

AGENDA Local Planning Agency Meeting

5:30 PM - Thursday, August 03, 2023 - City Hall

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. APPROVAL OF MINUTES

1.1 Approval of MinutesJuly 6, 2023 Local Planning Agency Meeting

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

- 2.1 Ordinance Number 23-16 Comprehensive Plan Amendment
 2023-CPLUS-03 EICHELBERGER PROPERTY / NOVACK & SONS, INC –
 ASSIGNMENT OF FUTURE LAND USE FOR PARCELS with ALTERNATE KEY
 1213177
- 2.2 Ordinance Number 23-19 Comprehensive Plan Amendment
 2023-CPLUS-04 First assembly of god of Eustis, inc future land use assignment for PARCELS with ALTERNATE KEYS 2666820, 3384297, 3884298, 3884439, AND 3884441

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.

TO: EUSTIS LOCAL PLANNING AGENCY (LPA)

FROM: Christine Halloran, City Clerk

DATE: August 3, 2023

RE: Approval of Minutes

Introduction:

This item is for consideration of the minutes of the July 6, 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

5:30 PM - Thursday, July 06, 2023 - City Hall

CALL TO ORDER: 5:30 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

and Chairman Michael Holland

1. APPROVAL OF MINUTES

1.1 Approval of Minutes

June 1, 2023 LPA Meeting

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

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

Holland

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

2.1 Ordinance Number 23-19: Comprehensive Plan Amendment 2023-CPLUS-04 – First Assembly of God of Eustis, Inc. – Future Land Use Assignment for Parcels with Alternate Keys 2666820, 3884298, 3884439, and 3884441

Tom Carrino, City Manager, noted an agenda update per the request of the applicant to move Ordinance Number 23-19 to August 3, 2023.

CONSENSUS: It was a consensus of the LPA Board to move Item 2.2 Ordinance Number 23-19 to the Local Planning Agency (LPA) meeting scheduled for August 3, 2023 at 5:30 p.m.

2.2 Ordinance Number 23-13: Comprehensive Plan Amendment 2023-CPLUS-02 –Future Land Use Assignment for Parcels with Alternate Keys 1444756, 2585153 and 2535628

Jeff Richardson, Deputy Development Services Director, explained the requested future land use assignment for 10.98 acres of real property located on State Road 44. He reviewed staff's analysis of the request noting that the requested future land use designation is from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City. He stated the request is consistent with the City's Comprehensive Plan and stated staff's recommendation for transmittal to the City Commission for consideration.

Mayor Holland opened the floor to public comment at 5:36 p.m. There being no public comment, the hearing was closed at 5:36 p.m.

Motion made by Vice Chair Lee, seconded by Mr. Hawkins, to transmit 2023-CPLUS-02 to the Commission for consideration. The motion passed on the following vote:

Item 1.1

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

3. ADJOURNMENT

•	ission during the meeting. To review the entire discussion concerning any agenda item, estion. A DVD of the entire meeting or CD of the entire audio recording of the meeting
CHRISTINE HALLORAN City Clerk	MICHAEL L. HOLLAND Chairman

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Postponement of 2023-CPLUS-03 – Comprehensive Plan Future Land Use

Map Amendment for Eichelberger/Novack

The noticing procedures and timelines for the referenced Comprehensive Plan Future Land Use Map Amendment were not properly met.

The applicant and their representative were notified by City Staff, on August 19, 2023, of the signposting and abutting property owner mailing deadlines. The applicant and their representative were provided the deadline of Monday, August 24, 2023. Materials for the mailing were provided and the applicant and their representative were notified that the signs were ready to pick up and post on August 19, 2023. The applicant or their representative failed to proceed until Wednesday, August 26, 2023, failing to meet the minimum 10-day notice timeframe.

Due to the failure to meet the City's 10-day notice timeframe, it is recommended that the hearing for the Comprehensive Plan Future Land Use Map Amendment 2023-CPLUS-03 be postponed until September 7, 2023, to allow for re-notification.

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

TO: EUSTIS CITY LOCAL PLANNING AGENCY

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: 2023-CPLUS-03 – EICHELBERGER PROPERTY / NOVACK & SONS, INC –

ASSIGNMENT OF FUTURE LAND USE FOR PARCELS WITH ALTERNATE

KEY 1213177

Ordinance Number 23-16 – Comprehensive Plan Amendment

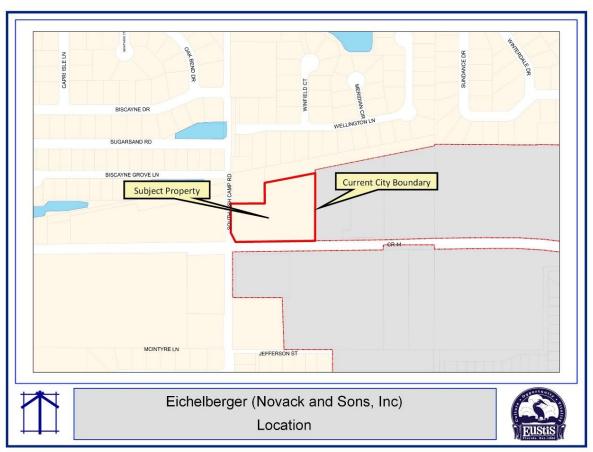
Introduction:

Ordinance Number 23-15 provides for the voluntary annexation of approximately 4.63 acres of land located northeast corner of CR 44 at the intersection with South Fishcamp Road (Alternate Key Number 1213177). Provided the annexation of the subject property is approved, via Ordinance Number 23-15, Ordinance Number 23-16 would change the future land use designation from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City of Eustis..

Background:

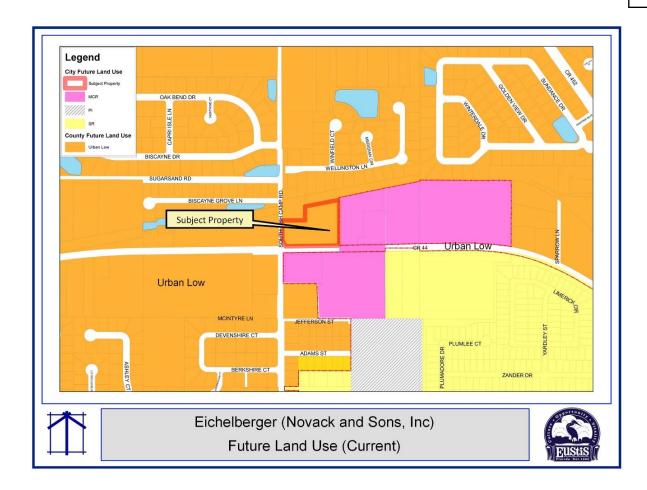
- 1. The site contains approximately 4.63 acres and is located at the northeast corner of the intersection of CR 44 and South Fishcamp Road within the Eustis Joint Planning Area.
- 2. The proposed annexation properties are contiguous to the City boundaries, directly on the eastern boundary of the property and across CR 44.
- 3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-16 would change the land use designation to Mixed Commercial Residential (MCR) in the City of Eustis.

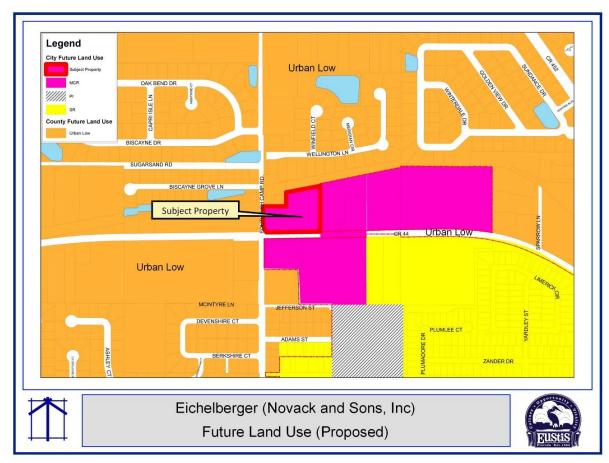




Surrounding properties have the following land use designations:

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





Applicant's Request

The applicant LPG Urban and Regional Planners, on behalf of Novack and Sons, Inc. and property owners Richard and Cindy Eichelberger., wishes to annex the referenced property, change the future land use to Mixed Commercial Residential (MCR), and assign a design district of Suburban Corridor.

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 Mixed Commercial Residential future land use designation with the annexation. The MCR future land use provides for a mix of commercial and residential uses up to twelve (12) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 23-15)

4. 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.

5. Florida Statues 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; it is contiguous to the City limits on the eastern and southern boundaries, and the owner has petitioned for voluntary annexation.

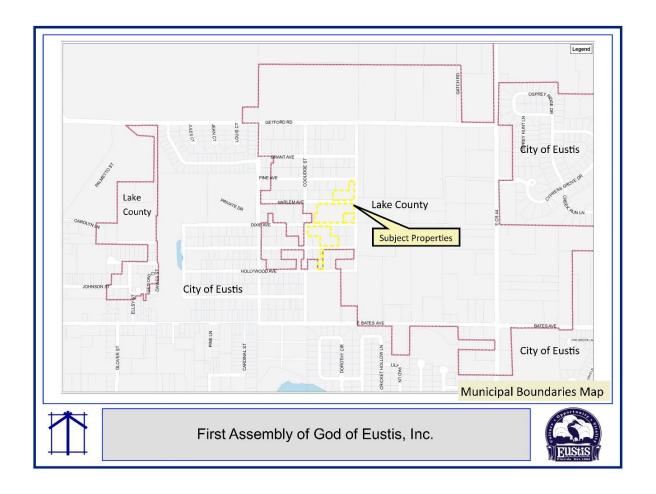
- 6. Florida Statues Voluntary Annexation Chapter 171.044(2):
 - "...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town..."

The department published notice of this annexation in the Daily Commercial following the established requirements on July 21, 2023, and again on JULY 28, 2023.

7. Florida Statues 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 properties are a continuous and logical extension of the city boundary.



8. 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 July 14, 2023, via email and by Certified Mail on June 17 2023.

Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 23-16)

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:

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 (12 du/acre) and the MCR designation allows for commercial or mixed-use opportunities.

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 area has established commercial development and is situated as a suburban commercial and urbanizing area.

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 area is an already established suburban commercial area/intersection with similar land uses directly adjacent.

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 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.

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.

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.

Cost Effectiveness and Efficiency of Public Facilities:

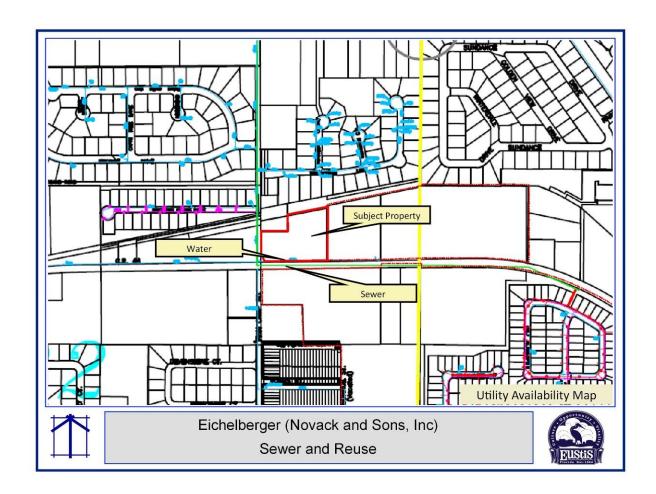
Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable weter

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sanitary sewer, stormwater management, law enforcement, education, health care, emergency response, and general government.

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



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.

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.

Functional Mix of Uses:

Fails to encourage a functional mix of uses.

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

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.

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.

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 <u>four</u> or more of the following:

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.

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.

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.

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.

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.

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.

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 land use proposed would allow for opportunities for development types to support the surrounding area.

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:

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 sulphing

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

1. Emergency Services Analysis:

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

2. 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.

3. 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.

4. 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.

5. 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.

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.

7. 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.

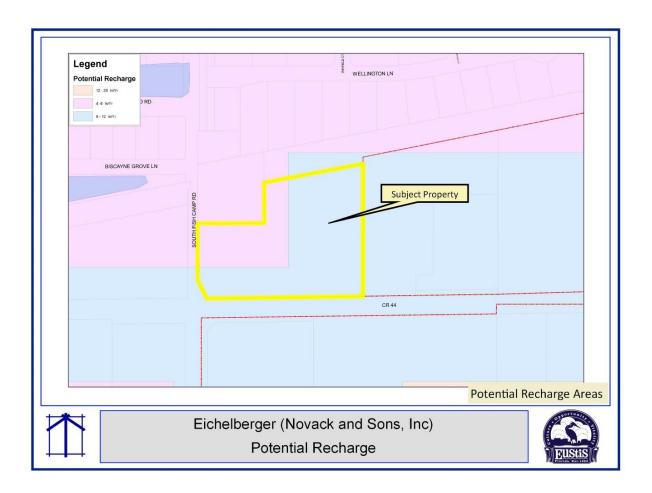
8. Natural Resources/Natural Features:

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 topograph development proposed.

9. 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.



10. Historical or archaeological sites:

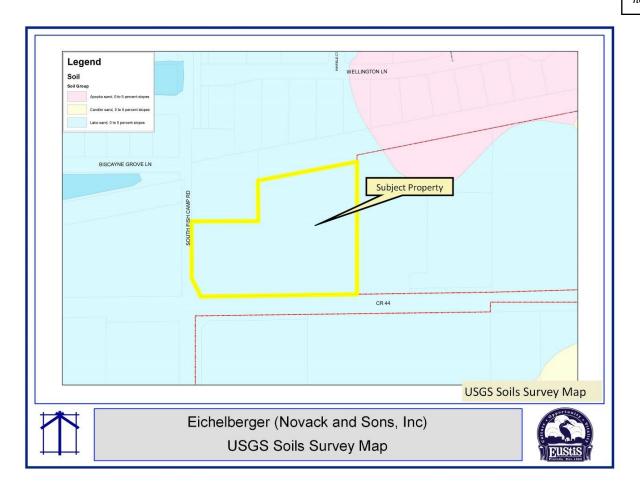
The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

11. Flood zones:

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

12. Soil and topography:

The soil on the site is mainly made up of Lake sands. The Lake series is composed of highly drained, quickly to very quickly permeable soils that were created in large deposits of sand..



13. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describes 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 Mixed Use Commercial Residential (MCR) land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

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General Range of Uses: This category accommodates a mix of residential, commerce office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

<u>Maximum Density:</u> Residential densities may not exceed 12 dwelling units per net buildable acre.

<u>Intensity Range</u>: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

<u>Mix Requirements</u>: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR Acreage

Commercial/Office: 75% - 85% of total MCR acreage

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Mixed Commercial Residential (MCR) with a maximum density of 12 dwelling units per acre (du/ac) and allow for commercial development consistent with the General Commercial uses of the Comprehensive Plan and the Land Development Regulations.

The surrounding properties, immediately adjacent to the north and west, are 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 with commercial uses at the major intersection of Fish Camp Road and County Road 44, the proposed Future Land Use will allow commercial and residential uses.

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.

14. 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 will be evaluated at the time of development. The proposed land use is consistent with the existing designation to the east and south.

15. 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:

1. Consistent with Comprehensive Plan:

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

The proposed amendment is consistent with the Comprehensive Plan.

2. 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.

3. 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.

4. 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.

5. 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.

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City water and sewer services are available and, in close proximity to 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.

6. 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.

7. 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.

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

9. 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."

Florida Statues 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."

2. Comprehensive Plan – Mixed Commercial Residential (MCR)

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

<u>General Range of Uses</u>: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

<u>Maximum Density:</u> Residential densities may not exceed 12 dwelling units per net buildable acre.

<u>Intensity Range</u>: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

<u>Mix Requirements</u>: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR Acreage

Commercial/Office: 75% - 85% of total MCR acreage

The composition and mix for each proposed development will be determined on a caseby-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

Special Provisions:

Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods that meet the following conditions:

a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;

Item 2.1

- strip commercial development shall be minimized, including actions that woule extend or expand existing strip development;
- c. the arterial road frontage contains an existing mix of viable commercial and residential uses:
- d. the clustering of viable commercial businesses within or adjacent to residential neighborhoods is determined to not have a detrimental visual or operational impact on such adjacent or nearby residential uses;
- e. 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.

Land Development Regulations Section 109-5.5(b)(1): The Suburban Corridor 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.

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 that the Local Planning Agency transmit 2023-CPLUS-03 (Ordinance Number 23-16) to the City Commission for consideration.

Policy Implications:

None

Alternatives:

- 1. Vote to transmit 2023-CPLUS-03 to the City Commission for consideration of Ordinance Number 23-16.
- 2. Vote to not transmit 2023-CPLUS-03 to the City Commission for consideration of Ordinance Number 23-16.

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 Heather Croney, Senior Planner

ORDINANCE NUMBER 23-16

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 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD, FROM URBAN LOW IN LAKE COUNTY TO MIXED COMMERCIAL 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 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road. (Alternate Key Number 1213177), and more particularly described herein as Exhibit "A"; and

WHEREAS, on August 3, 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 August 3, 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 August 17, 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 Mixed Commercial Residential (MCR) within the City of Eustis:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

(The foregoing legal description was 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 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 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 Economic Opportunity.

the City of Eustis, Florida, this 17 th day of Augus	st 2023.
	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 be Michael L. Holland, Mayor, and Christine Hallor	efore me this 17th day of August 2023, by an, City Clerk, who are personally known to me.
	Notary Public - State of Florida My Commission Expires: Notary Serial No:
CITY ATTOR	NEY'S OFFICE
This document is approved as to form and legacity Commission.	al content for the use and reliance of the Eustis
City Attorney's Office Date	
CERTIFICATE	OF POSTING
The foregoing Ordinance Number 23-16 is here same by posting one copy hereof at City Hall, o and one copy hereof at the Eustis Parks and Rethe City of Eustis, Lake County, Florida.	
Christine Halloran, City Clerk	

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of

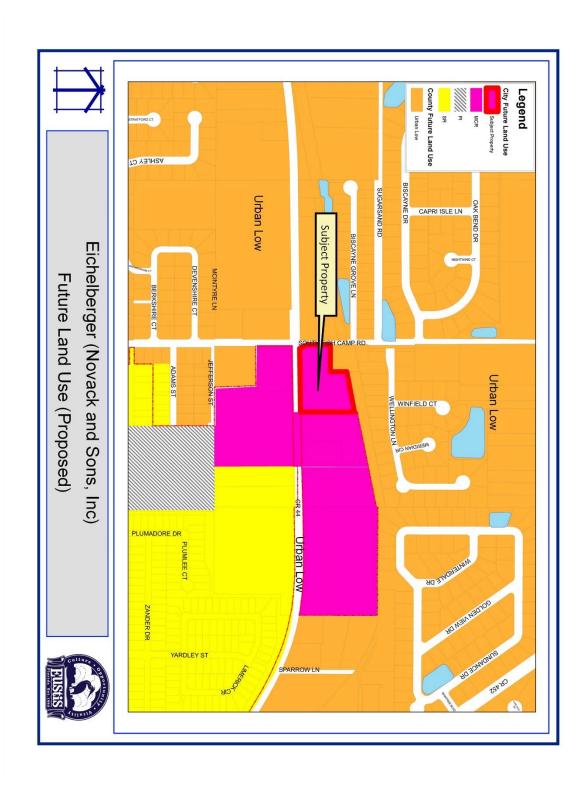
EXHIBIT "A"

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

(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"







Eichelberger (Novack and Sons, Inc)
Aerial Location

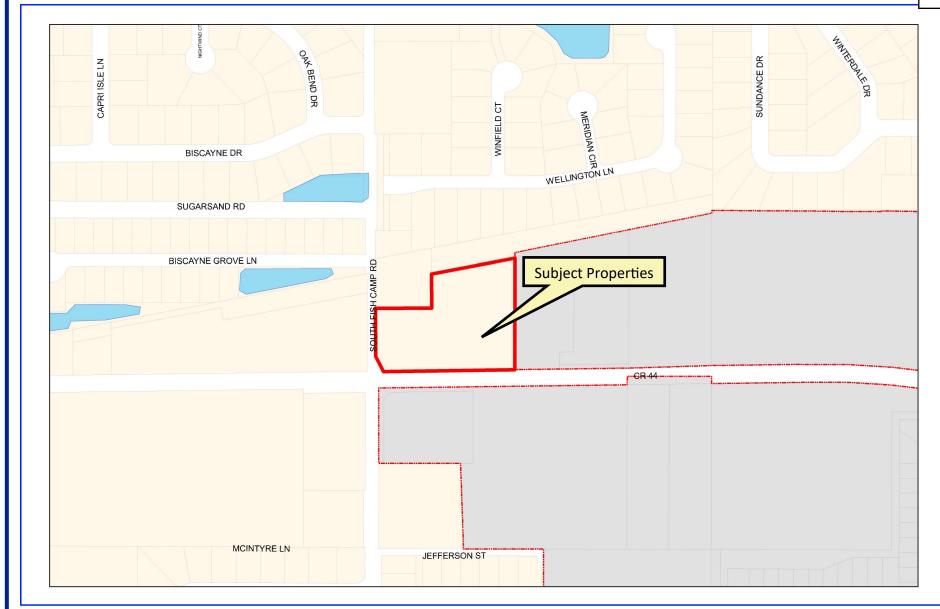






Eichelberger (Novack and Sons, Inc)
Location

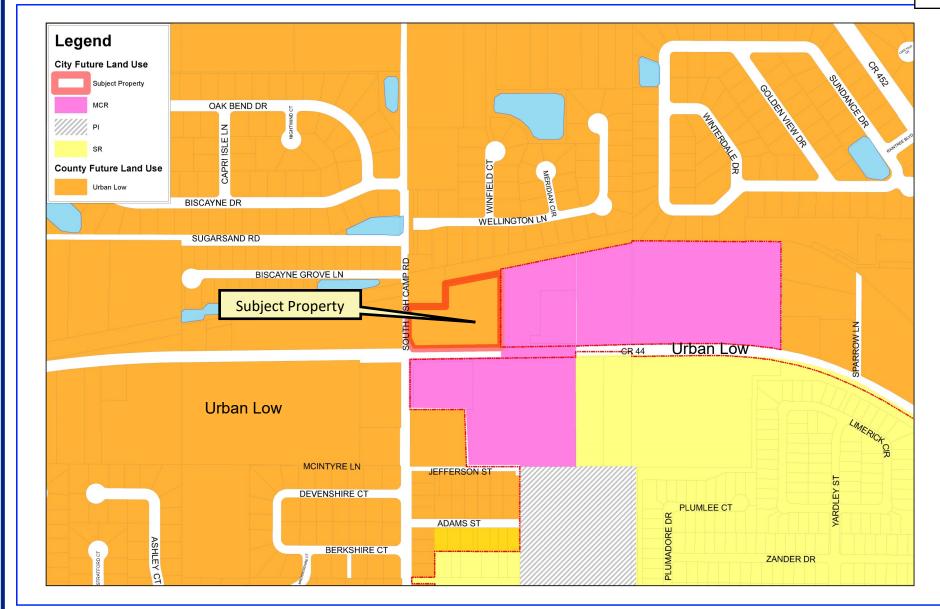






Eichelberger (Novack and Sons, Inc)
Underlying Platted Lots

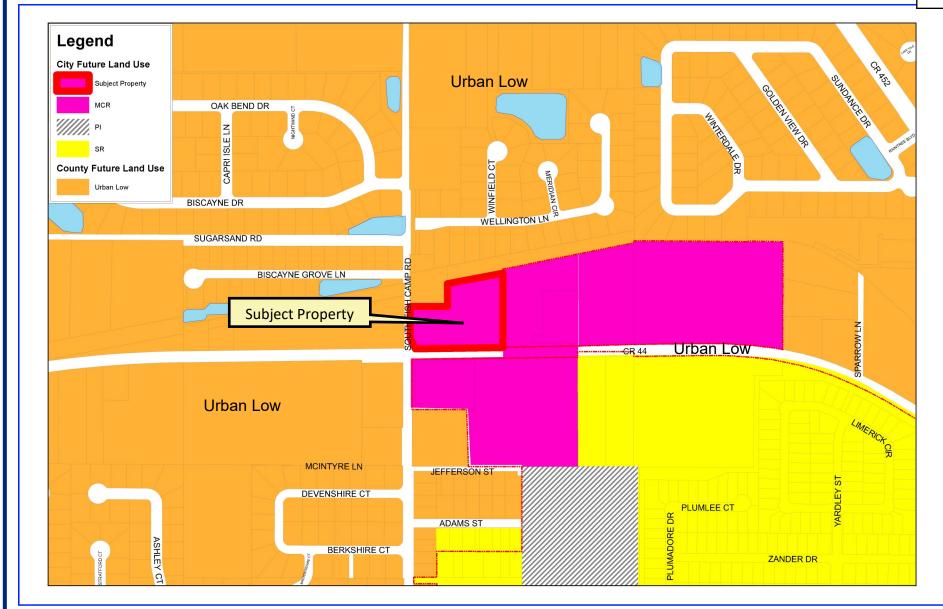






Eichelberger (Novack and Sons, Inc)
Future Land Use (Current)

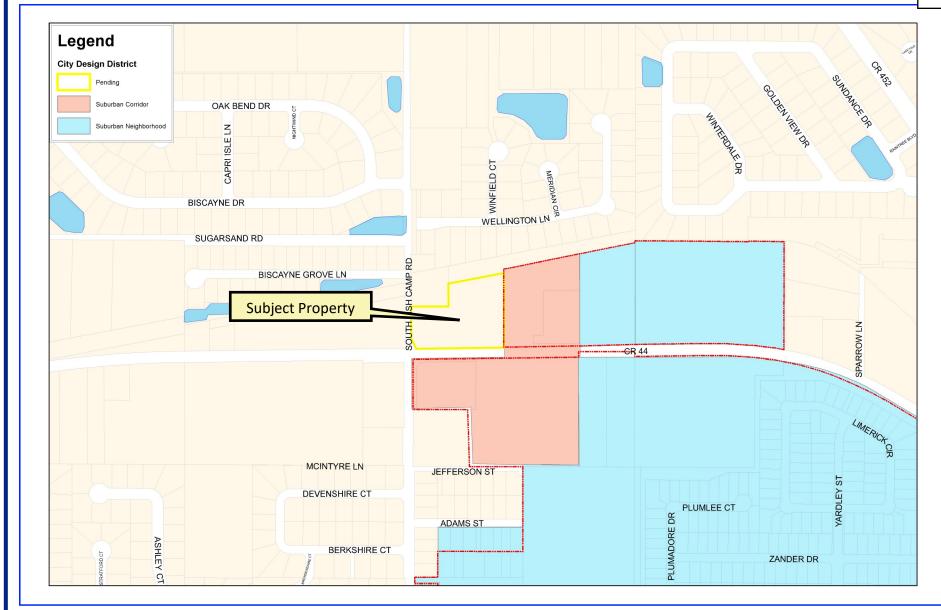






Eichelberger (Novack and Sons, Inc)
Future Land Use (Proposed)



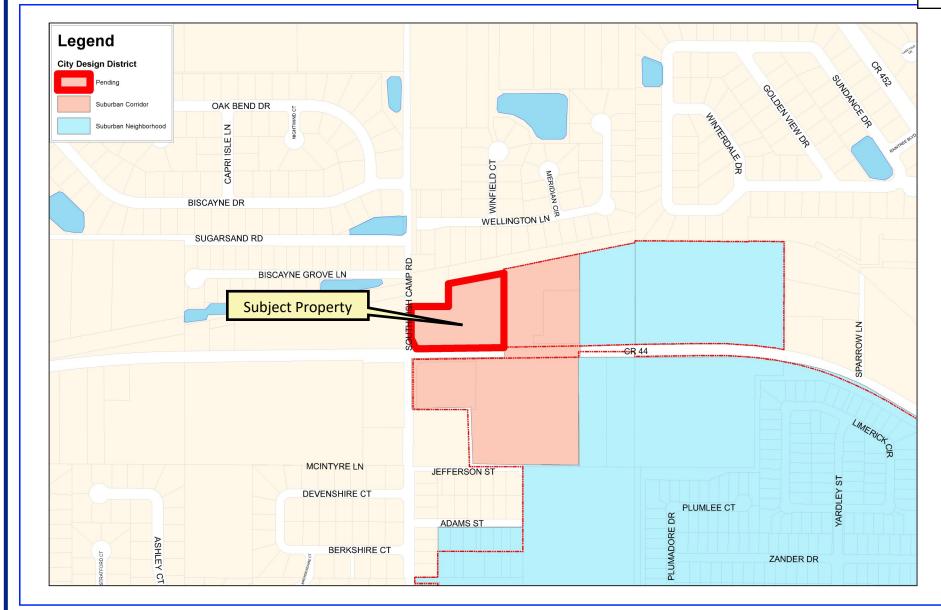




Eichelberger (Novack and Sons, Inc)

Design District (Before)



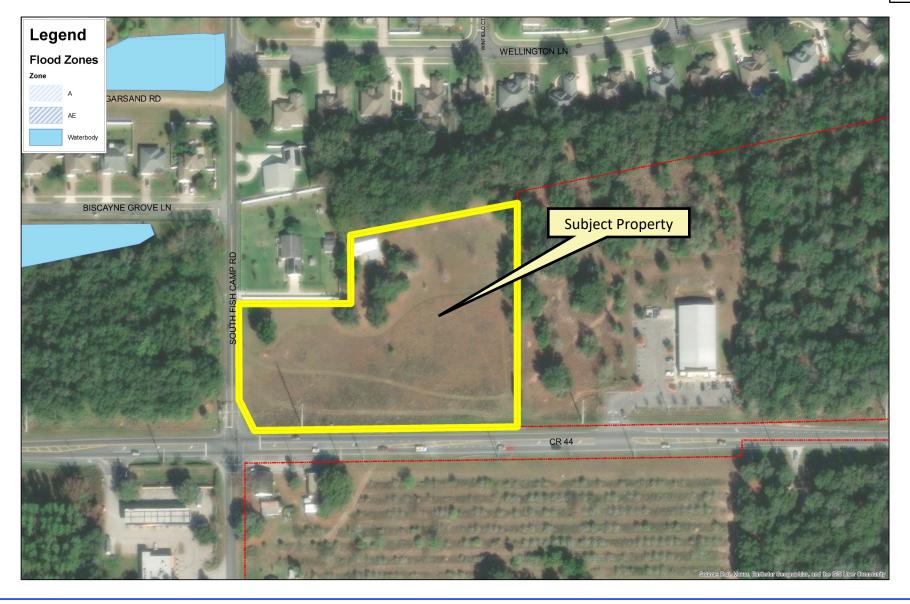




Eichelberger (Novack and Sons, Inc)

Design District (After)







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

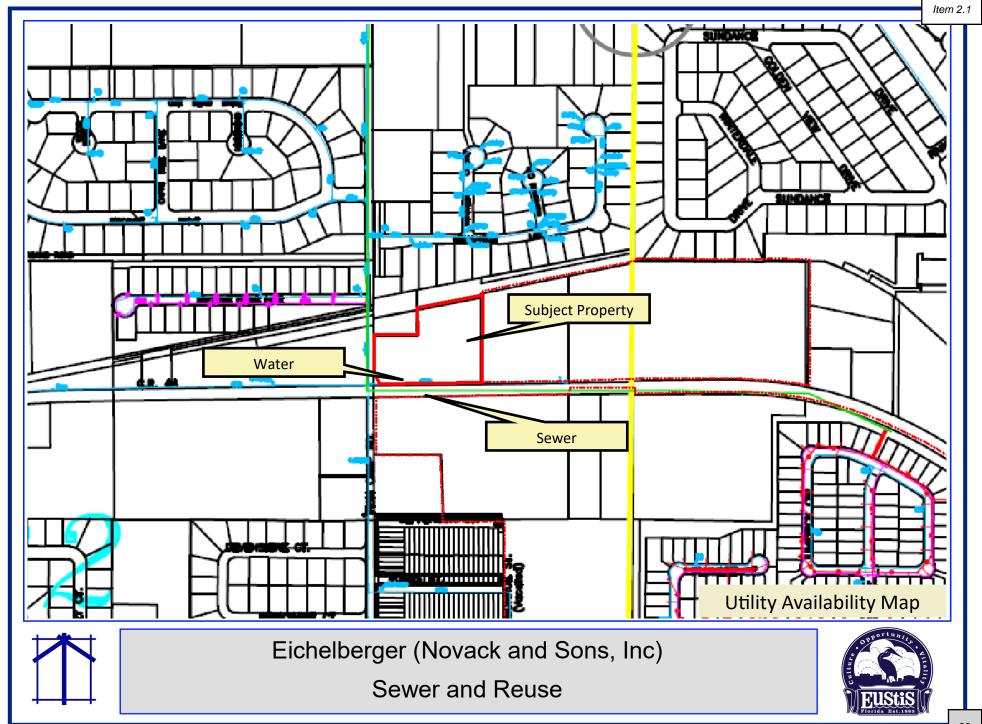


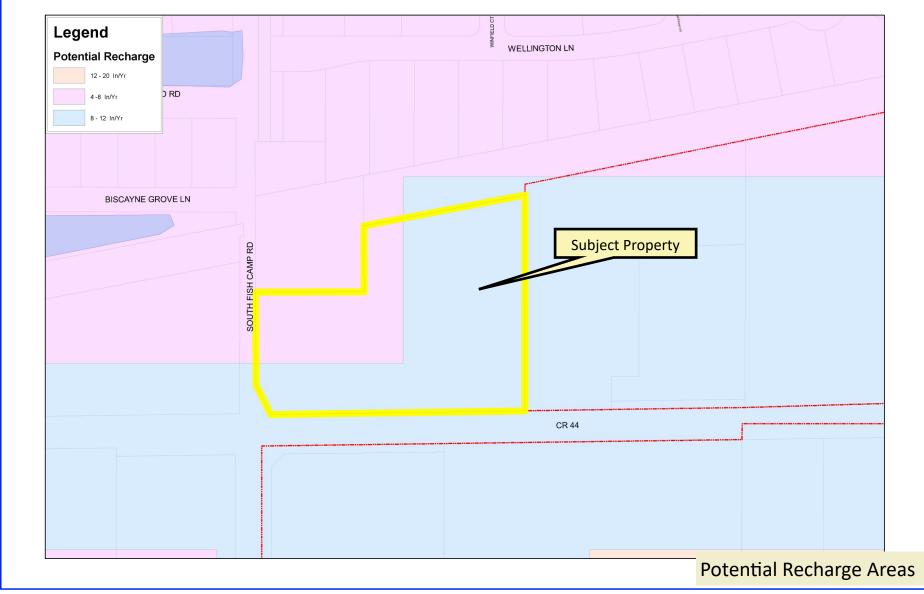




Eichelberger (Novack and Sons, Inc)
Wetland / Flood Zone Map



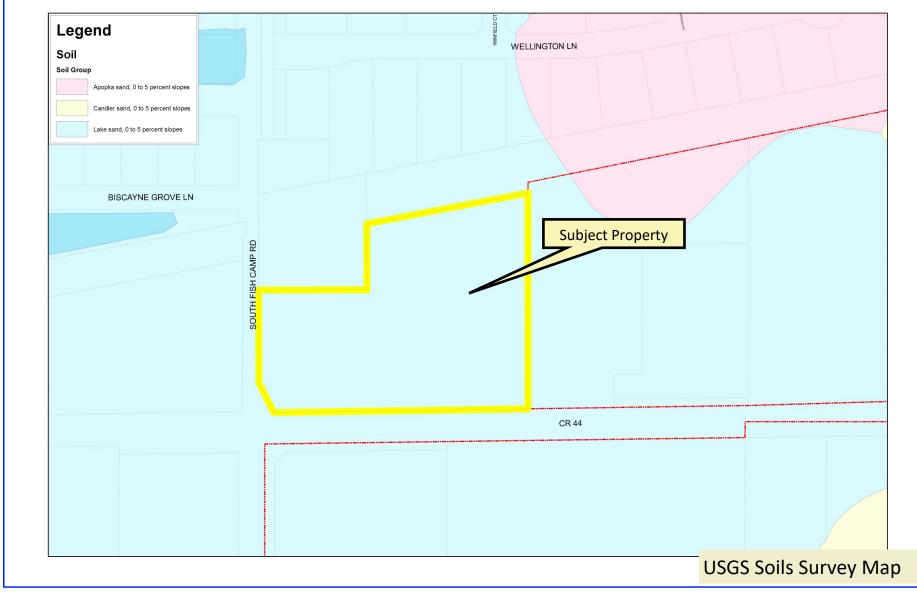






Eichelberger (Novack and Sons, Inc)
Potential Recharge

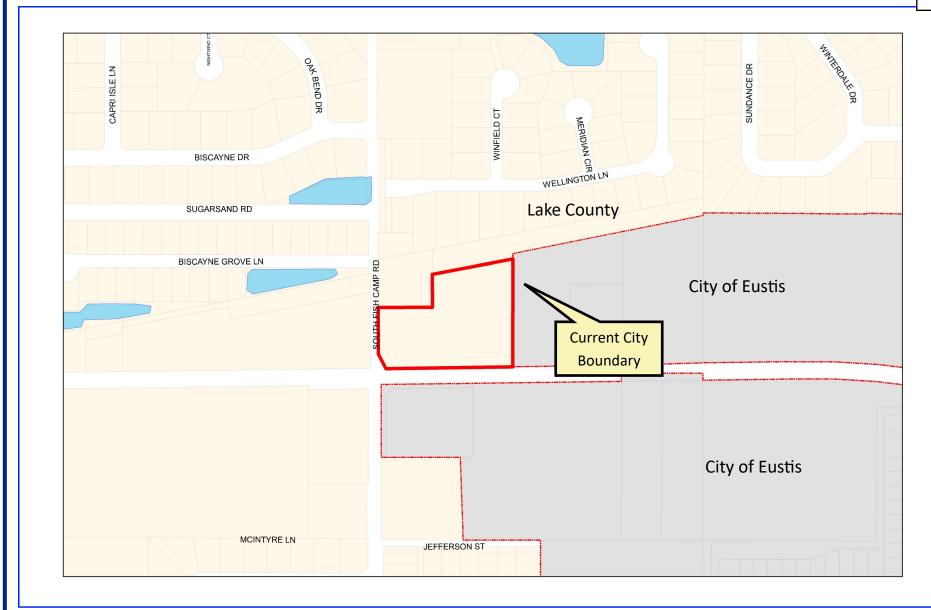






Eichelberger (Novack and Sons, Inc)
USGS Soils Survey Map







Eichelberger (Novack and Sons, Inc) Municipal Boundaries



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

TO: EUSTIS CITY LOCAL PLANNING AGENCY

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: 2023-CPLUS-04 – FIRST ASSEMBLY OF GOD OF EUSTIS, INC – FUTURE

LAND USE ASSIGNMENT FOR PARCELS WITH ALTERNATE KEYS 2666820,

3384297, 3884298, 3884439, AND 3884441

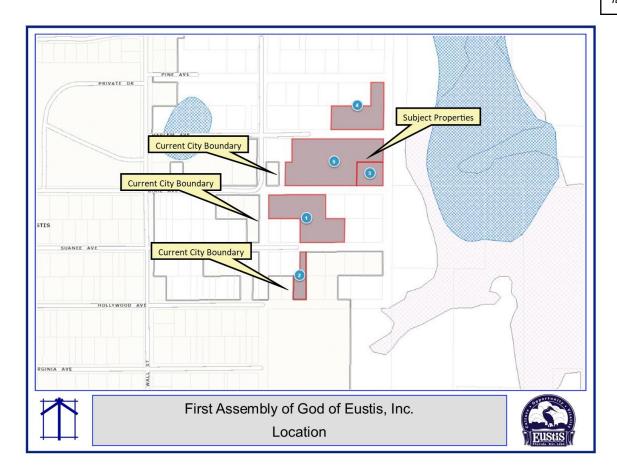
Ordinance Number 23-19 – Comprehensive Plan Amendment

Introduction:

Ordinance Number 23-19 provides for the assignment of a future land use associated with the voluntary annexation of approximately 5.8 acres of land located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue (Alternate Key Numbers 2666820, 3384297, 3884298, 3884439, and 3884441). Provided the annexation of the subject property is approved, via Ordinance Number 23-18, Ordinance Number 23-19 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

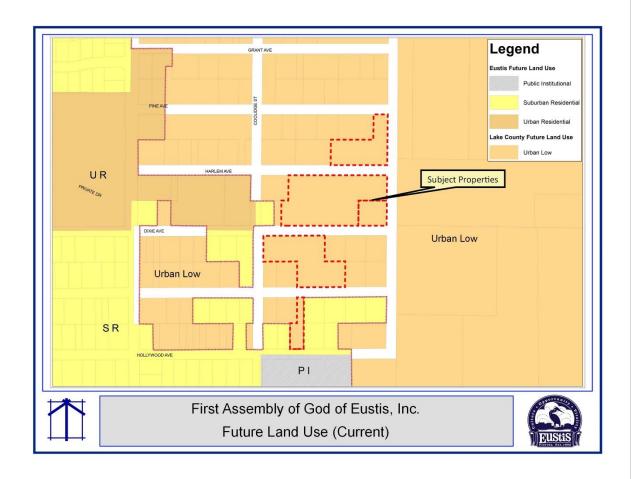
Background:

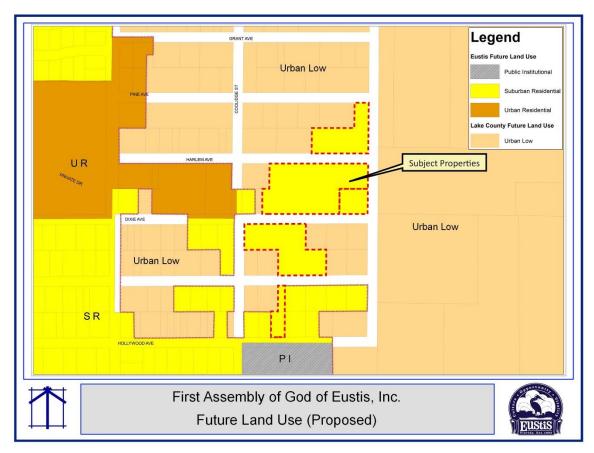
- 1. The site contains approximately 5.8 acres and is located within the Eustis Joint Planning Area. The properties to be annexed are a portion of the Rosenwald Gardens subdivision and a subsequent partial replat dating back to 1954. Source: Lake County Property Appraisers' Office Property Record Card Data.
- 2. The proposed annexation properties are within an enclave area of the City and are contiguous to the City boundaries at several points represented on the Location map, herein.
- 3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-19 (2023-CPLUS-04) 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
Nauth	Single-Family/ Vacant	Urban Low	N/A
North		(Lake County)	IN/A
South	Single-Family / Vacant	Suburban Residential	Suburban Neighborhood
East	Vacant	Lake County Urban Low	N/A
West	Single-Family	Suburban Residential	Suburban Neighborhood





Applicant's Request

The applicant and property owners, First Assembly of God of Eustis, Inc., 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 23-18)

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 Statues 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 at several points on the western and southern boundaries, and the owner petitioned for annexation.

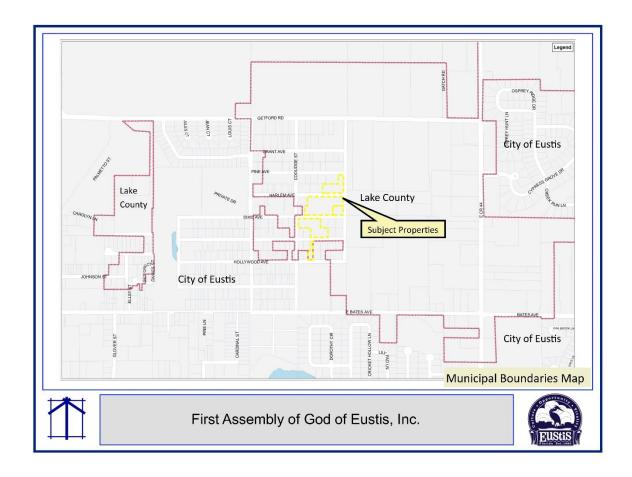
- 3. Florida Statues Voluntary Annexation Chapter 171.044(2):
 - "...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town..."

The department published notice of this annexation in the Daily Commercial following the established requirements on June 26, 2023, and again on June 30, 2023.

4. Florida Statues 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 properties are 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 June 16, 2023, via email and by Certified Mail on June 16, 2023.

Analysis of Comprehensive Plan/Future Land Use Request ((2023-CPLUS-04) Ordinance Number 23-19)

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:

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 properties are 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 properties are located in an enclave area and will be requiring city services in order to develop. The underlying lots within the proposed annexation area that will be subject to the Suburban Residential Future land Use were 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 properties were 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.

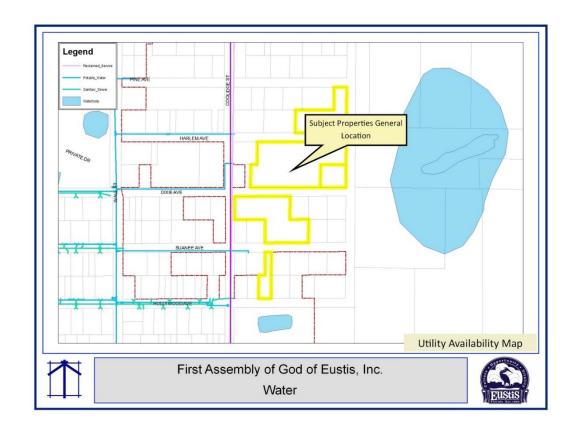
6. Public Facilities:

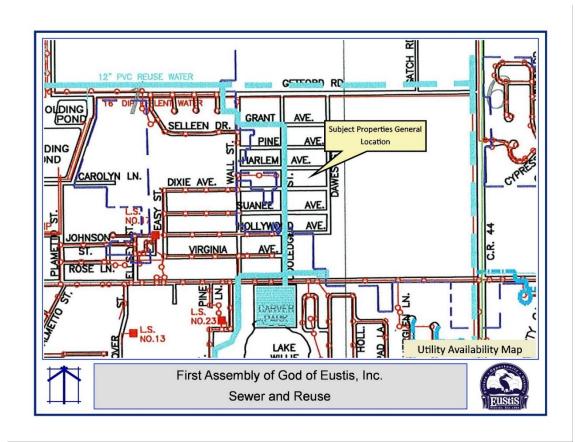
Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water 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. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system.

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improvements. This work includes not only line improvements and extensions overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater, and sidewalks.





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. 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.

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 <u>four</u> 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 is 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 a City planned improvement project that includes extensive water and sewer system improvements, street improvements, stormwater systems, 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 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.

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The proposed land use is consistent with the surrounding area the site 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.

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Pursuant to Comprehensive Plan policies and Land Development Regi_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. 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 to the City maintained stormwater system.

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.

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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 describes 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 includes: 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 east, are unincorporated areas that are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

Item 2.2

The City shall limit these uses adjacent to incompatible commercial or industrial la 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.

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. 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 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. 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, 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:

Item 2.2

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 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 Statues 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.

Item 2.2

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
 - 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 that the City of Eustis LPA transmits 2023-CPLUS-04 to the City Commission for consideration of Ordinance Number 23-19.

Policy Implications:

None

Alternatives:

- 1. Vote to transmit 2023-CPLUS-04 to the City Commission for consideration of Ordinance Number 23-19.
- Vote to not transmit 2023-CPLUS-04 to the City Commission for consideration of Ordinance Number 23-19.

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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 Heather Croney, Senior Planner

ORDINANCE NUMBER 23-19

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 5.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 2666820, 3884297, 3884298, 3884439, AND 3884441 GENERALLY LOCATED EAST OF COOLIDGE STREET SOUTH OF THE UNIMPROVED PORTION OF PINE AVENUE AND NORTH OF THE UNIMPROVED PORTION OF HOLLYWOOD AVENUE, 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 5.8 acres of real property located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue (Alternate Key Numbers 2666820, 3884298, 3884439, AND 3884441), and more particularly described herein as Exhibit "A"; and

WHEREAS, on August 3, 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 August 3, 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 August 17, 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: 2666820, 3884297, 3884298, 3884439, AND 3884441

Parcel Identification Number: 01-19-26-1000-00G-01900, 01-19-26-1000-00F-01700, 01-19-26-1000-00G-00500, 01-19-26-0600-010-00600 and 01-19-26-0600-011-00100 Legal Description:

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4

ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS 1841 1846

Parcel 5

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was 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 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 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 Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 17th day of August 2023.

	CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA
ATTEST:	Michael L. Holland Mayor/Commissioner
Christine Halloran, City Clerk	

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 17th day of August 2023, 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 No:

CITY ATTORNEY'S OFFICE

• •		gal content for the use and reliance of the Eustis n independent title examination as to the accuracy
City Attorney's Office	Date	
	CERTIFICA	TE OF POSTING
same by posting one copy h	nereof at City Hal Eustis Parks and	ereby approved, and I certify that I published the , one copy hereof at the Eustis Memorial Library, Recreation Office, all within the corporate limits of
Christine Halloran, City Clei	·k	<u> </u>

EXHIBIT "A"

LEGAL DESCRIPTION:

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4

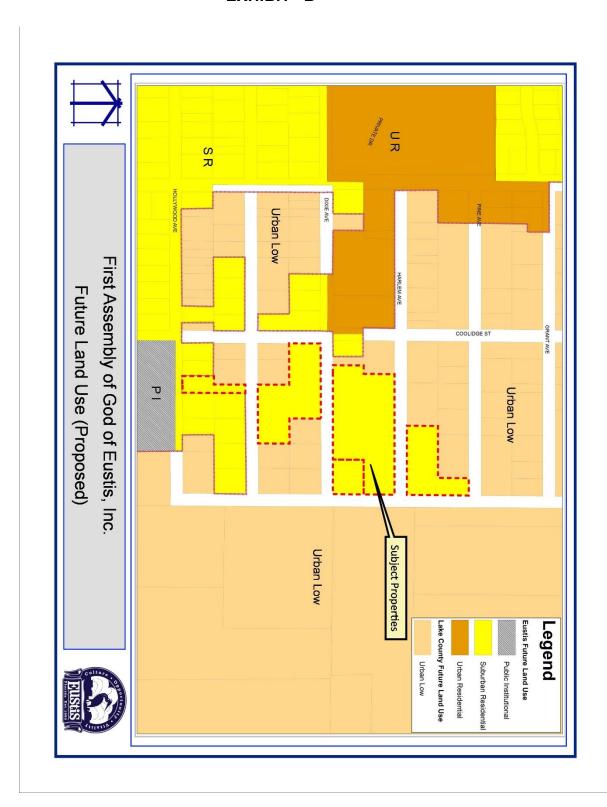
ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS 1841 1846

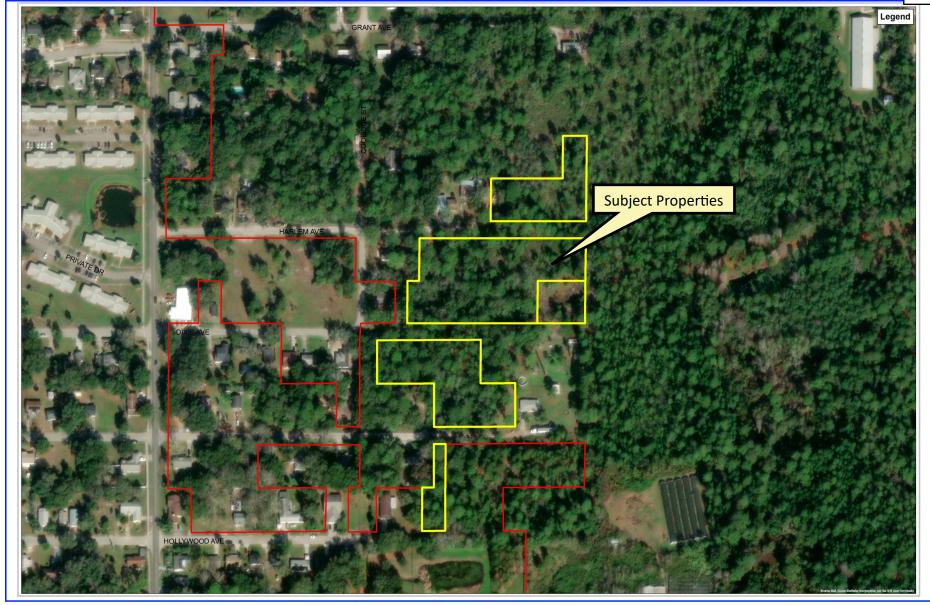
Parcel 5

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(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"

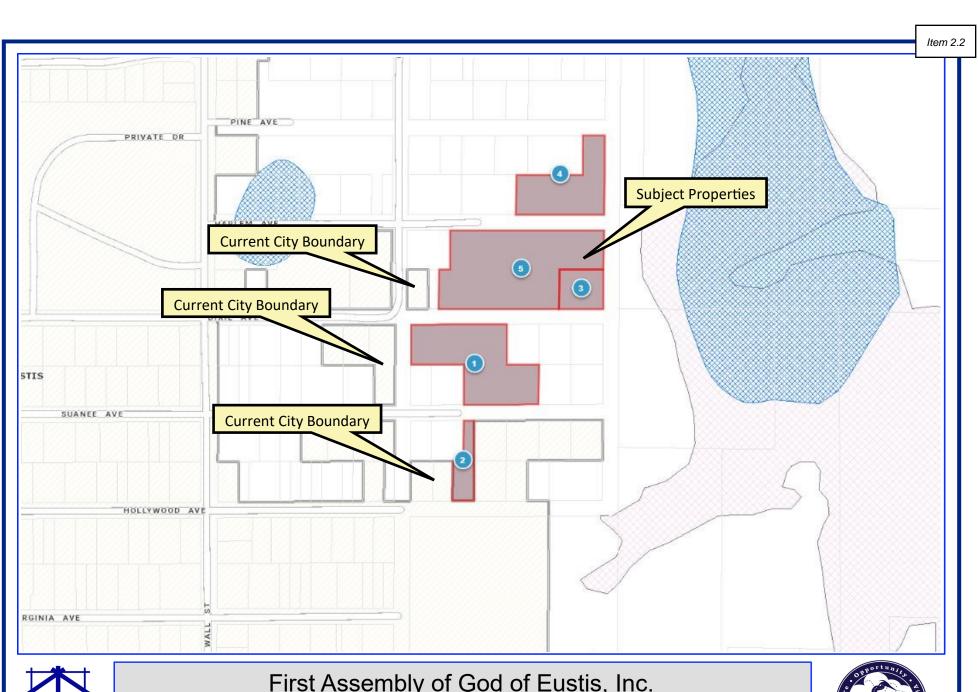






First Assembly of God of Eustis, Inc.
Aerial Location

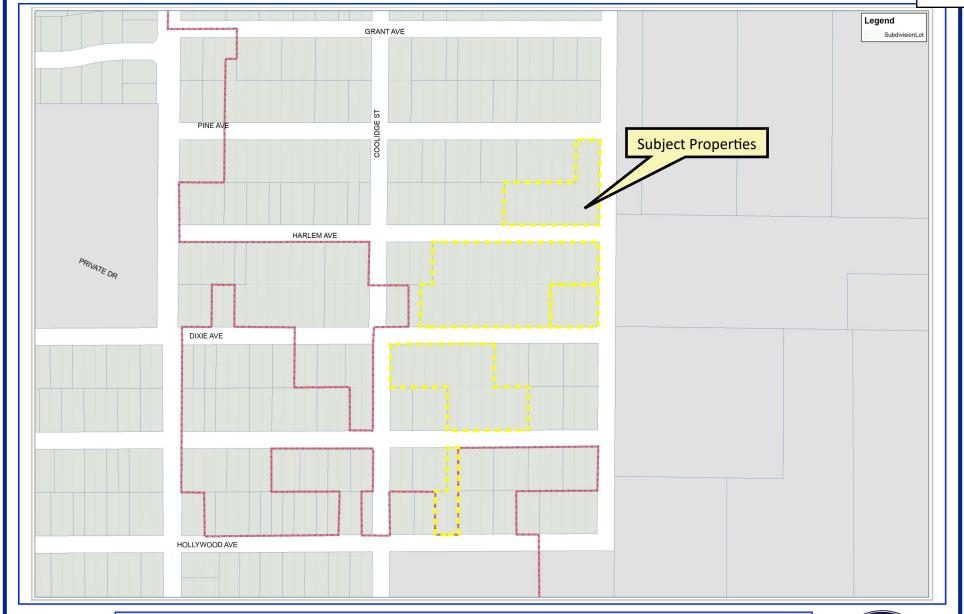






First Assembly of God of Eustis, Inc.
Location

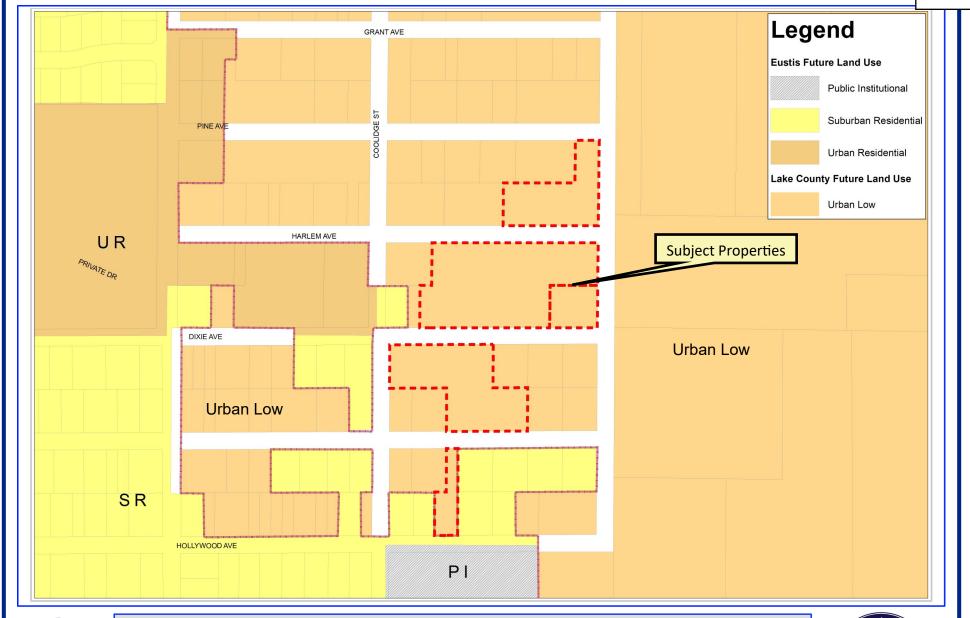






First Assembly of God of Eustis, Inc.
Underlying Platted Lots

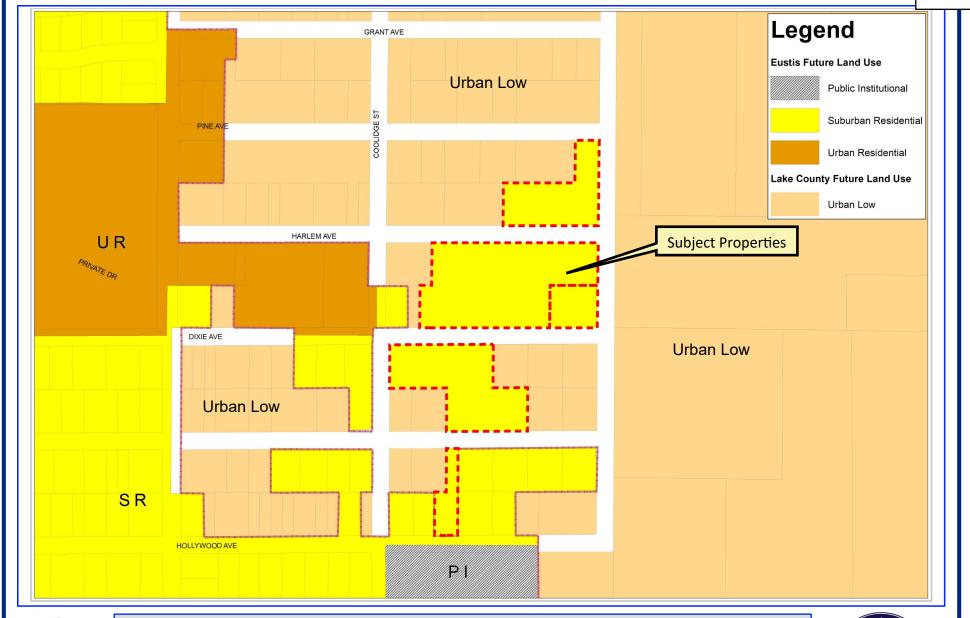






First Assembly of God of Eustis, Inc.
Future Land Use (Current)



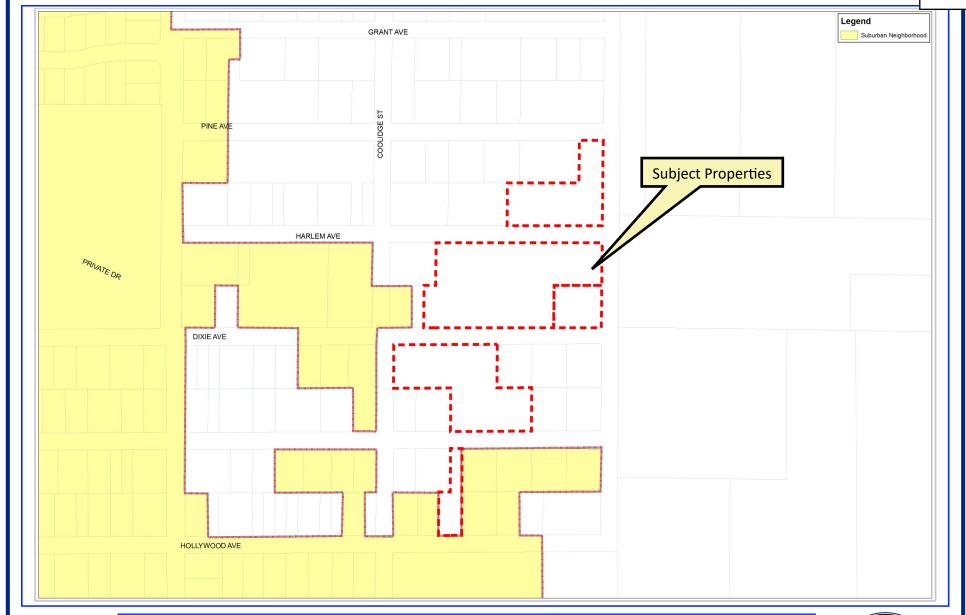




First Assembly of God of Eustis, Inc.
Future Land Use (Proposed)





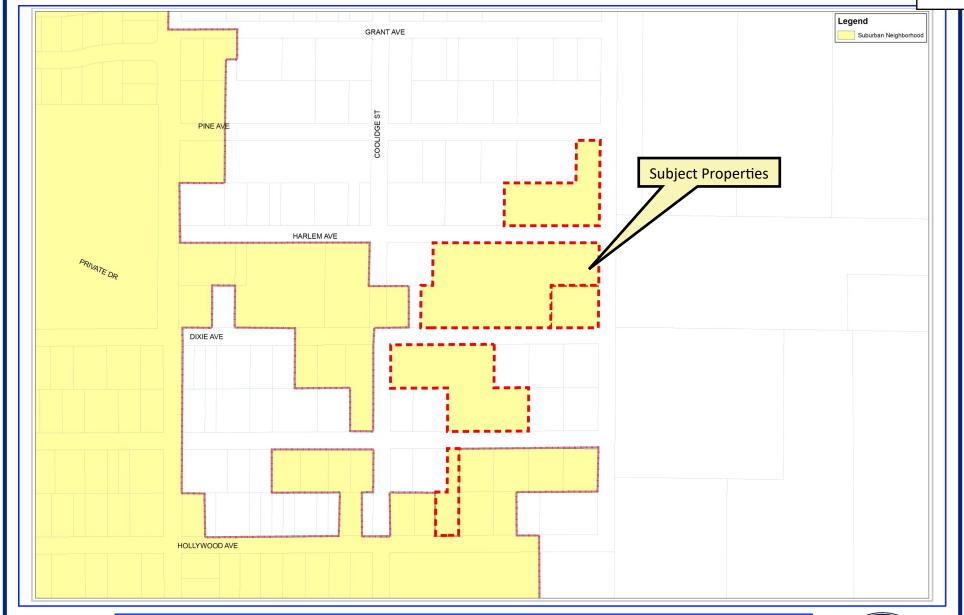




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Design District (Before)







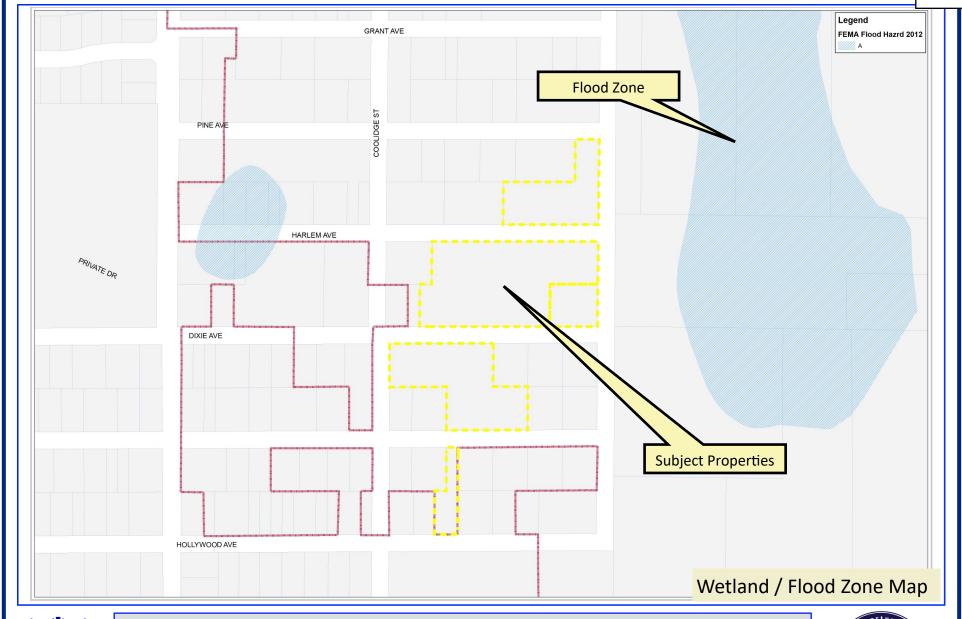


First Assembly of God of Eustis, Inc.

Design District (After)





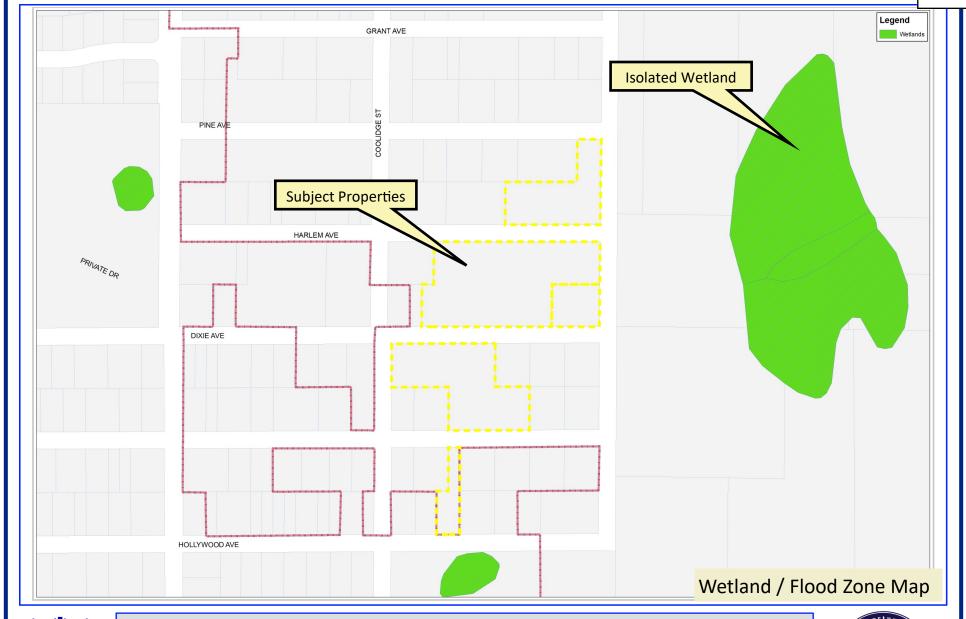




First Assembly of God of Eustis, Inc.





