



AGENDA

Local Planning Agency Meeting

5:30 PM - Thursday, December 2, 2021 – City Hall

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. APPROVAL OF MINUTES

1.1 September 9, 2021 - Local Planning Agency Meeting

[Staff Report #21-0333 - Html](#)

[09-09-2021 LPA MIN - For Approval](#)

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARING AND RECOMMENDATION

2.1 Small-Scale Future Land Use Map Amendment to the Comprehensive Plan: 2021-CPLUS-09

[Staff Report #21-0327 - Html](#)

[LPA Report 2021-CPLU-09 Ordinance 21-35](#)

[Ordinance 21-35](#)

2.2 Small Scale Future Land Use Map Amendment to the Comprehensive Plan: 2979 South Grove Street 2021-CPLUS-08

[Staff Report #21-0329 - Html](#)

[LPA Report 2021-CPLUS-08](#)

[Ordinance Number 21-38 FLUMA](#)

3. ADJOURNMENT

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

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



City of Eustis

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

Staff Report

TO: Local Planning Agency
FROM: Mary Montez, City Clerk
DATE: December 2, 2021
RE: SEPTEMBER 9, 2021 - LOCAL PLANNING AGENCY MEETING

Introduction:

This item is for consideration of the minutes of the September 9, 2021, Local Planning Agency meeting.

Attachments:

[09-09-2021 LPA MIN - For Approval](#)

Reviewed by:



MINUTES

Local Planning Agency Meeting

5:30 PM - Thursday, September 9, 2021 - Community Building

CALL TO ORDER: 6:29 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Vice Chair Emily Lee, Karen LeHeup-Smith, Nan Cobb, Willie Hawkins and Chairman Holland

1. CONSIDERATION WITH BOARD DISCUSSION, PUBLIC HEARING AND RECOMMENDATION

1.1 2021-CPT-02 Comprehensive Plan Text Amendment

Lori Barnes, Development Services Director, provided a review of the 2021-CPT-02 comprehensive plan text amendment. She noted that the changes have been discussed at a number of workshops and meetings. She stated they were originally presented under 2021-CPT-01; however, at that meeting, the Board opted to only transmit the addition of the Property Rights Element to the State for review.

Ms. Barnes stated the intent of the amendment is to make changes to reflect the vision of the City Commission according to the Strategic Plan and other long-range planning documents, to provide municipal densities and intensities, thereby discouraging true urban sprawl and to provide internal consistency of the Comprehensive Plan Element and with the Land Development Regulations (LDR's). She explained that many of the changes eliminate duplicative and redundant language or language that is more appropriate in specificity for the LDR's. She indicated that one of the changes involves the future possible adoption of a transfer of development rights program for the Central Business District. She added that it does not establish the program and it does not mandate the Commission ever approving such a program but provides language so that, if the Commission decides to move forward in the future, it will not require another comprehensive plan amendment.

Ms. Barnes then explained that the amendment will make some changes to the Future Land Use Map Series including the current future land use map for Eustis and elimination of Map #19 which is the County's future land use map. She summarized stating that a number of elements are being proposed for amendment. She noted that the Infrastructure Element is not proposed at that time for amendment; however, it will be coming up for amendment as the St. John's River Water Management District works on their ten-year plan; after which the City will modify its ten-year plan. She stated that, if the LPA transmits the amendment to the Commission, a full presentation would be provided at that time.

Vice Chair Lee stated that the Board previously asked to have a two to three unit

per acre designation be added to the plan but it has never been acted on. She stated opposition to adopting the amendment without that.

Member Hawkins expressed agreement with Vice Chair Lee.

Member Cobb expressed support for a designation allowing 2.5 to 3 units per acre.

Chairman Holland asked about Map #19 with Ms. Barnes responding that Map #19 shows the County land use designations, not City. She explained the issue is that the County's land use designations are not consistent with the City's form-based code. She stated the City's land use designations provide flexibility and the design district designations add on a layer of regulations which reduces densities in certain design districts. She noted that in a corridor district, they will naturally obtain a higher density because they are permitted a multi-family lot type; however, in neighborhood designations the lot types are limited to estate lots, single family detached lots and duplex lots unless the Commission grants a PUD or a waiver. She further explained that the City's design districts paired with the land use districts naturally bring down the density. She explained the County's land use designations have a set maximum so they are inconsistent with the City's comprehensive plan.

The Board asked when Map #19 was incorporated into the City's Comprehensive Plan with Ms. Barnes responding it was part of the Comprehensive Plan re-write which began in 2006-2007 and which was adopted in 2009. She stated there is nothing in the minutes that explains why it was included. She added that it was marked as "draft" and had not even been adopted by the County Commission at that time.

Member LeHeup-Smith acknowledged she was on the Commission during that time; however, she did not remember discussing it.

Ms. Barnes stated she found that, in the past, the City's Comprehensive Plan included a future land use map that provided designations for the City's entire joint planning area. There seemed to be some concern that would create confusion and imply that the City had control over unincorporated areas within the JPA that had not yet been annexed. She stated that, at that time, the City's future land use map stopped showing unincorporated properties within the JPA and the County's land use map became a part of the City's plan. She acknowledged that the County did eventually adopt their future land use map.

The Board questioned whether or not any of the City's projects have been denied by the State because of Map #19 with Ms. Barnes responding negatively. She then explained that the City did have some issues with some lawsuits and land use designations in 2014-2015 based on the implication that all of the maps were regulatory when they were intended to be for reference. She further explained that the previous Development Services Director submitted a comprehensive plan amendment to address a number of issues and specifically mentioned that the only regulatory maps were the City's future land use map and the County's future land use map.

