



# AGENDA

## Local Planning Agency Meeting

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

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### CALL TO ORDER

### ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

#### 1. APPROVAL OF MINUTES

##### 1.1 Approval of Minutes

June 1, 2023 LPA Meeting

#### 2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

##### 2.1 Ordinance Number 23-13: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS with ALTERNATE KEYS 1444756, 2585153, AND 2535628

##### 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, 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.



# City of Eustis

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

TO: EUSTIS LOCAL PLANNING AGENCY (LPA)

FROM: Christine Halloran, City Clerk

DATE: July 6, 2023

RE: Approval of Minutes

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**Introduction:**

This item is for consideration of the minutes of the June 1, 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

5:45 PM – Thursday, June 01, 2023 – City Hall

**CALL TO ORDER: 5:45 P.M.**

### ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

**PRESENT:** Mr. Willie Hawkins, Mr. Gary Ashcraft, Ms. Nan Cobb, and Chairman Michael Holland

**ABSENT:** Vice Chair Emily Lee

### 1. APPROVAL OF MINUTES

April 20, 2023 Local Planning Agency Meeting

Motion made by Mr. Hawkins, seconded by Mr. Ashcraft, to approve the Minutes as submitted. The motion passed on the following vote:

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

### 2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

#### 2.1 Ordinance Number 23-08: Amending Tree Protection in Land Development Regulations

Mike Lane, Director of Development Services, provided an overview of the proposed Ordinance Number 23-08 noting the item was brought back due to a public notice problem. He explained the ordinance was prompted by the tree clearing issue at Lake Lincoln Lookout subdivision. He added that, if the ordinance had already been in place, the developers that cut the trees would have had to pay \$160,000 for the 64 trees removed versus the \$3200 fine they are now required to pay.

Motion made by Mr. Hawkins, seconded by Mr. Ashcraft, to transmit Ordinance Number 23-08 to the Commission for consideration. The motion passed on the following vote:

Voting Yea: Mr. Hawkins, Mr. Ashcraft, Ms. Cobb, Chairman Holland

Tom Carrino, City Manager, noted that there was a speaker's card from Cindy Newton regarding the ordinance; however, Ms. Newton stated she would hold her comments until the Commission meeting.

### 3. ADJOURNMENT: 5:48 P.M.

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

CHRISTINE HALLORAN  
City Clerk

MICHAEL L. HOLLAND  
Chairman



# City of Eustis

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

TO: EUSTIS LOCAL PLANNING AGENCY (LPA)

FROM: Tom Carrino, City Manager

DATE: July 6, 2023

RE: ORDINANCE NUMBERS 23-12, 23-13, AND 23-14: EXPLANATION OF  
ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEYS  
1444756, 2585153, AND 2535628

*Ordinance Number 23-12 – Voluntary Annexation*

*Ordinance Number 23-13 – Comprehensive Plan Amendment*

*Ordinance Number 23-14 – Design District Assignment*

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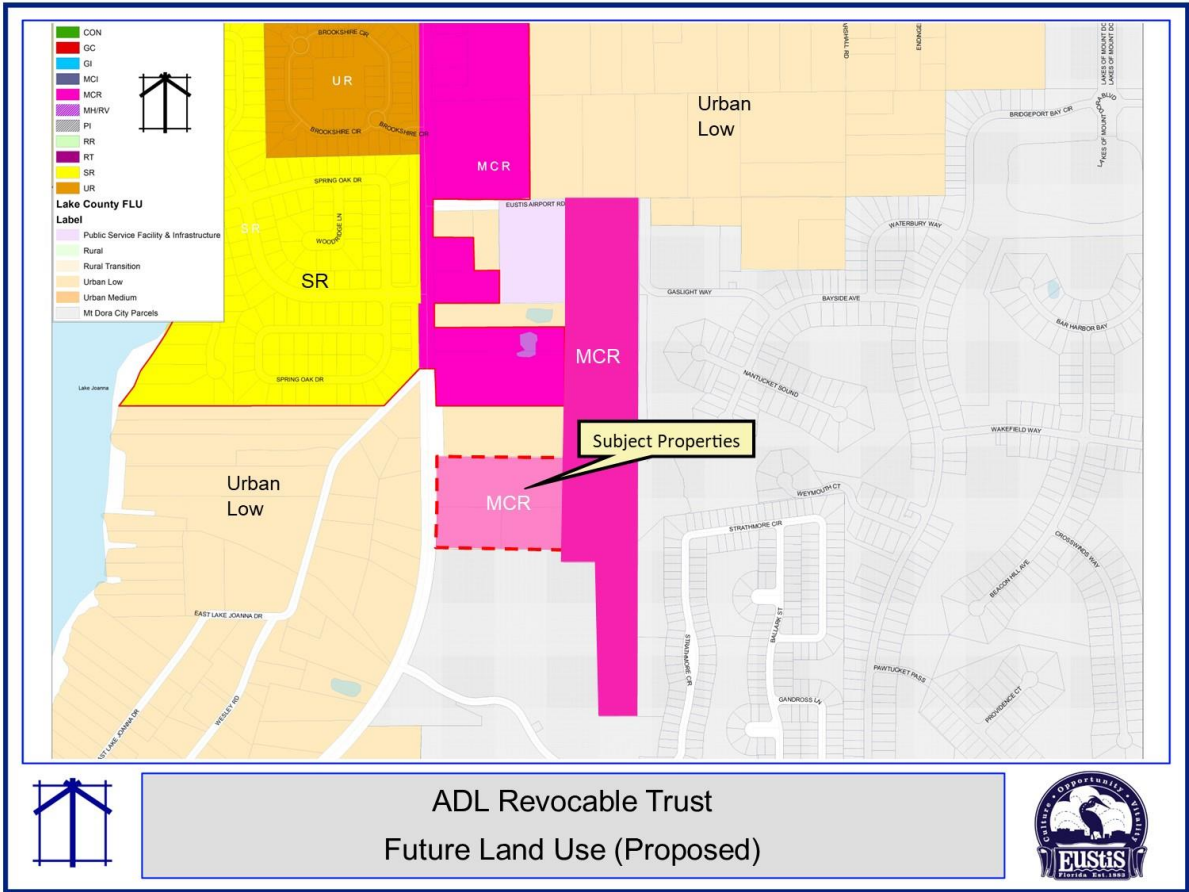
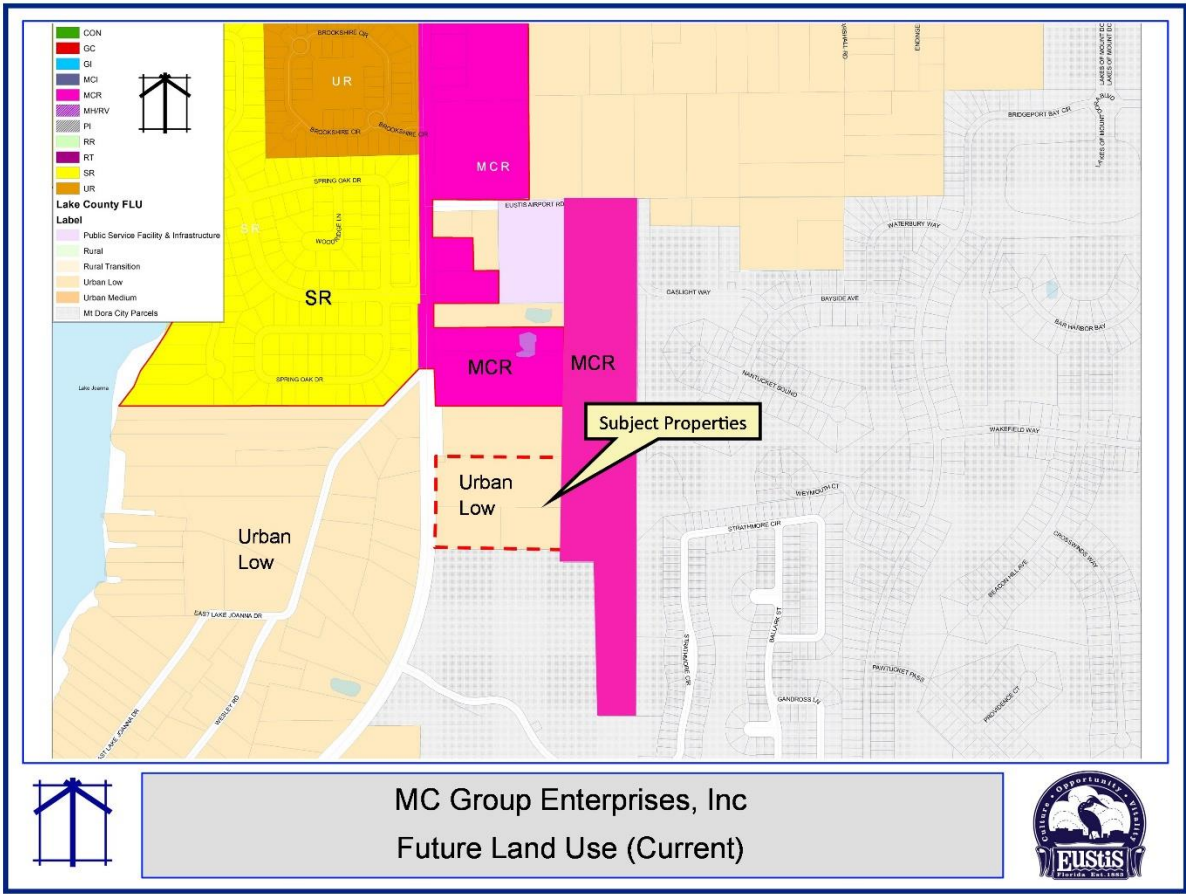
## **Introduction:**

Ordinance Number 23-12 provides for the voluntary annexation of approximately 10.98 acres of land located on the east side of State Road 44, north, south, and east of the State Road 44 intersection with Lake Joanna Drive (Alternate Key Numbers 1444756, 2585153, AND 2535628). Provided the annexation of the subject property is approved, via Ordinance Number 23-12, Ordinance Number 23-13 would change the future land use designation from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City of Eustis, and Ordinance Number 23-14 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 23-12 is denied, then there can be no consideration of Ordinance Numbers 23-13 and 23-14.

## **Background:**

1. The site contains approximately 10.98 acres and is located within the Eustis Joint Planning Area. The site has been historically used and is currently used for the operation of a small airport. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The site is contiguous to the City on its northern and western boundary across the right of way for State Road 44.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-13 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
<b>Site</b>	Vacant	Urban Low (Lake County)	N/A
<b>North</b>	Vacant / Residential	Urban Low (Lake County)	N/A
<b>South</b>	Vacant / Single Family	Mt Dora	N/A
<b>East</b>	Single Family	Mixed-Commercial Residential	Suburban Neighborhood
<b>West</b>	Residential	Urban Low (Lake County) / Suburban Residential	N/A / Suburban Neighborhood

**Applicant’s Request**

The applicant and property owners, MC Group Enterprises, Inc., wish to annex the property, change the future land use to Mixed Commercial Residential (MCR), and assign a design district of Suburban Neighborhood.

The current Lake County 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 (MCR) land use designation with the annexation. The MCR land use provides for residential uses up to twelve (12) dwelling units per acre. The requested MCR designation allows for individual or a mix of residential and commercial uses.

**Analysis of Annexation Request (Ordinance Number 23-12)**

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

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

***The subject property is located within the Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested MCR 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 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 western boundary; 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.***

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 (**Ordinance Number 23-13**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

*Discourage Urban Sprawl:*

Primary Indicators of Sprawl:

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

Review of Indicators

1. Low-Intensity Development:

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

***This indicator does not apply. The requested future land use will provide for a higher density (12 du/acre) and the MCR designation allows for mixed-use development types.***

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 urbanizing corridor between the City of Eustis, the City of Mount Dora, and unincorporated Lake County. Properties developing along the State Road 44 Corridor between US Highway 441 and State Road 44 will most likely be of a higher intensity/density as the corridor is urbanizing. The subject properties have been utilized for a private airport for decades before this request for annexation.***

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 site is within an urbanizing corridor with commercial development to the north, and residential developments to the east, west, and south.***

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 are previously cleared but undeveloped land. A formal site plan or subdivision review and approval is required before the site may be developed and Building permit approval is required before any structure building may begin. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.***

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. The subject properties have been utilized for a private airport for decades before this request for annexation.***

6. Public Facilities:

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

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

7. Cost Effectiveness and Efficiency of Public Facilities:

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

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 consistent with the requested MCR future land use designation. The City provides these services to other properties in the area, so efficiency will improve. The level of service for SR 44 is strained, however, the State of Florida Department of Transportation has capacity projects planned.***

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. The proposed MCR land use designation and the Suburban Neighborhood design district are compatible with the existing development pattern. The subject properties have been utilized for a private airport for decades before this request for annexation.***

9. Infill and Redevelopment:

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

***This indicator does not apply. This property is a logical extension of services and development for the city. The area of this annexation is located in an urbanizing area between the City of Eustis and the City of Mount Dora.***

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. A variety of other uses are evident, including various commercial uses, Within .25 to .5 miles of the subject property. The MCR District allows for a mix of residential, commercial, and office uses.***

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 have been utilized for a private airport for decades before this request for annexation.***

13. Urban Sprawl:

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

## a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

***The site is adjacent to existing urban/suburban development patterns and is a logical extension 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.***

## 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 relating to connection and sidewalks. State Road 44 is not City infrastructure and does not currently have a sidewalk system. Interconnectivity to existing and future uses may be possible internally and shall be encouraged.***

## 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. The subject properties have been utilized for a private airport for decades before this request for annexation.***

## 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. Minimum open space is required based on the City Land Development Regulations, and minimum park space is also required to serve the development of the property if residential uses are proposed.***

## g. Balance of Land Uses:

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

***The proposed land use allows for both residential and commercial uses. commercial development exists in close proximity to serve the residential population.***

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 MCR future land use designation would not have a significant negative impact on the operations of Eustis emergency services.***

b. Parks & Recreation:

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

- c. Potable Water & Sanitary Sewer:  
***Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.***
- d. Schools:  
***The proposed change should not negatively impact schools. At the time of development application verification of capacity will be required from Lake County Schools.***
- e. Solid Waste:  
***The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.***
- f. Stormwater:  
***The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.***
- g. Transportation Network Analysis:  
***This potential added residential development is considered to have impacts on the existing transportation system. At this time, the adjacent transportation network (SR 44) has the capacity to serve the proposed MCR property, even at a maximum development standard, a full evaluation of the impacts will be reviewed based on the specific development proposal for the property. Before the development of the property, a site plan or subdivision approval amongst other approvals will be required. As part of the development review, a traffic study will be required to evaluate traffic impacts. The level of service for SR 44 may be strained, however, the State of Florida Department of Transportation has capacity projects planned.***

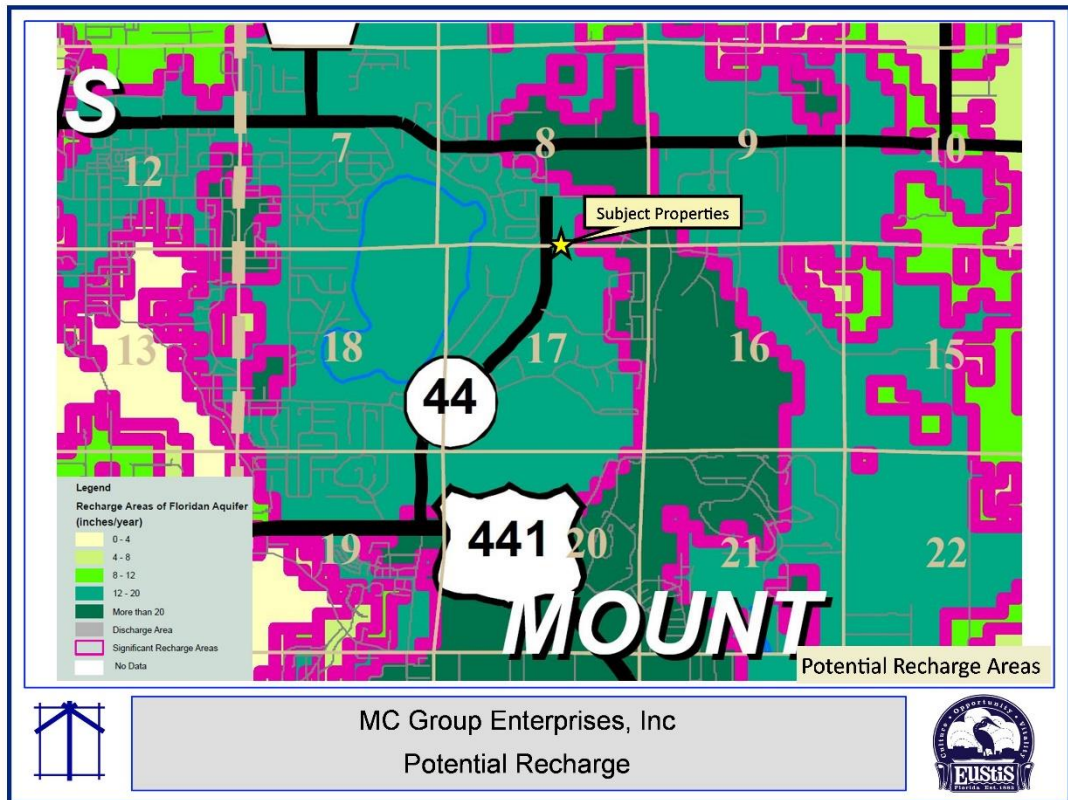
## 2. Natural Resources/Natural Features:

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

- a. Groundwater recharge areas:

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





b. Historical or archaeological sites:

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

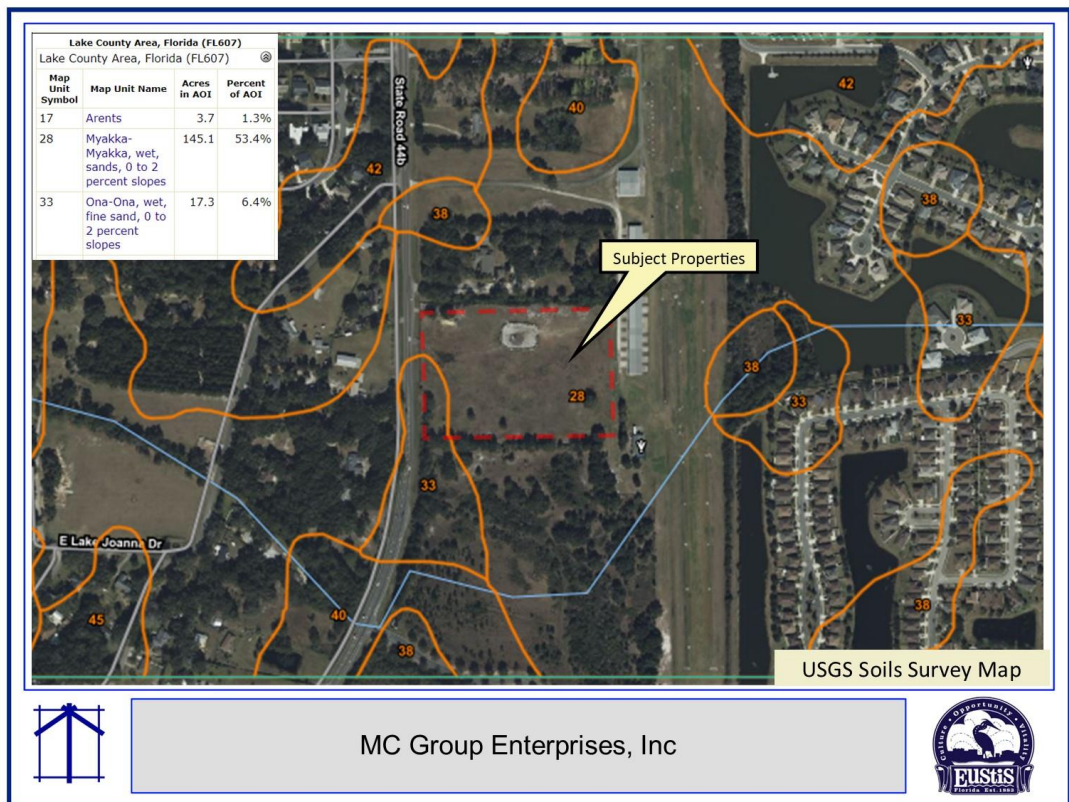
c. Flood zones:

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

d. Soil and topography:

***The site soils are a mix of Myakka, Ona-Ona sands. These sands are all typically moderately to poorly drained sandy soils. At development application soils and geotechnical reports will be required as part of the application packages as well as for permitting for development with the applicable state agencies.***

***A site plan or subdivision, as well as, building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should conditions at the time of development warrant such protection.***



**3. Comprehensive Plan Review:**

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

**Existing Land Use According to the Lake County Comprehensive Plan:**

**Policy I-1.3.2 Urban Low-Density Future Land Use Category**

*The Urban Low-Density Future Land Use Category provides for a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as conditional use, unless permitted as an Economic Development Overlay District use.*

*This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.*

*Within this category, any residential development in excess of 10 dwelling units shall be required to provide a minimum 25% of the net buildable area of the entire site as common open space. The maximum intensity in this category shall be 0.25, except for civic uses and Economic Development Overlay District uses, which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60.*

**TYPICAL USES INCLUDE:**

- Residential;
- Nursing and personal care facilities;
- Civic uses;
- Residential professional offices;
- Passive parks;
- Religious organizations;
- Day care services;
- Schools;
- Commerce uses, including services, retail trade, finance, insurance and real estate as allowed pursuant to Policy I-1.3.10 Commercial Activities within the Urban Future Land Use Series; and
- Public order and safety; and
- Economic Development Overlay District Uses for properties included within the Economic Development 18 Overlay District (Map 20, Future Land Use Map Series), and subject to Objective I-6.5.

### **Proposed Land Use According to the Eustis 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.*

*General Range of Uses: 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.*

*Maximum Density: Residential densities may not exceed 12 dwelling units per net buildable acre.*

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

*Mix Requirements: 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 of the mix for each proposed development will be determined on a case-by-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:*

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

- a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;*
- b. strip commercial development shall be minimized, including actions that would 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;*

*(2) Developments within the Wekiva Protection Overlay that include longleaf pine, sandhill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.*

**Comparison of Lake County Development Conditions**

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.

The City of Eustis MCR Future land Use would allow up to 12 dwelling units per acre and provide the allowance for a mix of commercial residential and office-type uses.

**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.

***The area already includes a mix of uses including single-family residential and commercial 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.***

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.

***This potential added development is considered to not have negative capacity impacts on the existing transportation system. At this time, the adjacent***

**transportation network (SR 44) has the capacity to serve the proposed MCR property. A Traffic Analysis will be required as part of any site development proposal when it is presented to the City of Eustis. The Traffic Analysis should show that at maximum development, the network is not affected below the adopted level of service.**

2. Water Supply:

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

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

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

*Standards for Review:*

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

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies 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.

**City commercial uses are located to the north within 500 feet of the property and residential uses are located in the surrounding area with varying densities. The proposed MCR does allow for greater densities than the current surrounding 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 Mixed Commercial/Residential future land use designation.***

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

f. *Impact on Environment:*

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

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

g. *Orderly Development Pattern:*

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

***The site is contiguous to the City limits. The annexation would create a logical development pattern as it extends the City limits to a more natural boundary in this area (SR 44 Corridor). This would further the eventual goal of a Eustis area under one local government jurisdiction.***

***The requested MCR future land use designation, coupled with a Suburban Neighborhood design district designation, provides for a consistent development transect.***

***The requested land use provides for a transition in density and intensity from City of Eustis Suburban Residential to the west.***

h. *Public Interest and Intent of Regulations:*

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

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

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

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



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

**i. Other Matters:**

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

**No other matters.**

**Analysis of Design District Request (Ordinance Number 23-03):**

**Form-Based Code:**

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

**1. Standards for Review:**

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

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

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

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

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

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

**Design districts – Suburban Neighborhood**

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

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

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

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

c. **Section 102-17(a)**

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

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

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

d. **Consistent with Comprehensive Plan:**

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

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

e. **Consistent with Surrounding Uses:**

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

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

f. **Changed Conditions:**

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

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

g. **Public Facilities.**

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

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



**h. Impact on Environment:**

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

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

**i. Property Values:**

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

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

**j. Orderly Development Pattern:**

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

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

**k. Public Interest and Intent of Regulations:**

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

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

**l. Other Matters:**

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

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

## Applicable Policies and Codes

### 1. Resolution Number 87-34

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

### 2. Florida Statutes Chapter 171.044: Voluntary Annexation:

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

- ### 3. Comprehensive Plan – 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. General Range of Uses: 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. Maximum Density: Residential densities may not exceed 12 dwelling units per net buildable acre. Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations. Mix Requirements: 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 of mix for each proposed development will be determined on a case-by-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:
- (1) Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods which meet the following conditions:
    - a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;
    - b. strip commercial development shall be minimized, including actions that would 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;
  - (2) 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: T land use has a maximum density of 12 units to one acre. The MCR designation is intended to regulate the character and scale of commercial and residential uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses, and provide for mixed-use development.

**Recommended Action:**

Development Services recommends approval of Ordinance Numbers 23-12, 23-13, and 23-14.

**Policy Implications:**

None

**Alternatives:**

1. Approve Ordinance Numbers 23-12 (Annexation), 23-13 (Comp. Plan Amendment), and/or 23-14 (Design District Designation).
2. Deny Ordinance Numbers 23-12, 23-13, and 23-14.

**Budget/Staff Impact:**

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

**Prepared By:**

Jeff Richardson, AICP, Deputy Development Services Director

**Reviewed By:**

Mike Lane, AICP, Development Services Director

Heather Croney, Senior Planner

**ORDINANCE NUMBER 23-13**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 10.98 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1444756, 2585153, AND 2535628, GENERALLY LOCATED AT 18900 STATE ROAD 44, EAST OF LAKE JOANNA AND NORTH OF LOCH LEVEN, 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 10.98 acres of real property located at 18900 State Road 44, East of Lake Joanna and North of Loch Leven (Alternate Key Numbers 1444756, 2535628, 2585153), and more particularly described herein as Exhibit "A"; and

**WHEREAS**, on July 6, 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 July 6, 2023, the City Commission held the 1<sup>st</sup> 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 July 20, 2023, the City Commission held the 2<sup>nd</sup> 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: 1444756, 2535628, and 2585153

Parcel Identification Number: 17-19-27-0001-000-04400, 17-19-27-0001-000-00800, and 17-19-27-0001-000-05600

Legal Description:

Parcel 1

S 322 FT OF N 642 FT OF NE 1/4--LESS E 1772.79 FT & LESS CR 44B & LESS N 40 FT OF W 60 FT LYING E OF CR 44B-- ORB 5790 PG 2287

Parcel 2

BEG AT A PT 911.51 FT S & 2176.86 FT W OF NE COR OF SEC, RUN N 269.51 FT, W TO E R/W OF SR 44-B, S'LY ALONG SD R/W TO A PT 911.51 FT S OF N LINE OF SEC, E PARALLEL TO N LINE OF SEC TO POB ORB 5790 PG 2287

Parcel 3

S 269.51 FT OF N 911.5 FT OF W 404.07 FT OF E 2176.86 FT OF NE 1/4 ORB 5790 PG 2287

(The foregoing legal description was created via optical character recognition from the applicant's PDF submittal 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 the 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 20th day of July 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 before me this 20th day of July 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**

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

\_\_\_\_\_  
City Attorney's Office                      Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 23-13 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk

**EXHIBIT "A"****LEGAL DESCRIPTION:**

## Parcel 1

FROM THE SOUTHEAST CORNER OF SECTION 8 TOWNSHIP 19 SOUTH RANGE 27 EAST RUN SOUTH 89-24-00 WEST ALONG THE SOUTH LINE OF SAID SECTION 8 A DISTANCE OF 1305.12 FEET FOR THE POINT OF BEGINNING, RUN NORTH 00-36-00 WEST 1306.90 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 8, RUN WEST 466.67 FEET, SOUTH 00-36-00 EAST TO THE SOUTH LINE OF SECTION 8, NORTH 89-24-00 EAST 466.67 FEET TO THE POINT OF BEGINNING ORB 5330 PG 2169

## Parcel 2

FROM NE COR OF SEC RUN W ALONG N LINE OF SEC 1306.12 FT FOR POB, RUN S 0DEG 36MIN E 1959.79 FT, S 89DEG 24MIN W 466.67 FT, N 0DEG 36MIN W 1959.79 FT TO N LINE OF SEC, E'LY 466.67 FT TO POB--LESS FROM NE COR OF SEC RUN N 89DEG 43MIN 49SEC W 1304.56 FT, S 00DEG 16MIN 30SEC W 1959.72 FT, N 89DEG 43MIN 30SEC W 239.22 FT FOR POB, CONT N 89DEG 43MIN 30SEC W 327.45 FT, N 00DEG 16MIN 30SEC W 1048.27 FT, S 89DEG 43MIN 49SEC E 100 FT, S 00DEG 16MIN 30SEC W 77.78 FT, S 89DEG 46MIN 03SEC E 199.64 FT, S 01DEG 21MIN 59SEC E 971.04 FT TO POB-- ORB 5330 PG 2169

## Parcel 3

S 322 FT OF N 642 FT OF NE 1/4--LESS E 1772.79 FT & LESS CR 44B & LESS N 40 FT OF W 60 FT LYING E OF CR 44B-- ORB 5790 PG 2287

## Parcel 4

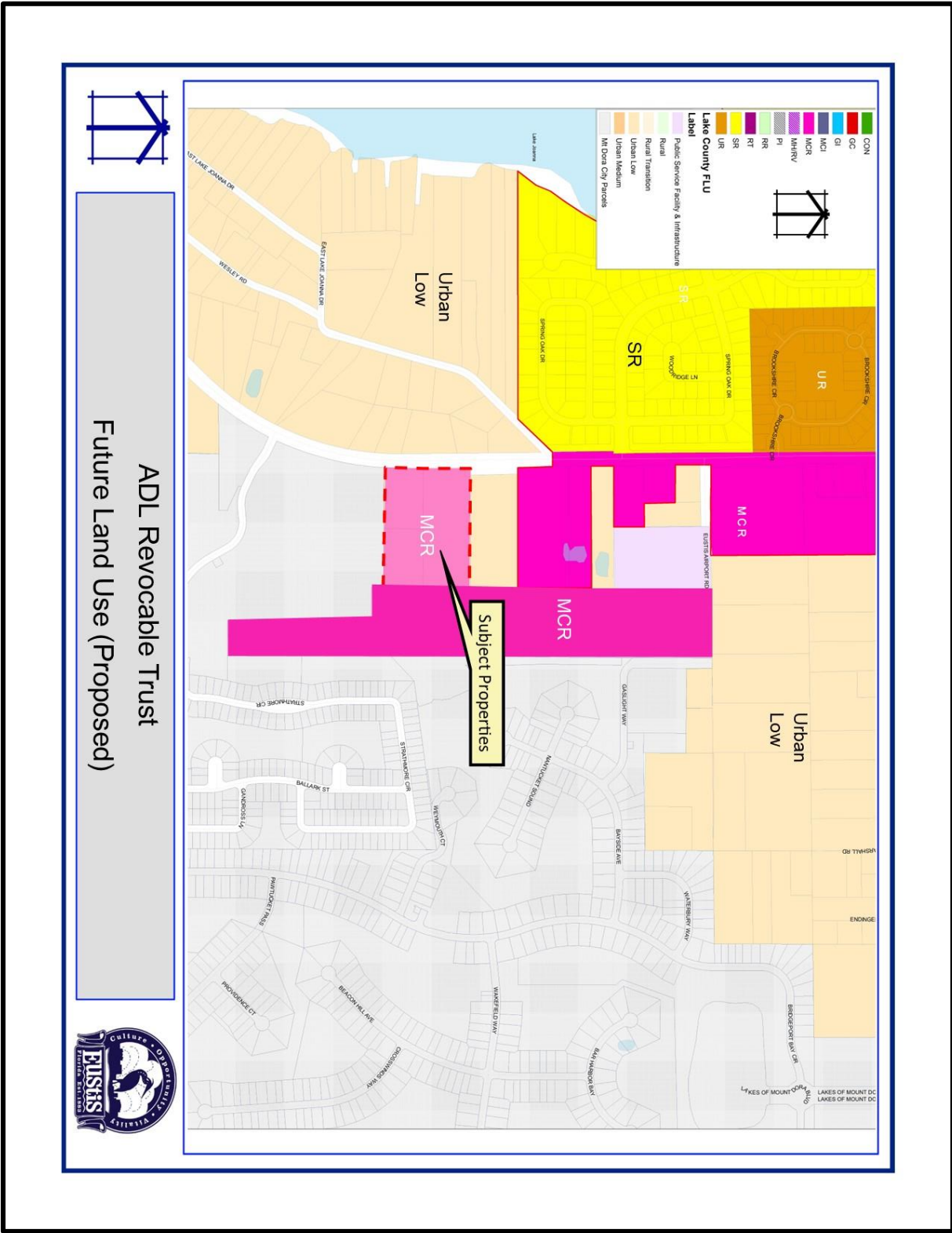
BEG AT A PT 911.51 FT S & 2176.86 FT W OF NE COR OF SEC, RUN N 269.51 FT, W TO E R/W OF SR 44-B, S'LY ALONG SD R/W TO A PT 911.51 FT S OF N LINE OF SEC, E PARALLEL TO N LINE OF SEC TO POB ORB 5790 PG 2287

## Parcel 5

S 269.51 FT OF N 911.5 FT OF W 404.07 FT OF E 2176.86 FT OF NE 1/4 ORB 5790 PG 2287

(The foregoing legal description was created via optical character recognition from the applicant's PDF submittal and has not been verified for accuracy)

# EXHIBIT "B"



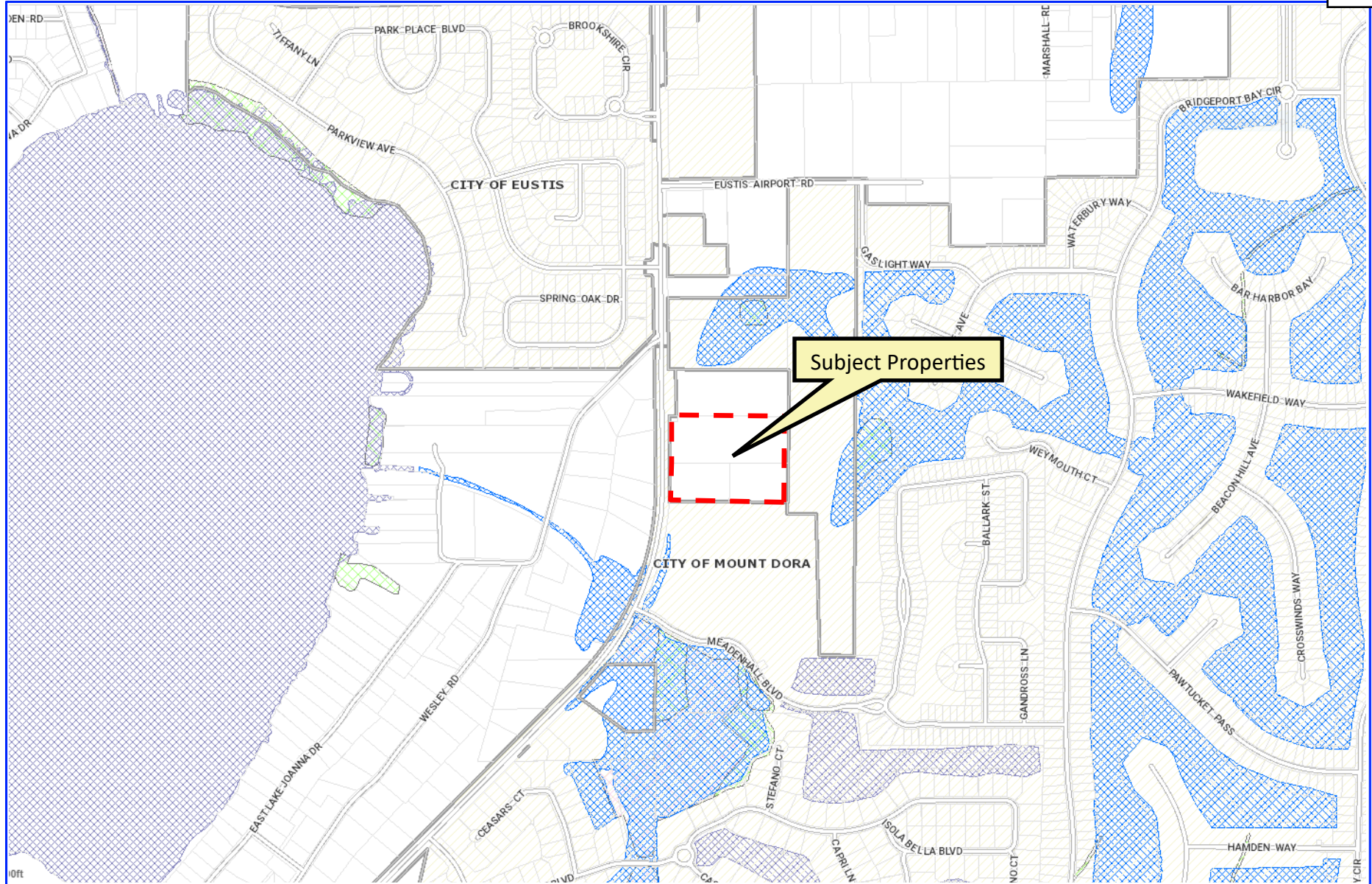




MC Group Enterprises, Inc  
Aerial Location

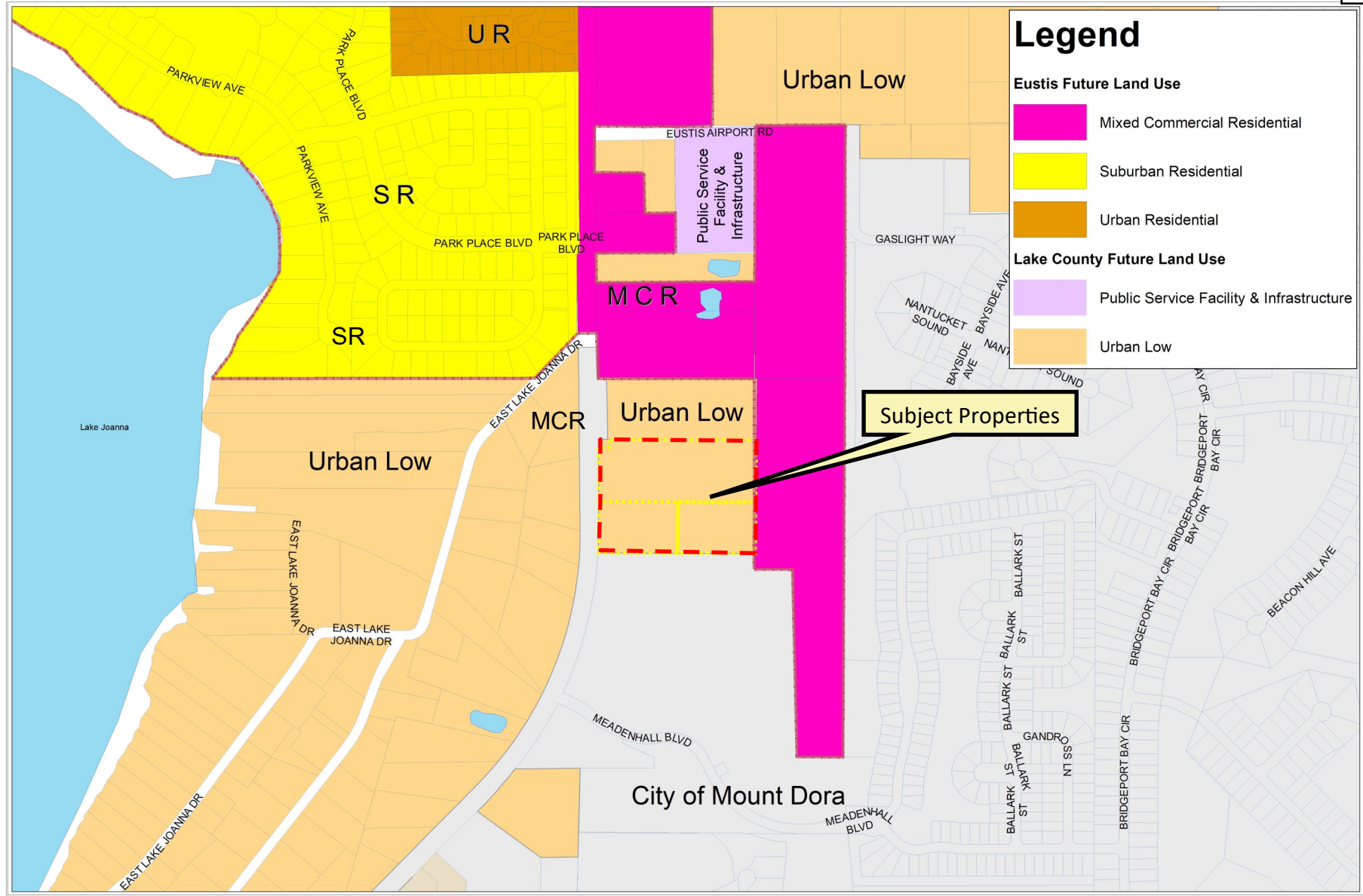






MC Group Enterprises, Inc  
Aerial Location





### Legend

**Eustis Future Land Use**

- Mixed Commercial Residential
- Suburban Residential
- Urban Residential

**Lake County Future Land Use**

- Public Service Facility & Infrastructure
- Urban Low

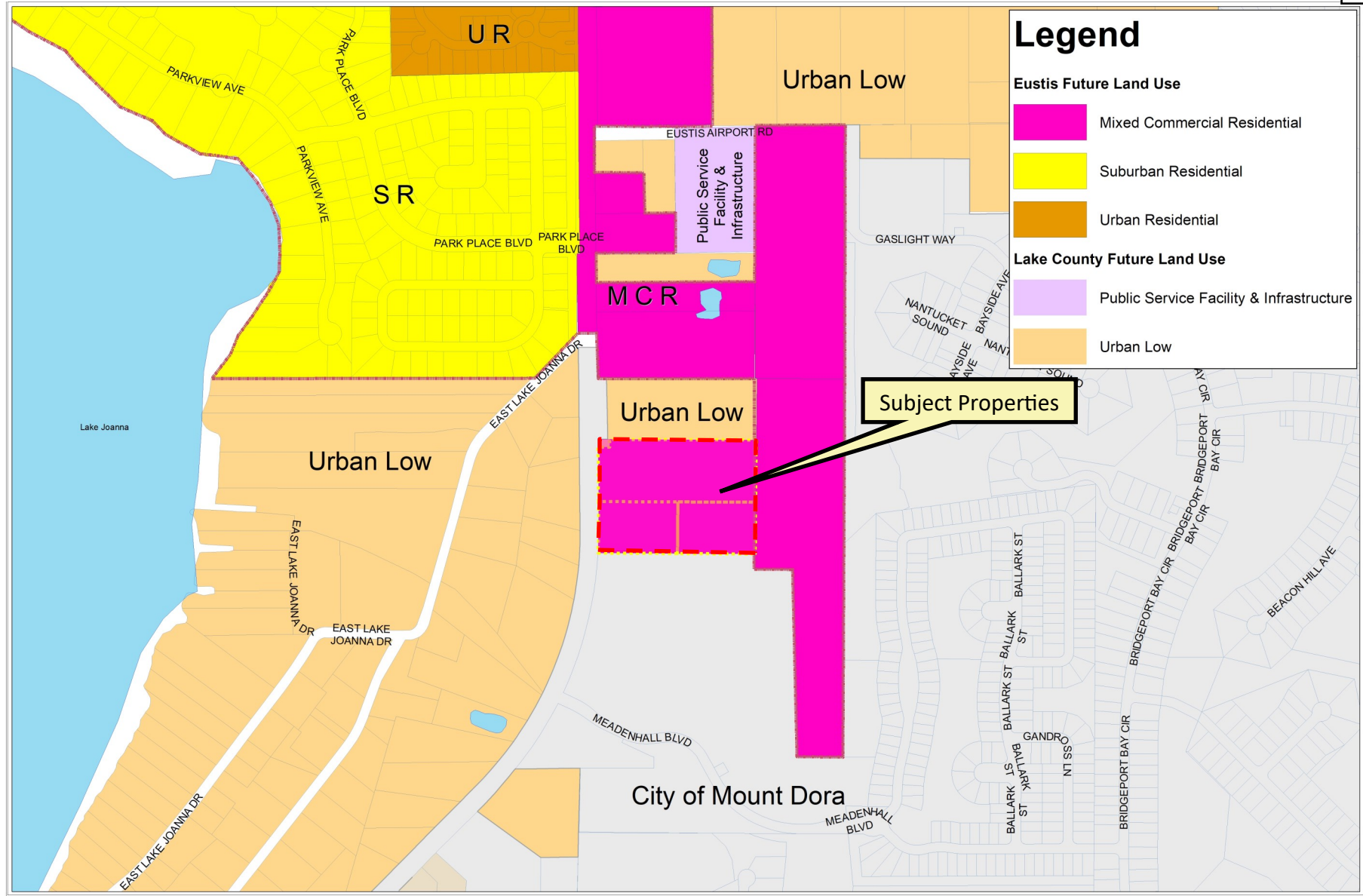
Subject Properties



MC Group Enterprises, Inc  
 Future Land Use (Current)







Subject Properties

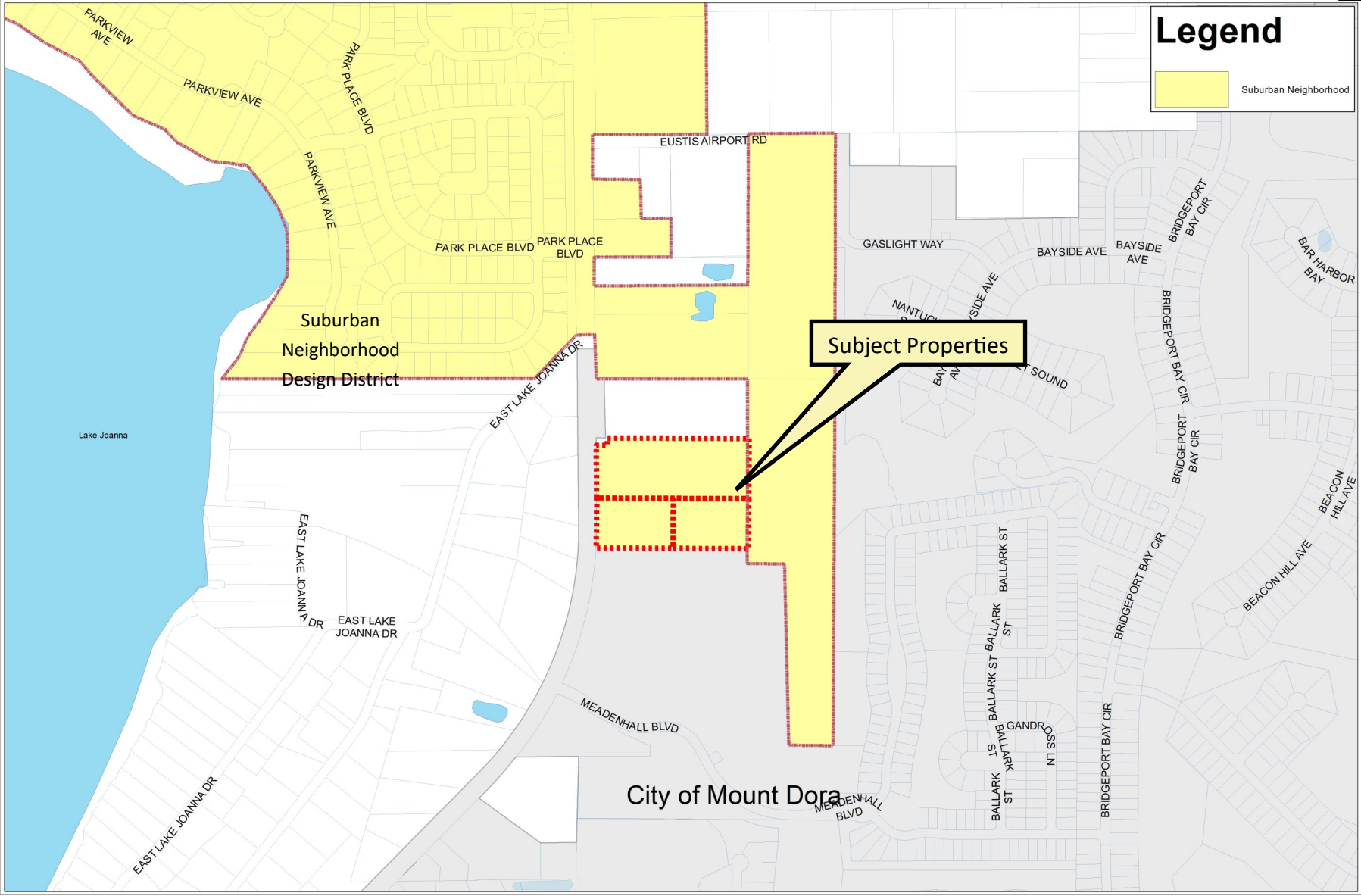


MC Group Enterprises, Inc  
 Future Land Use (Proposed)



# Legend

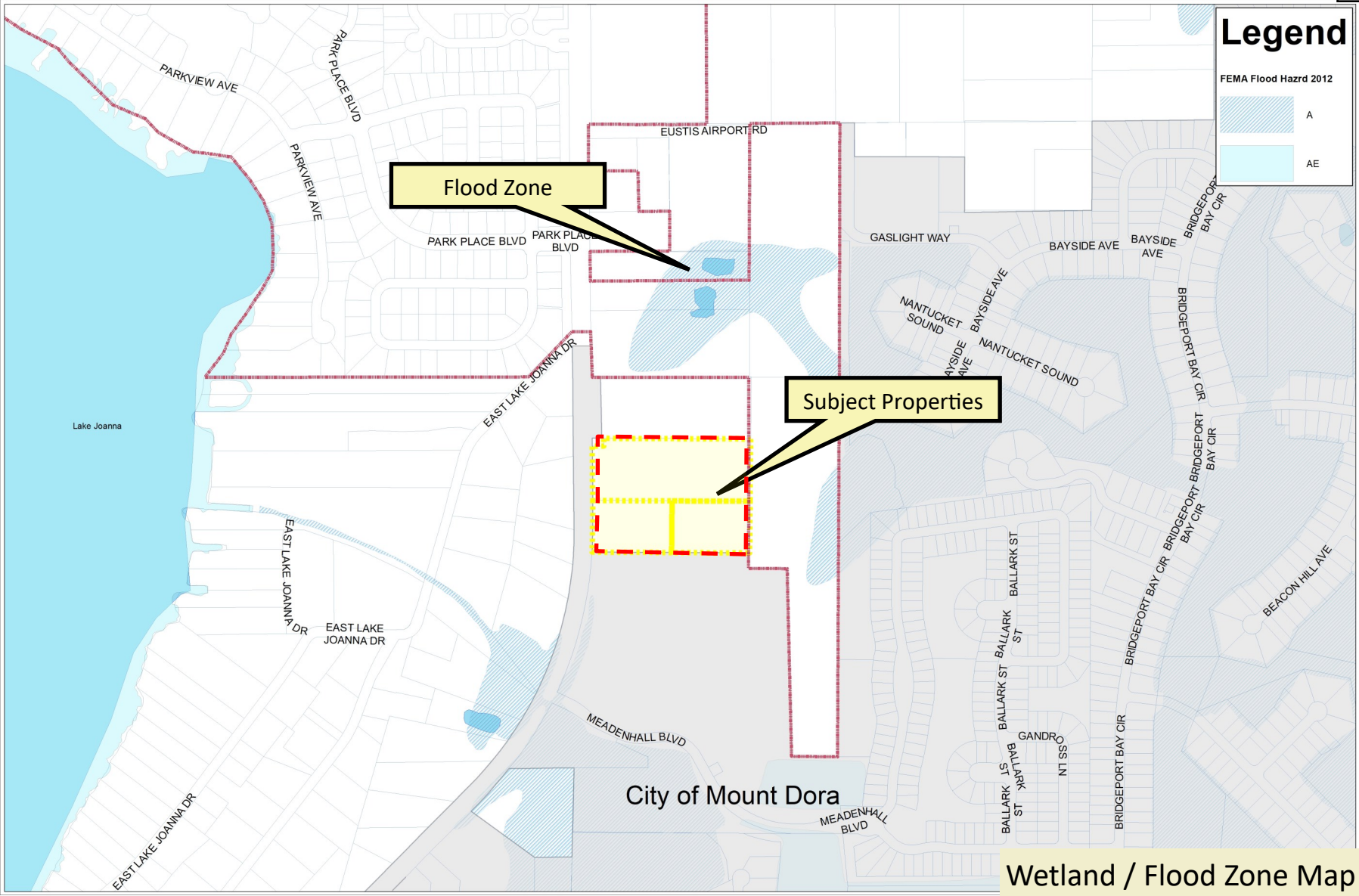
 Suburban Neighborhood



MC Group Enterprises, Inc  
 Design District







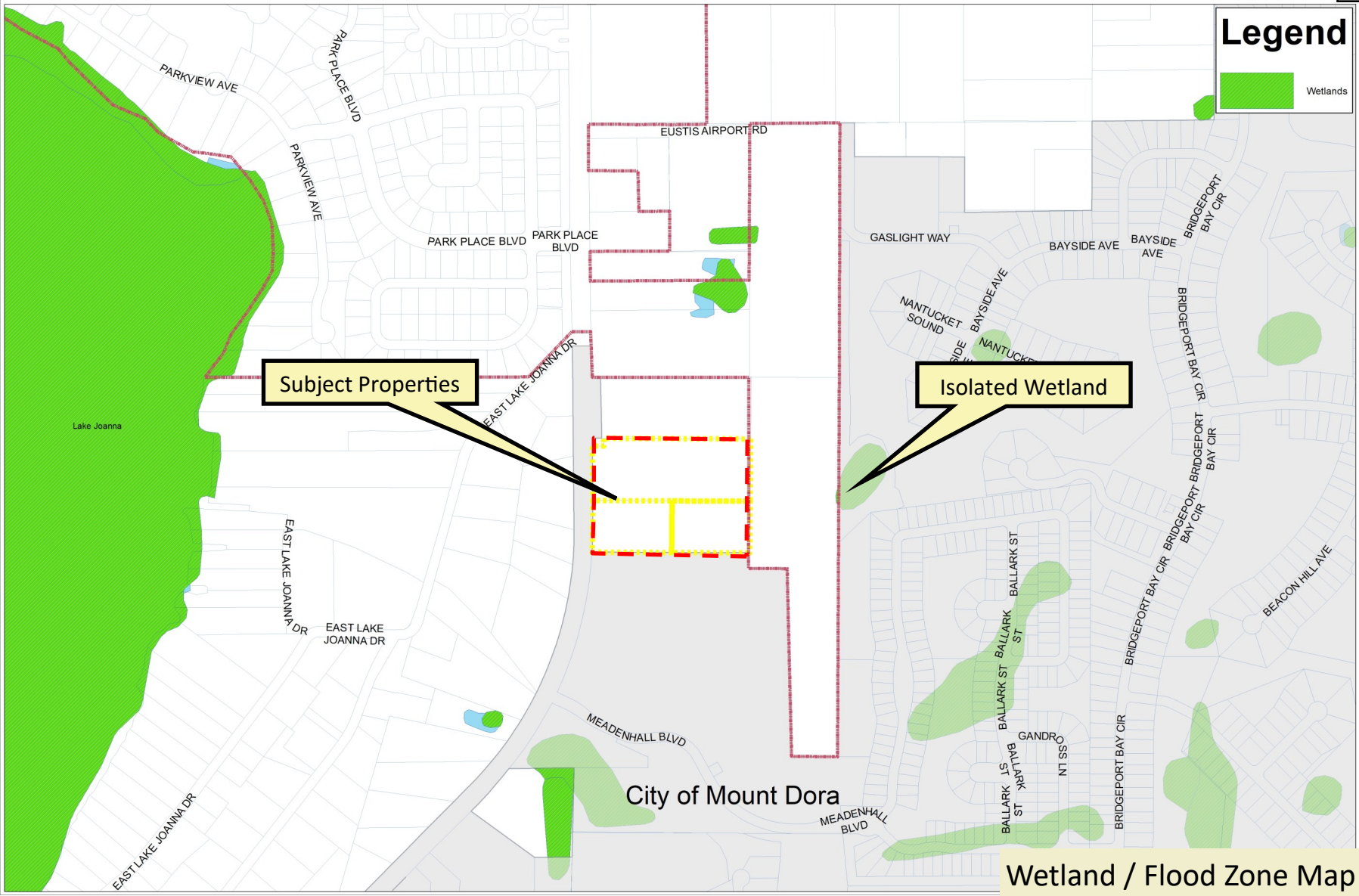
Wetland / Flood Zone Map



MC Group Enterprises, Inc



### Legend



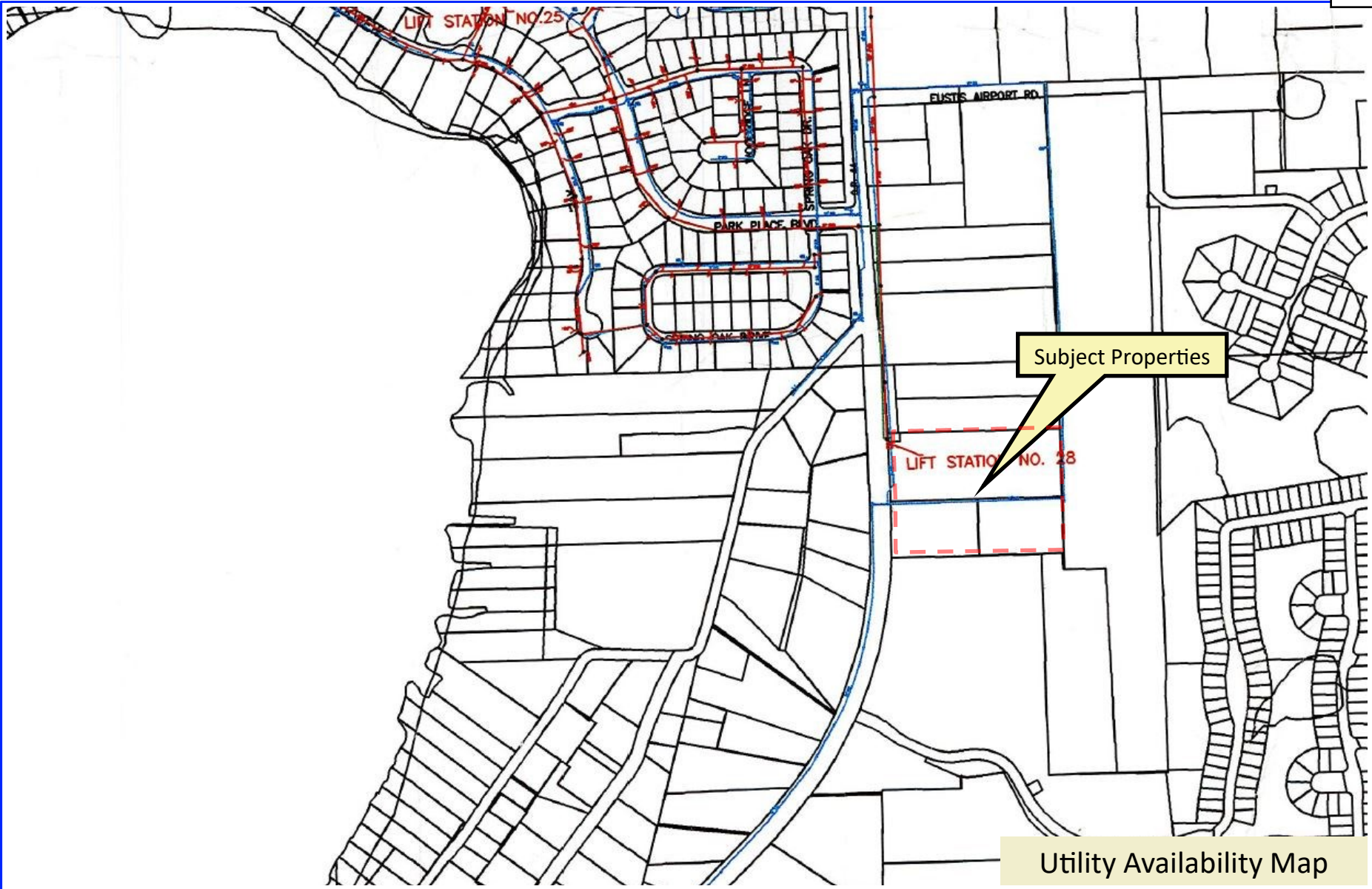
Wetland / Flood Zone Map



MC Group Enterprises, Inc







MC Group Enterprises, Inc





Lake County Area, Florida (FL607)

Lake County Area, Florida (FL607)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
17	Arents	3.7	1.3%
28	Myakka-Myakka, wet, sands, 0 to 2 percent slopes	145.1	53.4%
33	Ona-Ona, wet, fine sand, 0 to 2 percent slopes	17.3	6.4%

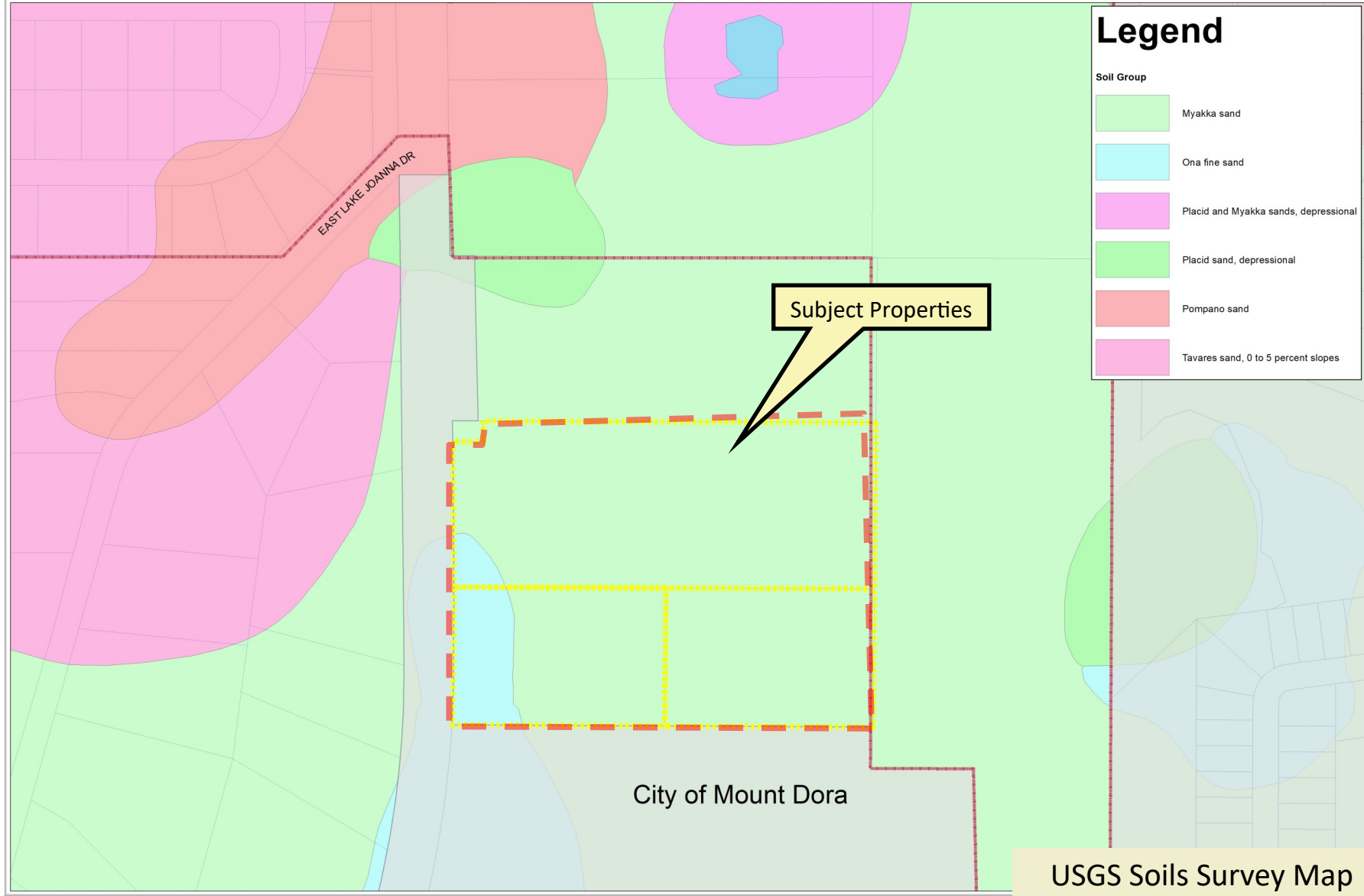


USGS Soils Survey Map



MC Group Enterprises, Inc

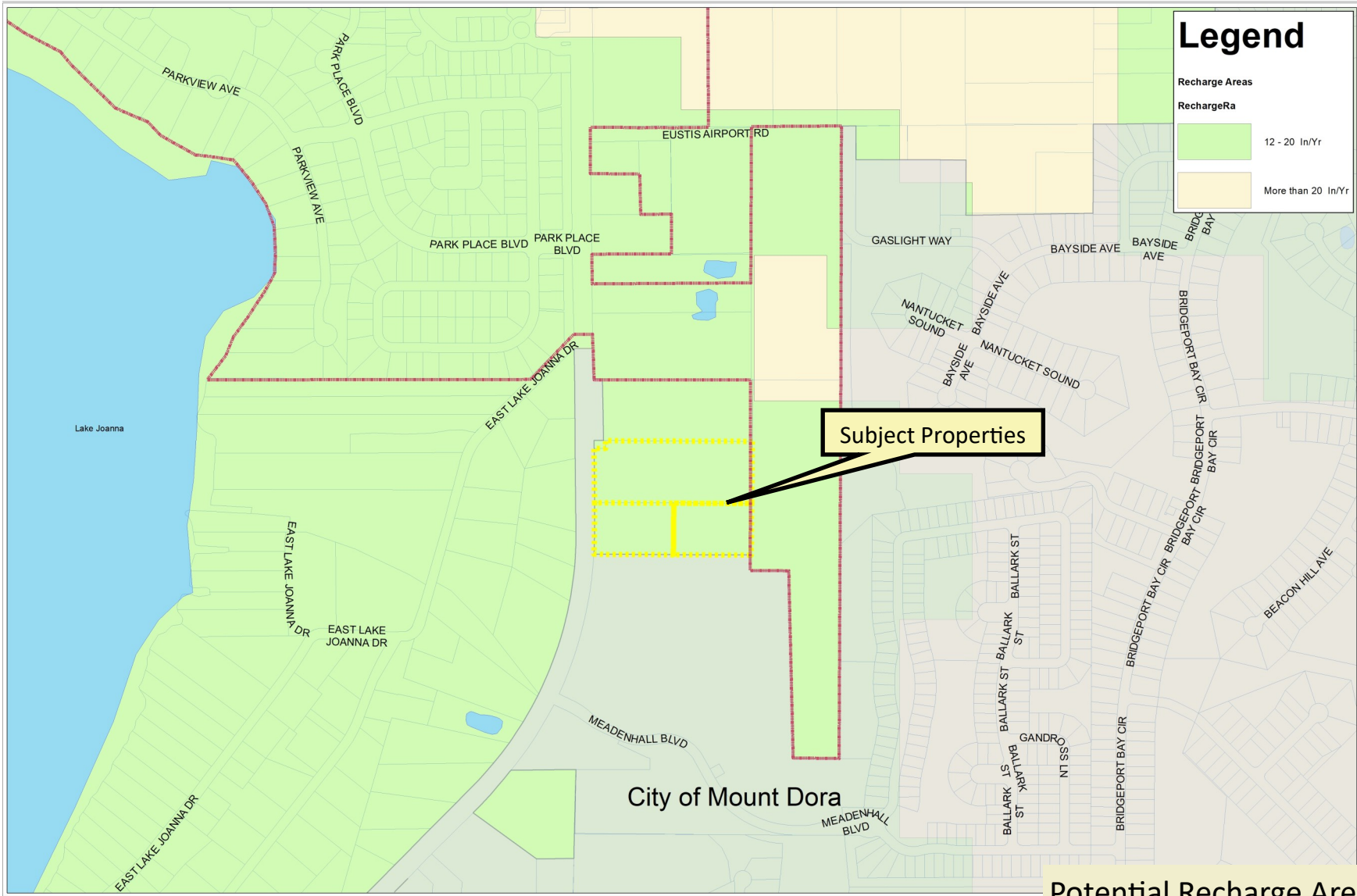




MC Group Enterprises, Inc

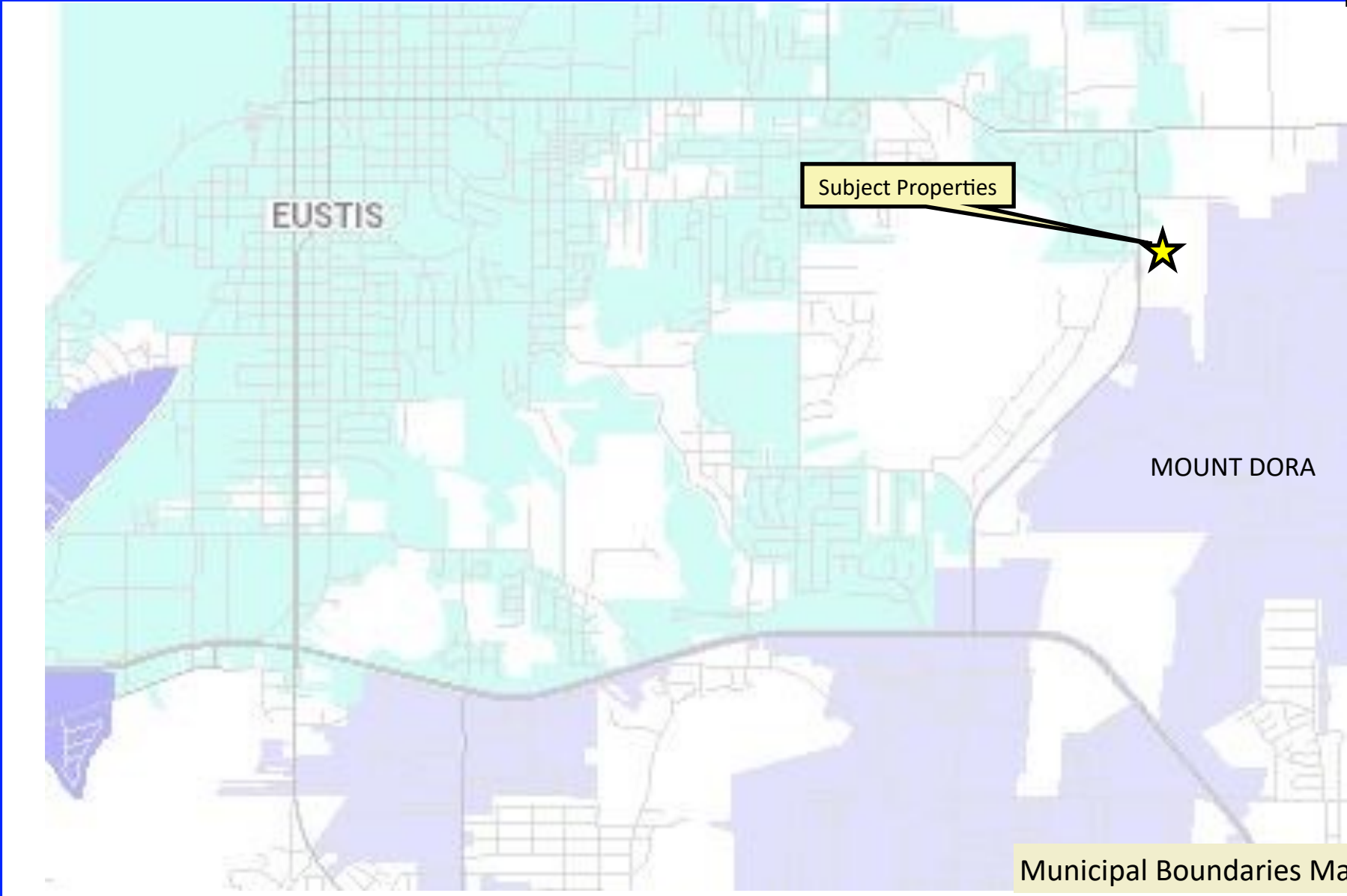






MC Group Enterprises, Inc  
 Potential Recharge





MC Group Enterprises, Inc





# City of Eustis

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

TO: EUSTIS LOCAL PLANNING AGENCY (LPA)

FROM: Tom Carrino, City Manager

DATE: July 6, 2023

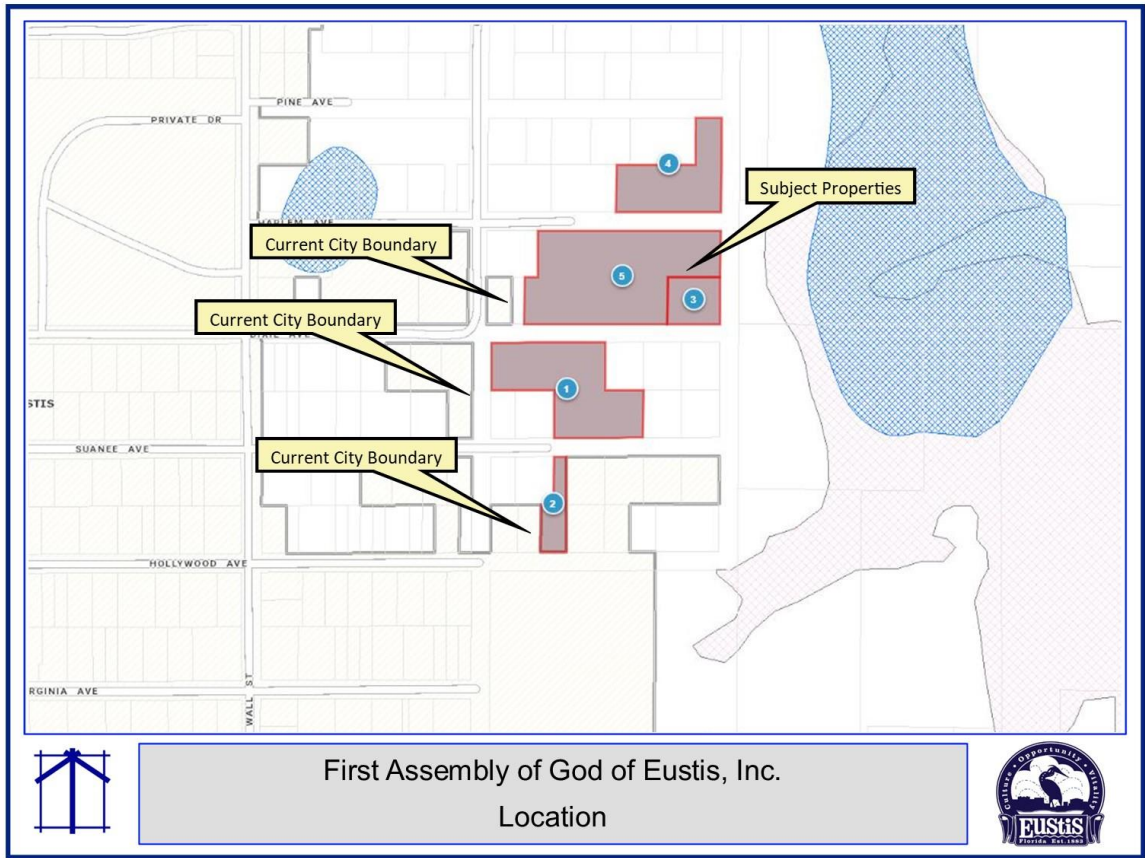
RE: Ordinance Number 23-19 – Comprehensive Plan Amendment 2023-CPLUS-04 – FIRST ASSEMBLY OF GOD OF EUSTIS, INC – FUTURE LAND USE ASSIGNMENT FOR PARCELS WITH ALTERNATE KEYS 2666820, 3884298, 3884439, AND 3884441

## **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, 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:**

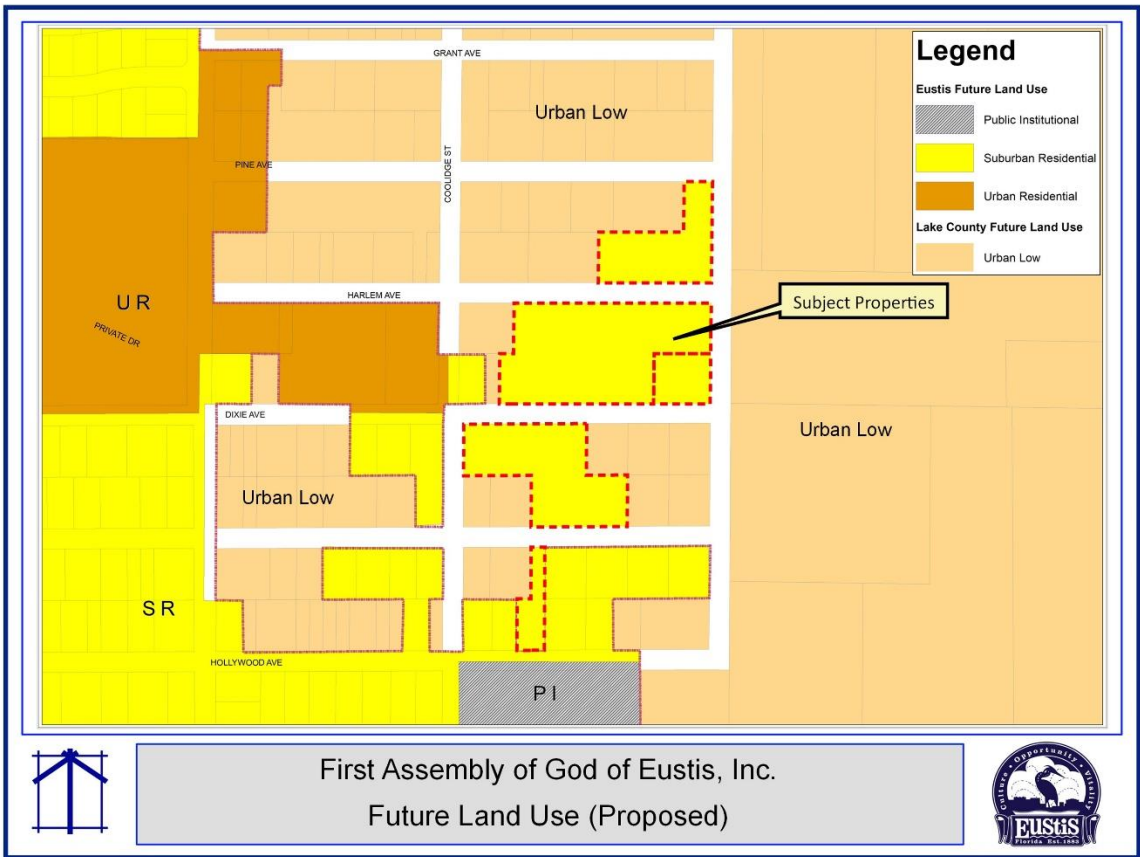
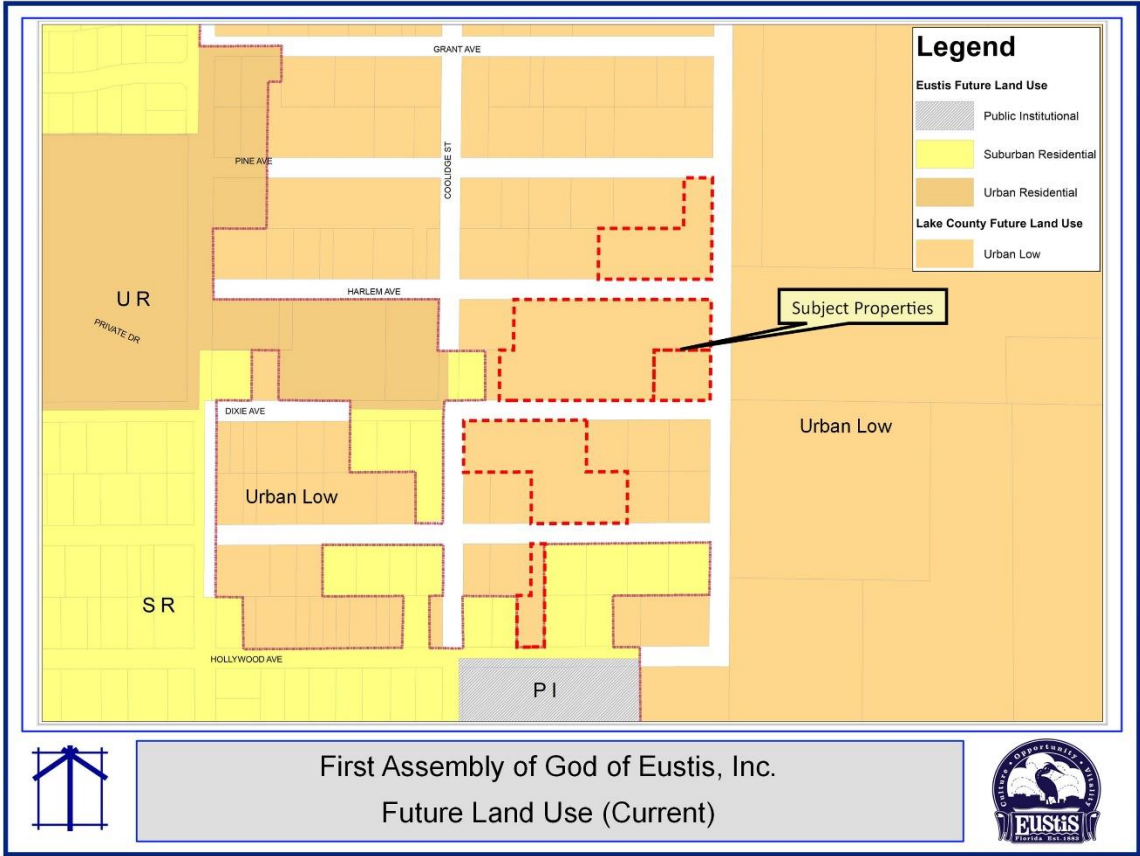
1. The site contains approximately 5.8 acres and is located within the Eustis Joint Planning Area. The properties to be annexed are a portion of the Rosenwald Gardens subdivision and a subsequent partial replat dating back to 1954. *Source: Lake County Property Appraisers' Office Property Record Card 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
<b>Site</b>	Vacant	Urban Low (Lake County)	N/A
<b>North</b>	Single-Family/ Vacant	Urban Low (Lake County)	N/A
<b>South</b>	Single-Family / Vacant	Suburban Residential	Suburban Neighborhood
<b>East</b>	Vacant	Lake County Urban Low	N/A
<b>West</b>	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 Statutes Voluntary Annexation - Chapter 171.044(1):

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

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

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

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

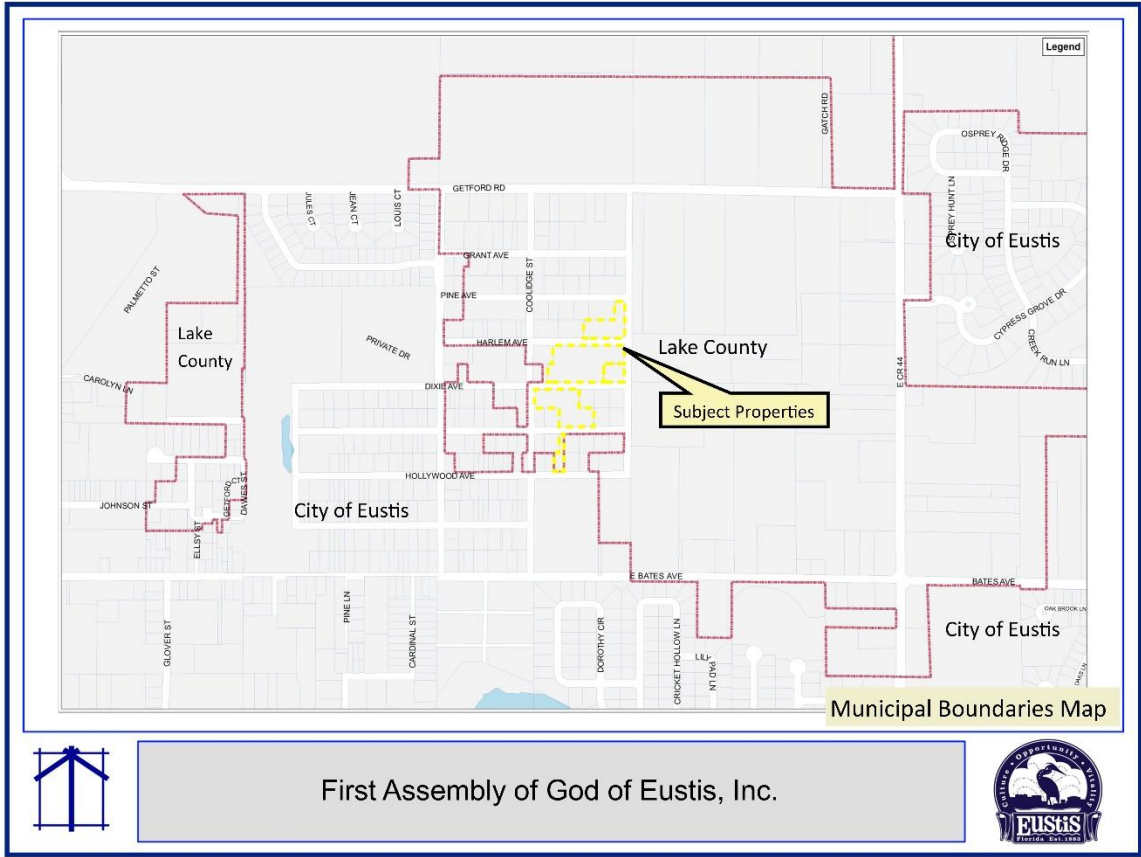
***The department published notice of this annexation in the Daily Commercial following the established requirements on June 26, 2023, and again on June 30, 2023.***

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

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

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





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

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

***The department provided notice to the Lake County Board of County Commissioners 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:

## Review of Indicators

## 1. Low Intensity Development:

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

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

## 2. Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

***This indicator does not apply. The subject 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:

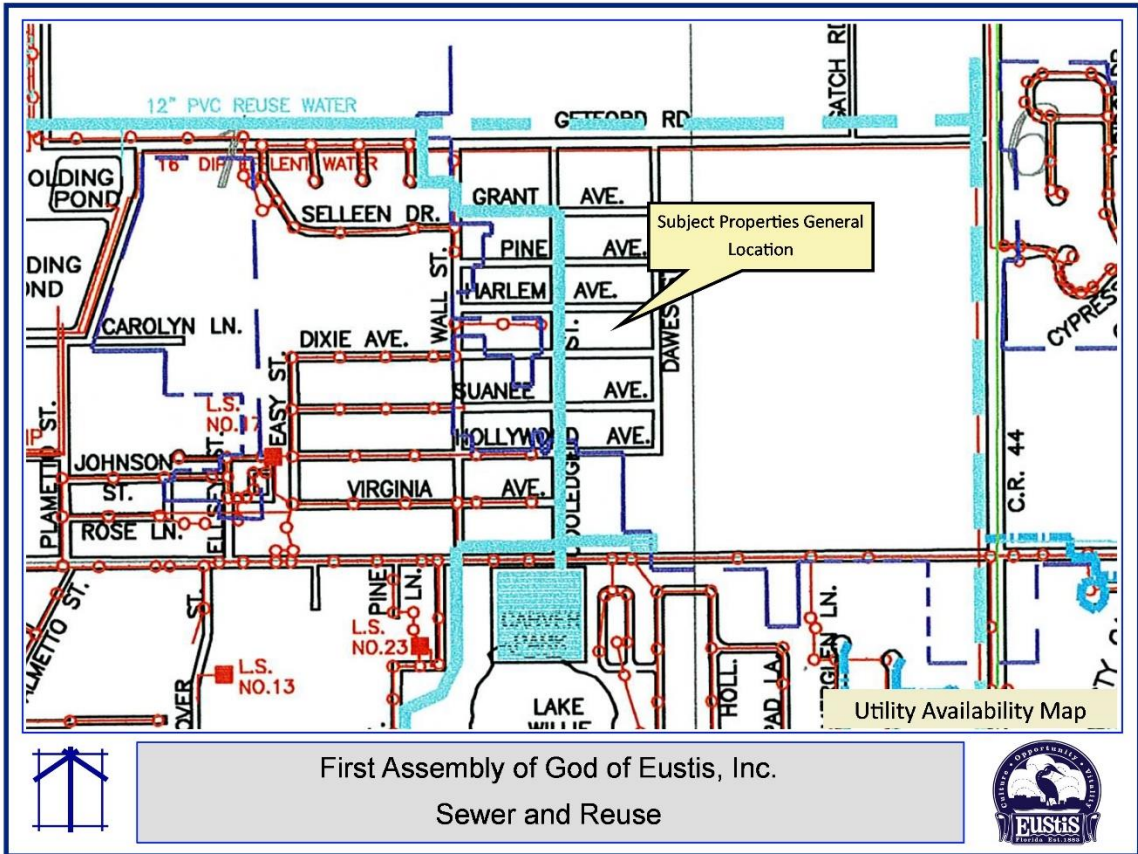
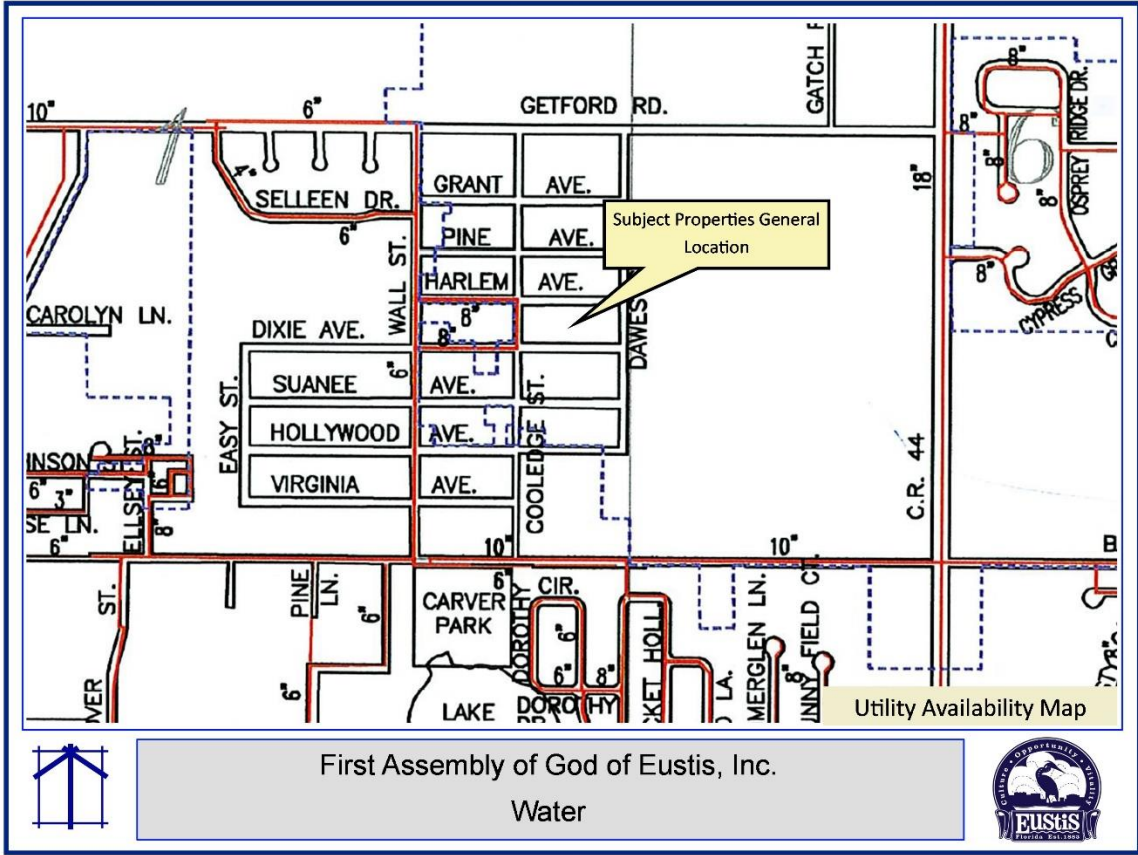
Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

***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.***



7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

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

8. Separation of Urban and Rural:

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

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

9. Infill and Redevelopment:

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

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

10. Functional Mix of Uses:

*Fails to encourage a functional mix of uses.*

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

11. Accessibility among Uses:

*Results in poor accessibility among linked or related land uses.*

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

12. Open Space:

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

***This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.***

13. Urban Sprawl:

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

a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

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

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

b. Efficient and Cost-Effective Services:

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

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

c. Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

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

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

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

e. Agricultural Preservation:

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

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

f. Open Space:

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

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

g. Balance of Land Uses:

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

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

h. Urban Form Densities and Intensities:

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

**Not applicable.**

## In Accordance with Comprehensive Plan Future Land Use Element Appendix:

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

### *Major Categories of Plan Policies:*

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

#### 1. General Public Facilities/Services:

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

##### a. Emergency Services Analysis:

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

##### b. Parks & Recreation:

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

##### c. Potable Water & Sanitary Sewer:

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

##### d. Schools:

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

e. Solid Waste:

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

f. Stormwater:

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

g. Transportation Network Analysis:

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

## 2. Natural Resources/Natural Features:

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

a. Groundwater recharge areas:

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

b. Historical or archaeological sites:

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

c. Flood zones:

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

d. Soil and topography:

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

## 3. Comprehensive Plan Review:

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



***Existing Land Use According to the Lake County Comprehensive Plan:***

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

***Proposed Land Use According to the Eustis Comprehensive Plan:***

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

**Comparison of Lake County Development Conditions**

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

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

**Proposed Residential Land Uses.**

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

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

**Proposed Non-Residential Land Uses.**

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

***Not applicable.***

1. Transportation:

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

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



## 2. Water Supply:

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

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

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

*Standards for Review:*

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

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies 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 Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation.**

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

f. *Impact on Environment:*

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

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

g. *Orderly Development Pattern:*

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

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

h. *Public Interest and Intent of Regulations:*

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

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

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

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

i. *Other Matters:*

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

**No other matters.**

## Applicable Policies and Codes

### 1. Resolution Number 87-34

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

### 2. Florida Statutes Chapter 171.044: Voluntary Annexation:

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

### 3. Comprehensive Plan – Suburban Residential (SR)

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

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

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

#### Special Provisions:

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

sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

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

**Recommended Action:**

Development Services recommends 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.
2. Vote to not transmit 2023-CPLUS-04 to the City Commission for consideration of Ordinance Number 23-19.

**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, 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 July 6, 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 July 6, 2023, the City Commission held the 1<sup>st</sup> 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 July 20, 2023, the City Commission held the 2<sup>nd</sup> 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, 3884298, 3884439, AND 3884441

Parcel Identification Number: 01-19-26-1000-00G-01900, 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 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 3

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

Parcel 4

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 20th day of July, 2023.

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

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Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

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Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 20th day of July 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**

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

\_\_\_\_\_  
City Attorney's Office                      Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 23-19 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk



**EXHIBIT "A"****LEGAL DESCRIPTION:**

## Parcel 1

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

## Parcel 2

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 BLK G PB 12 PG 84 ORB 4933 PGS  
1841 1846

## Parcel 3

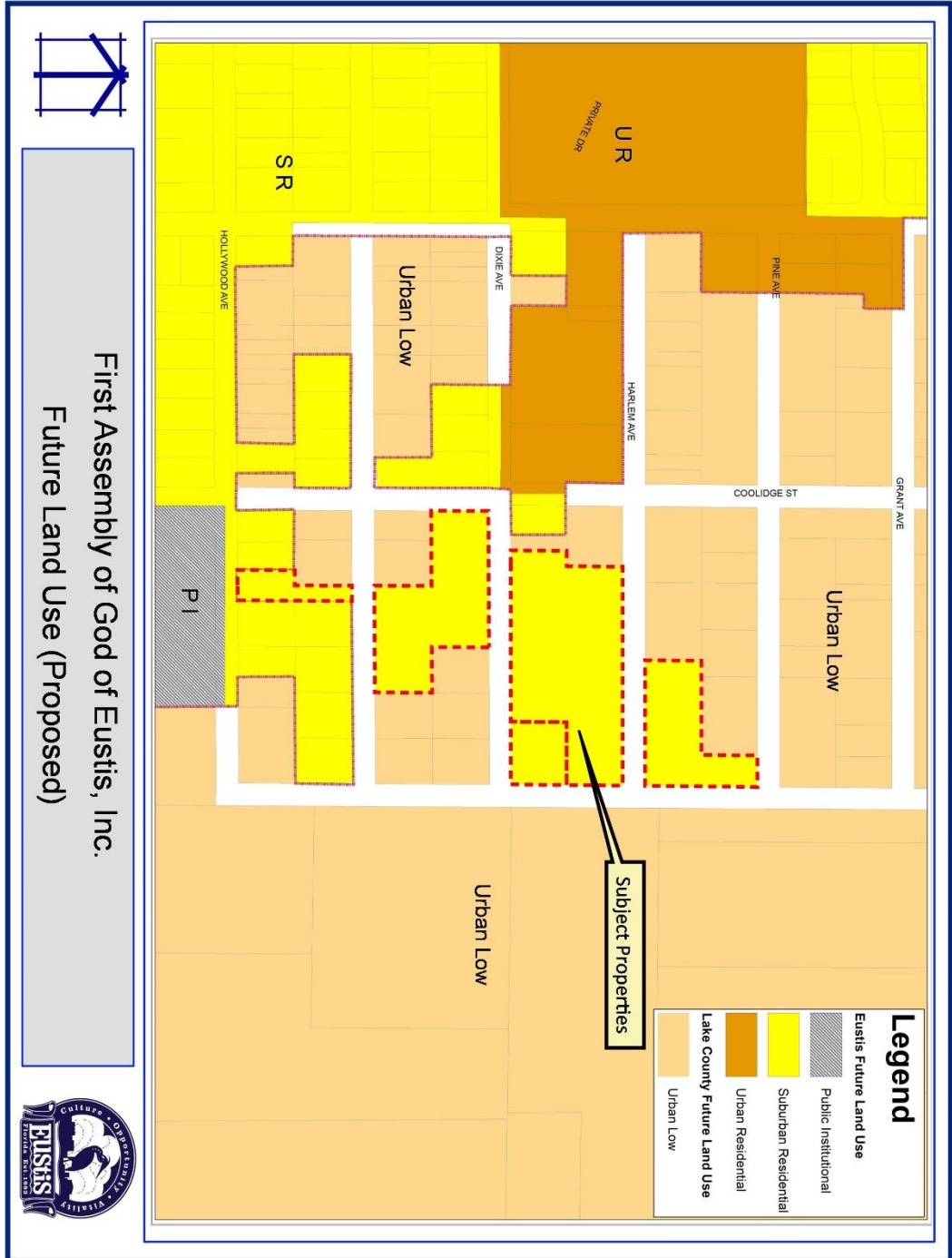
ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933 PGS 1841 1846

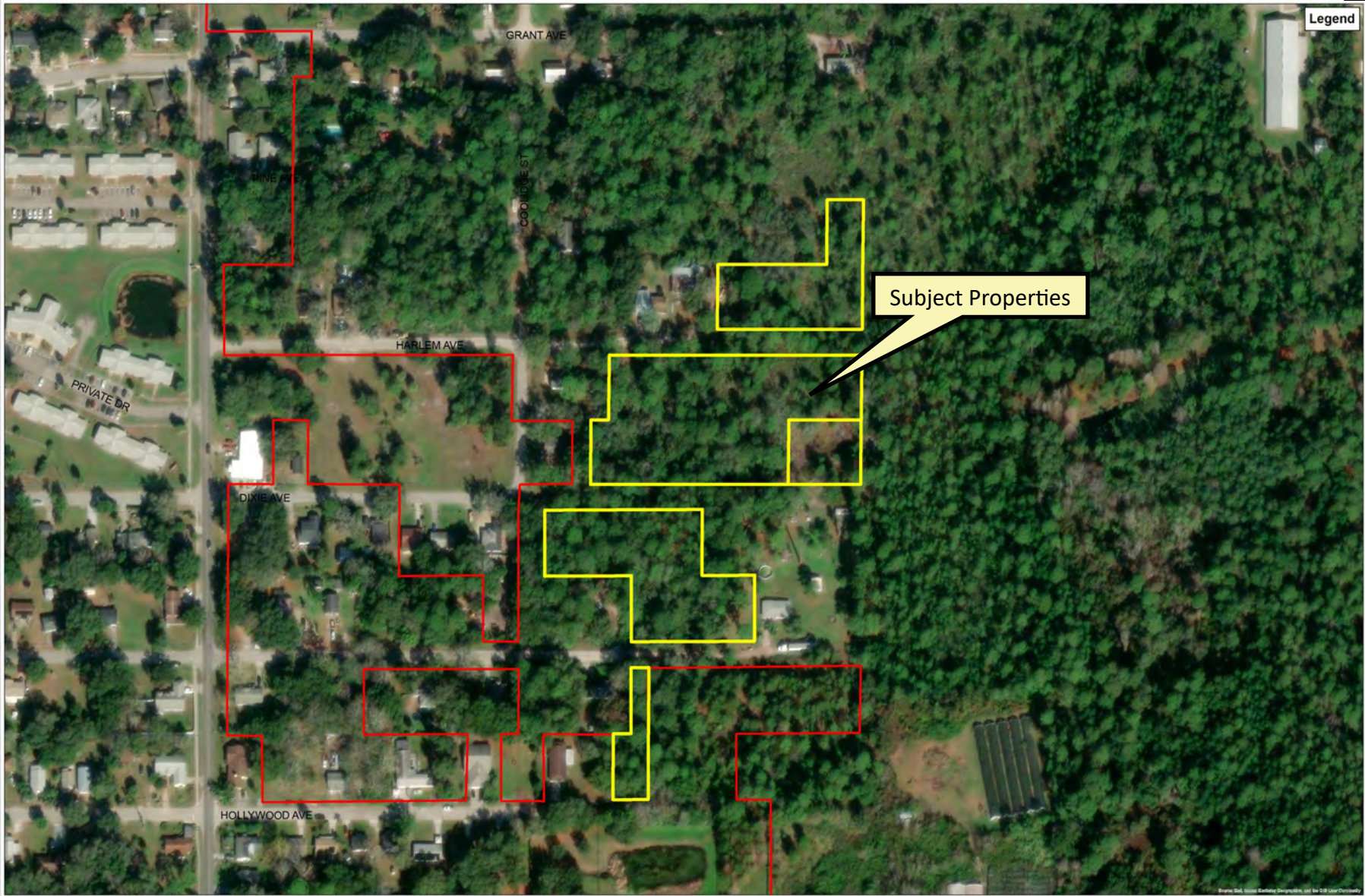
## Parcel 4

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK 11 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"

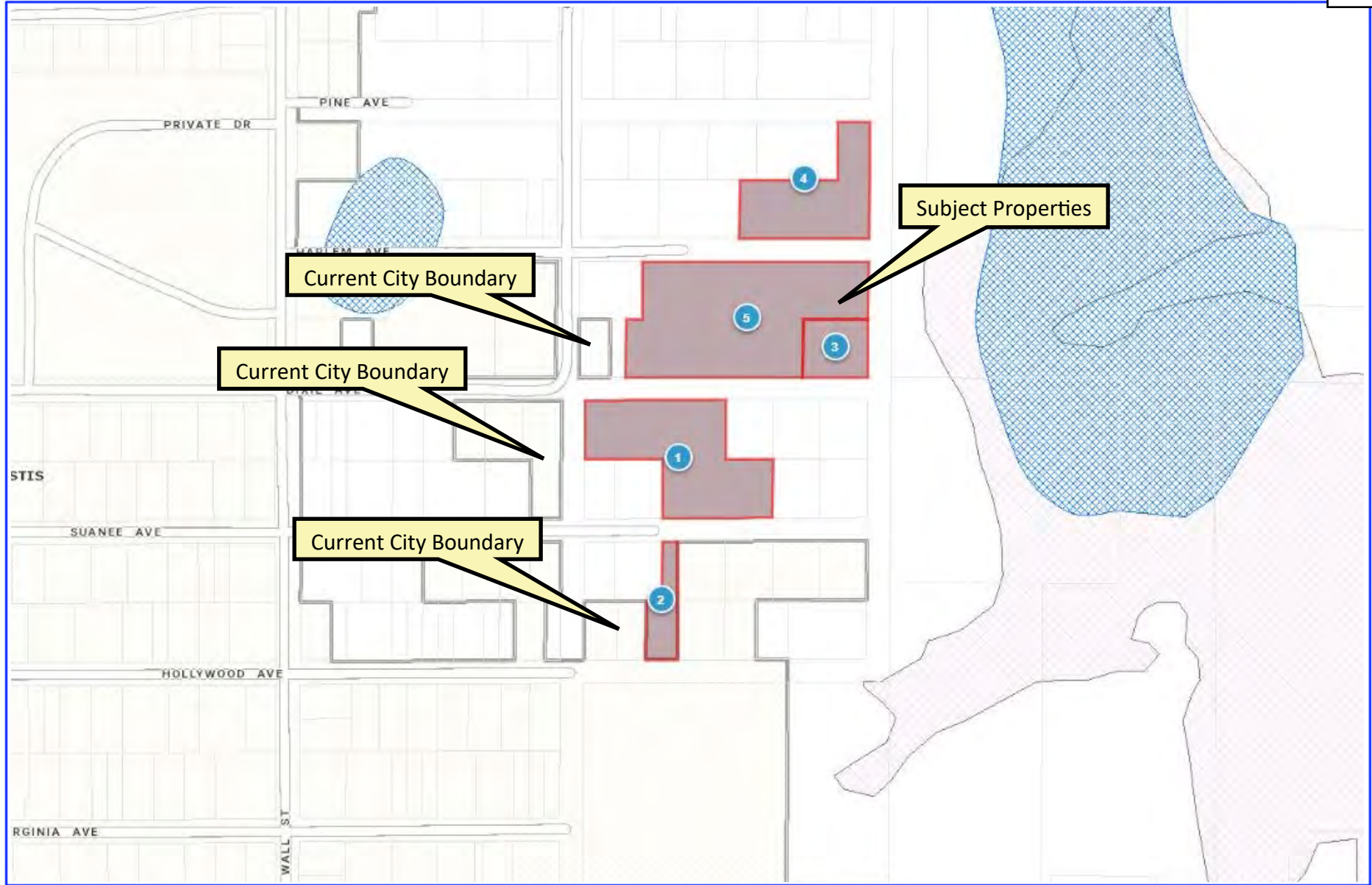




First Assembly of God of Eustis, Inc.  
Aerial Location

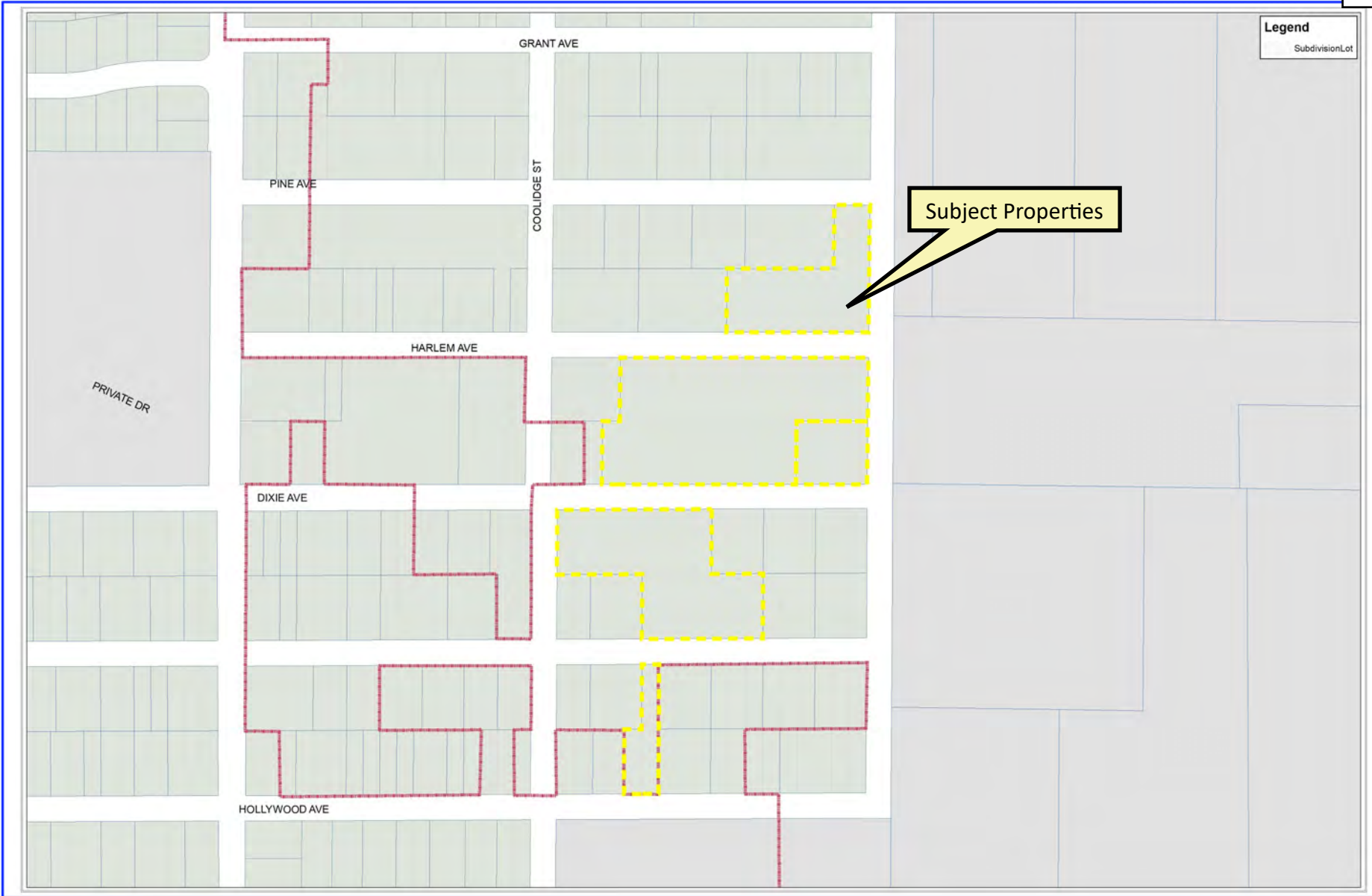






First Assembly of God of Eustis, Inc.  
Location



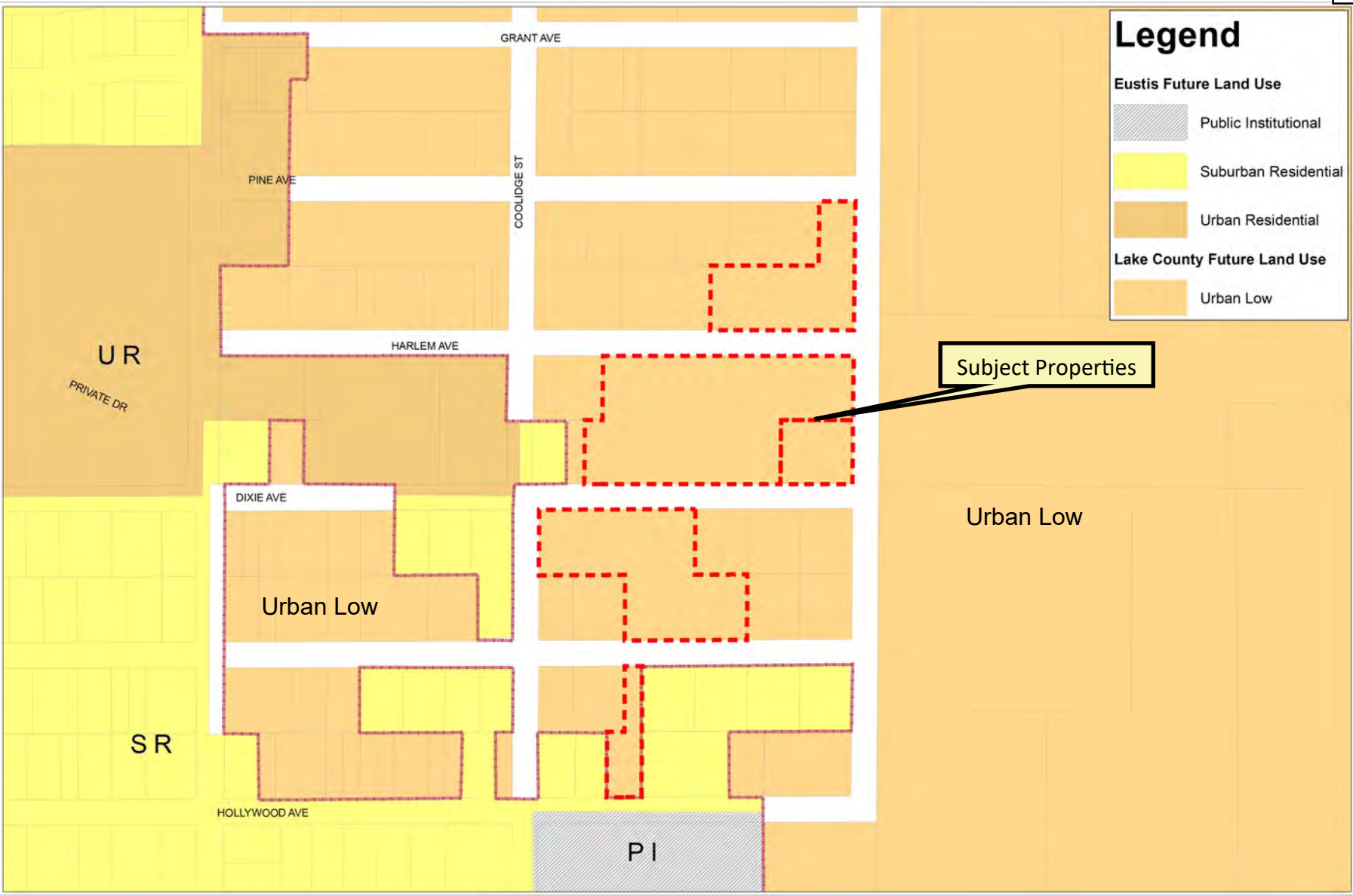


Subject Properties



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

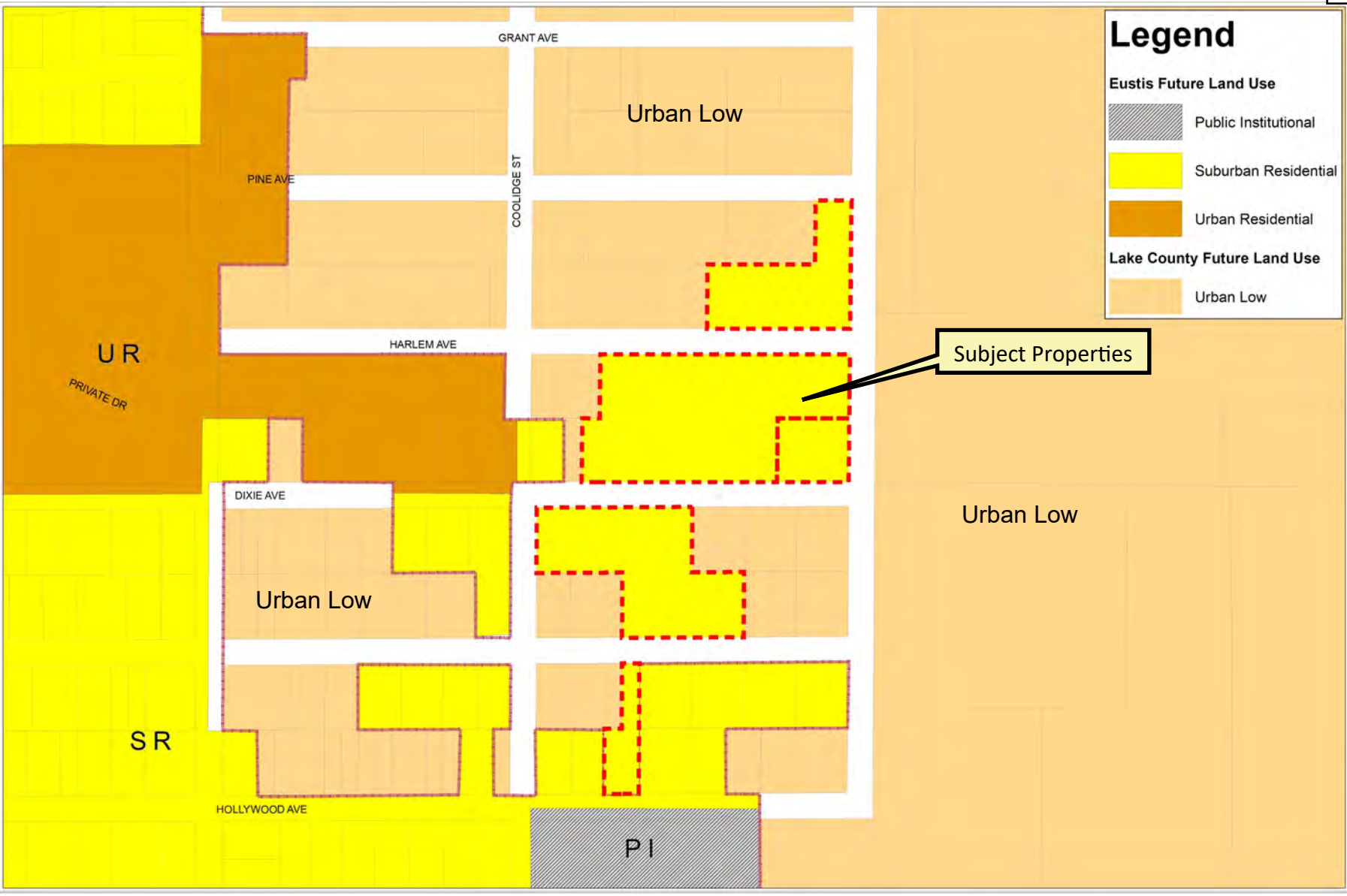




First Assembly of God of Eustis, Inc.  
 Future Land Use (Current)

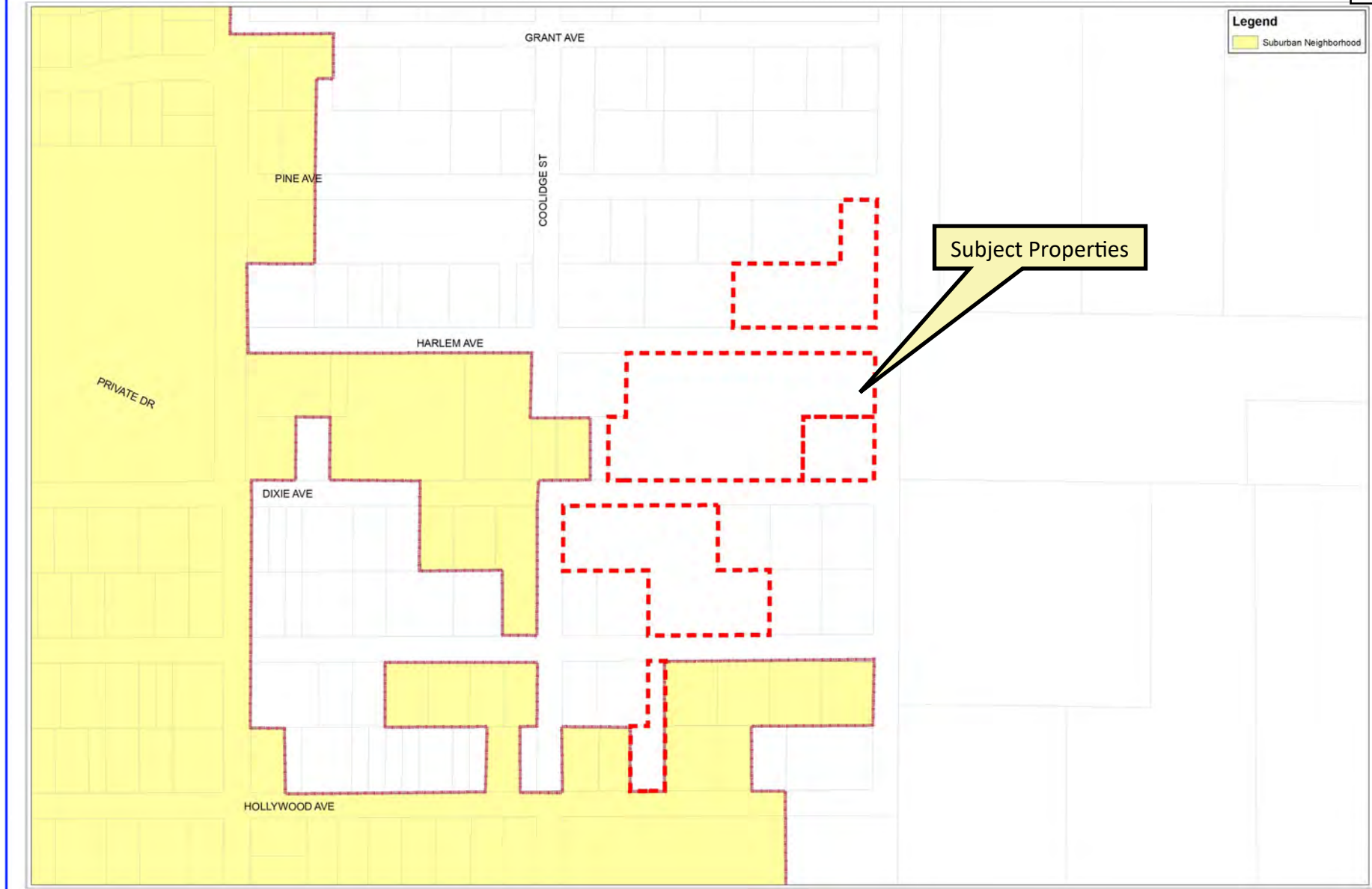






First Assembly of God of Eustis, Inc.  
 Future Land Use (Proposed)

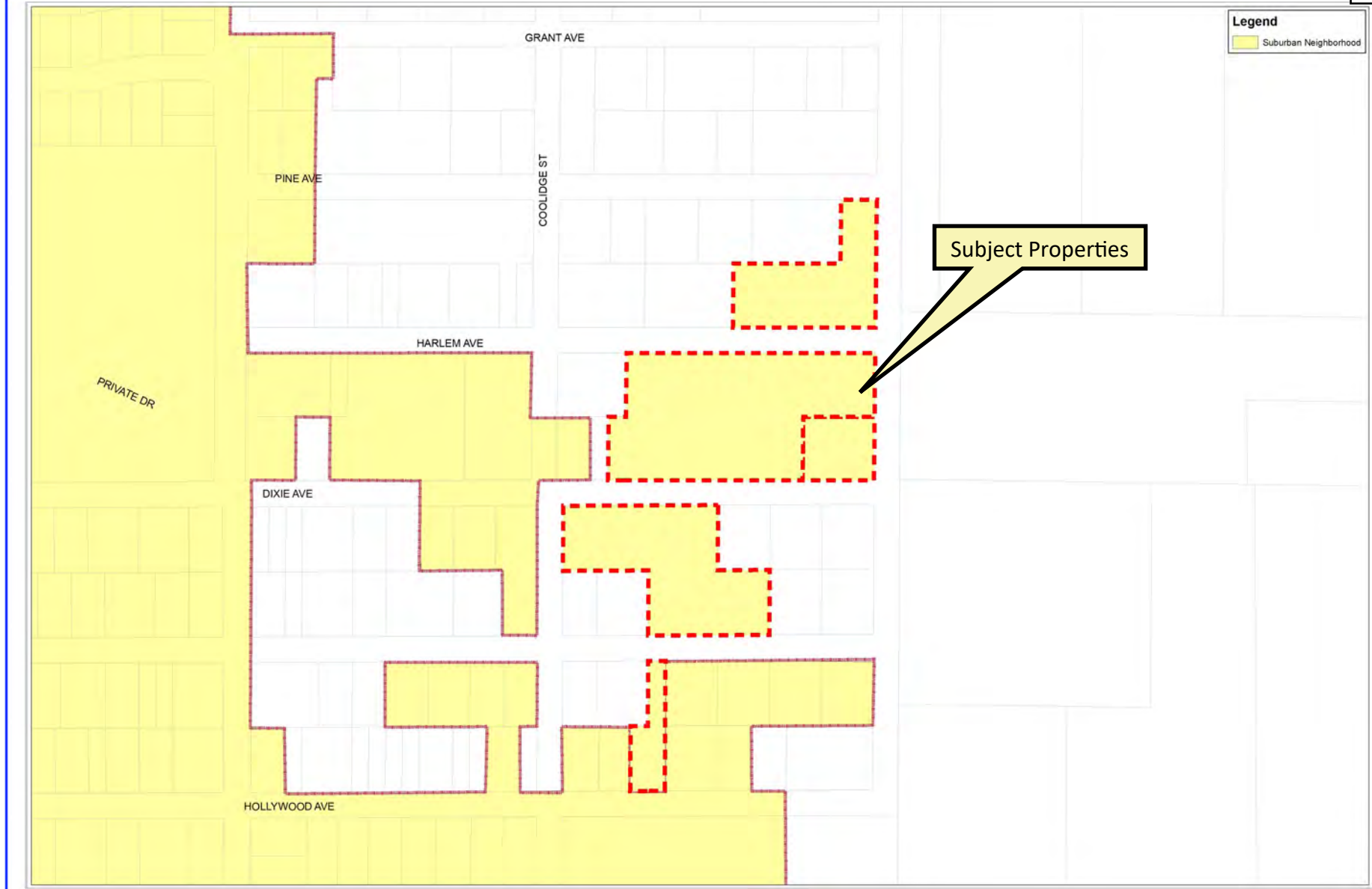




First Assembly of God of Eustis, Inc.  
Design District (Before)

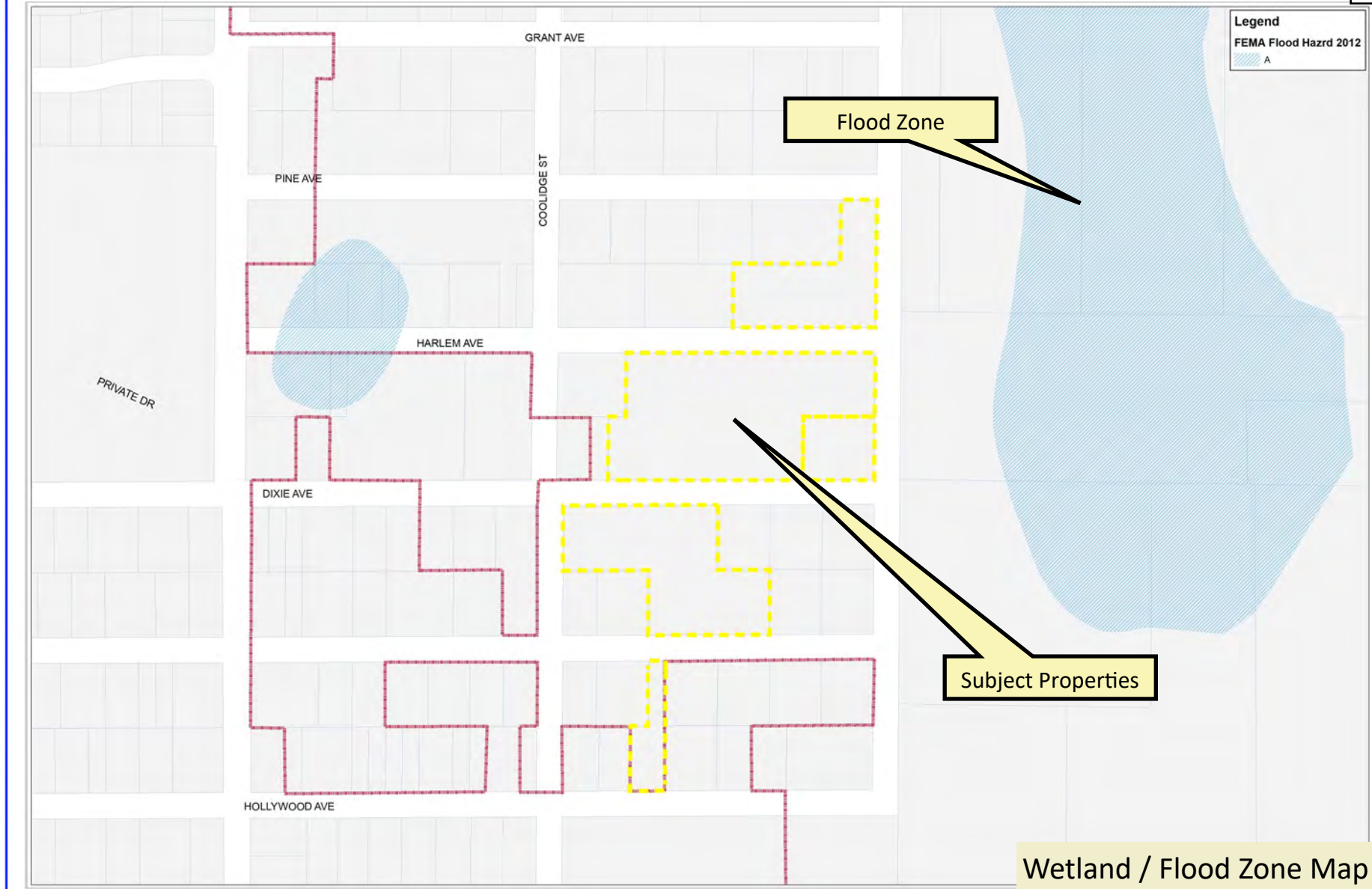






First Assembly of God of Eustis, Inc.  
Design District (After)





Wetland / Flood Zone Map



First Assembly of God of Eustis, Inc.





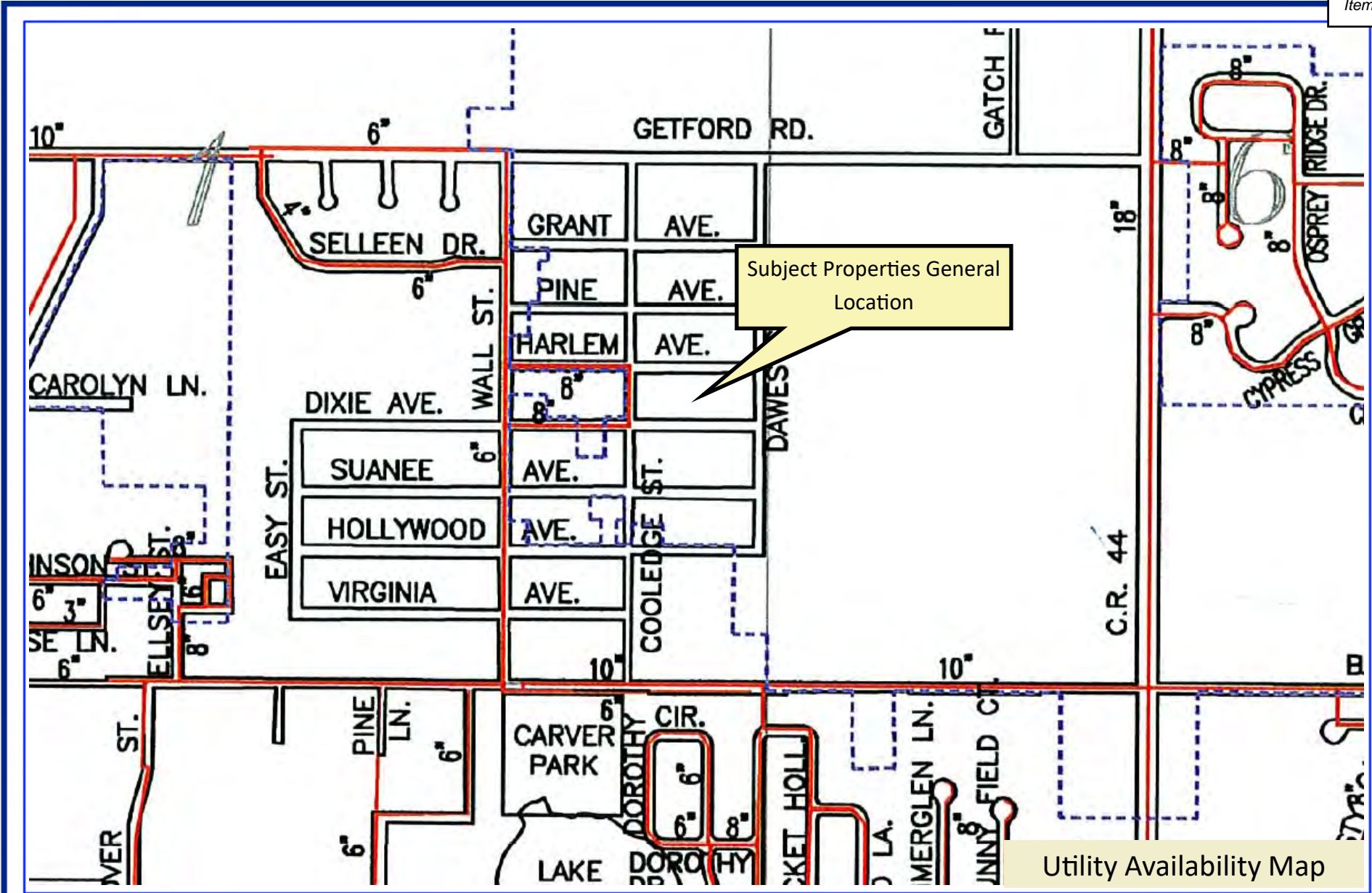
Wetland / Flood Zone Map



First Assembly of God of Eustis, Inc.

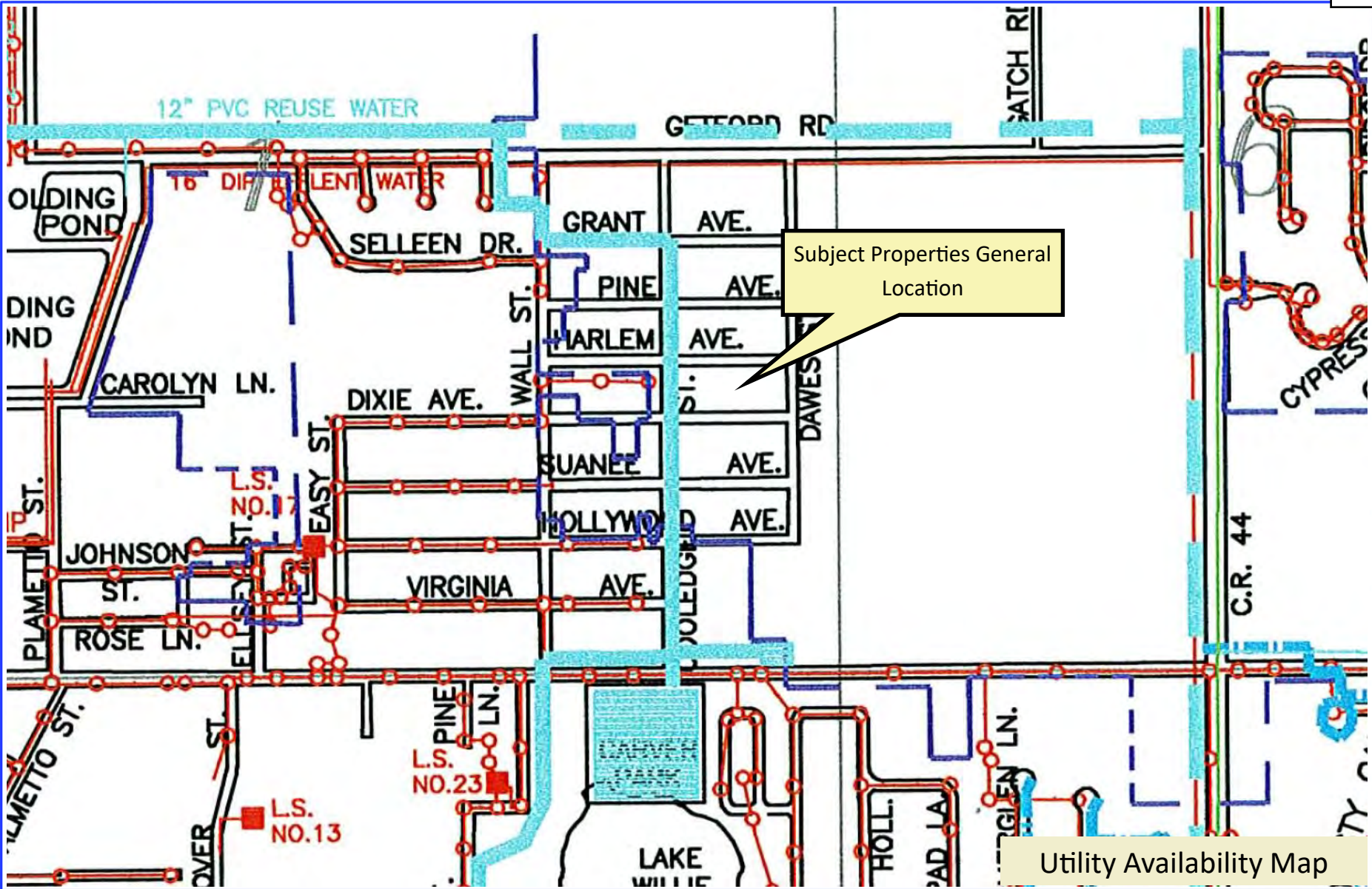






First Assembly of God of Eustis, Inc.  
Water





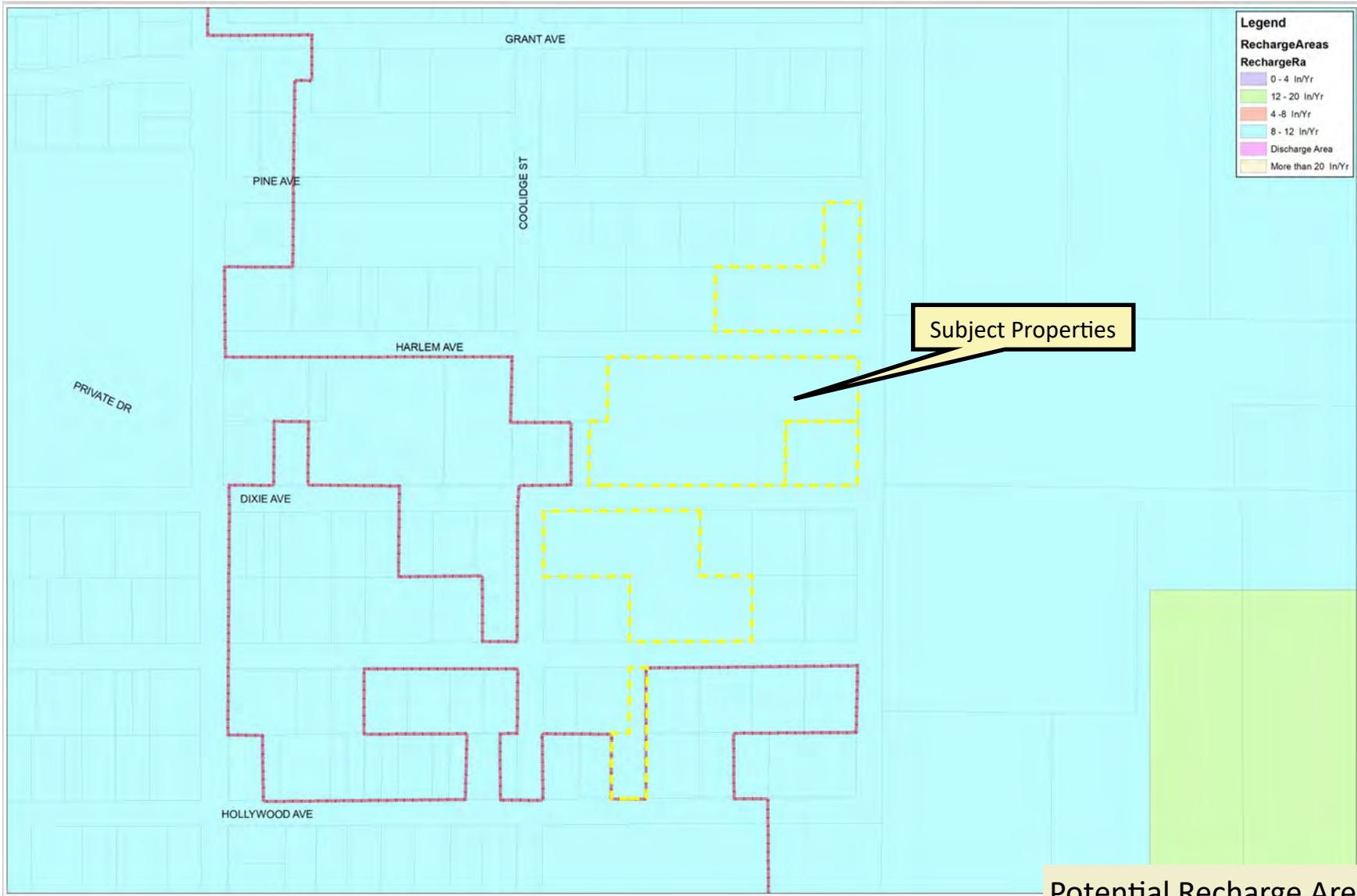
Utility Availability Map



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







Subject Properties

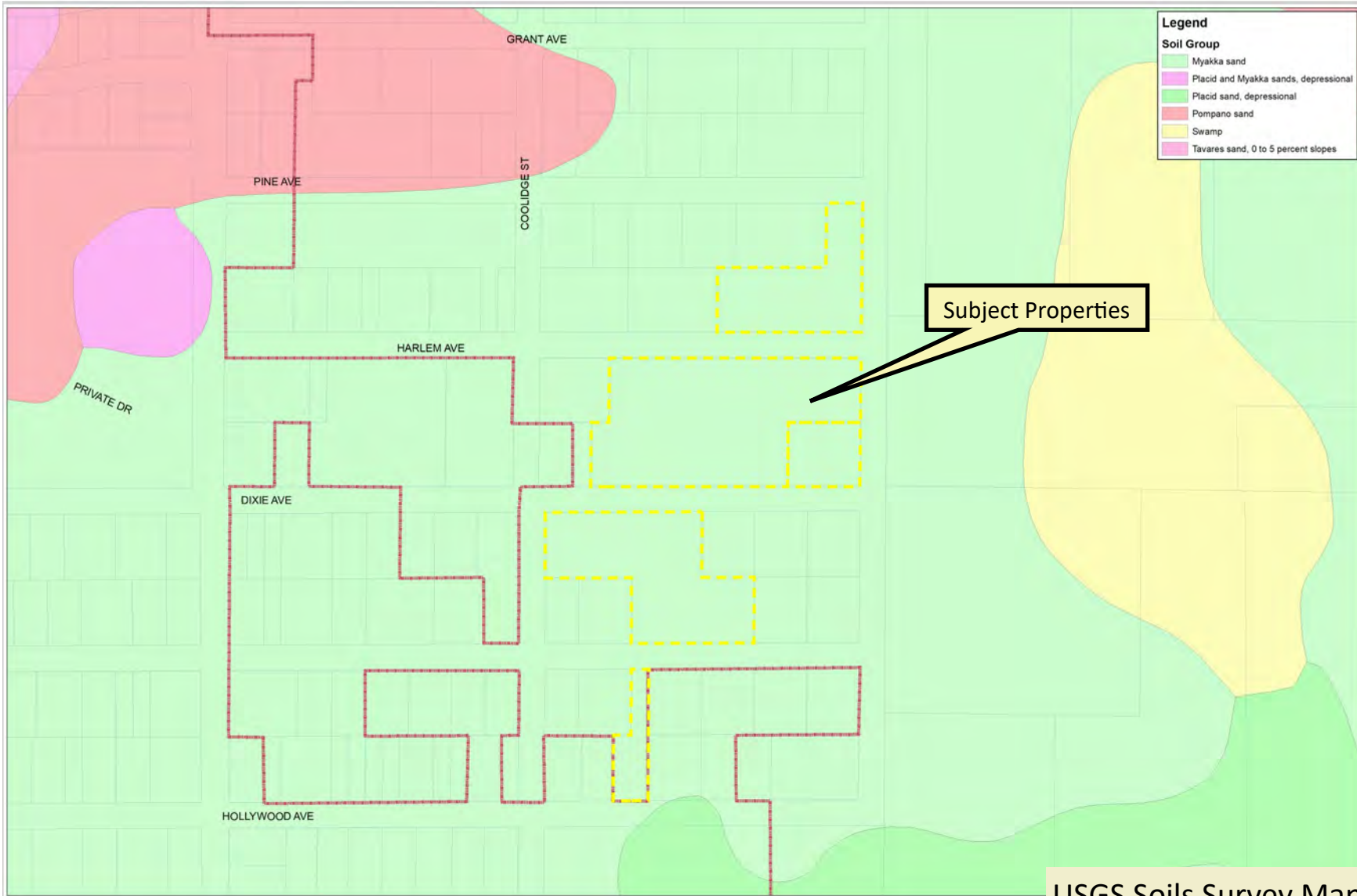
Potential Recharge Areas



First Assembly of God of Eustis, Inc.  
Potential Recharge





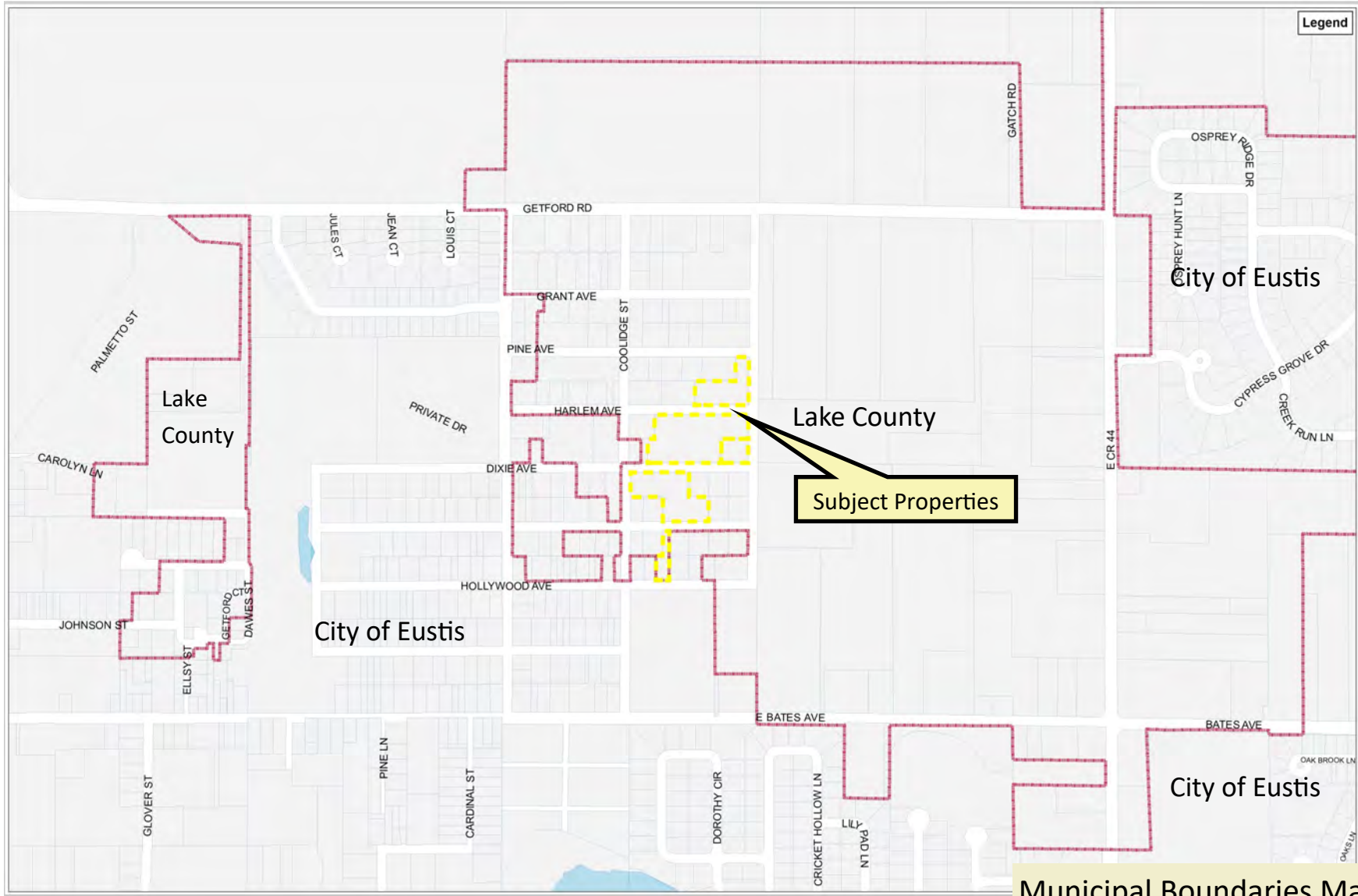


USGS Soils Survey Map



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





First Assembly of God of Eustis, Inc.

