



AGENDA

Local Planning Agency Meeting (LPA)

5:30 PM – Thursday, November 02, 2023 – City Hall

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. APPROVAL OF MINUTES

1.1 Approval of Minutes

October 19, 2023 LPA Meeting

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

2.1 Ordinance Number 23-28: Comprehensive Plan Amendment

Consideration of 2023-CPLUS-07 - Assignment of Future Land Use District to Parcels with Alternate Key Numbers 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089

3. 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.



City of Eustis

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

TO: EUSTIS LOCAL PLANNING AGENCY (LPA)

FROM: Christine Halloran, City Clerk

DATE: November 2, 2023

RE: Approval of Minutes (Minutes will be uploaded week of 10/30/2023.)

Introduction:

This item is for consideration of the minutes of the October 19, 2023 Local Planning Agency Meeting.

Recommended Action:

Approval of the minutes as submitted.

Prepared By:

Mary Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

Local Planning Agency Meeting (LPA)

5:45 PM – Thursday, October 19, 2023 – City Hall

CALL TO ORDER: 5:45 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Mr. Willie Hawkins, Vice Chair Emily Lee, Mr. Gary Ashcraft, Ms. Nan Cobb, Chairman Michael Holland

1. APPROVAL OF MINUTES

1.1 Approval of Minutes

September 7, 2023 LPA Meeting

Motion made by Vice Chair Lee, Seconded by Ms. Cobb, to approve the Minutes as submitted. The motion passed on the following vote:

Voting Yea: Mr. Hawkins, Vice Chair Lee, Mr. Ashcraft, Ms. Cobb and Chairman Holland

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

2.1 FIRST READING

Ordinance Number 23-25: Comprehensive Plan Land Use Map Amendment - Pelfrey Storage, LLC 2023-CPLUS-07 General Industrial (GI) to General Commercial (GC)

Jeff Richardson, Deputy Director of Development Services, presented the Comprehensive Plan Map Amendment 2023-CPLUS-07. He explained the request is to change the future land use designation from General Industrial (GI) to General Commercial (GC) for property located at 115 Woodward Avenue. The request is from Sarah Pelfrey for the property occupied by Pelfrey Storage. He reviewed the site location, surrounding property designations, staff's analysis of the request, and what would be allowed under each designation. He indicated there is already a mix of uses in the area and stated the change would expand the marketability to potential tenants and may eliminate some potential conflicting uses with the Residential Transitional uses to the south. He confirmed all legal notices required were completed and stated staff's recommendation for approval.

The Board asked why the request was brought forward with Mr. Richardson explaining that the property owner had a tenant that did not fit within any of the allowed uses within the General Industrial. Therefore, the owner decided to request the change to try and open up more of the available units to other tenants. This was the only option that staff could offer to her.

The Board asked what is planned for the site.

Chad Pelfry, representing the owner, explained the change would just open up the facility to a broader range of tenants.

Mayor Holland explained that Rudy Rolle had a tutoring program in one of the units that was caught when an inspection was done and that is not an allowed use.

Discussion was held regarding the previous education use and whether or not they are still operating.

The Board asked about the advantages and disadvantages for the change in use with Mr. Richardson responding the only differences are the specific uses with General Industrial allowing heavier uses.

Discussion was held regarding what was in the space previously, the other current uses at the site and the possibility of them requesting to go back to General Industrial in the future. It was noted that the school would still need a conditional use permit. The Board discussed whether or not the program actually constitutes a school.

Chief Swanson indicated that under the Fire Code it qualifies as a school and would have to meet specific fire alarm and sprinkler requirements. He also noted there is another business in the back which could require a firewall.

Mr. Richardson stated it qualifies as a school under the Fire Code but not necessarily land use wise.

Further discussion was held regarding what would happen if someone wanted to come in after the change that wanted light industrial and what is considered in determining if a business is light industrial or manufacturing.

Discussion was held regarding how much industrial area is within the City and the lack of sufficient information. Mr. Richardson indicated that all of the current tenants would also be allowed under the General Commercial designation.

Mr. Carrino suggested that the item be postponed to allow Ms. Pelfrey and the subject tenant to attend.

The Board confirmed that the Pelfreys would have to put in the sprinkler system before the tenant could move back in.

Discussion was held regarding postponing both agenda items until Mrs. Pelfrey and Rudy Rolle could be in attendance.

George Asbate stated that he owns property adjacent to the subject property that he is in the process of developing. He emphasized that, if the request goes through, it would kill his use of the property. He noted that he has invested over \$60,000 on the project so far and indicated he has been working on the project for over a year. He stated he needs an answer on whether the request is going through immediately. He stated he had knowledge regarding the tenant in question.

Mr. Asbate stated he is directly involved and the tenant has relocated and has an average of 40 to 60 people all the time. They moved in April to another facility and they have been operating in there. He commented on the services provided by Mr. Rolle. He then commented on the demand for industrial warehousing. He added that to change the future land use would constitute spot zoning.

Discussion was held regarding whether or not the advertising requirements could be met if the items are postponed with City Attorney Sasha Garcia suggesting that a special meeting could also be held.

Motion made by Vice Chair Lee, Seconded by Ms. Cobb, to delay consideration of two items to allow all parties to be present. The motion failed on the following vote:

Voting Nay: Mr. Hawkins, Vice Chair Lee, Mr. Ashcraft, Ms. Cobb, Chairman Holland

Motion made by Vice Chair Lee, Seconded by Mr. Hawkins, to transmit Comprehensive Plan Map Amendment 2023-CPLUS-07 to the Commission for consideration. The motion passed on the following vote:

Voting Aye: Mr. Hawkins, Vice Chair Lee, Mr. Ashcraft

Voting Nay: Ms. Cobb, Chairman Holland

2.2 FIRST READING

Ordinance Number 23-26: Comprehensive Plan Land Use Map Amendment 2023-CPLUS-06 Trask Construction Co. Change of Future Land Use Map from General Industrial (GI) to General Commercial (GC) For Property at 510 Morin Street (Alternate Key Number 1190207)

Motion made by Mr. Hawkins, Seconded by Vice Chair Lee, to transmit Comprehensive Plan Land Use Amendment 2023-CPLUS-06 to the Commission for consideration. The motion passed on the following vote:

Voting Aye: Mr. Hawkins, Vice Chair Lee, Mr. Ashcraft

Voting Nay: Ms. Cobb, Chairman Holland

3. ADJOURNMENT: 6:17 P.M.

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording of the meeting can be obtained from the office of the City Clerk for a fee.*