Member LeHeup-Smith stated that the City has a designation that allows from 1 to

5 units per acre and questioned why they would now need a separate designation for 2 to 3.

Vice Chair Lee responded that the residents see the one to five and believe that a developer would get five units per acre so there is a lack of trust.

Ms. Barnes stated that the City's SR designation does not say 1 to 5, it allows "up to five" units per acre. She explained that the Suburban Neighborhood district with Suburban Residential land use allows estate lots that can be sized up to three acres. In the Rural Neighborhood design district with Suburban Residential land use district (up to five) can also have an estate lot with up to three acres or a homestead lot with no maximum lot size assigned. She emphasized the flexibility built-in to the City's plan. She commented on the amount of misunderstanding about how the City's form-based code works and how the design district designations naturally bring down the densities. She noted the Oakmere and Lake Lincoln Subdivisions which came in around three units per acre and had Suburban Neighborhood designations. She emphasized that in a Rural Neighborhood designation there are more stringent site design standards that apply which further reduces densities. She further discussed the flexibility in the plan, use of waivers and Commission discretion in what it approves as well as additional regulations that affect the densities.

The Board questioned how they can get away from the perception that a developer will automatically get five units per acre since the designation states "up to five" with Ron Neibert, City Manager, responding that they can do that by making the concept plan review process mandatory prior to annexation. He noted that the consideration of an annexation has to be based strictly on whether or not the property may be annexed.

Derek Schroth, City Attorney, stated that the concept plan is not binding and that a developer is not going to invest a lot of money in a concept plan, engineering and architecture unless they are vested in it. He indicated the Commission could change the comprehensive plan to eliminate the "up to five" units per acre.

The Board questioned whether there are any properties being held up by the pending amendment with Ms. Barnes responding that there are some properties listed for sale that would be impacted by some of the changes especially those related to flood zones and one concept plan submitted that could be affected.

Ms. Barnes emphasized that the proposed changes are broad and are intended to be Citywide, not just applicable to certain properties.

Discussion was held regarding the possible effects and pending development projects with Ms. Barnes explaining that the Commission cannot waive anything contained in the plan. She stated that a developer would have to request a comprehensive plan amendment. She explained that a minor amendment would take four or five months but something more comprehensive could take many months.

Further discussion was held regarding changing the Rural Residential designation to up to three units per acre or to add a new designation with a limit of up to three and the effect of any changes on the pending Thrill Hill annexations with Mr.

Neibert indicating those applications have to be considered under the existing comprehensive plan.

The Board questioned when the comprehensive plan was last re-written with Ms. Barnes indicating it was completely re-written and adopted in 2009.

Discussion was held regarding holding a workshop on the amendment with the Members to individually contact Ms. Barnes to discuss what they want to see in the amendment.

Discussion was held regarding Agricultural with Ms. Barnes indicating the City does not have an Agricultural design district only a land use designation. She stated the City only has two properties in the City with that designation - one of which has single family homes on small lots on the south side of Pine Meadows Golf Course Road and the other is a single family home on Old Mount Dora Road with some orange trees. She indicated that the agricultural exemption is based on a bonafide agricultural use not the land use designation. She added that there are provisions in the land development regulations that allows someone to apply for a conditional use permit from the Commission to have an agricultural use within any residential district.

Ms. Barnes explained how a developer could have an agricultural use within a development either by using a planned unit development overlay or with a preliminary subdivision plat and conditional use permit for the project as a whole. She further explained that if a property with an existing agricultural use annexed into the City, it would be assigned some other land use designation; however, their agricultural use would continue as a pre-existing legally nonconforming use.

Chairman Holland opened the floor to public comment at 7:03 p.m.

Egor Emory addressed the Commission regarding the comprehensive plan, the need for the City to grow in a planned manner and how confusing the form-based code is.

Sean Parks, Lake County Commission Chairman, expressed support for the City continuing consideration of the amendment to allow further joint planning negotiations between the City and the County.

Jeremy Brown expressed concern regarding lack of availability of information.

Public comment was closed at 7:09 p.m.

CONSENSUS: It was a consensus of the Board to schedule a workshop on the amendment for Thursday, October 14th.

Moved by Member Cobb, seconded by Vice Chair Lee, to continue Comprehensive Plan Amendment 2021-CPT-02 to October 21st. Motion carried by the following votes:

Ayes: Vice Chair Lee, Member Cobb, Member Hawkins, and Chairman Holland

Nays: Member LeHeup-Smith

2. ADJOURNMENT: 7:13 P.M.

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



City of Eustis

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

Staff Report

TO: Eustis City Commission
FROM: Tom Carrino, Interim City Manager
DATE: December 2, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE
COMPREHENSIVE PLAN: 2021-CPLUS-09

Introduction:

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling 3.89 acres from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Background:

See attached Staff Report.

Recommended Action:

Staff recommends the LPA finds this small-scale future land use map amendment consistent with the Comprehensive Plan and transmits (2021-CPLUS-09) to the City Commission for action.

Alternatives:

1. Find this small-scale future land use map amendment consistent with the Comprehensive Plan and transmit 2021-CPLUS-09 to the City Commission for action.
2. Do not transmit the amendment.

Attachments:

[LPA Report 2021-CPLU-09 Ordinance 21-35](#)
[Ordinance 21-35](#)

Reviewed by:

Tom Carrino, Interim City
Manager
Mary Montez, City Clerk

Approved - 23 Nov 2021
Approved - 23 Nov 2021



City of Eustis

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

TO: LOCAL PLANNING AGENCY
FROM: TOM CARRINO, INTERIM CITY MANAGER
DATE: DECEMBER 2, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE
COMPREHENSIVE PLAN
(2021-CPLUS-09): PROPERTY LOCATED AT 16336 MCKINLEY RD

Introduction

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling 3.89 acres from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Recommended Action

Staff recommends the LPA finds this small-scale future land use map amendment consistent with the Comprehensive Plan and transmits (2021-CPLU-09) to the City Commission for action.

Background/Pertinent Site Information

1. The site has approximately 3.89 acres, and is located within the Eustis Joint Planning Area. The site is comprised of 2.89 upland acres and 1 acre of wetlands. A single-family home built in 1969 exists onsite.
2. The site is contiguous to the City on its north and east boundaries.
3. The site currently has a Lake County land use designation of Urban Low; approval of Ordinance Number 21-35 would change the land use designation to Suburban Residential (SR) in the City of Eustis. Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Single-Family	Urban Low (County)	NA (County)
North	Mini-Warehouse	General Industrial	Suburban Corridor
South	Vacant Residential	Urban Low (County)	NA (County)
East	Vacant Residential	Urban Low (County)	NA (County)
West	Auto-Repair, Single-Family and Vacant	Urban Low (County)	NA (County)

Applicant's Request

The applicant, Alejandro Perez, wishes to annex the property and change the future land use to Suburban Residential and assign a design district of Rural Neighborhood.

The current Lake County land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses up to four dwelling units per one net buildable acre in addition to civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use.

The property owner has requested the SR land use designation within the City of Eustis. The SR land use provides for residential uses up to 5 du/ac. The requested SR designation permits residential uses and is consistent with the land use designations of adjacent or nearby properties in the City of Eustis.

Analysis of Comprehensive Plan/Future Land Use Request (Ord. Number 21-35)

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 parcel is 3.89 acres and is already developed as residential in an area with a mix of uses.

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 site is located less than 500-feet from SR 19 and adjacent to existing commercial and residential development, and is approximately two miles from the downtown Eustis core.

3. Strip or Isolated Development:

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

This indicator does not apply. The site is adjacent to existing commercial and residential development. 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 already developed residential.

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. No agricultural uses exist adjacent to the property and the site is not prime farmland.

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water is available.

7. Cost Effectiveness and Efficiency of Public Facilities:

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

This indicator does not apply. Adequate capacity is available to serve the existing development and any future development consistent with the requested SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

8. Separation of Urban and Rural:

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

This indicator does not apply. The surrounding land is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

9. Infill and Redevelopment:

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

This indicator does not apply. The parcel is already developed residential.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. Commercial development to serve the residential population is located in close proximity to the site.

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 provides no functional open space and the site itself is not connected to regionally important open space or is a linkage to such areas.

13. Urban Sprawl:

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

a. Direction of Growth:

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

The site is within an enclave adjacent to existing suburban development patterns.

b. Efficient and Cost-Effective Services:

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

Upon annexation, water service is available.

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; existing, developed residential.

d. Water and Energy Conservation:

Promotes conservation of water and energy.

Not applicable.

e. Agricultural Preservation:

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

Not applicable; this site does not support active agricultural or silvicultural activities.

f. Open Space:

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

Not applicable; existing, developed residential.

g. Balance of Land Uses:

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

The designation allows for residential use and existing commercial development exists in close proximity to serve the residential population.

h. Urban Form Densities and Intensities:

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

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

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

Major Categories of Plan Policies:

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

1. General Public Facilities/Services:

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

a. Emergency Services Analysis:

The developed areas surrounding the site already receive emergency services. Development of this parcel will increase the efficiency of delivering emergency services. The City has a fire station within two

miles of the site.. As emergency services are already offered to residential developments in the surrounding area, service will become more efficient.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population reaching 20,015.

b. Potable Water & Sanitary Sewer:

Estimated water is based on the existing development (one SFR).

WATER

• Residential

LOS for water is 140 gcd. A household is defined as 2.51 persons/hh or 351 g/hh. 1 du x 351 g/du = 351 gal/day

There is sufficient capacity to serve.

c. Schools:

Not applicable; the site is already developed residential.

d. Solid Waste:

The City contracts with Waste Management for hauling of solid waste. The existing development will need to contract with the City solid waste provider. Serving this property will increase efficiency in delivery of services.

e. Stormwater:

Not applicable; the site is already developed residential.

f. Transportation Network Analysis:

Not applicable; the site is already developed residential.

2. Natural Resources/Natural Features:

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

a. Ground water recharge areas:

The site is in a low recharge area; zero to 4 inches per year.

b. Historical or archaeological sites:

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

- c. Flood zones:

The subject property is upland area not located in any flood zone, nor is it adjacent to any other properties that lie substantially within a flood zone.

- d. Soil and topography:

The site soils include Oklawaha Muck, and Wachula Sand 0 to 2 percent slopes, poorly drained soil, and Wachula Sand. The site is already developed residential.

3. Comprehensive Plan Review:

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

The current Lake County land use designation is Urban Low. The property owner has requested the SR land use designation within the City of Eustis. The evaluation below supports the requested designation.

- a. Review of Surrounding Properties

The Eustis land use designation to the north is General Industrial and is developed as a mini-warehouse storage facility. The Eustis land use designation to east is Rural Residential and property is developed residential

The County and use designation to the west and south is Urban Low. Property to the west fronts on SR 19 and includes both commercial and residential development.

- b. Comparison of Lake County Development Conditions

The maximum development potential under the county regulations would provide 15 dwelling units versus 19 under the proposed SR land use. However, the property is already developed as a single-family homesite, and the site contains wetlands and muck soils that would limit development potential should redevelopment ever be proposed.

- c. Proposed Residential Land Uses.

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

Not applicable.

- d. Proposed Non-Residential Land Uses.

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

Not applicable.

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.

The site is predeveloped residential; not applicable.

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.

City water service is available. Refer to 1.c above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

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

Standards for Review:

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

a. *Consistent with Comprehensive Plan:*

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

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 1.A through D.

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.

The SR future land use designation provides a transition between the commercial and industrial land uses along SR 19 and the Rural Residential to the east.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

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

e. *Demand on Public Facilities:*

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

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

City water is available to the site along McKinley Road. Adequate capacity is available to serve development consistent with the requested Suburban Residential future land use designation. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

f. Impact on Environment:

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

The site is not connected to significant open space. The site is not within the Wekiva Study Area.

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

The site is within an existing enclave contiguous to the City limits and is adjacent to suburban development including commercial, industrial and residential development. The requested SR future land use designation, coupled with a Rural Neighborhood design district designation, provides for a consistent development transect.

g. 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”

The proposed designation provides a transition between commercial and industrial development on SR 19 and the rural residential to the east.

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.

None.

Applicable Policies and Codes

Land Development Regulations Section 109-2.3:

Suburban residential district (SR). Areas designated suburban residential (SR) have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

Discussion of Alternatives:

Alternative 1 approves transmittal of the future land use map amendment.

Advantages:

- The requested land use change assignment is consistent with the proposed use of the property and the nature of the surrounding area and the comprehensive plan.

Disadvantages:

- There are no disadvantages.

Alternative 2 does not approve transmittal of the future land use map amendment.

Advantages:

- The LPA could consider different future land use designations.

Disadvantages:

- The property owner's request would be delayed.

Community Input

The department has notified surrounding property owners within 500 feet of the site; placed the proper legal advertisements in the newspaper; and the applicant posted the site. As of November 22, the department has received no public input. Additional opportunity for public input will be provided at the LPA meeting on December 2 and at the December 2 and December 16, 2021 City Commission meetings.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments: Ordinance Number 21-35, Exhibit A

ORDINANCE NUMBER 21-35

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 3.89 ACRES OF RECENTLY ANNEXED REAL PROPERTY 16336 MCKINLEY ROAD FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) 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 163.3184, 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 3.89 acres of property at 16336 McKinley Road, and more particularly described herein; and

WHEREAS, on December 2, 2021, 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 2, 2021, 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 16, 2021, 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 and shown on Exhibit A shall be changed from Urban Low in Lake County to Suburban Residential (SR) within the City of Eustis:

Parcel Alternate Key: 1213771 Parcel Identification Number: 35-18-26-0002-000-02401

FROM SE COR OF W 1/2 OF NE 1/4 OF NW 1/4, RUN N ALONG E LINE OF W 1/2 OF NE 1/4 OF NW 1/4 634.19 FT FOR POB, CONT N ALONG E LINE OF W 1/2 OF NE 1/4 OF NW 1/4 601.14 FT TO A PT 33.05 FT S OF N LINE OF SEC, W 265.25 FT, S 04DEG 54MIN 50SEC W 139.85 FT, N 85DEG 05MIN 10SEC W 34.84 FT, S 04DEG 54MIN 50SEC W 464.59 FT, E TO POB ORB 5743 PG 1331

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 16thth day of December 2021.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 2nd day of December, 2021, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

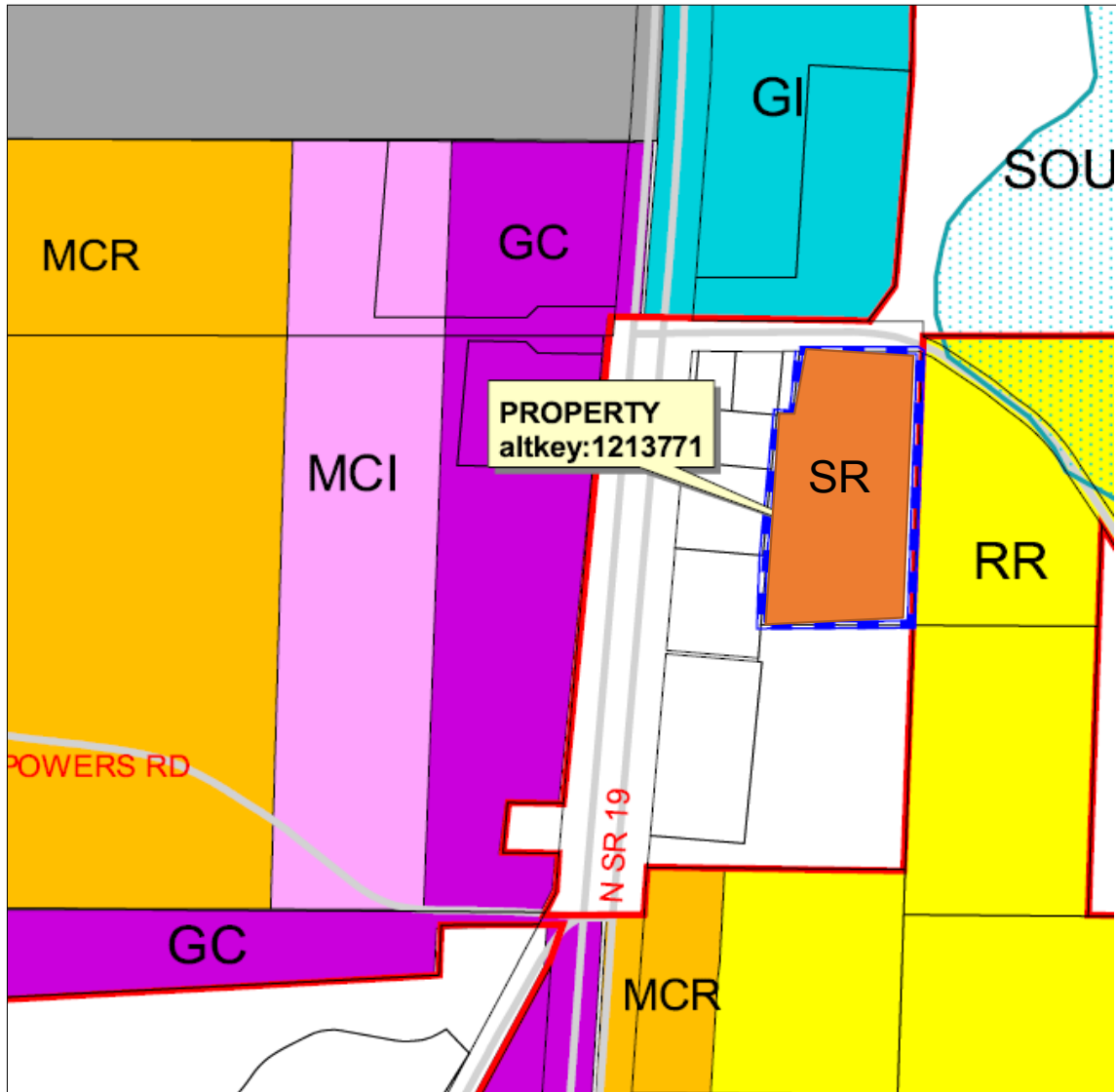
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 21-35 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Mary C. Montez, City Clerk

Exhibit A





City of Eustis

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

Staff Report

TO: Eustis City Commission
FROM: Tom Carrino, Interim City Manager
DATE: December 2, 2021
RE: SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN: 2979 SOUTH GROVE STREET 2021-CPLUS-08

Introduction:

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling approximately 0.6 acres from Urban Low in Lake County to Residential/Office Transitional (RT) in the City of Eustis.

Background:

See attached Staff Report.

Recommended Action:

The administration recommends the LPA finds 2021-CPLUS-08 consistent with the Comprehensive Plan and transmits to the City Commission for consideration.

Alternatives:

1. Transmit 2021-CPLUS-08 to the City Commission for action.
2. Do not transmit 2021-CPLUS-08 to the City Commission for action.

Attachments:

[LPA Report 2021-CPLUS-08](#)
[Ordinance Number 21-38 FLUMA](#)

Reviewed by:

Mary Montez, City Clerk
Lori Barnes, Director
Tom Carrino, Interim City Manager

Approved - 23 Nov 2021
Approved - 23 Nov 2021
Approved - 23 Nov 2021



City of Eustis

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

TO: LOCAL PLANNING AGENCY
FROM: TOM CARRINO, INTERIM CITY MANAGER
DATE: DECEMBER 2, 2021
RE: **SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN**
(2021-CPLUS-08): PROPERTY LOCATED AT 2979 SOUTH GROVE STREET (ALTERNATE KEY NUMBER 1240514)

Introduction

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling approximately 0.6 acres from Urban Low in Lake County to Residential/Office Transitional (RT) in the City of Eustis.

Recommended Action

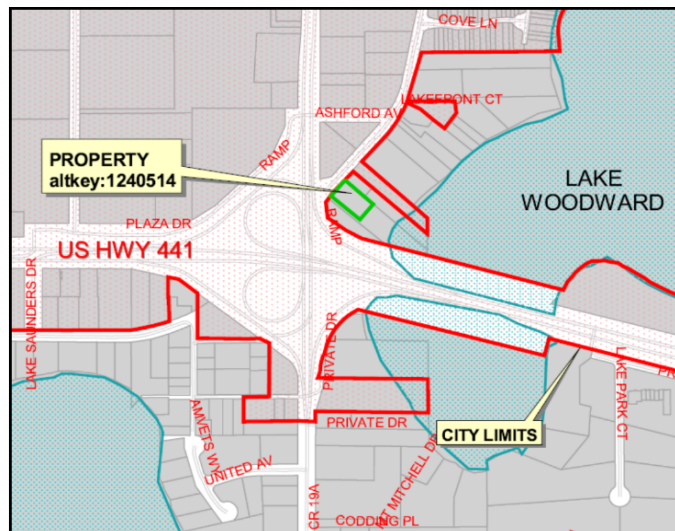
The administration recommends the LPA finds 2021-CPLUS-08 consistent with the Comprehensive Plan and transmits to the City Commission for action.

Background/Pertinent Site Information

1. The site contains approximately 0.6 acres, and is located within the Eustis Joint Planning Area. The site is currently developed with a single-family residence along with some minimal vegetation in existence. Source: Lake County Property Appraisers' Office Property Record Card Data.

2. The site is contiguous to the City on its northern and western boundary.

3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 21-38 would change the land use designation to Residential/Office Transitional (RT) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Single Family Residence	Urban Low (Lake County)	N/A
Northwest	Commercial	General Commercial	Suburban Corridor
Southwest	Single Family Residence	Urban Low (Lake County)	N/A
Southeast	Single Family Residence	Urban Low (Lake County)	N/A
Northeast	Single Family Residence	Urban Low (Lake County)	N/A

Applicant's Request

The applicant and property owner, Marti E Stouffer, wishes to annex the property, change the future land use to Residential/Office Transitional (RT), and assign a design district of Suburban Neighborhood.

The current Lake County land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses up to four dwelling units per one net buildable acre in addition to civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use.

The applicant has requested the RT land use designation within the City of Eustis. The RT land use provides for residential uses up to twelve dwelling units per acre or nonresidential uses up to a Floor Area Ratio of 2.5, but non-residential development would be limited to a Floor Area Ratio (FAR) of 0.35 due to the Suburban Neighborhood design district.

The requested RT designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility. The request for the RT land use is consistent with the designation of a property in the city limits, which less than 500-feet to the northeast of the subject property. The RT designation allows for similar uses as those that are in existence immediately adjacent to the property, both with regards to the adjacent and abutting residential uses to the north, east and south as well as with regards to the commercial uses to the west and further north and south. Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 21-38)

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 requested future land use (FLU) will provide for a higher density (twelve dwelling units per acre) than the county FLU (four dwelling units per acre) allows, and provides opportunity for mixed-use development.

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 site is adjacent to existing urban and suburban style residential development with commercial development to the north, south, and west. The property is located less than two miles from the downtown Eustis core.

3. *Strip or Isolated Development:*

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

This indicator does not apply. The site is adjacent to existing/approved residential and commercial development. 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 not in a floodplain nor does it contain any wetlands. The site must obtain building permit approval before development may begin. The Comprehensive Plan and the Land Development Regulations include standards for protection of environmentally sensitive lands that would apply should conditions at time of development warrant such protection.

5. *Agricultural Area Protection:*

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

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland but the site includes soil identified by the USDA as farmlands of unique importance, more specifically Lake sand, 0 to 5 percent slopes. However, this

site is in close proximity to commercial development and existing residential development. This is an urban area that would not be appropriate for agriculture.

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water is available to the property. Development of this parcel will maximize the use and efficiency of City water service. A septic system must be utilized as wastewater from the City is not currently available to this property.

7. Cost Effectiveness and Efficiency of Public Facilities:

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

This indicator does not apply. Adequate capacity is available to serve the existing and future development consistent with the requested RT future land use designation. The City provides these services to other properties in the area, so efficiency will improve. The property will utilize existing water service already provided to other properties in the area increasing efficiency and cost effectiveness.

8. Separation of Urban and Rural:

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

This indicator does not apply. No nearby properties contain active agricultural activities or uses. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses. The residential and limited commercial (business and professional offices and limited retail and service businesses) character of the RT land use designation and the Suburban Neighborhood Design District are compatible with the existing development pattern.

9. Infill and Redevelopment:

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

This indicator does not apply. This property is a logical extension of development for the city. Infill development and redevelopment is occurring in the city, mostly on existing platted lots. The RT future land use and Suburban Neighborhood design district are compatible and consistent with the existing development pattern.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The RT future land use permits a mix of uses. Commercial development to serve the residential population is located in

close proximity to the site, and within a walkable proximity. The site is surrounded by single-family development on the adjacent properties along South Grove Street and commercial development nearby to the west on the other side of South Grove Street as well as to the south.

11. **Accessibility among Uses:**

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate accessibility and linkages between related uses. Development Services will ensure compliance with these standards at time of development review.

12. **Open Space:**

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

This indicator does not apply. The site does not contain functional open space and is not connected to regionally 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 site is adjacent to existing urban/suburban development patterns and is a logical extension of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at time of site plan approval.

b. **Efficient and Cost-Effective Services:**

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

Water service is already available. This property using existing water service will increase the efficiency and cost effectiveness of these services.

c. **Walkable and Connected Communities:**

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

At time of development, the site must meet the City's Land Development Regulations. The site is within close proximity to parks and shopping, allowing for walking and biking to get to and from nearby destinations.

d. **Water and Energy Conservation:**

Promotes conservation of water and energy.

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

e. Agricultural Preservation:

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

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland but the site includes soil identified by the USDA as farmlands of unique importance, more specifically Lake sand, 0 to 5 percent slopes. However, this site is in close proximity to commercial development and existing residential development. This is an urban area that would not be appropriate for agriculture.

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 current use and site development of a residential home is similar with surrounding uses. Existing commercial development exists in close proximity to serve the residential population. The RT land use would permit future site (re)development to include residential or establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.

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. This is infill development consistent and compatible with existing surrounding development.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

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

impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

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

1. General Public Facilities/Services:

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

a. *Emergency Services Analysis:*

The subject property is located approximately two miles from the downtown core. Eustis emergency services already provide emergency response to other properties in the area. Additionally, fire service is approximately 0.6 miles of the subject property. Any development consistent with the RT future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. *Parks & Recreation:*

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population reaching 20,015.

Parks Level of Service Demand and Capacity

Year	Population	LOS Required acreage	Existing Acreage	Surplus/ (Deficiency)
2009/10	18,538	55.61	453.76	398.15
2010/11	18,760	56.28	453.76	397.48
2011/12	18,985	56.96	453.76	396.81
2012/13	19,213	57.64	453.76	396.12
2013/14	19,443	58.33	453.76	395.43
2014/15	20,015	60.05	453.76	393.72

c. *Potable Water & Sanitary Sewer:*

Water is available to the subject property, and serving the existing residence on the property.

According to the City of Eustis Public Works Department, water capacity is available to serve up to and including the maximum development potential should redevelopment be proposed.

Wastewater is provided by septic tank and will follow the Lake County Health Department rules, and wetland setback requirements in the Eustis Land Development Regulations.

d. *Schools:*

The proposed change will not negatively impact schools. A single-family residence is currently developed on the property, and any future (re)development would be considered a de-minimis development and does not require a school impact report.

e. *Solid Waste:*

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

f. *Stormwater:*

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

g. *Transportation Network Analysis:*

This property is already developed with a single-family residence, and no new development or use, or redevelopment, is proposed at this time. This request is expected to have no negative impacts on the existing transportation system. The existence of commercial development in a walkable distance to the property offers opportunities for a reduction in vehicle trips on the roadway network. At this time, the adjacent transportation network has the capacity to serve the proposed RT property, even at a maximum development standard, without negatively affecting the adopted level of service.

2. Natural Resources/Natural Features:

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

a. *Ground water recharge areas:*

The site is not within a high recharge area, nor a wellhead protection area. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

b. *Historical or archaeological sites:*

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

c. *Flood zones:*

The subject property is not located within a flood zone. Source - Lake County GIS - 2012 Flood Zones.

d. *Soil and topography:*

The site soils are Lake sand, 0 to 5% slopes. Lake sand is excessively drained with generally no flooding or ponding.

The depth to a restriction feature or the water table is at 80 inches or more below the surface. Permeability is rapid. This 0.6-acre site is surrounded by existing/approved residential and commercial development and not suited to agriculture.

As building permit approval must be obtained before redevelopment can begin, the Comprehensive Plan and the Land Development Regulations include standards for protection of environmentally sensitive lands that would apply should conditions at time of development warrant such protection.

If redevelopment is proposed in the future, a topographical survey documenting the slope of the land will be required to determine applicability of Section 121-27, LDRs, as to limitations of impervious surface area per acre.

3. Comprehensive Plan Review:

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

Existing Land Use According to the Lake County Comprehensive Plan:

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

This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. Within this category any residential development in excess of 10 dwelling units shall be required to provide a minimum 25% of the net buildable area of the entire site as common open space.

The maximum intensity in this category shall be 0.25, except for civic institutional uses which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60.”

Proposed Land Use According to the Eustis Comprehensive Plan:

This Residential/Office Transitional (RT) land use designation applies to older residential uses having residential character, which are located adjacent to non-residential development. The purpose is to provide for establishment of business and professional offices and limited retail and service businesses while maintaining residential character or compatibility. The concept is that many older residences are impacted by traffic or adjacent non-residential uses and are no longer economically viable as dwellings. Allowance of limited commercial use is a means of making these areas more productive while maintaining a residential-type character.

General Range of Uses: this category accommodates residential uses; professional and business offices in certain predominantly residential areas near major traffic arteries and adjacent to commercial areas; outdoor recreation; and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: residential densities may not exceed 12 dwelling units per net buildable acre and non-residential uses may have up to .25 Floor Area Ratio).

To the north, west, and south, the Eustis land use designations in the surrounding area is General Commercial. One property about a tenth of a mile to the north of the subject property has Residential/Office Transitional (RT) land use. Other nearby properties which are within the Eustis City

limits have a Suburban Residential land use. Some are currently developed as single family residential. A nearby property to the subject property was recently annexed into the City with a Suburban Residential land use and the applicant has intentions to develop the property with a single-family residence.

Surrounding development is a mixture of residential and commercial. Most nearby residential is older residential. The home on the subject property was built in 1935. The residential development nearby to the subject property was constructed as far back as 1949, as well as 1950, 1956, and 1969. Commercial development nearby includes neighborhood commercial such as retail and restaurants. This commercial development is within walking distance, and located in close proximity to major traffic arteries. This makes for a suitable location for the Residential/Office Transitional land use, as is being requested. This is an area with a residential-type character, but that could benefit from the opportunity for commercial development to have better economic viability while also serving the existing residential area. The RT land use offers flexibility for future redevelopment to fit the needs of the growing area and its demand.

In the event of future redevelopment of the subject property, the City's Land Development Regulations have buffer requirements between uses, such as if an office use were proposed on the site and residential is still existing adjacent to the site. Section 115-9.3.2 details the suburban design district standards, and includes a landscape buffer requirement between parcels for nonresidential uses. A minimum ten-foot landscape buffer is required between adjacent tracts (side and rear property boundaries).

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

Comparison of Lake County Development Conditions

The existing Lake County future land use designation of the property is Urban Low, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Low is a maximum of 4 dwelling units per acre and intensity of 0.25 to 0.35 floor area ratio, with the sum of residential density and non-residential intensity not exceeding 100%.

Residential: Lake County limits residential development to 4 du/acre or a total of 2 dwelling units. The Eustis RT land use allows 12 du/acre or 7 theoretical maximum units.

Commercial: Lake County limits commercial development to 0.25 to 0.35 floor area ratio (FAR). The Eustis RT land use allows up to a 0.35 floor area ratio. The Lake County Urban Low land use and Eustis RT land use have comparable FAR allowances.

The size and configuration of the property would not support the theoretical maximums even if subdivided. One single-family residence is currently developed on the property, and no new development is proposed at this time. Per the RT land use district regulations, an accessory dwelling unit or accessory apartment would be permitted here if proposed, but would need to meet all elements of the Land Development Regulations, including, but not limited to setback requirements and maximum impervious surface ratio. With regard to potential commercial redevelopment of this property, it would support the establishment of business and professional office use as well as limited retail and service businesses while maintaining residential character or compatibility. The current dwelling unit could be modified to be used for a commercial use, or it could be demolished for complete redevelopment of the property within the LDR's allowances. A maximum FAR of 0.35 would permit a maximum future nonresidential redevelopment with a maximum of 9,147.6 square feet, which is the maximum whether in City of Eustis RT or Lake County Urban Low.

Proposed Residential Land Uses.

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

Not applicable. The area already includes a mix of uses including single-family residential in close proximity to commercial.

Proposed Non-Residential Land Uses.

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

Not applicable.

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.

This property is already developed with a single-family residence, and no new development or use, or redevelopment, is proposed at this time. This request is expected to have no negative impacts on the existing transportation system. The existence of commercial development in a walkable distance to the property offers opportunities for a reduction in vehicle trips on the roadway network. At this time, the adjacent transportation network has the capacity to serve the proposed RT property, even at a maximum development standard, without negatively affecting the adopted level of service.

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.

City water service and other services are available. Refer to 1.c above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

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

Standards for Review:

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

a. *Consistent with Comprehensive Plan:*

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

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 1.A through D.

b. *In Conflict with Land Development Regulations:*

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

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

c. *Inconsistent with Surrounding Uses:*

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

The RT future land use designation is designed to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility. The surrounding existing uses on the southeastern side of South Grove Street are single-family residential with the same average density. The RT land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The northwestern side of South Grove Street provides commercial development, which serves the residential uses in the area.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is

required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.

e. *Demand on Public Facilities:*

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

City water service is available and in close proximity to the site in the Grove Street right-of-way. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation. A single-family residence is considered de-minimis for all infrastructure and services. Sewer service is not currently available to this property, so septic will need to be utilized. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

f. *Impact on Environment:*

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

The site 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.

Assigning land uses (and design districts) consistent with those in the city limits nearby will provide a consistent development pattern, efficient use of land, and cost-effective provision of infrastructure. The site is surrounded by General Commercial land use to the northwest, west, and south along with commercial uses to accompany it. This area is near the major roadway corridor of State Road 19 and US 441. The intersection harvests commercial uses, which transition to a lower density residential as distance increases from the heart of the majorly traveled roadway.

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”

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

i. Other Matters:

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

No other matters.

Applicable Policies and Codes

1. Comprehensive Plan - Residential/Office Transitional (RT): This land use designation applies to older residential uses having residential character, which are located adjacent to non-residential development. The purpose is to provide for establishment of business and professional offices and limited retail and service businesses while maintaining residential character or compatibility. The concept is that many older residences are impacted by traffic or adjacent non-residential uses and are no longer economically viable as dwellings. Allowance of limited commercial use is a means of making these areas more productive while maintaining a residential-type character. General Range of Uses: this category accommodates residential uses; professional and business offices in certain predominantly residential areas near major traffic arteries and adjacent to commercial areas; outdoor recreation; and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted. Maximum Density/Intensity: residential densities may not exceed 12 dwelling units per net buildable acre and non-residential uses may have up to .25 Floor Area Ratio.
2. Land Development Regulations Section 109-2.6: The RT land use has a maximum density of twelve units to one acre. The RT designation is intended to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.

Alternatives:

1. Transmit 2021-CPLUS-08 to the City Commission for action.
2. Do not transmit 2021-CPLUS-08 to the City Commission for action.

Discussion of Alternatives:

Alternative 1 approves transmittal of the future land use map amendment.

Advantages:

- The land use change assignment is consistent with the existing use of the property and the nature of the surrounding area.

Disadvantages:

- There are no disadvantages

Alternative 2 does not approve transmittal of the future land use map amendment.

Advantages:

- The LPA could propose a different land use designation.

Disadvantages:

- A Eustis land use designation must be assigned to an annexed property. If the LPA proposes a different land use designation, its designation could be inconsistent with the existing use of the property and/or incompatible with the surrounding area.

Community Input

The department has notified surrounding property owners within 500 feet of the site; placed the proper legal advertisements in the newspaper; and the applicant posted the site. As of November 22, the department received no inquiries from members of the public regarding this request. Additional opportunity for public input will be provided at the December 2 and December 16, 2021 City Commission meetings.

Prepared By:

Heather Croney, Senior Planner

Reviewed By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments: Ordinance Number 21-38 with Exhibit A

ORDINANCE NUMBER 21-38

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.6 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT 2979 SOUTH GROVE STREET FROM URBAN LOW IN LAKE COUNTY TO RESIDENTIAL/OFFICE TRANSITIONAL (RT) 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 No. 10-11; and

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 0.6 acres of real property located at 2979 South Grove Street, and more particularly described herein; and

WHEREAS, on December 2, 2021, 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 2, 2021, 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 16, 2021, 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 Urban Low in Lake County to Residential/Office Transitional (RT) within the City of Eustis:

Alt Key No. 1240514

Parcel No. 23-19-26-0002-000-02300

BEGIN 640.2 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF NORTHWEST ¼ OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 26 EAST IN LAKE COUNTY, FLORIDA AND RUN SOUTH 49° EAST 411.84 FEET, RUN THENCE SOUTH 40° 20' WEST 170.74 FEET FOR A POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 49° EAST 33 FEET TO A CONCRETE MARKER; CONTINUE THENCE SOUTH 49° EAST 215 FEET TO A CONCRETE MARKER; RUN

THENCE SOUTH 40° 07' WEST 116.36 FEET TO A CONCRETE MARKER; RUN THENCE NORTH 50° 32' WEST 219.56 FEET TO A CONCRETE MARKER; CONTINUE THENCE NORTH 50°32' WEST 33 FEET; RUN THENCE NORTH 42° 20' EAST 117.17 FEET MORE OR LESS TO THE POINT OF BEGINNING OF THIS DESCRIBED TRACT OF LAND.

SUBJECT TO THE ROAD RIGHT OF WAY FOR "GROVE STREET" OVER AND ABOVE THE NORTHERLY 33 FEET THEREOF.

ORB 1852 PG 0722.

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 16th day of December, 2021.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 16th day of December, 2021, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 21-38 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Mary C. Montez, City Clerk

Exhibit A

