida Building Code—Mechanical ([2023, 8th Edition](#)).

The [2023](#) Florida Building Code—Mechanical, [8th Edition](#) is hereby adopted by reference as the Mechanical Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-4. - Florida Building Code—Plumbing ([2023, 8th Edition](#)).

The [2023](#) Florida Building Code—Plumbing, [8th Edition](#) is hereby adopted by reference as the Plumbing Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-5. - Florida Building Code—Fuel Gas (2023, 8th Edition).

The [2023](#) Florida Building Code—Fuel Gas, 8th Edition is hereby adopted as the Gas Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-6. - Florida Building Code—Residential (2023, 8th Edition).

The 2020 Florida Building Code—Residential, 8th Edition is hereby adopted as the Residential Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-7. - Florida Building Code—Existing building (2023, 8th Edition).

The [2023](#) Florida Building Code—Existing Building, 8th Edition is hereby adopted as the existing Building Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-8. – Florida Energy Conservation Code (2023, 8th Edition)

The [2023](#) Florida Energy Conservation Code, 8th Edition, is hereby adopted by reference as the Energy Code of the City, and administered by the Building Official.

Sec. 118-9. – Florida Accessibility Code (2023, 8th Edition)

The [2023](#) Florida Accessibility Code, 8th Edition is hereby adopted by reference as the Electrical Code of the City, and administered by the Building Official.

Section 118-10 International Property Maintenance Code (2024 Edition).

The [2024](#) International Property Maintenance Code, excluding sections 103, 106.2 through 106.5, 107, 110, 111, 112.4, 302.4 and 304.14, is hereby adopted as the Housing Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

Sec. 118-11. - National Electric Code (2020).

The [2020](#) National Electric Code, as compiled by the National Fire Protection Association, is hereby adopted by reference as the Electrical Code of the City, and administered by the Building Official.

Sec. 118-12. - Florida Fire Prevention Code (2023, 8th Edition).

The [2023](#) Florida Fire Prevention Code, 8th Edition, as compiled by the Department of Financial Services, Division of State Fire Marshal, is hereby adopted by reference as the Fire Prevention Code of the City, and administered by the Fire Chief. This code includes NFPA 1, Uniform Fire Code, and NFPA 101, Life Safety Code.

SECTION 2.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3.

That it is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations in the City of Eustis Code of Ordinances and that the sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

SECTION 4.

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

That this Ordinance shall become effective upon passing.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 18th day of April, 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-20 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 04, 2024

RE: **FIRST READING**

Ordinance Number 24-21: APPROVING A CONDITIONAL USE PERMIT FOR A MONOPINE COMMUNICATION TOWER WITH A HEIGHT OF 180 FEET, LOCATED WITHIN PINE MEADOWS SUBDIVISION ON FUTURE ACORN MEADOWS LOOP – STREET A

Introduction:

Ordinance Number 24-21 approves a Conditional Use Permit for allowance of a monopine communication tower, with a height of 180 feet, located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A. (Alternate Key Number 1408041).

Background:

- a. The site will be developed with a 548- lot mixed product single family residential subdivision located 240.43-acres on north and south sides of Pine Meadows Golf Course Road, with frontage on County Road (CR) 44, within the Suburban Residential (SR) and Mixed commercial/ Industrial (MCI) Land Use District. The Design District for this building is Rural Neighborhood and Rural District.

The Map shows the approximate location of the proposed communications tower



- b. The site will be developed with a 548- lot mixed product single family residential subdivision located 240.43-acres on north and south sides of Pine Meadows Golf Course Road, with frontage on County Road (CR) 44, within the Suburban Residential (SR) and Mixed commercial/ Industrial (MCI) Land Use District. The Design District for this building is Rural Neighborhood and Rural District.

Applicant's Request:

The applicant requests a Conditional Use Permit to allow a monopine communication tower, with a height of 180 feet, located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A.

Analysis:

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations and City Code. Accordingly, staff has reviewed this conditional use request with consideration of the following:

Section 109-4 Use Regulations Table of the City's Land Development Regulations allows a wireless communication Antenna and/or towers as a conditional use for MCI land use district.

The standards of review must show the conditional use is consistent with the City's Land Development Regulations, and City Codes, which are shown below.

The exterior appearance would not vary much as the 180' communication Tower, within a compound of 50' x 50' is designed as monopine which blends it into the surroundings.

