



AGENDA

City Commission Meeting

6:00 PM – Thursday, December 01, 2022 – City Hall

INVOCATION

PLEDGE OF ALLEGIANCE: COMMISSIONER COBB

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 Approval of Minutes:

August 4, 2022 City Commission Workshop

October 18, 2022 City Commission Town Hall Meeting

3. PRESENTATIONS

3.1 Proclamation: Rotary Club of Eustis 100th Anniversary Celebration

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

5.1 Resolution Number 22-89: Eustis City Attorney Services Agreement

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Ordinance Numbers 22-23, 22-24 and 22-25: Consideration of Ordinances for certain real property located along Lake Lincoln Lane (19621 Lake Lincoln Lane, Alternate Key Numbers 1814367 and 2880228).

Ordinance Number 22-23 – Voluntary Annexation

Ordinance Number 22-24 – Comprehensive Plan Map Amendment

Ordinance Number 22-25 – Design District Assignment

6.2 Ordinance Numbers 22-26, 22-27 and 22-28: Consideration of Ordinances for certain real property located along Lake Lincoln Lane (19703 Lake Lincoln Lane, Alternate Key Number 2869348)

Ordinance Number 22-26 – Voluntary Annexation

Ordinance Number 22-27 – Comprehensive Plan Map Amendment

Ordinance Number 22-28 – Design District Assignment

6.3 Ordinance Numbers 22-29, 22-30 and 22-31: Consideration of Ordinances for certain real property located along Lake Lincoln Lane (35145 Marshall Rd, Alternate Key Number 1123232)

Ordinance Number 22-29 – Voluntary Annexation

Ordinance Number 22-30 – Comprehensive Plan Map Amendment

Ordinance Number 22-31 – Design District Assignment

6.4 Ordinance Numbers 22-32, 22-33 and 22-34: Consideration of Ordinances for certain real property located along Lake Lincoln Lane (east side of Marshall Rd, Alternate Key Number 1039550)

Ordinance Number 22-32 – Voluntary Annexation

Ordinance Number 22-33 – Comprehensive Plan Map Amendment

Ordinance Number 22-34 – Design District Assignment

6.5 Ordinance Number 22-37: 2nd Reading Planned Unit Development Overlay and Master Plan for the Taylor Morrison Planned Unit Development

7. OTHER BUSINESS

7.1 Acceptance of 2022 City Commission Election Results

8. FUTURE AGENDA ITEMS

9. COMMENTS

9.1 City Commission

9.2 City Manager

9.3 City Attorney

9.4 Mayor

10. ADJOURNMENT

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

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.

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



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Christine Halloran, City Clerk

DATE: December 1, 2022

RE: Approval of Minutes

Introduction:

This item is for consideration of the minutes of august 4, 2022 Local Planning Agency (LPA) Meeting.

Background:

N/A

Recommended Action:

Approval of the minutes as submitted.

Policy Implications:

None

Prepared By:

Mary Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

Local Planning Agency Meeting

5:30 PM - Thursday, August 4, 2022 - City Hall

CALL TO ORDER: 6:05 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

ABSENT: Commissioner Karen LeHeup-Smith

1. APPROVAL OF MINUTES

1.1 May 19, 2022 - Local Planning Agency

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARING AND RECOMMENDATION

2.1 Explanation of Ordinance for 2022-CPLUS-04 for property located on the south side of County Road 452, west of North Country Road (Alternate Key Numbers 1743346 and 3840638)

Jeff Richardson, Deputy Director of Development, explained the proposed future land use amendment for property located on the south side of CR 452, west of North Country Road. He reviewed staff's analysis of the request and stated staff's recommendation for transmittal to the City Commissioner for consideration.

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to recommend transmittal of 2022-CPLUS-04 to the City Commission for consideration.

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

3. ADJOURNMENT: 6:10 P.M.

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner

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



City of Eustis

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

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: December 1, 2022

RE: Consideration of Ordinance Number 22-24 – Comprehensive Plan Map Amendment

Introduction:

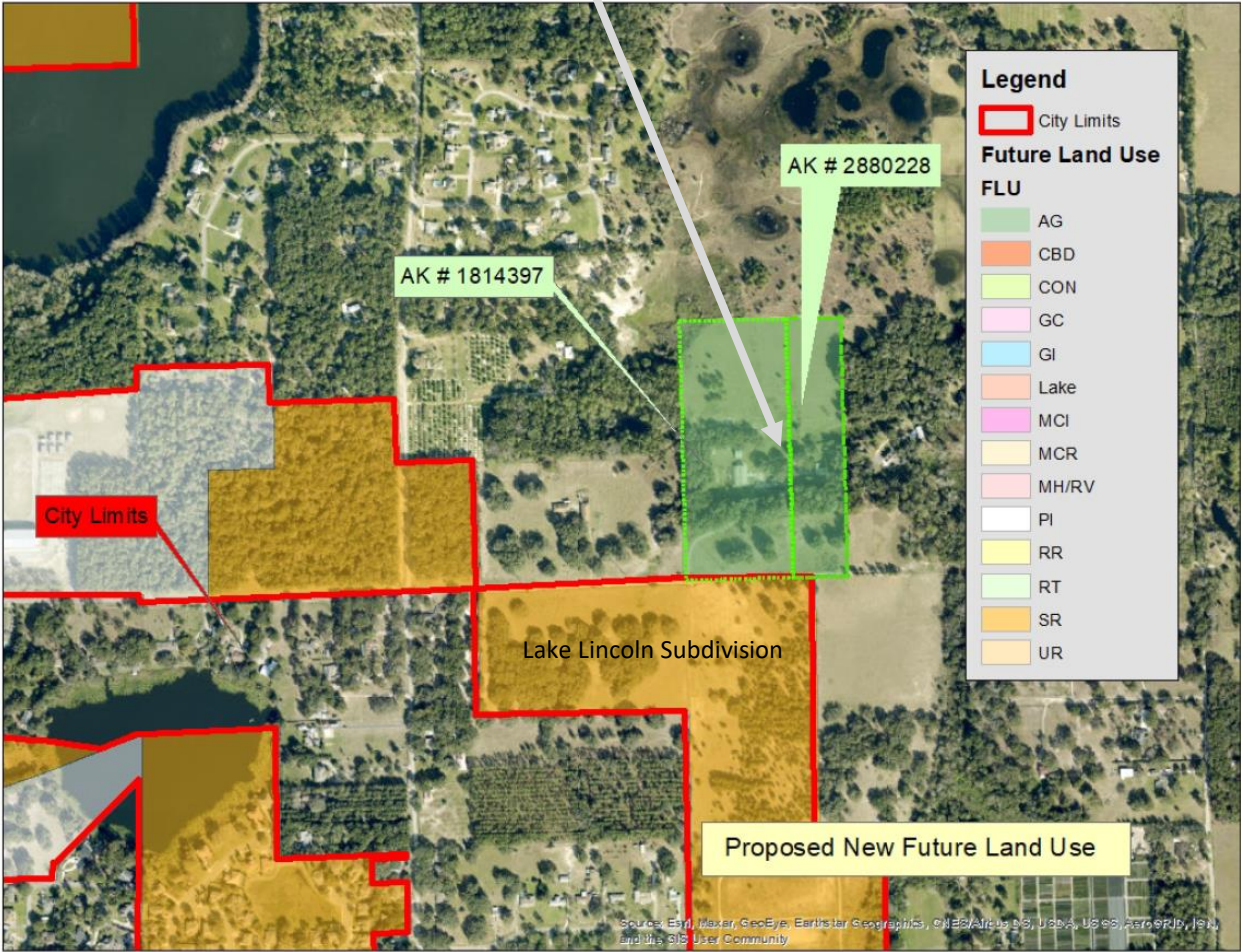
This is a consideration of the Future Land Use Map designation assignment associated with a voluntary annexation (Ordinance Number 22-23) of approximately 24.55 acres located on the north side of Lake Lincoln Lane at 19621 Lake Lincoln Lane (Alternate Key Numbers 1814367 and 2880228).

Provided the annexation of the subject property is approved, Ordinance Number 22-24 would change the future land use designation from Rural Transition in Lake County to **Agriculture (AG) in the City of Eustis**, and Ordinance Number 22-25 would assign the subject property **a design district designation of Rural Neighborhood**. If Ordinance Number 22-23 is denied, then there can be no consideration of Ordinance Numbers 22-24 and 22-25.

Background:

The property owners (TLC OB Properties, LLC Attention to Andrew Orosz) have requested Voluntary Annexation through Major Stacy, P.E. with Avian Engineering as their applicant agent. The properties consist of approximately 24.55 acres, and are located within the Eustis Joint Planning Area. The properties are currently improved pastures for hay, ornamental nursery, homesite, and wetland. *Source: Lake County Property Appraisers' Office Property Record Card Data.*

The properties are contiguous to the City on its southern boundary along Lake Lincoln Lane. The property would be consistent with Florida Statutes regarding contiguity, as the adjacency across Lake Lincoln Lane covers most of the property frontage on Lake Lincoln Lane. The properties are currently designated with a Rural Transition land use in unincorporated Lake County. Approval of Ordinance Number 22-24 would change the land use designation to Agriculture (AG) in the City of Eustis.



The Rural Transition future land use designation assigned by Lake County allows for base densities of 1 dwelling unit per 5 acres, with additional density incentives by utilizing the Lake County Rural Conservation Subdivision policies and regulations. The City of Eustis Agriculture future land use designation also allows for densities of 1 dwelling unit per 5 acres. The proposed future land use within the City of Eustis and the Lake County Rural Transition future land use are compatible.

Development Services provided notice to the Lake County Board of County Commissioners via email (unofficial notice) on November 5, 2022, and via USPS Certified Mail (official notice) on November 7, 2022.

Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 22-24)

In accordance with 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 densities requested equate to existing unincorporated 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 properties will not receive a change in density from the existing densities in Unincorporated Lake County, therefore no change is occurring.

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. There is no change in allowable densities from the status in Unincorporated Lake County. The proposed designation is consistent with the character of the surrounding area.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This indicator does not apply. The subject property is subject to floodplain and wetlands, however, the property is not proposed for development with the future land use change not increasing the allowable Unincorporated Lake County densities.

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. The future land use designation assigned with the annexation allows for the continuation of agricultural use of the property. The densities to be assigned with the Agriculture (AG) land use are consistent with agricultural uses.

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. Sanitary sewer lines may be available to serve the site, any on-site septic systems may continue to be utilized.

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 existing and future development within the area.

8. Separation of Urban and Rural:

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

This indicator does not apply. The land use assigned to the properties is Agriculture.

9. Infill and Redevelopment:

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

This indicator does not apply.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply.

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 important open space.

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 action for the property is a continuation of existing uses.

b. Efficient and Cost-Effective Services:

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

Water service is already available. Sanitary sewer is available to the south.

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.

Not applicable as the properties are having their use altered.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

No Change from current uses on the property.

e. Agricultural Preservation:

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

Agricultural use of the property and homestead will continue with the annexation and assigned future land use.

- 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.

- 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.
This does not apply. The proposed change is a continuation of existing agricultural uses.

- 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 the 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:

Continuation of the use of the property for agriculture and homestead under the City's AG land use does not increase the impact on Emergency Services.

- b. *Parks & Recreation:*
Not applicable
- c. *Potable Water & Sanitary Sewer:*
Water is available to serve the subject property.
Sanitary sewer, to serve the properties, is available to the south of Lake Lincoln Lane, should the property choose to avail themselves of the service.
- d. *Schools:*
No change
- e. *Solid Waste:*
No change.
- f. *Stormwater:*
No change
- g. *Transportation Network Analysis:*
No Change

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 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:*
No change
- b. *Historical or archaeological sites:*
No Change
- c. *Flood zones:*
The subject property is in a partial floodplain; however, the requested annexation, land use, and design district pose no change from the current use.
- d. *Soil and topography:*
With this application for annexation, comprehensive plan land use assignment, and design district assignment, there is no change in the use of the property proposed.

3. Comprehensive Plan Review:

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

Existing Land Use According to the Lake County Comprehensive Plan:

"The Rural Transition Future Land Use Category is intended to address —edgell conditions where Rural Future Land Use Categories abut Urban Future Land Use

Categories. These edges represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques. This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate...”

Proposed Land Use According to the Eustis Comprehensive Plan:

“Agricultural (AG)

This land use designation is designed to limit the premature spread of urban growth and conversion of productive agricultural lands until such time as urban growth is contiguous and agricultural activities can no longer be economically sustained.

General Range of Uses: Single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, row crops, and public and utility services and facilities.

Maximum Density: Residential densities in Agricultural may not exceed one dwelling unit per five net buildable acres...”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

4. Transportation:

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

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

5. 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

- c. *Inconsistent with Surrounding Uses:*
Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

There is no proposed change in the use of the property.

- 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. The actual use of the property is not proposed to change.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

- 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 life style”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

Findings Summary:

The proposed Future land Use proposed for the subject property is found to be consistent with the City of Eustis Comprehensive Plan and Land Development Regulations. The change of land use to the City of Eustis Agriculture (AG) designation, as associated with the voluntary annexation, is found to be consistent and equivalent to the current Lake County Future land Use designation.

Recommended Action:

Providing recommendations for LPA to accept and Transmit to City Commission, Ordinance Number 22-24

Policy Implications:

None

Alternatives:

1. Approval Transmittal of Ordinance Number 22-24 (Comp. Plan Amendment) to the City Commission
2. Deny transmittal of Ordinance Number 22-24 (Comp. Plan Amendment) to the City Commission.

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

Reviewed By:

ORDINANCE NUMBER 22-24

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 24.55 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1814367 AND 2880228, ON THE NORTH SIDE OF LAKE LINCOLN LANE, EAST OF ESTES ROAD FROM RURAL TRANSITION IN LAKE COUNTY TO AGRICULTURE IN THE CITY OF EUSTIS.

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

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 24.55 acres of real property located on the North side of Lake Lincoln Lane, East of Estes Road, and more particularly described herein; and

WHEREAS, on December 1, 2022, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on December 1, 2022, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on December 13, 2022, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Rural Transition in Lake County to Agriculture within the City of Eustis:

Alternate Key Numbers: 1814367 and 2880228

Parcel Numbers: 05-19-27-0004-000-00400 and 05-19-27-0004-000-00402

BEG AT SW COR OF SW 1/4 OF SE 1/4, RUN S 89-31-15 E 542.82 FT, N 0-0-31 W 1306.87 FT TO N LINE OF SW 1/4 OF SE 1/4, N 89-19-20 W TO NW COR OF SW 1/4 OF SE 1/4, S

0-02-59 E 1308.76 FT TO POB ORB 2058 PG 1604 ORB 3157 PG 818 ORB 4013 PG 1718
ORB 5819 PG 1341

AND

FROM SW COR OF SW 1/4 OF SE 1/4 RUN S 89-31-15 E 542.82 FT FOR POB, RUN N 0-0-31 W 1306.87 FT TO N LINE OF SW 1/4 OF SE 1/4, S 89-19-20 E 275.03 FT TO NE COR OF W 1/4 OF E 1/2 OF SW 1/4 OF SE 1/4, S 0-0-31 E 1305.92 FT, N 89-31-15 W ALONG SAID S LINE 275 FT TO POB ORB 1728 PG 1510 ORB 2058 PG 1604 ORB 3157 PG 818 ORB 3566 PG 1919 ORB 4013 PG 1720

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2022.

**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 13th day of December, 2022, by Christine Halloran, City Clerk, who is personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

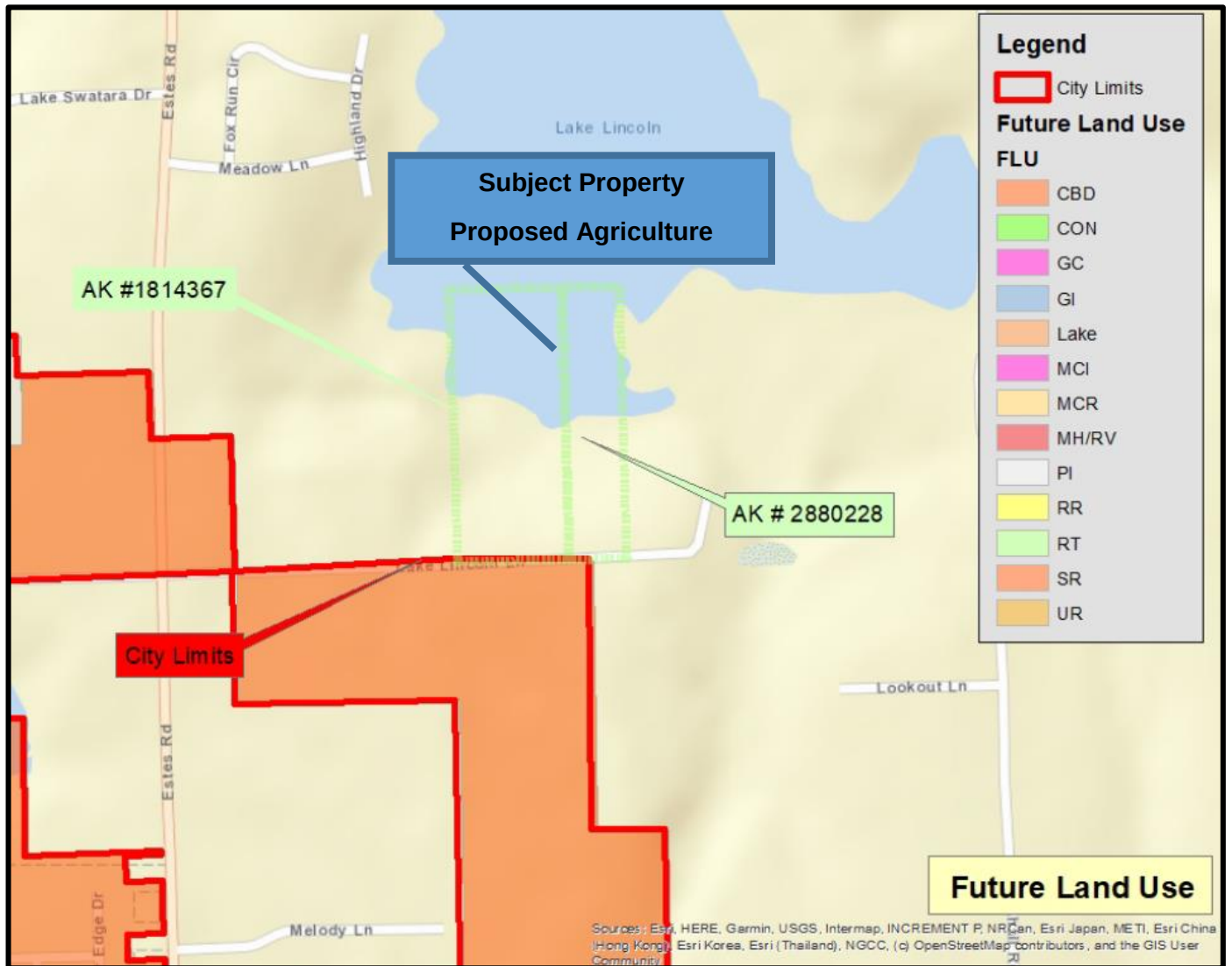
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 22-24 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

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

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: December 1, 2022

RE: Consideration of Ordinance Number 22-27 – Comprehensive Plan Map Amendment

Introduction:

This is a consideration of the Future Land Use Map designation assignment associated with a voluntary annexation (Ordinance Number 22-26) of approximately 15 acres located on the north side of Lake Lincoln Lane at 19703 Lake Lincoln Lane (Alternate Key Number 2869348).

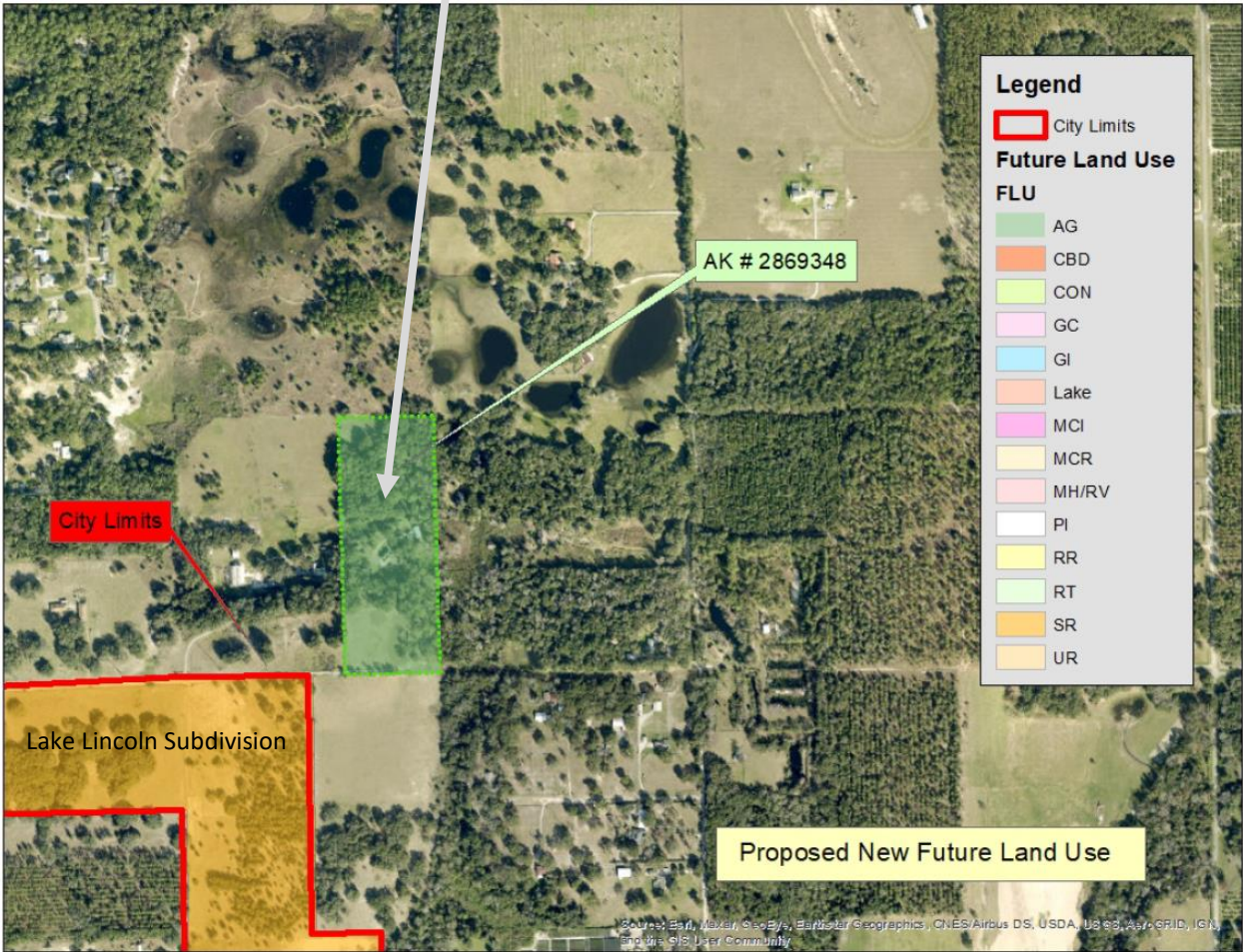
Provided the annexation of the subject property is approved, Ordinance Number 22-27 would change the future land use designation from Rural Transition in Lake County to **Agriculture (AG) in the City of Eustis**, and Ordinance Number 22-28 would assign the subject property a **design district designation of Rural Neighborhood**. If Ordinance Number 22-26 is denied at City Commission, then there can be no consideration of Ordinance Number 22-27 or Ordinance Number 22-28.

Background:

The property owners (Mark and Kathleen Draper) have requested Voluntary Annexation through Major Stacy, P.E. with Avian Engineering as their applicant agent. The properties consist of approximately 15 acres and are located within the Eustis Joint Planning Area. The properties are currently improved pastures for hay and homesite. *Source: Lake County Property Appraisers' Office Property Record Card Data.*

The property is not currently contiguous to the City of Eustis boundary; however, it becomes contiguous with the approval of the property to the west being annexed. The property to the west is proposed for annexation, comprehensive plan land use assignment, and design district assignment under Ordinances 22-23, 22-24, and 22-25. Provided that Ordinances 22-23, 22-24, and 22-25 are adopted, the property would be consistent with Florida Statutes regarding contiguity.

The analysis of this proposed request is conducted under the assumption of City Commission approval and adoption of Ordinance Numbers 22-23, 22-24, and 22-25.



The property is currently designated with a Rural Transition land use in unincorporated Lake County. Approval of Ordinance Number 22-27 would change the land use designation to Agriculture (AG) in the City of Eustis.

The Rural Transition future land use designation assigned by Lake County allows for base densities of 1 dwelling unit per 5 acres, with additional density incentives by utilizing the Lake County Rural Conservation Subdivision policies and regulations. The City of Eustis Agriculture future land use designation also allows for densities of 1 dwelling unit per 5 acres. The proposed future land use within the City of Eustis and the Lake County Rural Transition future land use are compatible.

Development Services provided notice to the Lake County Board of County Commissioners via email (unofficial notice) on November 5, 2022, and via USPS Certified Mail (official notice) on November 7, 2022.

Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 22-27)

In accordance with 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 densities requested equate to existing unincorporated 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 properties will not receive a change in density from the existing densities in Unincorporated Lake County, therefore no change is occurring.

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. There is no change in allowable densities from the status in Unincorporated Lake County. The proposed designation is consistent with the character of the surrounding area.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This indicator does not apply. The subject property is subject to a partial floodplain, however, the property is not proposed for development with the future land use change not increasing the allowable Unincorporated Lake County densities.

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. The future land use designation assigned with the annexation allows for the continuation of agricultural use of the property. The densities to be assigned with the Agriculture (AG) land use are consistent with agricultural uses.

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. Sanitary sewer lines may be available to serve the site, any on-site septic systems may continue to be utilized.

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 existing and future development within the area.

8. Separation of Urban and Rural:

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

This indicator does not apply. The land use assigned to the properties is Agriculture.

9. Infill and Redevelopment:

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

This indicator does not apply.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply.

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 important open space.

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 action for the property is a continuation of existing homestead and agricultural uses.

b. Efficient and Cost-Effective Services:

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

Water service is already available. Sanitary sewer is available to the south.

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.

Not applicable as the properties are having their use altered.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

No Change from current uses on the property.

e. Agricultural Preservation:

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

Agricultural use of the property and homestead will continue with the annexation and assigned future land use.

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.

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.

This does not apply. The proposed change is a continuation of existing agricultural and homestead uses.

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 the 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:*
Continuation of the use of the property for agriculture and homestead under the City's AG land use does not increase the impact on Emergency Services.
- b. *Parks & Recreation:*
Not applicable
- c. *Potable Water & Sanitary Sewer:*
Water is available to serve the subject property.
Sanitary sewer, to serve the properties, is available to the south of Lake Lincoln Lane, should the property choose to avail themselves of the service.
- d. *Schools:*
No change
- e. *Solid Waste:*
No change.
- f. *Stormwater:*
No change
- g. *Transportation Network Analysis:*
No Change

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 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:*
No change
- b. *Historical or archaeological sites:*
No Change
- c. *Flood zones:*
The subject property is in a partial floodplain; however, the requested annexation, land use, and design district pose no change from the current use.
- d. *Soil and topography:*
With this application for annexation, comprehensive plan land use assignment, and design district assignment, there is no change in the use of the property proposed.

3. Comprehensive Plan Review:

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

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

Existing Land Use According to the Lake County Comprehensive Plan:

“The Rural Transition Future Land Use Category is intended to address —edgell conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These edges represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques. This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate...”

Proposed Land Use According to the Eustis Comprehensive Plan:

“Agricultural (AG)

This land use designation is designed to limit the premature spread of urban growth and conversion of productive agricultural lands until such time as urban growth is contiguous and agricultural activities can no longer be economically sustained.

General Range of Uses: Single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, row crops, and public and utility services and facilities.

Maximum Density: Residential densities in Agricultural may not exceed one dwelling unit per five net buildable acres...”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

4. Transportation:

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

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

5. 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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

Standards for Review:

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

a. *Consistent with Comprehensive Plan:*

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

The proposed amendment is consistent with the Comprehensive Plan.

b. *In Conflict with Land Development Regulations:*

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

The proposed amendment is not in conflict with the Land Development Regulations.

c. *Inconsistent with Surrounding Uses:*

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

There is no proposed change in the use of the property.

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. The actual use of the property is not proposed to change.

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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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 life style”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

Findings Summary:

The proposed Future land Use proposed for the subject property is found to be consistent with the City of Eustis Comprehensive Plan and Land Development Regulations. The change of land use to the City of Eustis Agriculture (AG) designation, as associated with the voluntary annexation, is found to be consistent and equivalent to the current Lake County Future land Use designation.

Recommended Action:

Providing recommendations for LPA to accept and Transmit to City Commission, Ordinance Number 22-27

Policy Implications:

None

Alternatives:

1. Approval Transmittal of Ordinance Number 22-27 (Comp. Plan Amendment) to the City Commission

2. Deny transmittal of Ordinance Number 22-27 (Comp. Plan Amendment) to the City Commission.

Item 2.2

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Director, Development Services

ORDINANCE NUMBER 22-27

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 15 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 2869348, ON THE NORTH SIDE OF LAKE LINCOLN LANE, EAST OF ESTES ROAD FROM RURAL TRANSITION IN LAKE COUNTY TO AGRICULTURE IN THE CITY OF EUSTIS.

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

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 24.55 acres of real property located on the North side of Lake Lincoln Lane, East of Estes Road, and more particularly described herein; and

WHEREAS, on December 1, 2022, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on December 1, 2022, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on December 13, 2022, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Rural Transition in Lake County to Agriculture within the City of Eustis:

Alternate Key Number: 2869348

Parcel Number: 05-19-27-0004-000-00401

Legal Description: E 3/4 OF E 1/2 OF SW 1/4 OF SE 1/4 ORB 1992 PG 0421

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 13th day of December, 2022.

**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 13th day of December, 2022, by Christine Halloran, City Clerk, who is personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

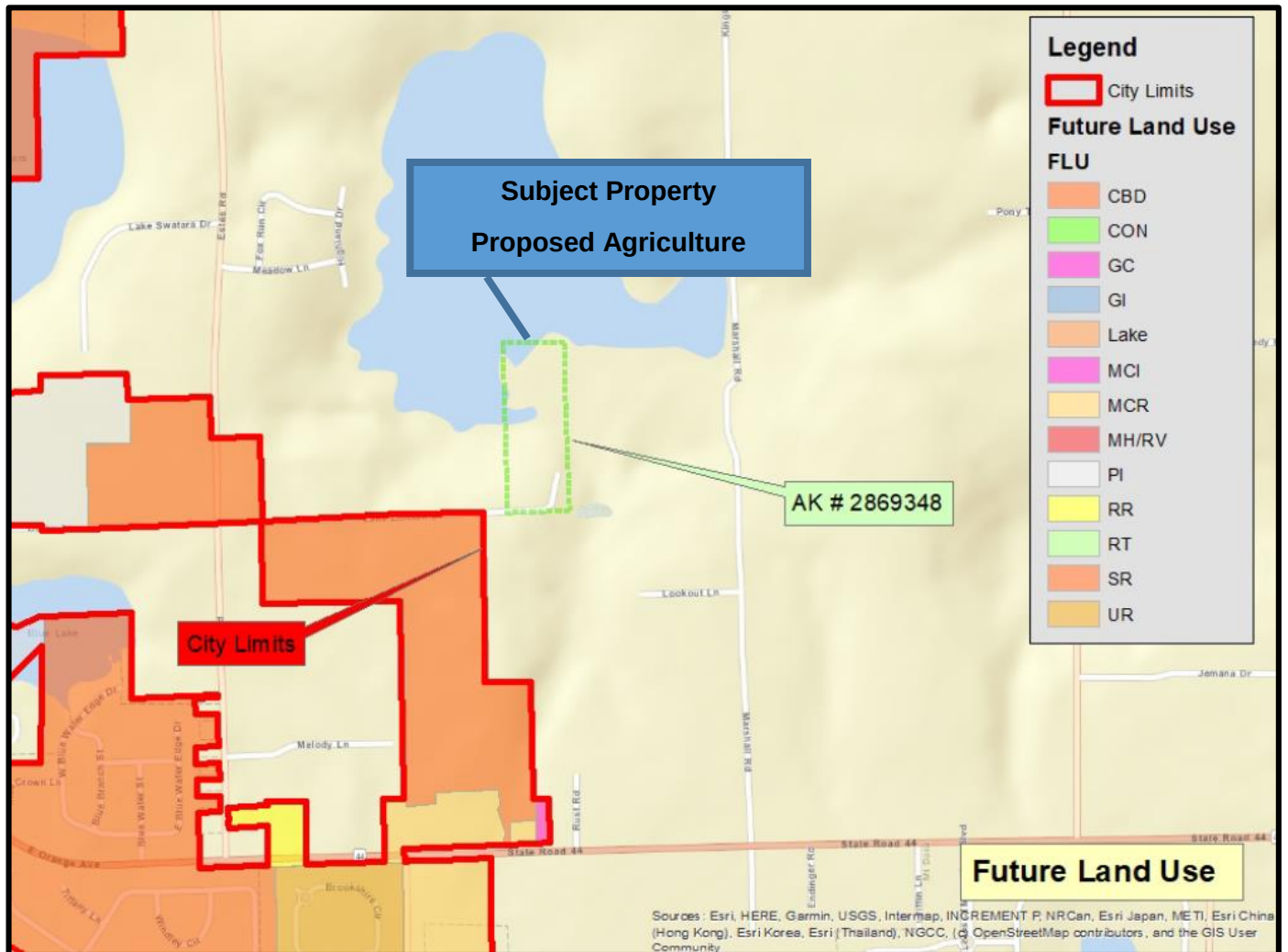
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 22-27 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

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

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: December 1, 2022

RE: Consideration of Ordinance Number 22-30 – Comprehensive Plan Map Amendment

Introduction:

This is a consideration of the Future Land Use Map designation assignment associated with a voluntary annexation (Ordinance Number 22-29) of approximately 16.82 acres located on the north side of Lake Lincoln Lane at 35145 Marshall Rd (Alternate Key Number 112332).

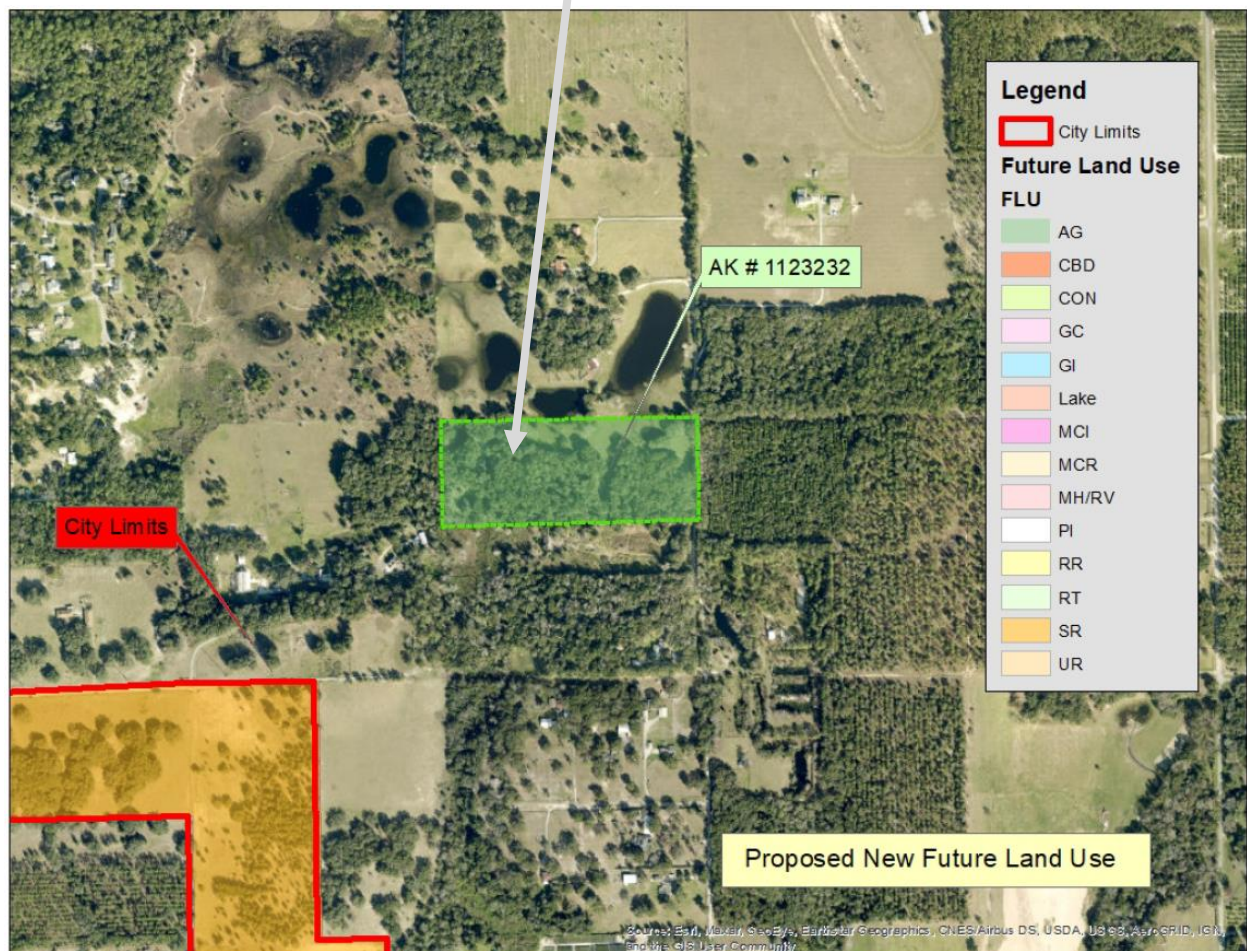
Provided the annexation of the subject property is approved, Ordinance Number 22-30 would change the future land use designation from Rural Transition in Lake County to **Agriculture (AG) in the City of Eustis**, and Ordinance Number 22-31 would assign the subject property a **design district designation of Rural Neighborhood**. If Ordinance Number 22-29 is denied, then there can be no consideration of Ordinance Number 22-30 or Ordinance Number 22-31.

Background:

The property owners (Nikko-Cesar and Adrienne Blanco) have requested Voluntary Annexation through Major Stacy, P.E. with Avian Engineering as their applicant agent. The properties consist of approximately 16.82 acres and are located within the Eustis Joint Planning Area. The properties are currently improved pastures for hay and homesite. *Source: Lake County Property Appraisers' Office Property Record Card Data.*

The property is not currently contiguous to the City of Eustis boundary; however, it becomes contiguous with the approval of the properties to the west being annexed. The properties to the west are also proposed for annexation, comprehensive plan land use assignment, and design district assignment under Ordinance Numbers 22-23, 22-24, and 22-25 and Ordinance Numbers 22-26, 22-27, and 22-28. The property would be consistent with Florida Statutes regarding contiguity provided that the previously listed Ordinances are adopted.

The analysis of this proposed request is conducted under the assumption of City Commission approval and adoption of Ordinance Numbers 22-23, 22-24, and 22-25 and Ordinance Numbers 22-26, 22-27, and 22-28



The property is currently designated with a Rural Transition land use in unincorporated Lake County. Approval of Ordinance Number 22-30 would change the land use designation to Agriculture (AG) in the City of Eustis.

The Rural Transition future land use designation assigned by Lake County allows for base densities of 1 dwelling unit per 5 acres, with additional density incentives by utilizing the Lake County Rural Conservation Subdivision policies and regulations. The City of Eustis Agriculture (AG) future land use designation also allows for densities of 1 dwelling unit per 5 acres. The proposed future land use within the City of Eustis and the Lake County Rural Transition future land use are compatible.

Development Services provided notice to the Lake County Board of County Commissioners via email (unofficial notice) on November 5, 2022, and via USPS Certified Mail (official notice) on November 7, 2022.

Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 22-30)

In accordance with 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 densities requested equate to existing unincorporated 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 property will not receive a change in density from the existing densities in Unincorporated Lake County, therefore no change is occurring.

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. There is no change in allowable densities from the status in Unincorporated Lake County. The proposed designation is consistent with the character of the surrounding area.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This indicator does not apply. The subject property is subject to a partial floodplain, however, the property is not proposed for development with the future land use change not increasing the allowable Unincorporated Lake County densities.

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. The future land use designation assigned with the annexation allows for the continuation of agricultural use of the property. The densities to be assigned with the Agriculture (AG) land use are consistent with agricultural uses.

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. Sanitary sewer may be available to serve the site, if unavailable any on-site septic systems may continue to be utilized.

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 existing and future development within the area.

8. Separation of Urban and Rural:

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

This indicator does not apply. The land use assigned to the properties is Agriculture.

9. Infill and Redevelopment:

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

This indicator does not apply.

10. Functional Mix of Uses:
Fails to encourage a functional mix of uses.

This indicator does not apply.

11. Accessibility among Uses:
Results in poor accessibility among linked or related land uses.

This indicator does not apply.

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 important open space.

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 action for the property is a continuation of existing homestead and agricultural uses.

- b. Efficient and Cost-Effective Services:
Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Water service is potentially available from Lake Lincoln Lane. Sanitary sewer is also potentially available to the south from Lake Lincoln Subdivision.

- 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.

Not applicable as the properties are having their use altered.

- d. Water and Energy Conservation:
Promotes the conservation of water and energy.

No Change from current uses on the property.

e. Agricultural Preservation:

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

The allowed agricultural use of the property and the existing homestead will continue with the annexation and assigned future land use.

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.

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.

This does not apply. The proposed change is a continuation of agricultural and existing homestead uses.

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 the 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:*
Continuation of the use of the property for agriculture and homestead under the City's AG land use does not increase the impact on Emergency Services.
- b. *Parks & Recreation:*
Not applicable
- c. *Potable Water & Sanitary Sewer:*
Water is potentially available to serve the subject property. Sanitary sewer, to serve the properties, is available to the south of Lake Lincoln Lane, should the property choose to avail themselves of the service.
- d. *Schools:*
No change
- e. *Solid Waste:*
No change.
- f. *Stormwater:*
No change
- g. *Transportation Network Analysis:*
No Change

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 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:*
No change
- b. *Historical or archaeological sites:*
No Change
- c. *Flood zones:*
The subject property is in a partial floodplain; however, the requested annexation, land use, and design district pose no change from the current use.
- d. *Soil and topography:*
With this application for annexation, comprehensive plan land use assignment, and design district assignment, there is no change in the use of the property proposed.

3. Comprehensive Plan Review:

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

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

Existing Land Use According to the Lake County Comprehensive Plan:

“The Rural Transition Future Land Use Category is intended to address —edgell conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These edges represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques. This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate...”

Proposed Land Use According to the Eustis Comprehensive Plan:

“Agricultural (AG)

This land use designation is designed to limit the premature spread of urban growth and conversion of productive agricultural lands until such time as urban growth is contiguous and agricultural activities can no longer be economically sustained.

General Range of Uses: Single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, row crops, and public and utility services and facilities.

Maximum Density: Residential densities in Agricultural may not exceed one dwelling unit per five net buildable acres...”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

4. Transportation:

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

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

5. 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

In accordance with Chapter 102-16(f), Land Development Regulations
Standards for Review:

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

- a. *Consistent with Comprehensive Plan:*
Whether the proposed amendment is consistent with all expressed policies in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

- b. *In Conflict with Land Development Regulations:*
Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations.

- c. *Inconsistent with Surrounding Uses:*
Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

There is no proposed change in the use of the property.

- 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. The actual use of the property is not proposed to change.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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 life style”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

Findings Summary:

The proposed Future Land Use for the subject property is found to be consistent with the City of Eustis Comprehensive Plan and Land Development Regulations. The change of land use to the City of Eustis Agriculture (AG) designation, as associated with the voluntary annexation, is found to be consistent and equivalent to the current Lake County Future land Use designation.

Recommended Action:

Providing recommendation for LPA to accept and Transmit to City Commission, Ordinance Number 22-30

Policy Implications:

None

Alternatives:

1. Approval Transmittal of Ordinance Number 22-30 (Comp. Plan Amendment) to the City Commission
2. Deny transmittal of Ordinance Number 22-30 (Comp. Plan Amendment) to the City Commission.

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Director, Development Services

ORDINANCE NUMBER 22-30

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 16.82 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1123232, ON THE WEST SIDE OF MARSHALL ROAD, NORTH OF LAKE LINCOLN LANE FROM RURAL TRANSITION IN LAKE COUNTY TO AGRICULTURE IN THE CITY OF EUSTIS.

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

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 16.82 acres of real property located on the west side of Marshall Road, north of Lake Lincoln Lane, and more particularly described herein; and

WHEREAS, on December 1, 2022, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on December 1, 2022, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on December 13, 2022, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Rural Transition in Lake County to Agriculture within the City of Eustis:

Alternate Key Number: 1123232

Parcel Number: 05-19-27-0004-000-00500

Legal Description: SE 1/4 OF SE 1/4--LESS S 765 FT-- ORB 5694 PG 2287

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 13th day of December, 2022.

**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 13th day of December, 2022, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

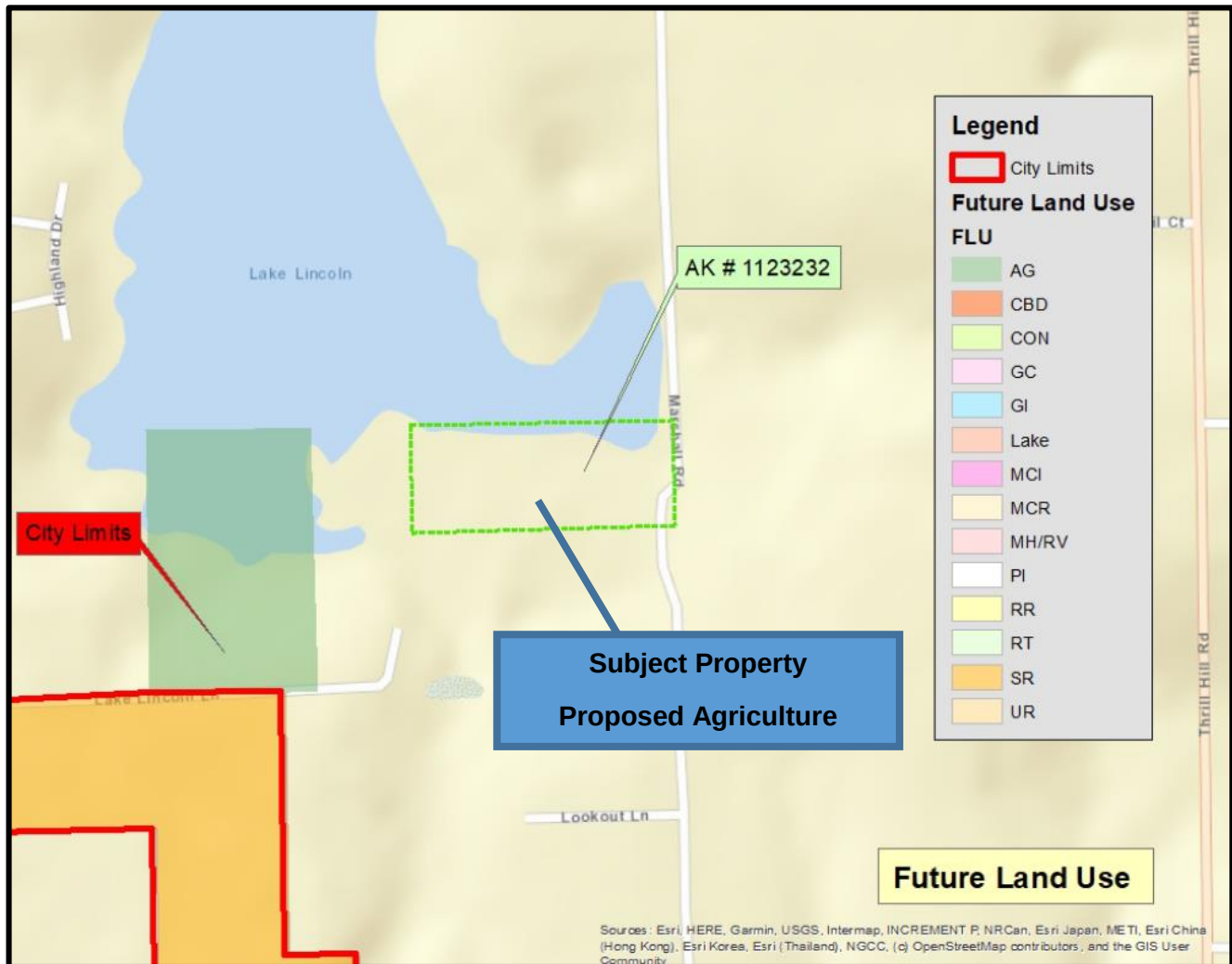
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 22-30 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

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

TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: December 1, 2022

RE: Consideration of Ordinance Number 22-33 – Comprehensive Plan Map Amendment

Introduction:

This is a consideration of the Future Land Use Map designation assignment associated with a voluntary annexation (Ordinance Number 22-32) of approximately 12 acres located on the east side of Marshall Road (Alternate Key Number 1039550).

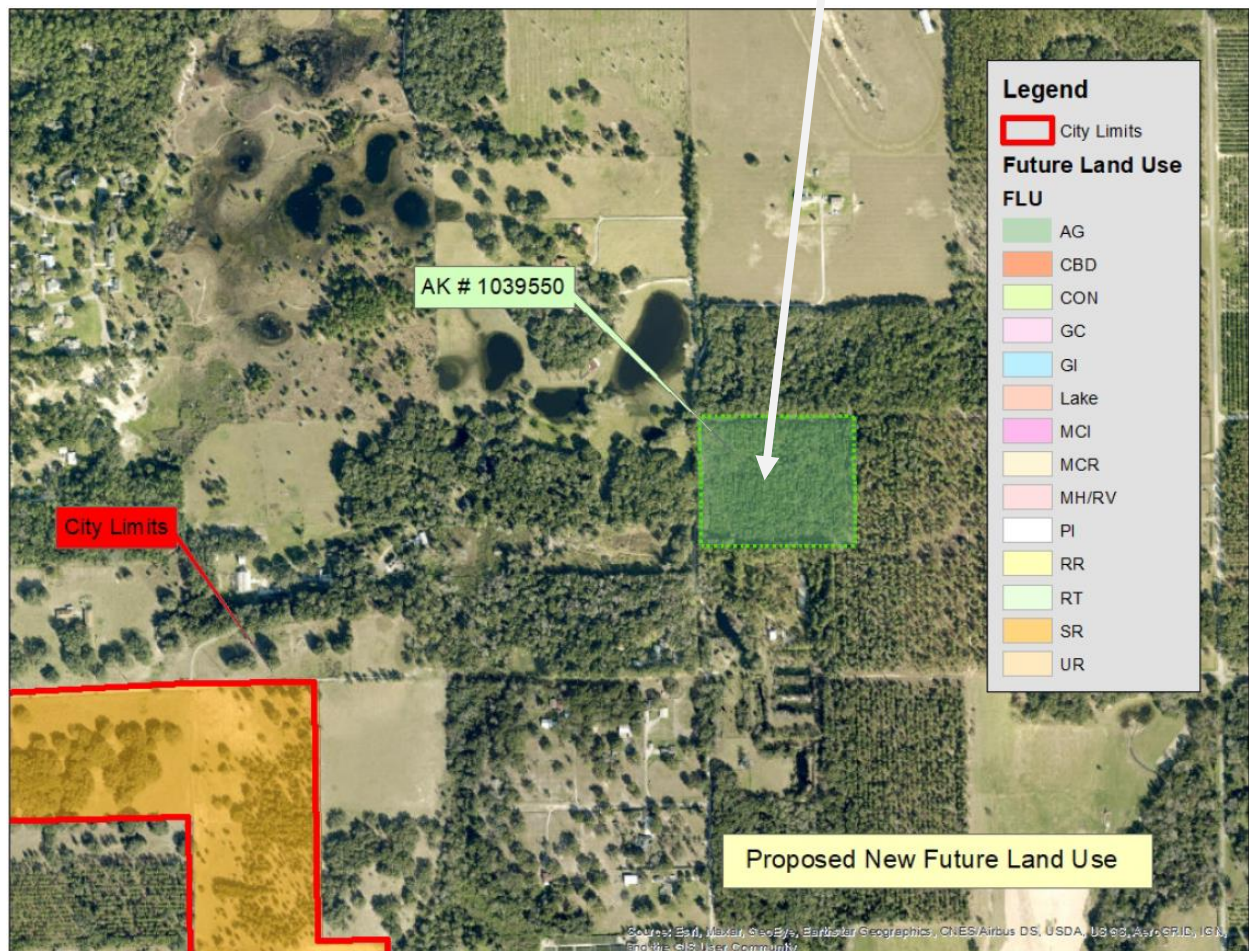
Provided the annexation of the subject property is approved by the City Commission, Ordinance Number 22-33 would change the future land use designation from Rural Transition in Lake County to **Agriculture (AG) in the City of Eustis**. If Ordinance Number 22-32 is denied, then there can be no consideration, by the City Commission, of Ordinance Number 22-33 or Ordinance Number 22-34.

Background:

The property owners (Eustis Isles LLC) have requested Voluntary Annexation through Major Stacy, P.E. with Avian Engineering as their applicant agent. The property consists of approximately 12 acres and is located within the Eustis Joint Planning Area. The property is currently vacant timber and wetland. *Source: Lake County Property Appraisers' Office Property Record Card Data.*

The property is not currently contiguous to the City of Eustis boundary; however, it becomes contiguous with the approval of the properties to the west being annexed. The properties to the west are also proposed for annexation, comprehensive plan land use assignment, and design district assignment under Ordinance Numbers 22-23, 22-24, and 22-25, and; Ordinance Numbers 22-26, 22-27, and 22-28, and; Ordinance Numbers 22-29, 22-30, and 22-31. The property would be consistent with Florida Statutes regarding contiguity provided that the previously listed Ordinances are adopted.

The analysis of this proposed request is conducted under the assumption of the City Commission's approval and adoption of Ordinance Numbers 22-23, 22-24, and 22-25, and; Ordinance Numbers 22-26, 22-27, and 22-28, and; Ordinance Numbers 22-29, 22-30, and 22-31.



The property is currently designated with a Rural Transition land use in unincorporated Lake County. Approval of Ordinance Number 22-33 would change the land use designation to Agriculture (AG) in the City of Eustis.

The Rural Transition future land use designation assigned by Lake County allows for base densities of 1 dwelling unit per 5 acres, with additional density incentives by utilizing the Lake County Rural Conservation Subdivision policies and regulations. The City of Eustis Agriculture (AG) future land use designation also allows for densities of 1 dwelling unit per 5 acres. The proposed future land use within the City of Eustis and the Lake County Rural Transition future land use are compatible.

Development Services provided notice to the Lake County Board of County Commissioners via email (unofficial notice) on November 5, 2022, and via USPS Certified Mail (official notice) on November 7, 2022.

Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 22-33)

In accordance with 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 densities requested equate to existing unincorporated 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 properties will not receive a change in density from the existing densities in Unincorporated Lake County, therefore no change is occurring.

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. There is no change in allowable densities from the status in Unincorporated Lake County. The proposed designation is consistent with the character of the surrounding area.

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 property is not proposed for development with the future land use change not increasing the allowable Unincorporated Lake County densities.

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. The future land use designation assigned with the annexation allows for the continuation of agricultural use of the property. The densities to be assigned with the Agriculture (AG) land use are consistent with agricultural uses.

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. Sanitary sewer may be available to serve the site, if not available, any on-site septic systems may continue to be utilized.

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 existing and future development within the area.

8. Separation of Urban and Rural:

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

This indicator does not apply. The land use assigned to the properties is Agriculture (AG).

9. Infill and Redevelopment:

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

This indicator does not apply.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply.

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 important open space.

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 action for the property is a continuation of agricultural uses.

b. Efficient and Cost-Effective Services:

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

Water service is available. Sanitary sewer is available from Lake Lincoln Lane.

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.

Not applicable as the properties are having their use altered.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

No Change from current uses on the property.

e. Agricultural Preservation:

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

The allowed agricultural use of the property will continue with the annexation and assigned future land use.

- 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.

- 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.

This does not apply. The proposed change is a continuation of agricultural uses.

- 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 the 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:*
Continuation of the allowable use of the property for agriculture and homestead under the City's AG land use does not increase the impact on Emergency Services.
- b. *Parks & Recreation:*
Not applicable
- c. *Potable Water & Sanitary Sewer:*
Water is available to serve the subject property.
Sanitary sewer, to serve the properties, is available to the south of Lake Lincoln Lane, should the property choose to avail themselves of the service.
- d. *Schools:*
No change
- e. *Solid Waste:*
No change.
- f. *Stormwater:*
No change
- g. *Transportation Network Analysis:*
No Change

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 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:*
No change
- b. *Historical or archaeological sites:*
No Change
- c. *Flood zones:*
No indication of designated flood zone
- d. *Soil and topography:*
With this application for annexation, comprehensive plan land use assignment, and design district assignment, there is no change in the use of the property proposed.

3. Comprehensive Plan Review:

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

Existing Land Use According to the Lake County Comprehensive Plan:

“The Rural Transition Future Land Use Category is intended to address —edgell conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These edges represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques. This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate...”

Proposed Land Use According to the Eustis Comprehensive Plan:

“Agricultural (AG)

This land use designation is designed to limit the premature spread of urban growth and conversion of productive agricultural lands until such time as urban growth is contiguous and agricultural activities can no longer be economically sustained.

General Range of Uses: Single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, row crops, and public and utility services and facilities.

Maximum Density: Residential densities in Agricultural may not exceed one dwelling unit per five net buildable acres...”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

4. Transportation:

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

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

5. 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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

Standards for Review:

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

- a. *Consistent with Comprehensive Plan:*
Whether the proposed amendment is consistent with all expressed policies in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

- b. *In Conflict with Land Development Regulations:*
Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations.

- c. *Inconsistent with Surrounding Uses:*
Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

There is no proposed change in the use of the property.

- 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. The actual use of the property is not proposed to change.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

- 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.

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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 life style”

There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.

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.

Findings Summary:

The proposed Future Land Use for the subject property is found to be consistent with the City of Eustis Comprehensive Plan and Land Development Regulations. The change of land use to the City of Eustis Agriculture (AG) designation, as associated with the voluntary annexation, is found to be consistent and equivalent to the current Lake County Future land Use designation.

Recommended Action:

Providing recommendation for LPA to accept and Transmit to City Commission, Ordinance Number 22-33

Policy Implications:

None

Alternatives:

1. Approval Transmittal of Ordinance Number 22-33 (Comp. Plan Amendment) to the City Commission
2. Deny transmittal of Ordinance Number 22-33 (Comp. Plan Amendment) to the City Commission.

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Director, Development Services

ORDINANCE NUMBER 22-33

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 12 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1039550, ON THE EAST SIDE OF MARSHALL ROAD, NORTH OF LAKE LINCOLN LANE FROM RURAL TRANSITION IN LAKE COUNTY TO AGRICULTURE IN THE CITY OF EUSTIS.

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

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 12 acres of real property located on the east side of Marshall Road, north of Lake Lincoln Lane, and more particularly described herein; and

WHEREAS, on December 1, 2022, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on December 1, 2022, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on December 13, 2022, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Rural Transition in Lake County to Agriculture within the City of Eustis:

Alternate Key Number: 1039550

Parcel Number: 04-19-27-0003-000-04500

Legal Description: NW 1/4 OF SW 1/4 OF SW 1/4, W 129 FT OF NE 1/4 OF SW 1/4 OF SW 1/4 ORB 5556 PG 2366

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this ____ day of _____, 2022.

**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 13th day of December, 2022, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 22-30 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A