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Chairman



City of Eustis

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

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: November 2, 2023

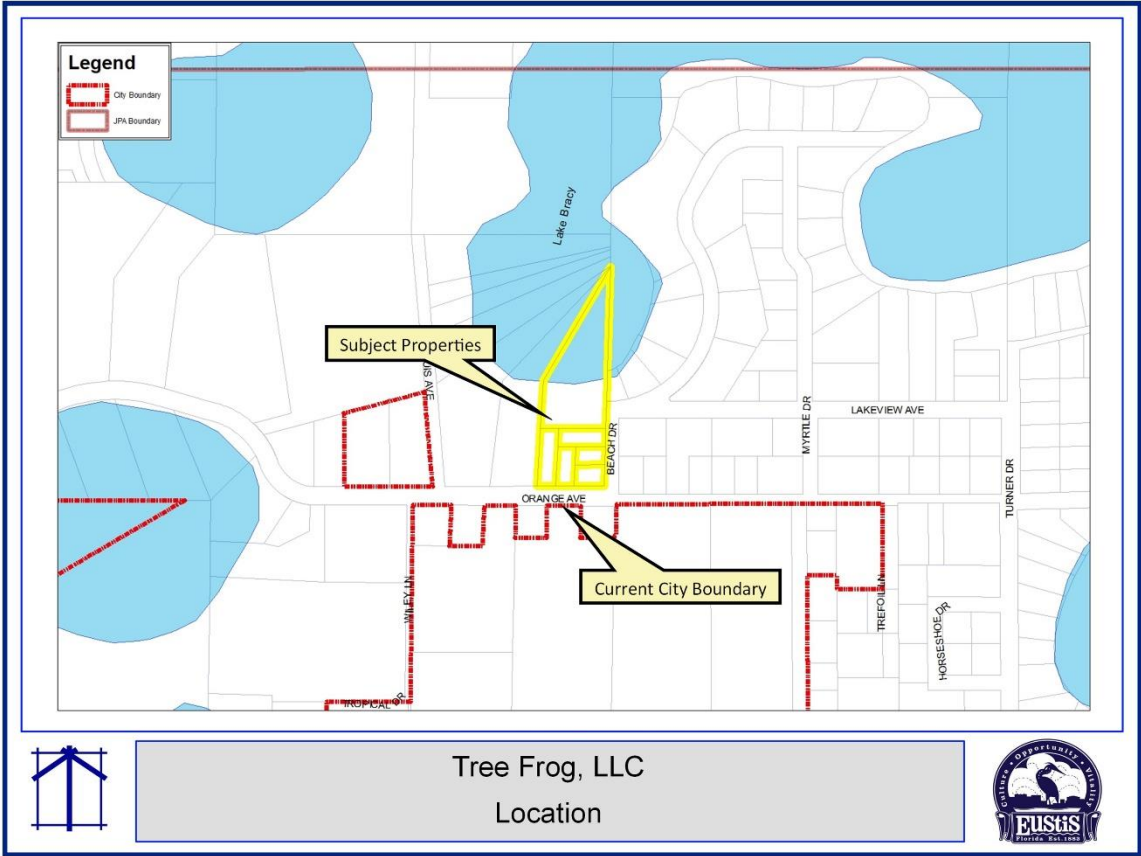
RE: Ordinance Number 23-28: Comprehensive Plan Amendment
 CONSIDERATION OF 2023-CPLUS-07 ORDINANCE NUMBER 23-28,
 ASSIGNMENT OF FUTURE LAND USE DISTRICT TO PARCELS WITH
 ALTERNATE KEY NUMBERS 1212685, 3948085, 3948086, 3948087, 3948088, and
 3948089

Introduction:

This is a request for assignment of Future Land Use in conjunction with a voluntary annexation of approximately 2.61 acres of land located along Orange Avenue west of Beach Drive (Alternate Key Numbers 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089). Provided the annexation of the subject property is approved, via Ordinance Number 23-27, Ordinance Number 23-28 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 23-29 would assign the subject property a design district designation of Rural Neighborhood. If Ordinance Number 23-27 is denied by City Commission, then there can be no consideration of Ordinance Numbers 23-28 and 23-29.

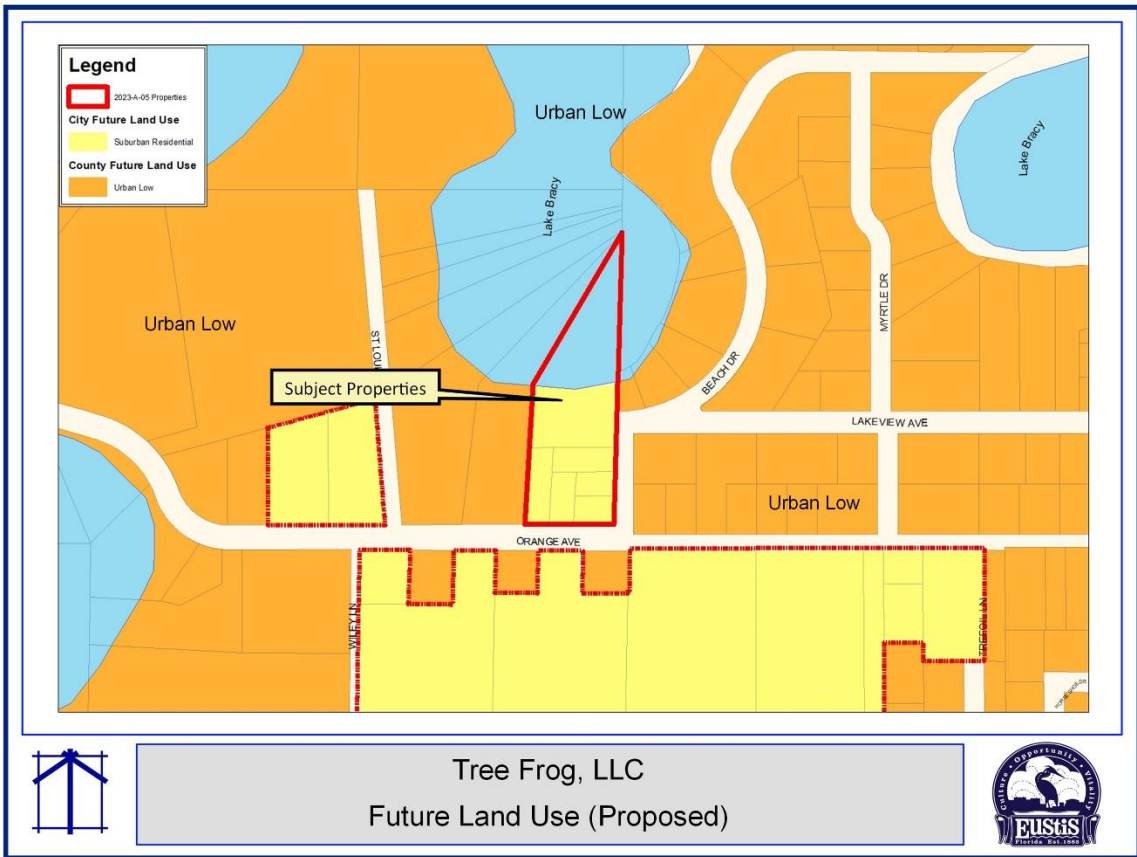
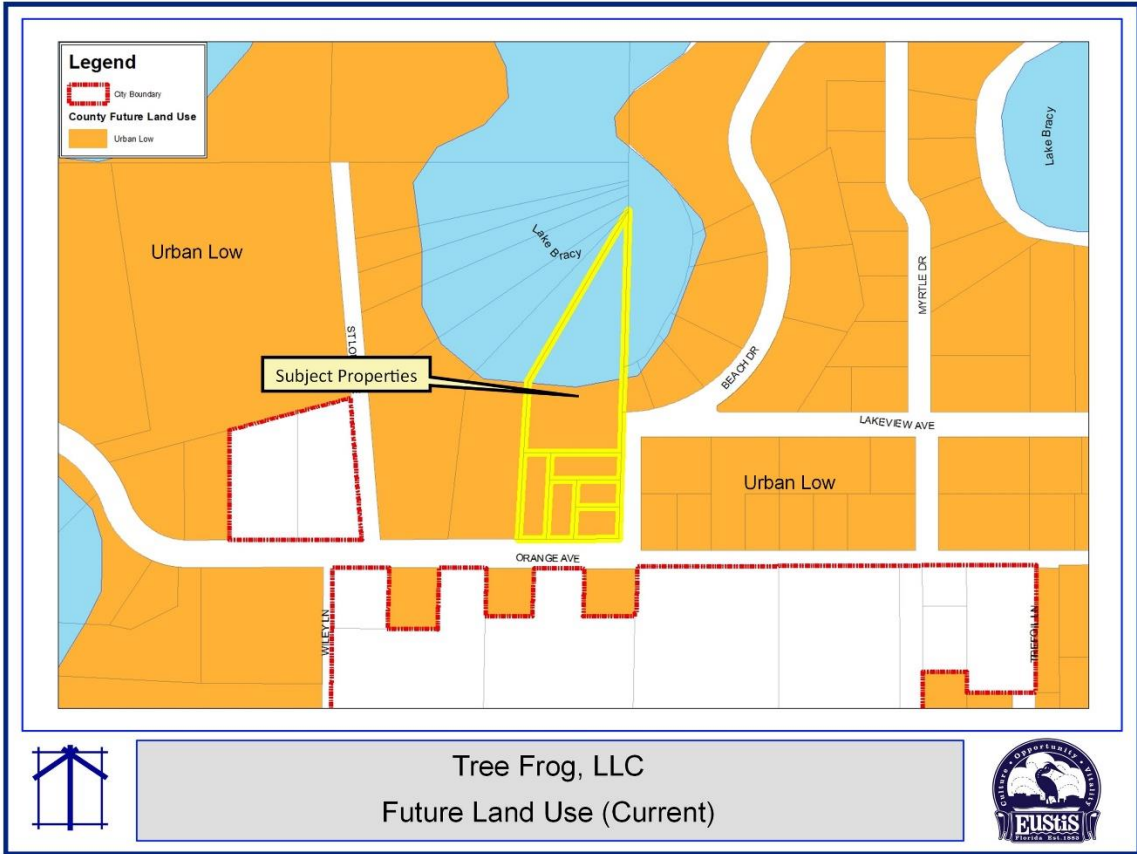
Background:

1. The site contains approximately 2.61 acres and is located within the Eustis Joint Planning Area. The properties to be annexed are 6 individual lots with Alternate Key Numbers 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089. All of the lots have at least a minimum lot width of 60 feet and a minimum lot depth of 97 feet. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-28 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/ Vacant / Seasonal Lake	Urban Low (Lake County)	N/A
South	Single-Family / Vacant	Suburban Residential & Urban Low (Lake County)	Suburban Neighborhood
East	Single-Family	Urban Low (Lake County)	N/A
West	Single-Family	Urban Low (Lake County)	N/A



Applicant's Request

The applicant and property owners, Tree Frog, LLC, wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Rural 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 Comprehensive Plan/Future Land Use Request (**Ordinance Number 23-28**)

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 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 properties are existing lots of record and will require 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 properties are existing lots of record and will require city services in order to develop.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplain 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 partially subject to floodplain impact and does contain wetland areas, however, there is buildable area outside of the natural features to allow for the construction of a single-family residence. 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 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 not currently available.

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 properties are existing residential lots.

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 service is available however, sewer service is currently not available to the area.

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 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 the site 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 provides emergency response 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 service is available to the subject property. The water system has adequate capacity to serve the development of the property. City sewer services are not currently available in the area.

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 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 properties are within a recharge area of 0-8 inches annually, however, the properties currently exist as residential lots and are eligible to be considered for building permits without further review relating to recharge.

- 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 subject to a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones, however adequate area exists on the lot that is affected in order to potentially build a single-family dwelling.

- d. Soil and topography:

The site soils are primarily Wauchula sands. The Wauchula series consists of very deep, very poorly or poorly drained, moderately slow or slowly permeable soils on flatwoods on the lower coastal plains. They formed in sandy and loamy marine sediments. Slopes range from 0 to 5 percent.

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, west and e unincorporated areas that 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 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 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 of 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 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, so 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 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 Suburban Residential (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.

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 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, sandhill, 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.

Recommended Action:

Development Services recommends that the Local Planning Agency transmit 2023-CPLUS-07 and Ordinance Number 23-28 to the City Commission for Consideration.

Policy Implications:

None

Alternatives:

1. Transmit 2023-CPLUS-07 and Ordinance Number 23-28 to City Commission for Consideration.
2. Do not Transmit 2023-CPLUS-07 and Ordinance Number 23-28 to City Commission for Consideration.

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:

Jeff Richardson, AICP, Deputy Development Services Director

Reviewed By:
Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 23-28

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 2.61 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089 GENERALLY LOCATED ON ORANGE AVENUE, WEST OF BEACH DRIVE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL 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, the 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 Chapters 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 2.61 acres of real property located on Orange Avenue east of unimproved portion of Beach (Alternate Key Numbers: 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089), and more particularly described herein as Exhibit "A"; and

WHEREAS, on November 2, 2023, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in the designation; and

WHEREAS, on November 2, 2023, 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 November 16, 2023, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein as Exhibit "B";

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 (SR) within the City of Eustis:

Parcel Alternate Keys: : 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089

Parcel Identification Numbers: 26-18-26-0004-000-03301, 26-18-26-0004-000-08500, 26-18-26-0004-000-08600, 26-18-26-0004-000-08700, 26-18-26-0004-000-08800, and 26-18-26-0004-000-08900

Legal Description:

Parcel 1:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTH EAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 THENCE RUN NORTH 01-39-00 EAST 190 FEET FOR POINT OF BEGINNING, THENCE RUN SOUTH 89-45-22 WEST 214.62 FEET, NORTH 03-16-28 EAST 158.14 FEET, NORTH 30-32-14 EAST 434.75 FEET, SOUTH 01-39-00 WEST TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 2:

FROM THE SOUTHEAST CONER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA THE SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG WOUTH LINE OF THE FURZE TRACT 159.89 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 60.11 FEET, NORTH 03-16-28 EAST 190 FEET, NORTH 89-45-22 EAST 60.11 FEET, SOUTH 03-16-28 EAST 190.07 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 3:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG SOUTH LINE OF THE FURZE TRACT 100 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 59.89 FEET, NORTH 03-16-28 EAST 129.94 FEET, NORTH 89-44-11 EAST 60.11 FEET, SOUTH 03-22-13 WEST 130.04 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 4:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 FOR POINT OF BEGINNING, RUN SOUTH 89-49-20 WEST 100 FEET, NORTH 03-22-13 EAST 69.80 FEET, NORTH 89-38-44 EST 97.91 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 70 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 5:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 70 FEET FOR POINT OF BEGINNING, RUN SOUTH 89-38-44 WEST 97.91 FEET, NORTH 03-22-13 EAST 60.24 FEET, NORTH 89-44-11 EAST 96.10 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 6:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 130 FEET FOR POINT OF BEGINNING, THENCE SOUTH 89-44-11 WEST 156.21 FEET, NORTH 03-16-28 EAST 60.13 FEET, NORTH 89-45-22 EAST 154.51 FEET TO

THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING
ORB 6127 PG 2419

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

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 Commerce 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 Commerce or the Administration Commission enters a final order determining this adopted amendment to be compliant. 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 Commerce.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 16th day of November, 2023.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

EXHIBIT "A"**LEGAL DESCRIPTION:**

Parcel 1:

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LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

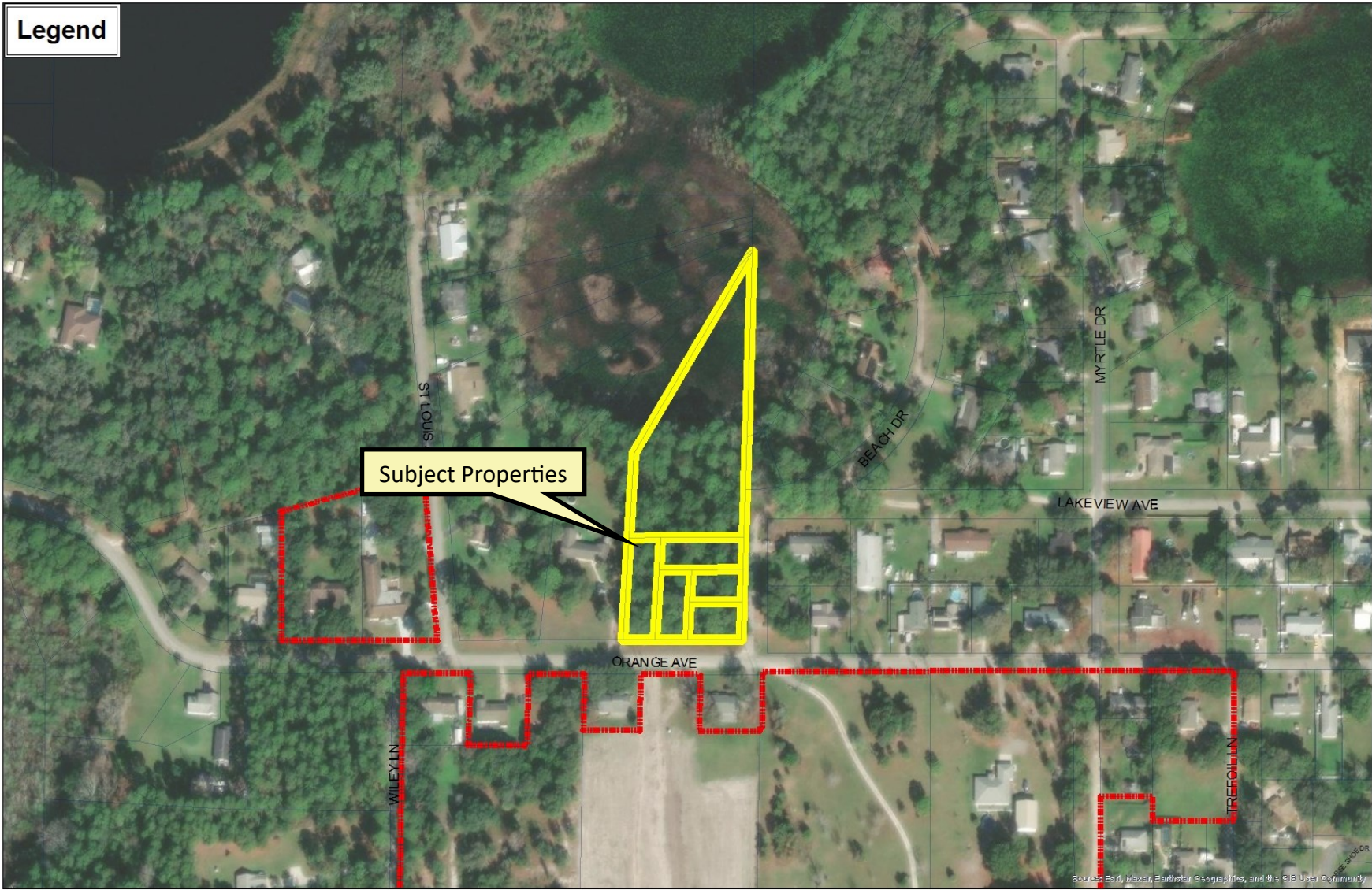
Parcel 6:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 130 FEET FOR POINT OF BEGINNING, THENCE SOUTH 89-44-11 WEST 156.21 FEET, NORTH 03-16-28 EAST 60.13 FEET, NORTH 89-45-22 EAST 154.51 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

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

EXHIBIT "B"





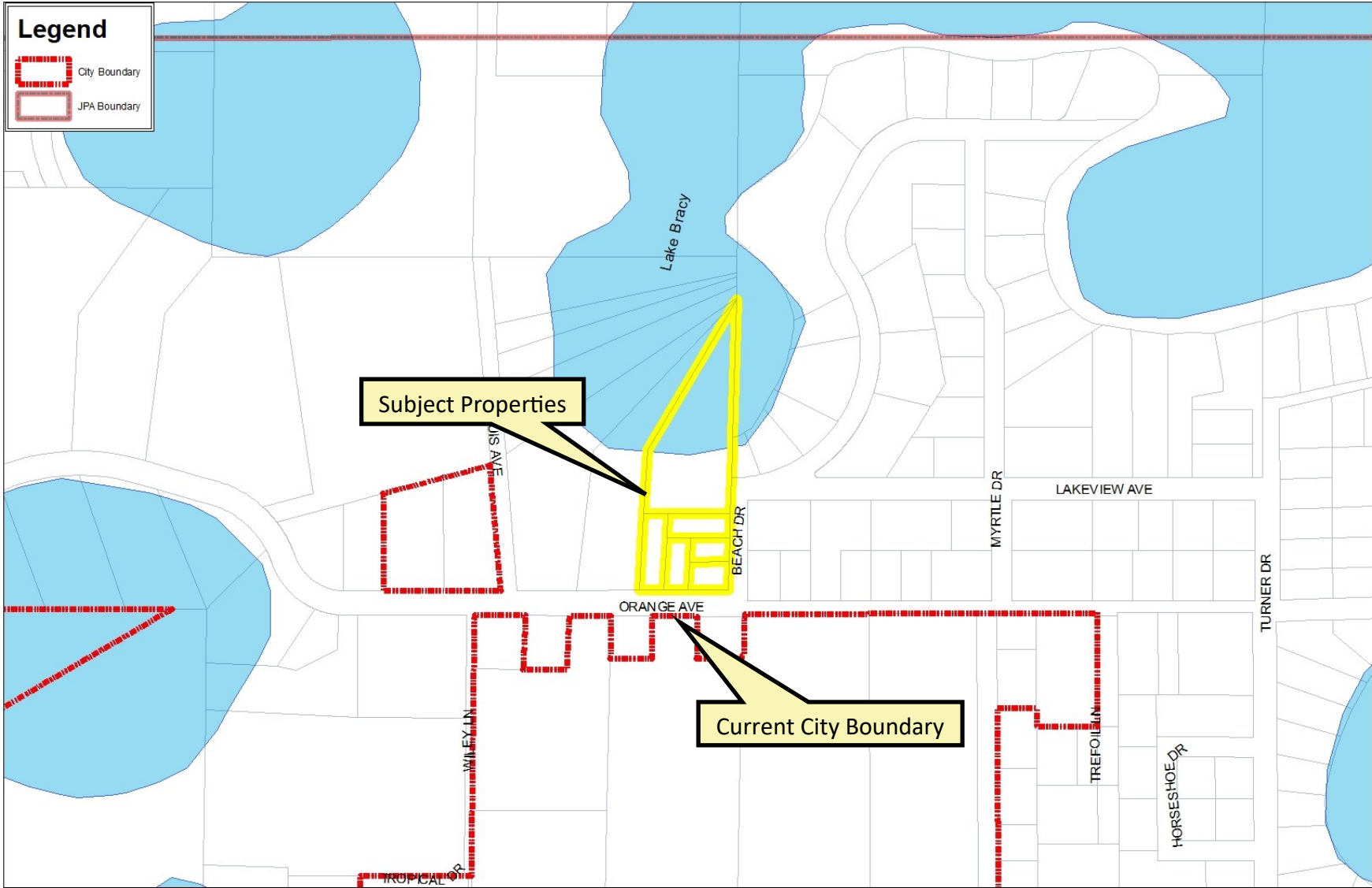


Tree Frog, LLC Aerial Location



Legend

-  City Boundary
-  JPA Boundary



Tree Frog, LLC
Location





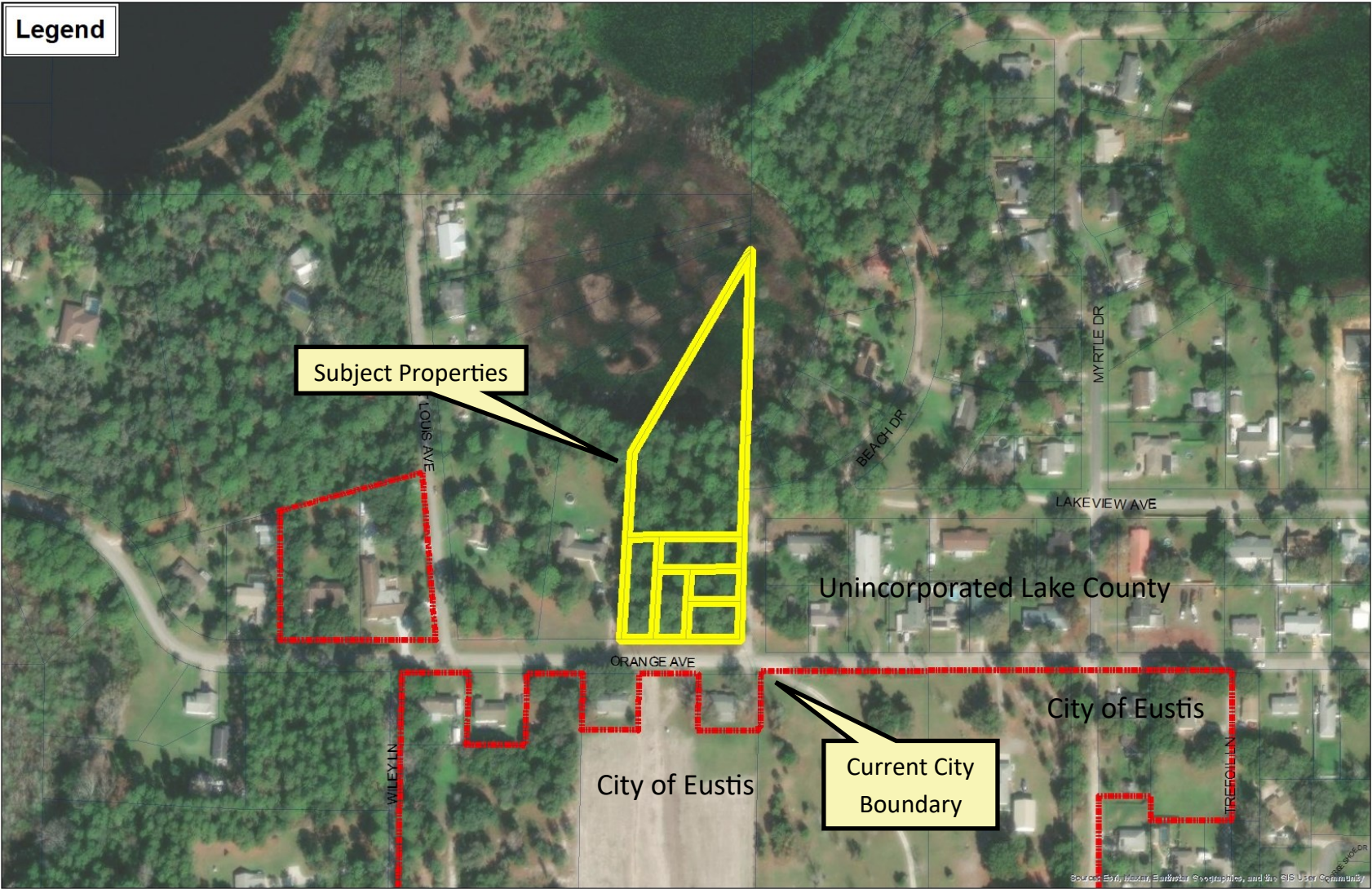
Subject Properties



Tree Frog, LLC
Existing Lots





Legend

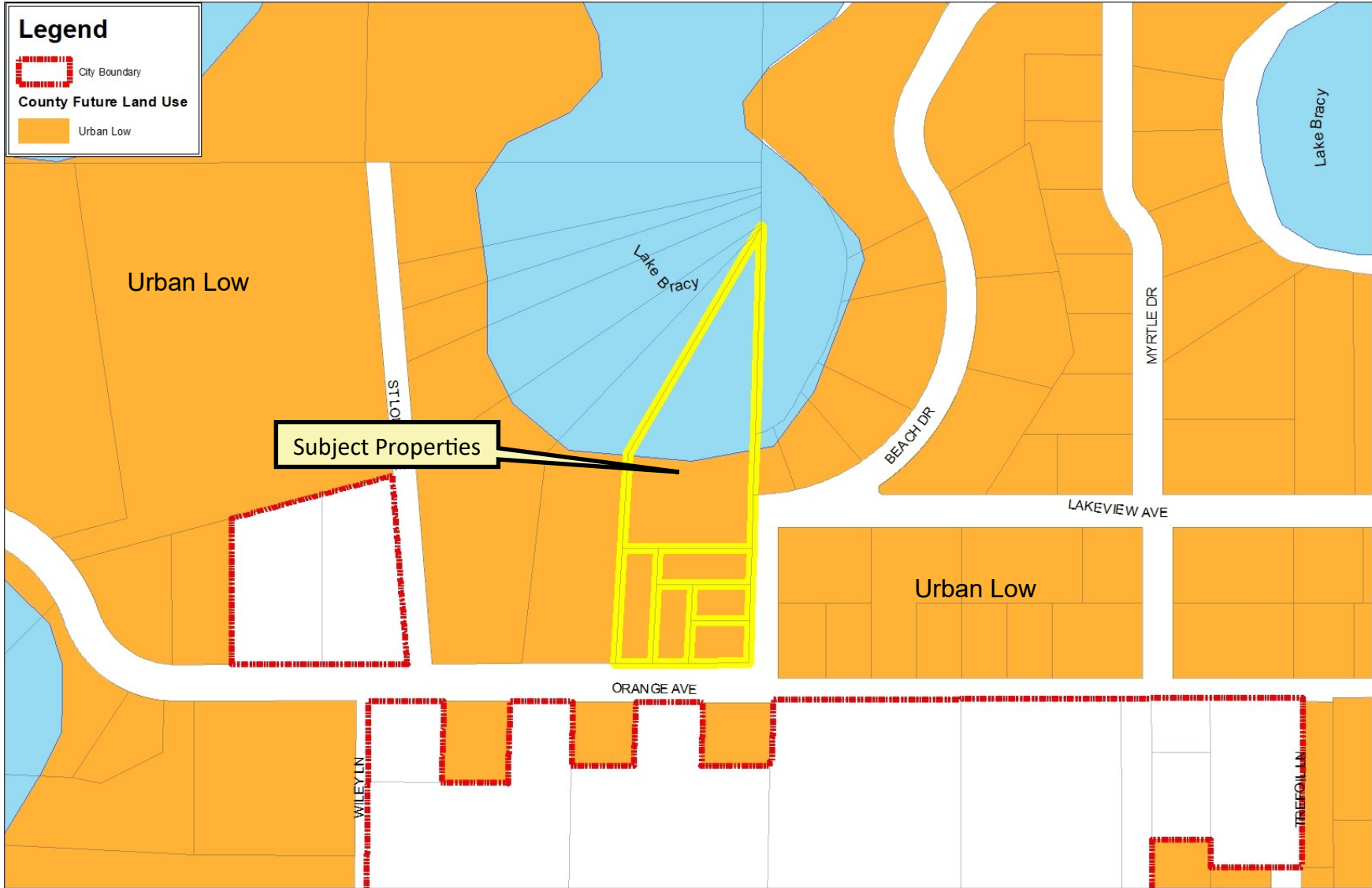


Tree Frog, LLC Municipal Boundaries



Legend

-  City Boundary
- County Future Land Use**
 -  Urban Low

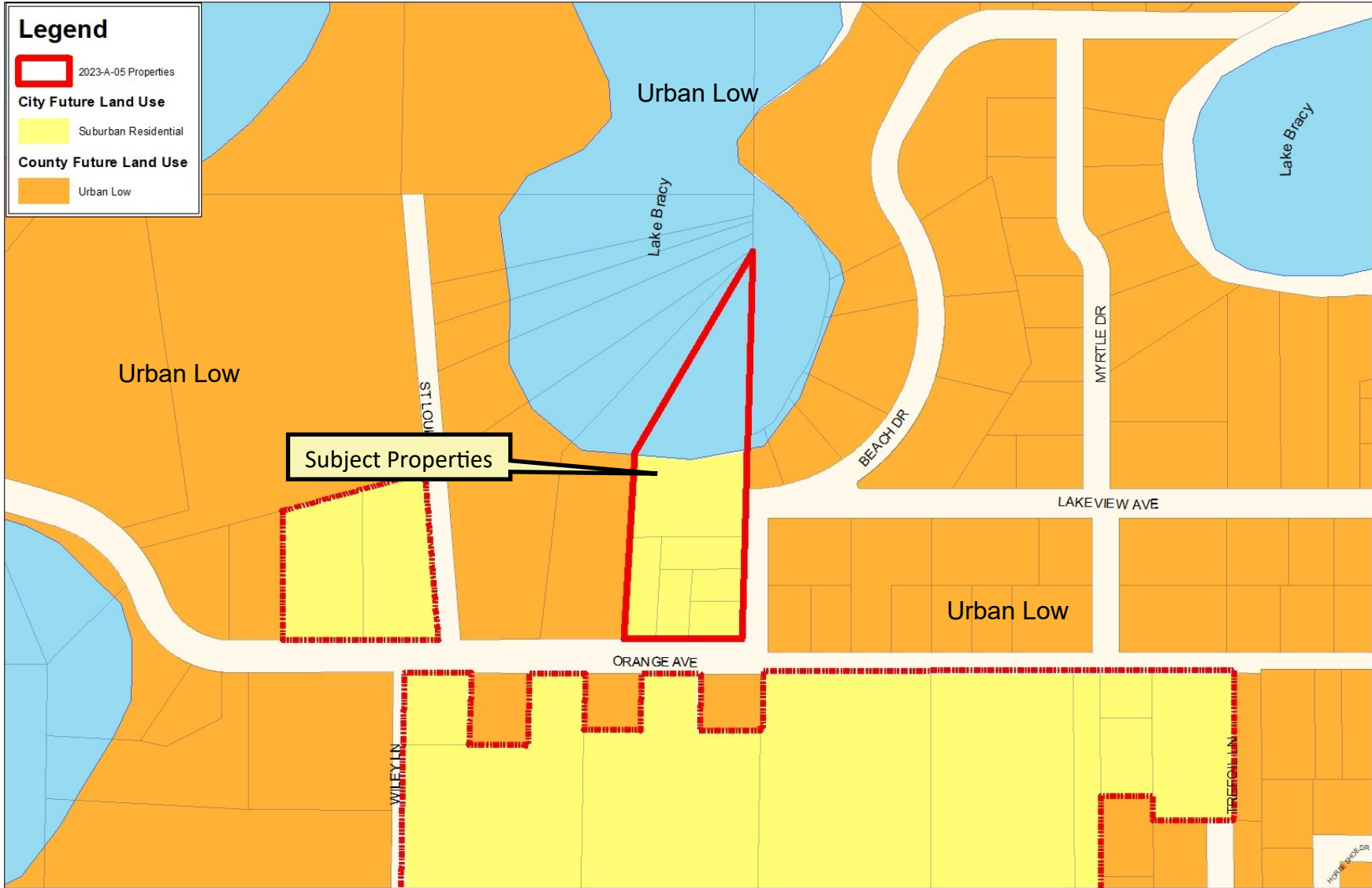


Tree Frog, LLC
Future Land Use (Current)



Legend



-  2023-A-05 Properties
- City Future Land Use**
 -  Suburban Residential
- County Future Land Use**
 -  Urban Low

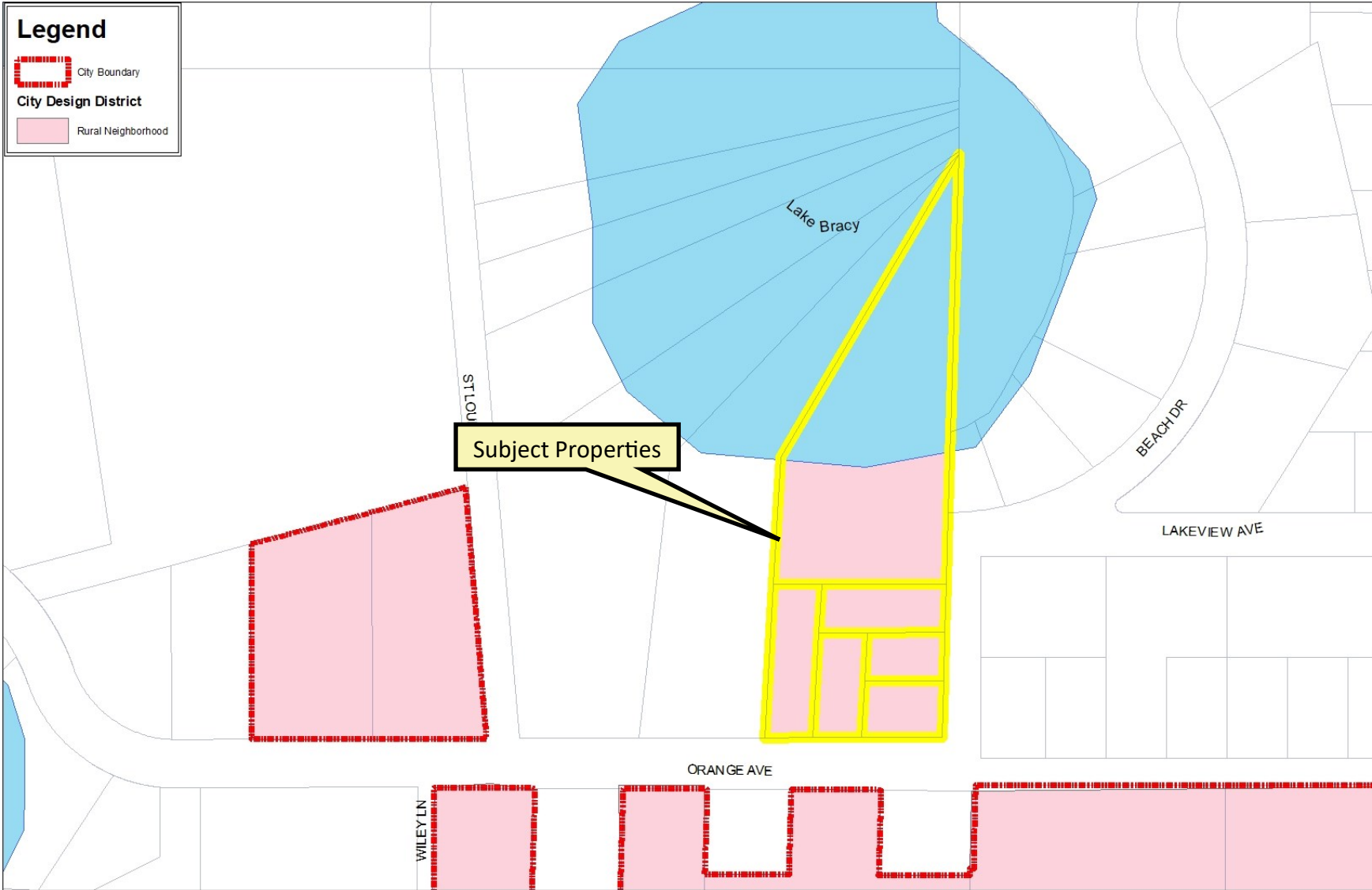


Tree Frog, LLC
Future Land Use (Proposed)



Legend

-  City Boundary
- City Design District**
-  Rural Neighborhood



Tree Frog, LLC
Design District



Legend



Wetlands



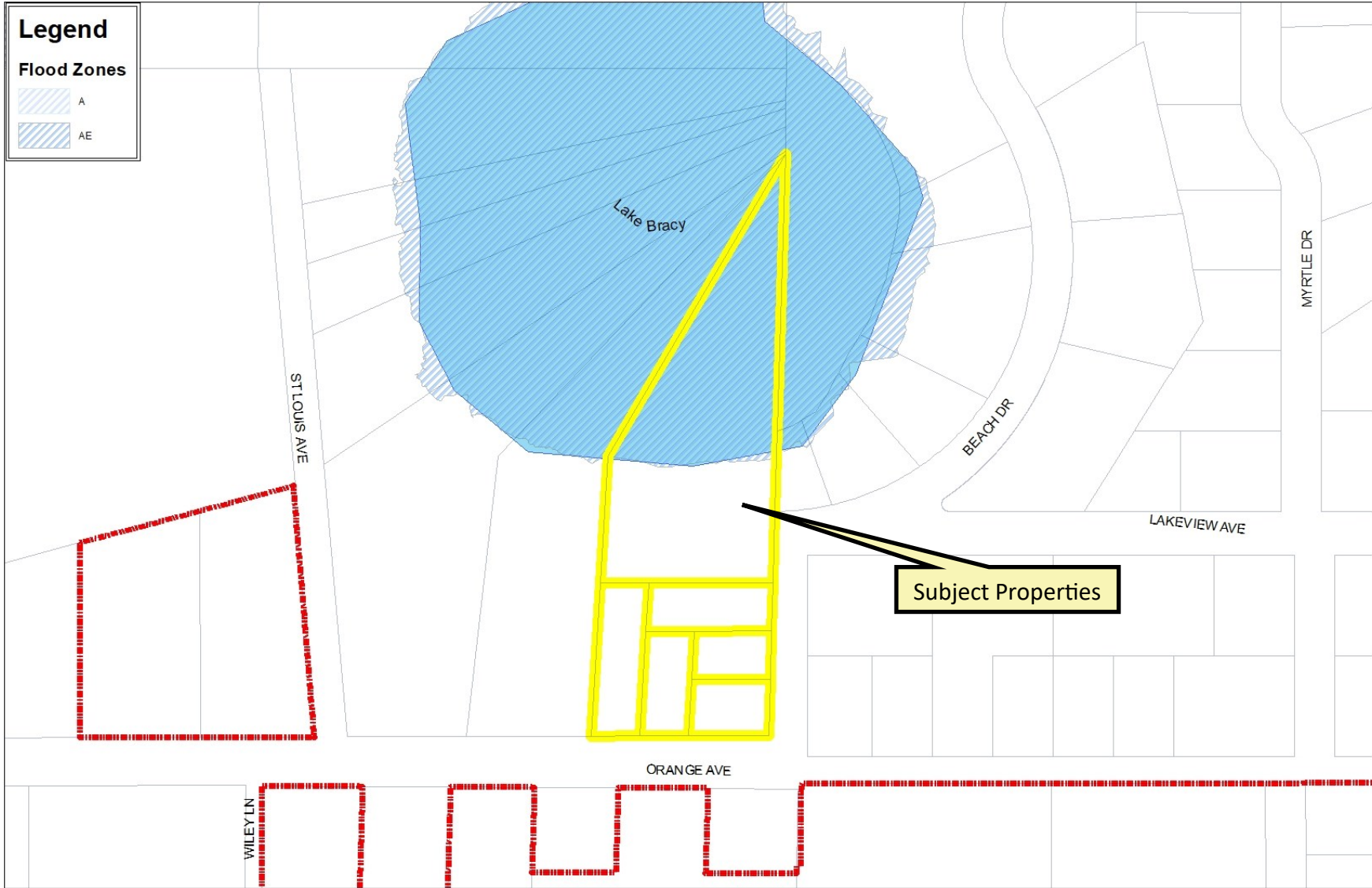
Tree Frog, LLC
Wetland / Flood Zone Map



Legend

Flood Zones

- A
- AE



Subject Properties

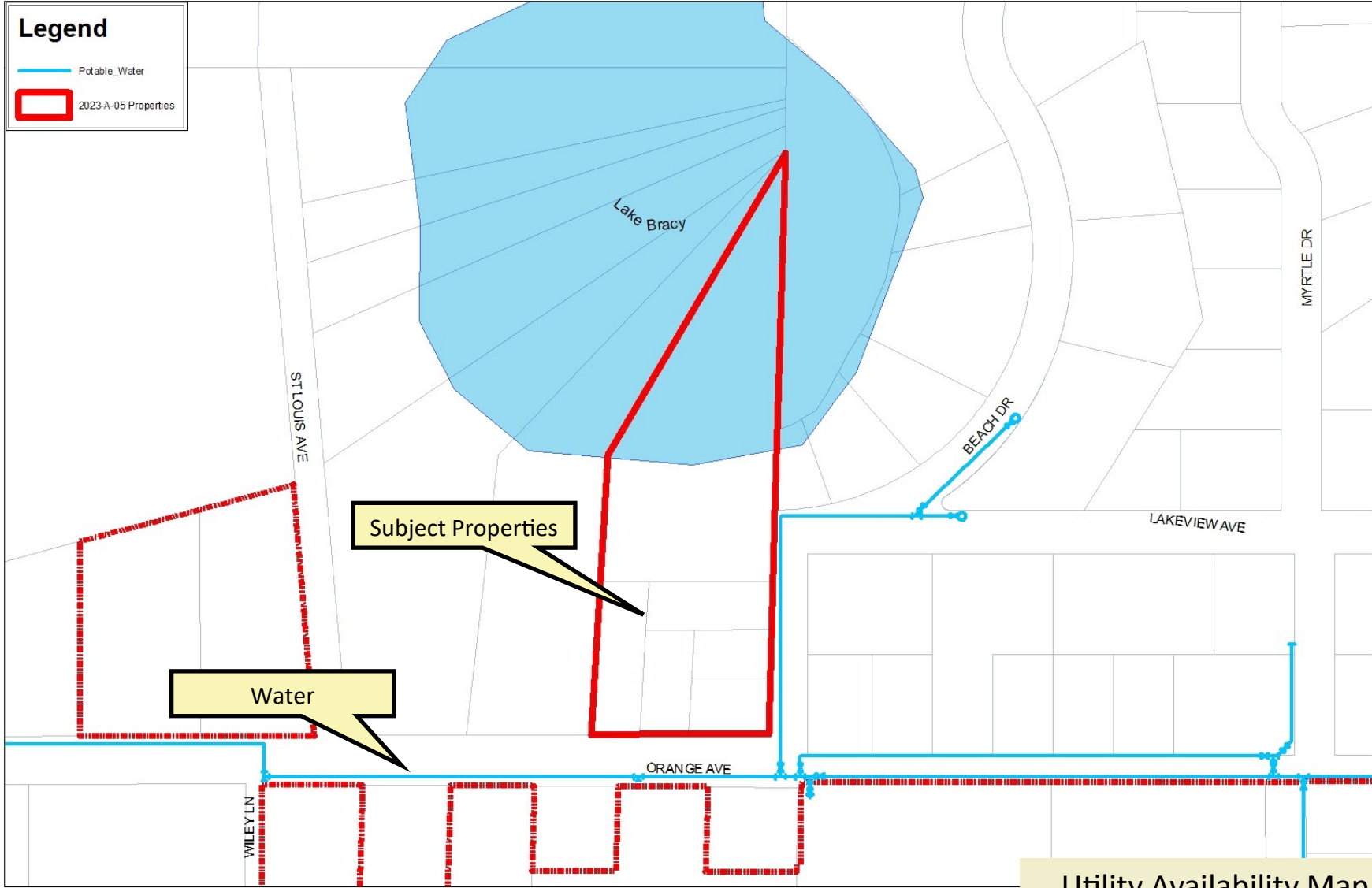


Eichelberger (Novack and Sons, Inc)
Wetland / Flood Zone Map



Legend

- Potable_Water
- ▭ 2023-A-05 Properties



Utility Availability Map



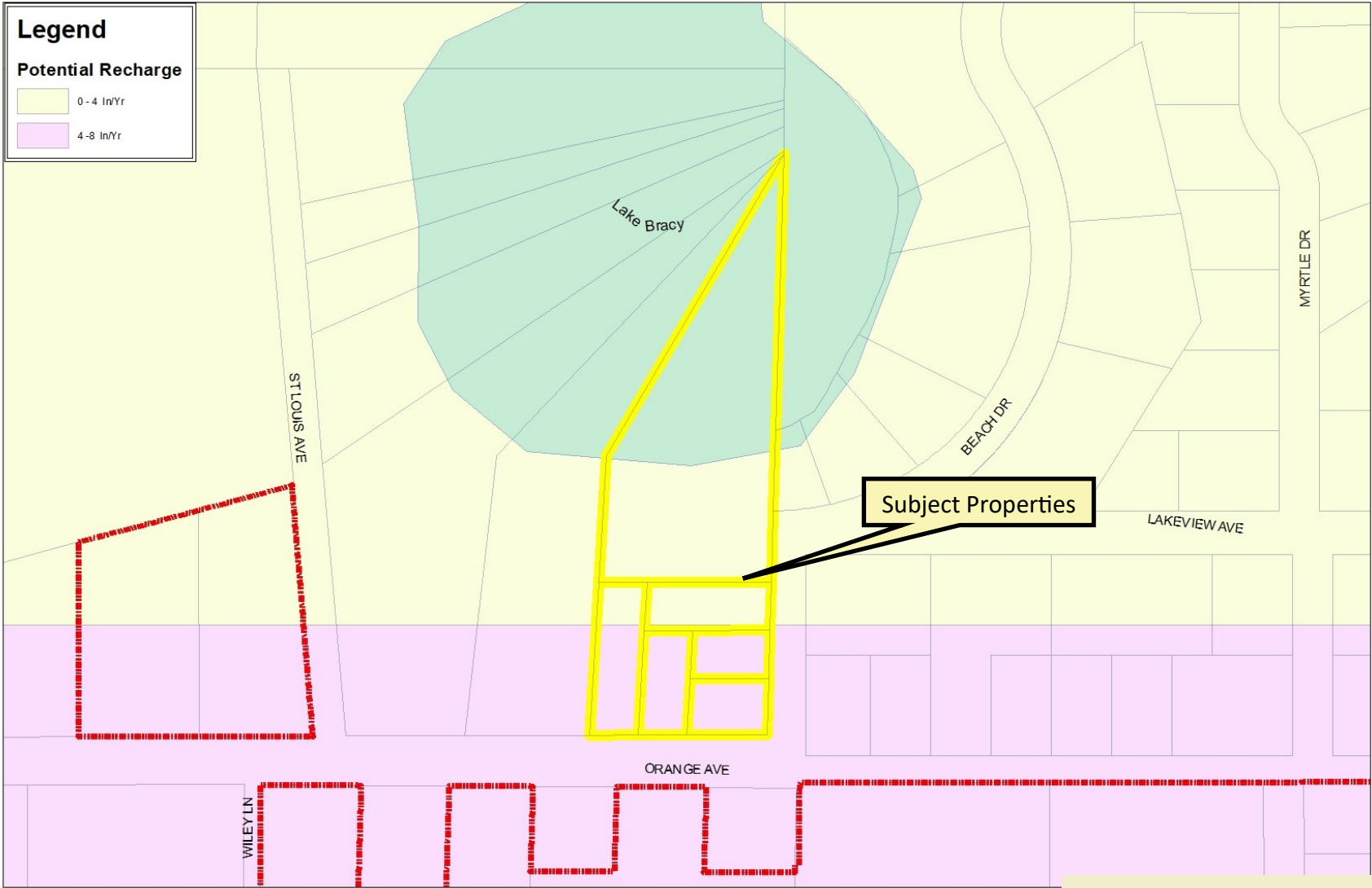
Tree Frog, LLC Sewer and Reuse



Legend

Potential Recharge

- 0 - 4 In/Yr
- 4 - 8 In/Yr



Subject Properties

Potential Recharge Areas



Tree Frog, LLC
Potential Recharge

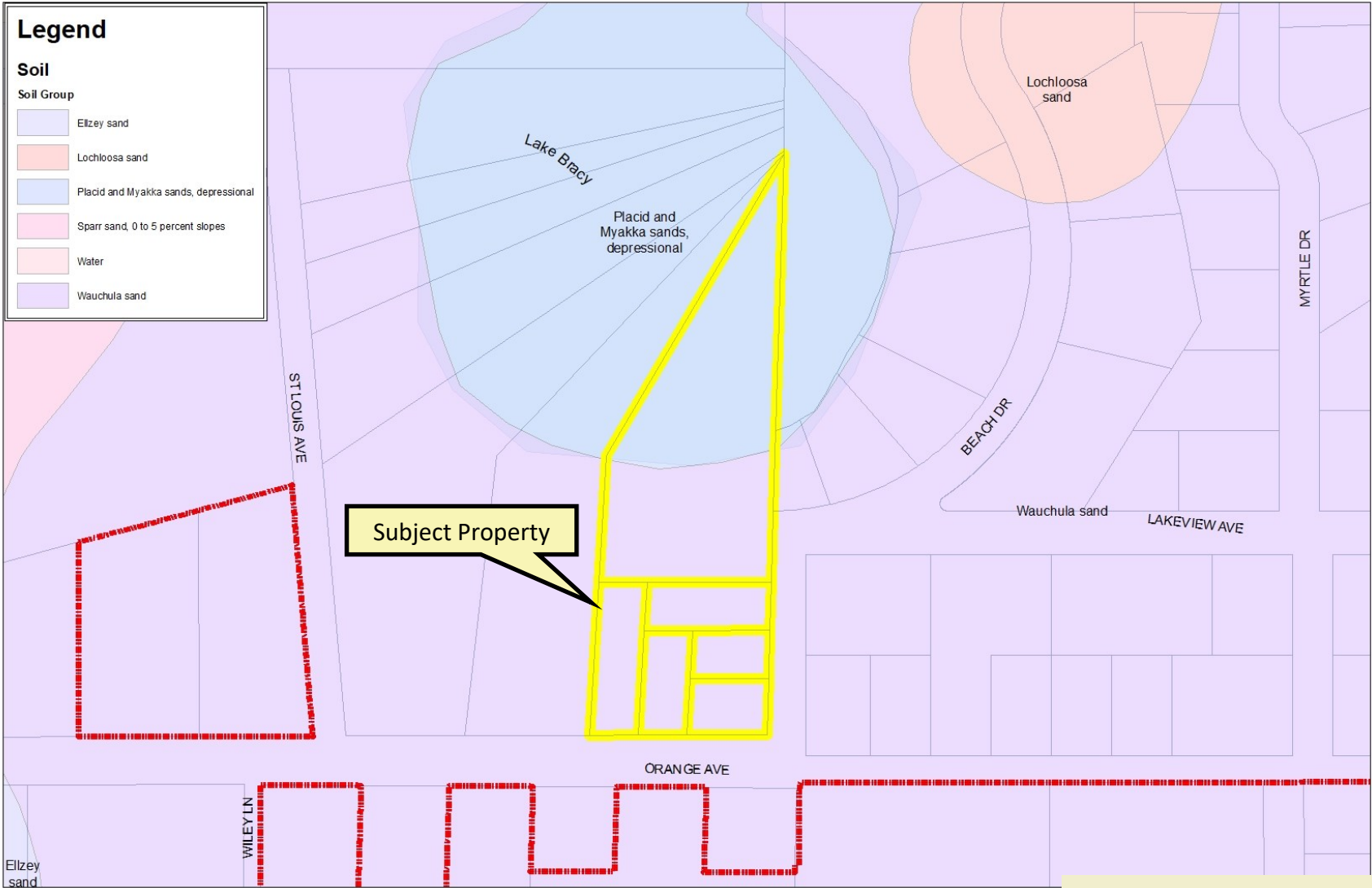


Legend

Soil

Soil Group

	Elizey sand
	Lochloosa sand
	Placid and Myakka sands, depressional
	Sparr sand, 0 to 5 percent slopes
	Water
	Wauchula sand



USGS Soils Survey Map



Tree Frog, LLC
USGS Soils Survey Map