Additional Applicable Policies and Codes:

Staff has reviewed this conditional use request with consideration of the following.

Section 102-30 (Conditional Uses) of the Land Development Regulations (LDRs) provides for uses that are generally compatible with the use characteristics of a future land use district, but which require individual review of:

"Location, design, intensity, configuration, and public facility impact, in order to determine the appropriateness of the use of any particular site in the district and their compatibility with adjacent uses."

The Conditional Use review allows the City Commission to attach conditions, limitations, and requirements to a conditional use permit to prevent or minimize adverse effects upon other properties in the neighborhood. These conditions can include limitations on size, intensity of use, bulk and location, landscaping, lighting, provision of adequate ingress and egress, duration of the permit, and hours of operation.

Policy Implications:

Approval or denial of this waiver request to grant approval to allow a monopine communication tower, with a height of 180 feet, located within Pine Meadows subdivision on future Acorn Meadows Loop – Street A. could set a precedent for the review of similar requests in the future.

Alternatives:

1. Approve Ordinance Number 24-21.
2. Deny Ordinance Number 24-21.

Community Input:

The department has properly advertised the Ordinance in the newspaper; notified surrounding properties within 500 feet, and posted the property. To date, there has been no opposition received to the proposed development, nor any feedback at all related to this Conditional Use request.

Budget/Staff Impact:

There would be no direct cost to the city associated with the action. There would be no additional staff time beyond the normal plan review process and inspection.

Conclusion:

Staff recommends conditional approval of the conditional use request for the 180' Monopine Communication Tower within a 50' x 50' compound. This recommendation is based on the following discussion:

The tower's design, consistent with surroundings and initially supporting Verizon Wireless, accommodates three additional providers, addressing a capacity gap, particularly for the future Pine Meadows community. The tower serves public and emergency services, enhancing wireless service and resident safety. Its Monopine design blends into the surroundings. **However, approval is conditional upon the submission of a geotechnical report to our engineering staff for future site plan DRC submittal review.**

Prepared By:

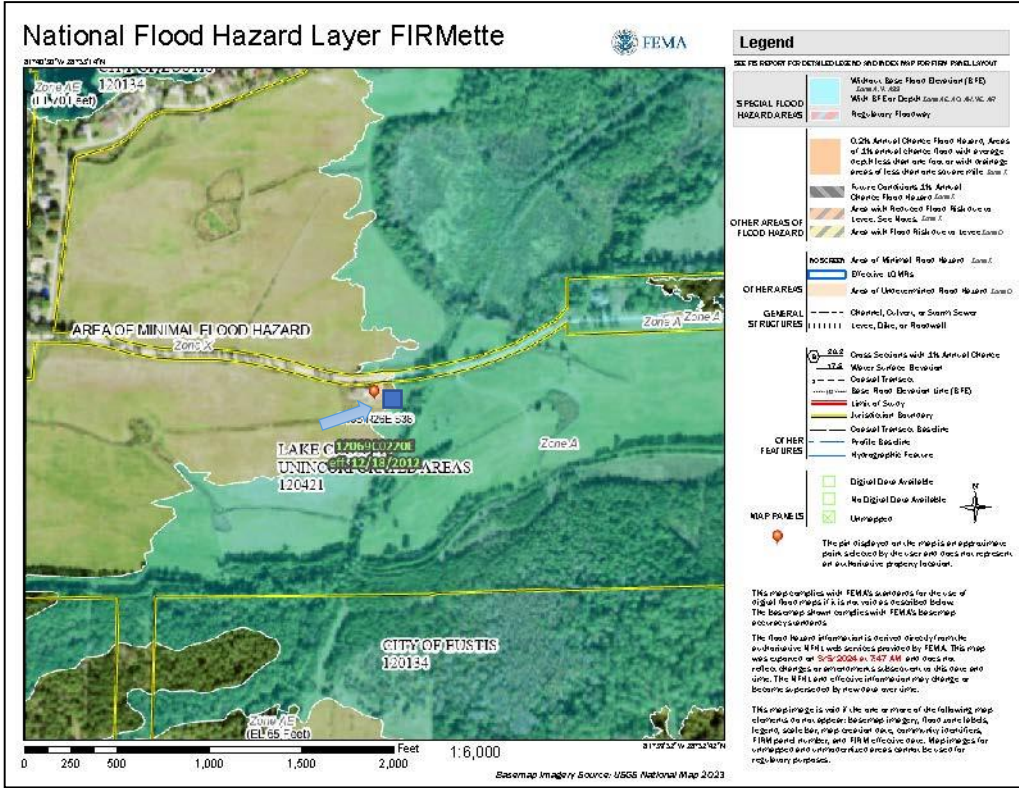
Sherri Takaloo, Senior Planner

Reviewed By:

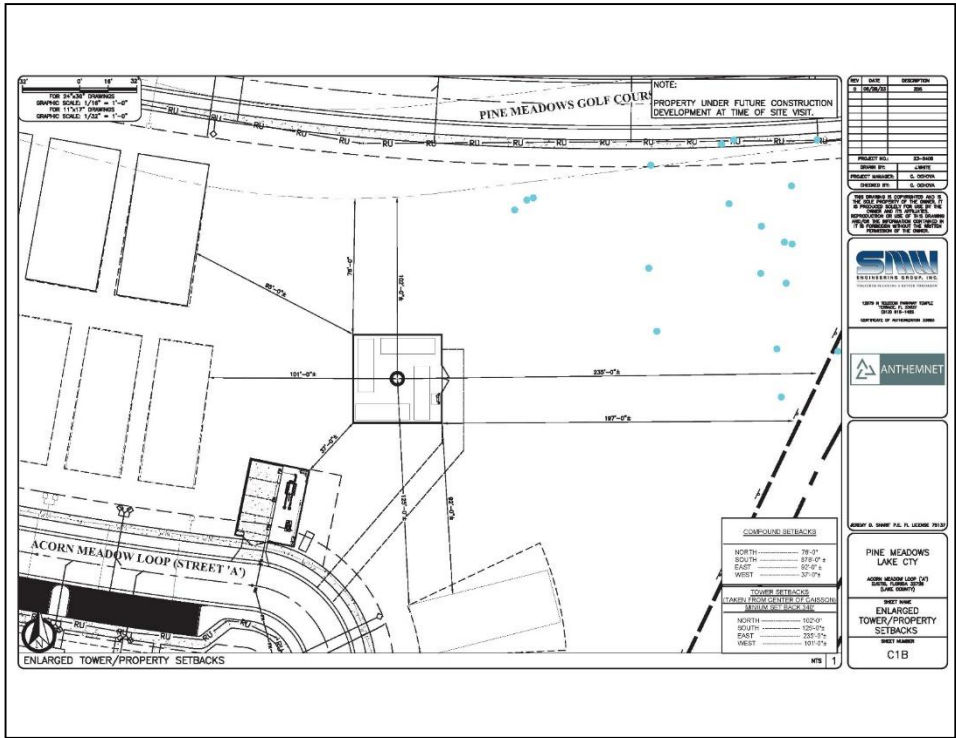
Jeff Richardson, AICP, Deputy Development Services Director
Mike Lane, AICP, Development Services Director

Attachment:

1. Maps, documents and more detailed information for the proposed communication tower
2. Proposed Ordinance Number 24-21

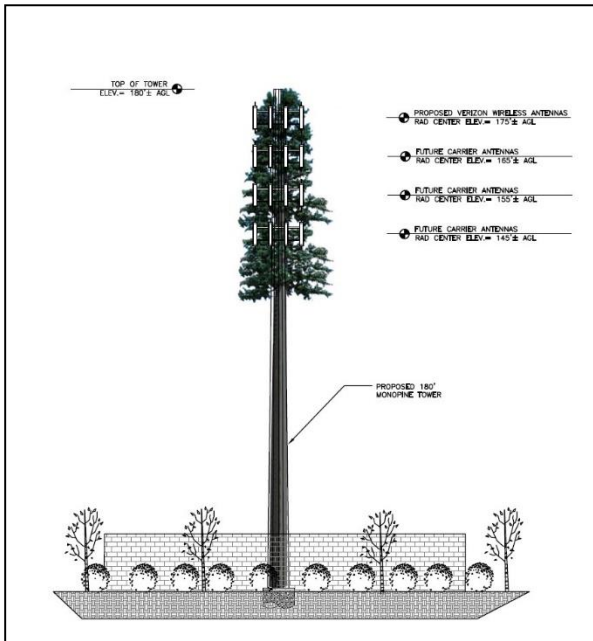


The Communication Tower Location seems to be subject to Flood Zone (FEMA 2012 FIRM Maps)