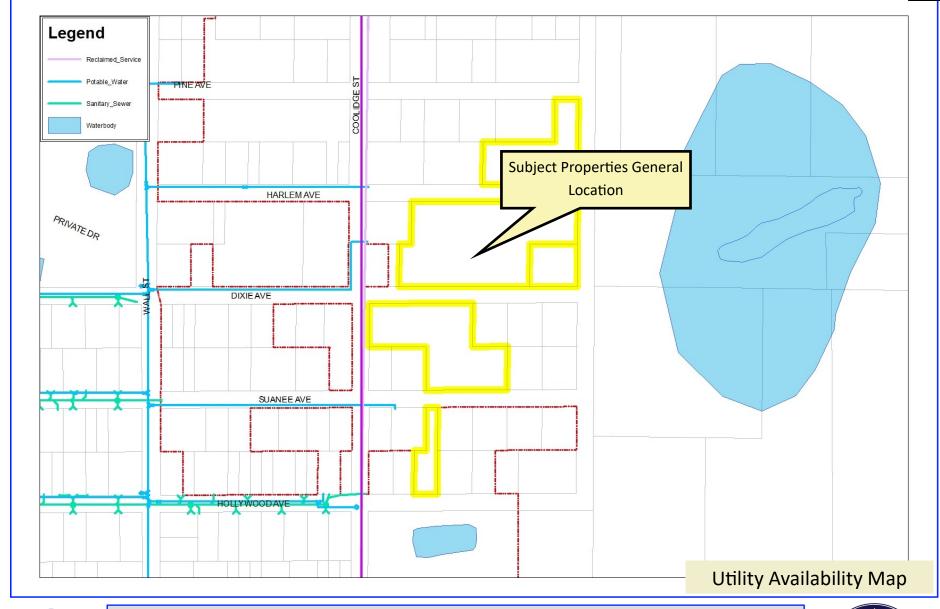




First Assembly of God of Eustis, Inc.



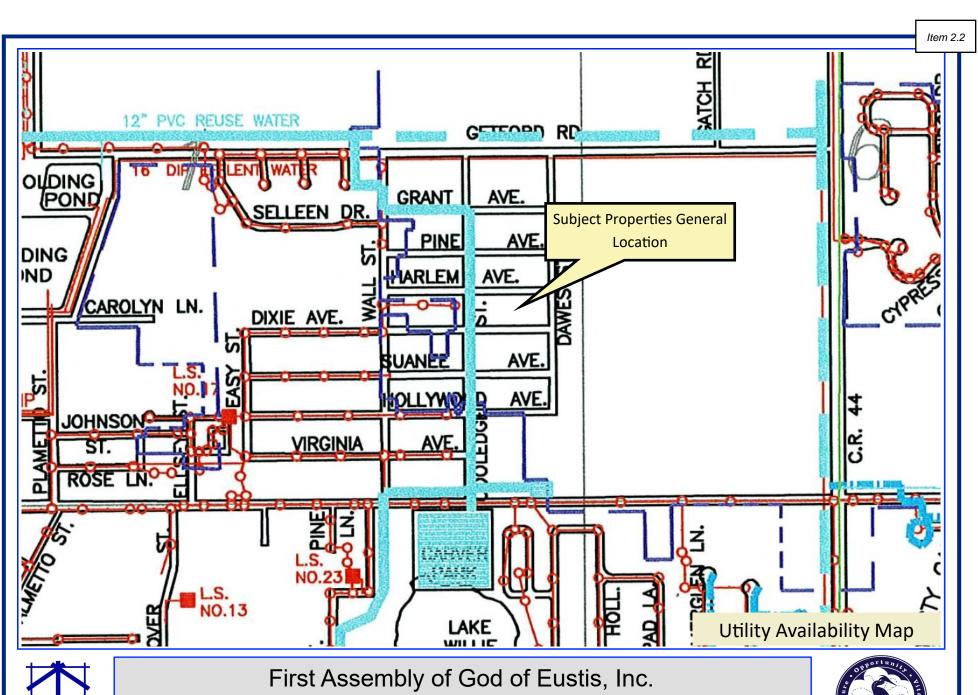




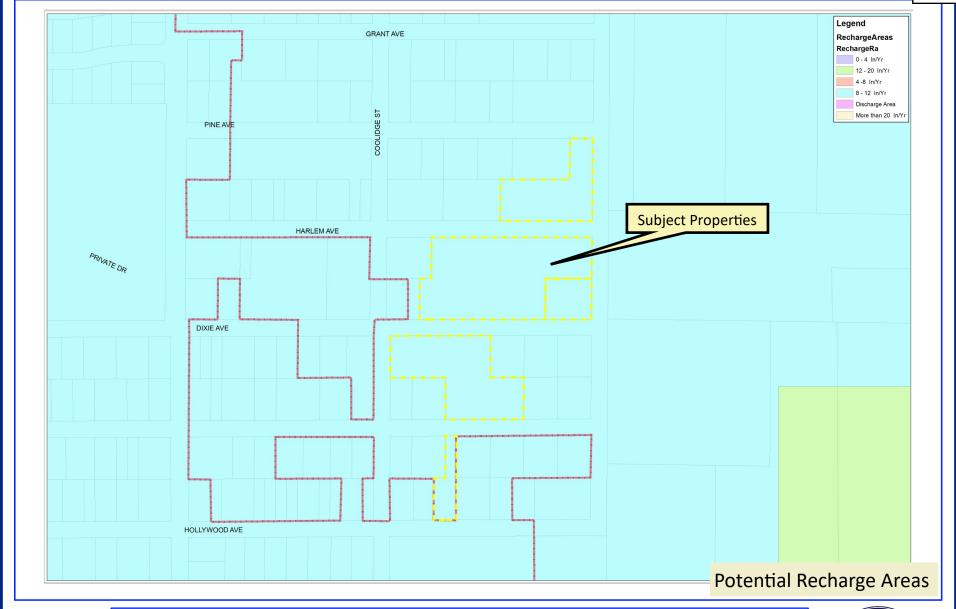


First Assembly of God of Eustis, Inc.
Water





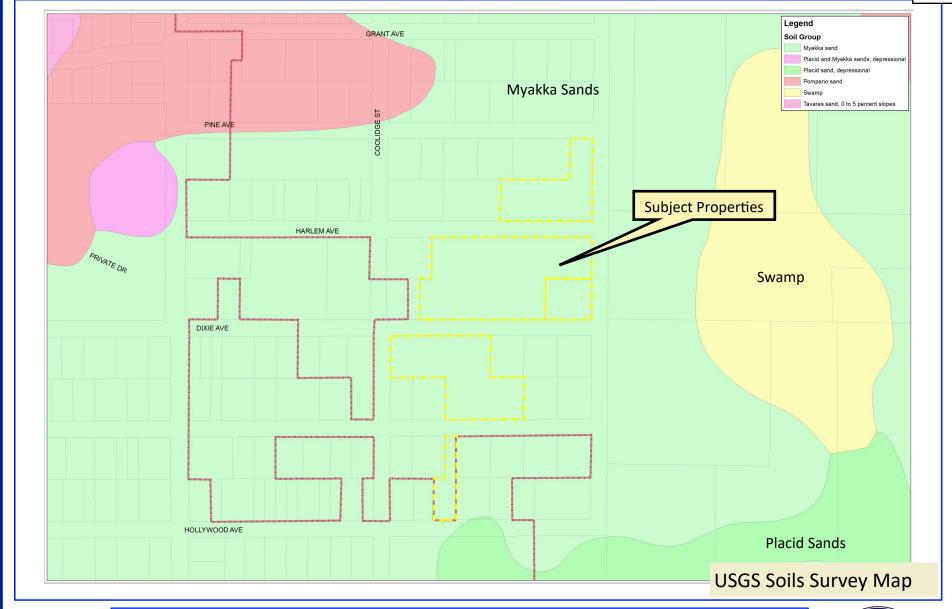
First Assembly of God of Eustis, Inc.
Sewer and Reuse





First Assembly of God of Eustis, Inc.
Potential Recharge



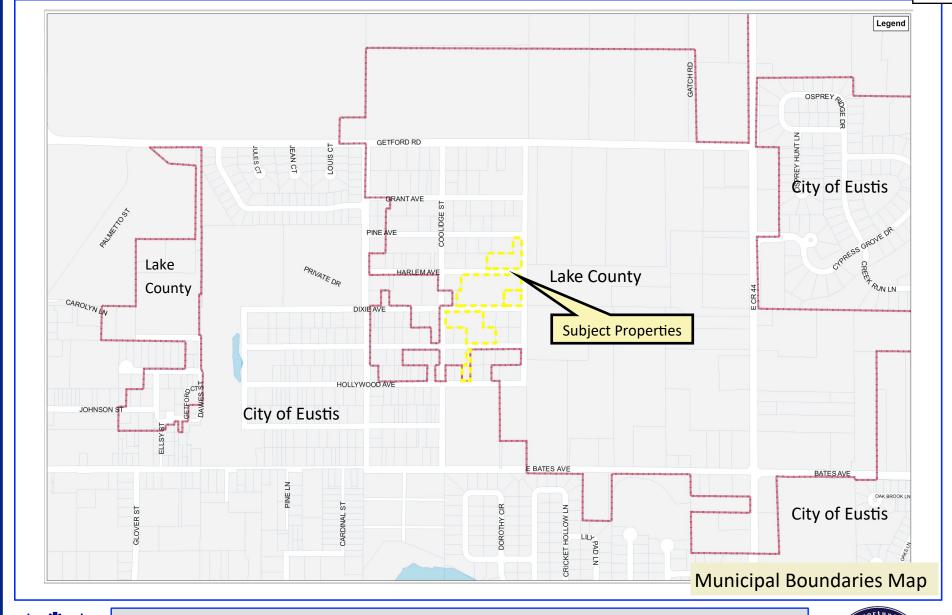




First Assembly of God of Eustis, Inc.
USGS Soils Survey Map









First Assembly of God of Eustis, Inc.