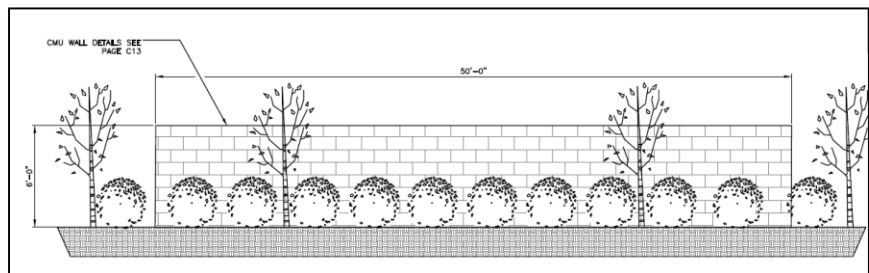


Proposed Communication Tower setbacks:

- The closest future property lot line in 101 feet to the west.
- The proposed tower is approximately 1,055' from the nearest lot line of an existing residential use (Alt key 3848038).



The Proposed communication tower is within a 2,500 sq.ft (50' x 50' compound), The height of the masonry wall around the compound is 6 feet.





Report Date: July 26, 2023

Client: Anthemnet, Inc.
5944 Luther Lane
Dallas, TX 75225
Attn: Ashley Duewall
(909) 202-3437
ashley@anthemnet.com

Structure: Proposed 180-ft Monopole
Site Name: Pine Meadows Lake City
Site Reference #: N/A
Site Address: Acorn Meadow Loop
City, County, State: Eustis, Lake County, FL
Latitude, Longitude: 28.882806°, -81.669884°

PJF Project: A00023-0171.001.7102

We understand that there may be some concern on the part of local building officials regarding the reliability of communication poles. Communication structures are designed in accordance with the Telecommunications Industries Association / Electronic Industries Association Standards TIA-222-H, "Structural Standards for Antenna Supporting Structures, Antennas, and Small Wind Turbine Support Structures." This is a nationally recognized standard and is modeled after the American National Standards Institute document ANSI A58.1. The TIA-222-H standard was developed by professional engineers experienced in the design of communication structures. Much of these specific design criteria are often not available in local building codes.

The pole and its foundation will be designed per the 2020 Florida Building Code, 7th Edition (2018 International Building Code with state amendments) and the TIA-222-H standard (exception #5 of Section 1609.1.1) using Load and Resistance Factor Design (LRFD) methodology. This design methodology is also used in building design and is discussed in American Institute of Steel (AISC) and American Concrete Institute (ACI) design standards.

This pole shall be designed with a basic design wind speed of 132 mph for use in the TIA-222-H Standard Exposure Category C, a topographic factor, Kzt = 1.0, and Risk Category II shall be used in this design.

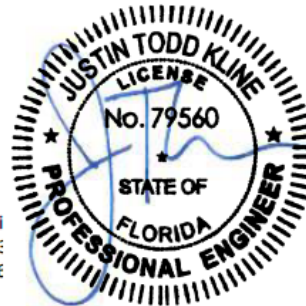
The monopole for this site will be designed as a "bend-over" pole. This means that the bottom of the pole will be intentionally over-designed in an attempt to limit the fall radius of the pole. This pole will be designed with the top 60-ft meeting the design wind criteria, but the remaining structure will be strong enough to resist considerably more than the design wind. When steel becomes overstressed, it does not suddenly break, it will bend and buckle. In the unlikely event that this pole should collapse, the upper portion of the pole would be overstressed first and would buckle. The upper portion of the pole would then swing down and hang from this level or, at worst, break off resulting in a fall radius of up to 60-ft. Once the upper portion is no longer upright catching the full force of the wind, the stresses in the lower portion of the pole are reduced, making a further collapse of the pole unlikely.

We at Paul J. Ford and Company appreciate the opportunity of providing our continuing professional services to you and Anthemnet, Inc.. If you have any questions or need further assistance on this or any other projects, please give us a call.

JUSTIN T. KLINE, P.E. - FL LICENSE #0000079560
PAUL J FORD & CO. - #EB-0002848

Respectfully Submitted by:
Paul J. Ford and Company

Nathan C. Miller
Nathan C. Miller, PE
Project Engineer
nmiller@pauljford.com BKK



This item has been electronically signed and sealed by Justin T. Kline, P.E. using a digital signature and date.

Printed Copies of this document are not considered signed and sealed, and the signature must be verified on electronic copies.

07/27/2023

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250 E Broad St, Sui
Columbus, OH 4:
Phone 614.221.€

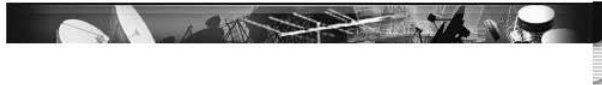
www.PaulJFord.com

7/28/23, 6:54 AM

TOWAIR Search Results



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Antenna Structure Registration

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TOWAIR Determination Results

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A routine check of the coordinates, heights, and structure type you provided indicates that this structure does not require registration.

***** NOTICE *****

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

PASS SLOPE(50:1): NO FAA REQ-RWY 10499 MTRS OR LESS @ 5474.81 MTRS (5.47480) KM AWAY

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
AIRP	R	28-50-52.00N	081-37-49.00W	MID-FLORIDA LAKE	EUSTIS, FL	50.9	975.3999999999998

PASS SLOPE(50:1): NO FAA REQ-RWY 10499 MTRS OR LESS @ 4561.94 MTRS (4.56189) KM AWAY

Type	C/R	Latitude	Longitude	Name	Address	Lowest Elevation (m)	Runway Length (m)
AIRP	R	28-55-15.00N	081-39-7.00W	UMATILLA MUNI	LAKE UMATILLA, FL	30.8	762.0

Your Specifications

NAD83 Coordinates

Latitude: 28-52-58.1 north
 Longitude: 081-40-11.5 west

Measurements (Meters)

Overall Structure Height (AGL): 54.9
 Support Structure Height (AGL): 54.9
 Site Elevation (AMSL): 21

Structure Type

MTOWER - Monopole

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower:

ASR Help [ASR License Glossary](#) - [FAQ](#) - [Online Help](#) - [Documentation](#) - [Technical Support](#)
ASR Online Systems [TOWAIR-CORES](#) - [ASR Online Filing](#) - [Application Search](#) - [Registration Search](#)
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[Help](#) | [Tech Support](#)

Federal Communications Commission
 45 L Street NE
 Washington, DC 20554

Phone: 1-877-480-3201
 TTY: 1-717-338-2824
[Submit Help Request](#)

ORDINANCE NUMBER 24-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A MONOPINE COMMUNICATION TOWER LOCATED WITHIN PINE MEADOWS SUBDIVISION ON FUTURE ACORN MEADOWS LOOP - STREET A.

WHEREAS, Anthemnet, Inc. (c/o Jennifer Frost), representative and applicant for Pine Meadows has applied for a Conditional Use Permit for a monopine communication tower with a height of 180-feet located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A.

WHEREAS, the subject property has a Land Use Designation of Suburban Residential (SR) and Mixed Commercial/ Industrial (MCI), and a Design District Designation of Rural Neighborhood and Rural District; and

WHEREAS, A wireless communication antenna and/ or towers is a conditional use for MCI land use district and;

WHEREAS, the request for a Conditional Use Permit was properly Noticed for a Quasi-Judicial Public Hearing before the City Commission; and

WHEREAS, on April 04, 2024, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the Conditional Use Permit; and

WHEREAS, the proposed conditional use is consistent with the City’s Land Development Regulations, Comprehensive Plan, and Code of Ordinances; and

WHEREAS, the applicant has presented evidence to establish the following:

1. That the proposed use is desirable at the particular location;
2. That the proposed conditional use will not have an undue adverse effect on nearby property;
3. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area;
4. That the proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That a Conditional Use Permit is granted for a monopine communication tower a height of 180-feet located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A., more particularly described as:

FOR PINE NW 1/4--LESS PINE MEADOWS FAIRWAY ESTATES SUB & LESS R/W
MEADOWS GOLF COURSE RD

ALTERNATE KEY NUMBER: 1408041
PARCEL NUMBER: 36-18-26-0002-000-00100

Section 2. That the conditions of approval require that the communication tower meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. That this Ordinance shall become effective immediately upon passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 18th day of April, 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-21 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk