



AGENDA

Local Planning Agency Meeting

5:30 PM - Thursday, September 23, 2021 - City Hall

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. APPROVAL OF MINUTES

1.1 August 5, 2021 - Local Planning Agency Meeting

[Staff Report #21-0263 - Html](#)

[08-05-2021 LPA MIN - For Approval](#)

2. CONSIDERATIONS WITH DISCUSSION, PUBLIC HEARING AND RECOMMENDATION

2.1 Small-Scale Future Land Use Map Amendment to the Comprehensive Plan: Property at the West End of West Seminole Avenue 2021-CPLUS-05

[Staff Report #21-0259 - Html](#), [Staff Report #21-0259 - Html](#)

[LPA Report 2021-CPLU-05 Ord. No. 21-28](#)

[Ordinance Number 21-28](#)

2.2 Small-Scale Future Land Use Map Amendment to the Comprehensive Plan: 2959 South Grove Street 2021-CPLUS-06

[Staff Report #21-0257 - Html](#), [Staff Report #21-0257 - Html](#)

[LPA Report 2021-CPLUS-06](#)

[Ordinance Number 21-25 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: September 23, 2021
RE: AUGUST 5, 2021 - LOCAL PLANNING AGENCY MEETING

Introduction:

This item is for consideration of the minutes of the August 5, 2021, Local Planning Agency meeting.

Attachments:

[08-05-2021 LPA MIN - For Approval](#)

Reviewed by:



MINUTES

Local Planning Agency Meeting

5:50 PM - Thursday, August 5, 2021 - Community Building
601 Northshore Drive, Eustis

CALL TO ORDER: 5:50 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

ABSENT: Willie Hawkins

1. APPROVAL OF MINUTES

1.1 July 15, 2021 - Local Planning Agency Meeting

Moved by Emily Lee, seconded by Nan Cobb, to approve the Minutes as submitted.

Motion carried by the following votes:

Ayes: Member Cobb, Vice Chair Lee, Member LeHeup-Smith and Chairman Holland

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARING AND RECOMMENDATION

2.1 2021-CPT-01 Comprehensive Plan Text Amendment

Lori Barnes, Development Services Director, explained the intent of the amendment and provided an overview of the proposed amendments to the various elements as well as the addition of the state-mandated Property Rights Element. She stated staff's recommendation that the LPA find the amendment consistent and transmit it to the Commission for consideration.

Mr. Holland opened the public hearing at 5:55 p.m.

Melanie Marsh, Lake County Attorney, stated the request of the Lake County Commission that they continue consideration of the comprehensive plan amendment until after the working group meeting.

The following individuals expressed opposition to the amendment: 1) Summer Young; and 2) Lee Conger.

LaVonne Silvernell suggested they change the landscaping wording as Florida Friendly landscaping can include non-native species. She also suggested making it more specific and measurable such as requiring non-turf grass.

Lee Conger suggested passing the Property Rights Element and postponing the rest until after the joint planning has been completed.

Chairman Holland noted the absence of Willie Hawkins and asked the members if they wanted to proceed or continue until everyone is present.

Three out of four members wanted to postpone all but the property rights element.

Moved by Nan Cobb, seconded by Emily Lee, to transmit only the addition of the Property Rights Element to the Commission for consideration. Motion carried by the following votes:

Ayes: Member Cobb, Vice Chair Lee and Chairman Holland

Nays: Member LeHeup-Smith

3. ADJOURNMENT: 6:03 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 or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*

MARY C. MONTEZ
City Clerk

MICHAEL L. HOLLAND
Chairman



City of Eustis

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Staff Report

TO: Local Planning Agency
FROM: Ronald Neibert, City Manager
DATE: September 23, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN: PROPERTY AT THE WEST END OF WEST SEMINOLE AVENUE 2021-CPLUS-05

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 0.26 acres from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Background:

See attached Staff Report.

Recommended Action:

The administration recommends the LPA finds 2021-CPLUS-05 consistent with the Comprehensive Plan and transmits to the City Commission for action.

Alternatives:

1. Transmit 2021-CPLUS-05 to the City Commission for action.
2. Do not transmit the amendment.

Attachments:

[LPA Report 2021-CPLU-05 Ord. No. 21-28](#)
[Ordinance Number 21-28](#)

Reviewed by:

Ronald Neibert, City Manager
Mary Montez, City Clerk

Approved - 17 Sep 2021
Approved - 17 Sep 2021



City of Eustis

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

TO: LOCAL PLANNING AGENCY
FROM: RONALD R. NEIBERT, CITY MANAGER
DATE: SEPTEMBER 23, 2021
RE: **SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN**
(2021-CPLUS-05): PROPERTY LOCATED ON THE WEST END OF W. SEMINOLE AVENUE

Introduction

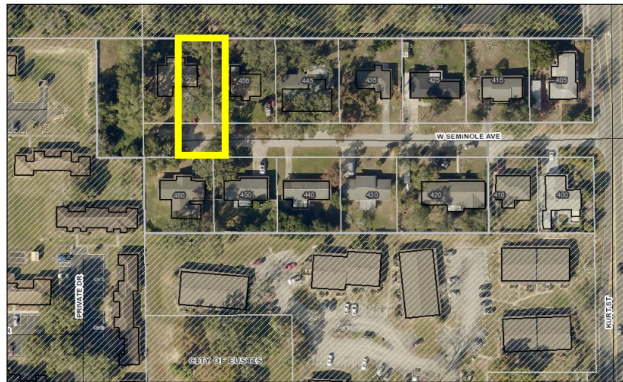
The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling 0.26 acres from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Recommended Action

Staff recommends the LPA finds this small-scale future land use map amendment consistent with the Comprehensive Plan and transmits (2021-CPLU-05) to the City Commission for action.

Background/Pertinent Site Information

1. The site has approximately 0.26 acres, and is located within the Eustis Joint Planning Area. The site contains one vacant, wooded parcel.
2. The site is contiguous to the City on its north, south and west boundaries.
3. The site currently has a Lake County land use designation of Urban Low; approval of Ordinance No. 21-28 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (County)	NA (County)
North	Vacant	Mixed Commercial/Residential	Suburban Neighborhood (SN)
South	Multi-Family	Urban Residential	Suburban Neighborhood (SN)
East	Single-Family	Lake County Urban Low	NA (County)
West	Multi-Family	Urban Residential	Suburban Neighborhood (SN)

Applicant's Request

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

The current Lake County future land use designation is Urban Low with a maximum density of four dwelling units per acre. The purpose of this district is to provide for medium Density single-family residential and multifamily housing usage in the Urban Future Land Use Category.

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 the commercial, residential, or a mixture of 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. No. 21-28)

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 proposed for inclusion as an emergency access for an adjacent development to the west.

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 several existing urban to suburban style residential developments, and 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 residential and civic 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 upland and partially wooded. Subdivision or site plan approval must be obtained before development can begin, and 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. The site is not prime farmland but soils are farmlands of unique importance. However, this is a wooded site completely surrounded by urban development and not suitable for farming.

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water and sewer 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 and 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 urban 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 surrounded by City urban development, future development on this site qualifies as infill development.

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, and development of this site as part of the adjacent proposed development may encourage additional non-residential development to satisfy demand by new residents.

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 site plan review.

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 urban development patterns. The City's CPP and LDR have provisions to protect natural resources and ecosystems at time of subdivision or site plan approval.

b. Efficient and Cost-Effective Services:

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

Upon annexation, water and sewer service are 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.

The site must meet City LDR's that require connectivity to streets, including pedestrian access.

d. Water and Energy Conservation:

Promotes conservation of water and energy.

When the site is developed, it 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 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.

During the development review process, staff will ensure compliance with minimum open space and park space requirements (if applicable).

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 new FLU 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 1 mile of the site and another one within 2 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. Furthermore, the Land Development Regulations require that all new residential subdivision developments incorporate parks for the residents of the development to ensure that the City maintains this level of service.

b. Potable Water & Sanitary Sewer:

Estimated water and sewer demands are based on possible maximum development scenarios. Actual build-out conditions will be determined by final determination of use, residential compatibility, minimum open space requirements and maximum impervious surface area requirements.

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

SEWER

- **Residential**

LOS for sewer is 120 gcd. $2.51 \text{ p/hh} \times 120 \text{ gcd} = 301.2$

$301.2 \text{ g/du} \times 1 \text{ du} = 301.2 \text{ g/d}$

There is sufficient capacity in both treatment and transmission facilities to meet demand even under a maximum development scenario.

c. Schools:

The Lake County School Board has reviewed the proposed future land use and provided an adequate public facilities determination. If future residential development is proposed, school concurrency review will be required.

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:

During the subdivision process, the submittal will be required to meet the City's and the SJRWMD's stormwater rules.

f. Transportation Network Analysis:

(Institute of Traffic Engineers Trip Generation Manual, 10th Edition). The following estimates are based on possible maximum development scenarios. Lake Sumter MPO traffic segment analyses already account for existing land uses along the roadways. So, in preparing this analysis, staff used the difference between the maximum number of dwelling units currently allowable under the Lake County designation versus what could be allowed with a Eustis SR future land use:

County Maximum Density: $4 \text{ du/ac.} \times 0.26 \text{ ac.} = 1 \text{ du}$

City Maximum Density: $5 \text{ du/ac} \times 0.26 \text{ ac.} = 1 \text{ du}$

No calculation is necessary to determine the difference in residential trips as there is no net increase with the proposed land use designation.

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 excessively drained within a low to moderate recharge area of 4 to 8 inches per hour. The stormwater regulations will take this into account at time of development review.

- 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 are Candler sand, 0 to 5 percent slopes, a nearly level to gently sloping and excessively drained sandy soil. The depth to a restriction or the water table is at 80 inches or more below the surface. Permeability is rapid. While the soil is suited to shallow rooted field and truck crops, it is a 10-acre wooded site surrounded by urban development and not suited to agriculture.

As subdivision or site plan approval must be obtained before development 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.

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 Public Institutional (PI) and does not allow residential uses. It does allow borrow pits and Eustis Public Works Department uses which are the current uses of the property.

The Eustis land use designation to the south and west is Urban Residential (UR). The UR designation is intended to provide for a mix of single-family, apartment, duplex and townhouse-type dwellings in an urban atmosphere, which is its current use.

The County and use designation to the east is Urban Low and developed for single family. As previously stated, this property lies within an enclave that abuts existing City of Eustis urban residential, public institutional and on all but one small remnant side of said enclave which connects to unincorporated Seminole Avenue. The

City's form based code allows a mixture of land use designations and relies on the design district standards and development regulations to ensure compatibility with existing development.

b. *Comparison of Lake County Development Conditions*

Due to the small size of the parcel, there is no difference in development potential between the existing County designation on the parcel versus the proposed Eustis land use.

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.

No change in development potential will be realized.

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.

Public utilities and 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 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 SR future land use designation is consistent with other land use designations in the area. See also Review of Surrounding Properties under item 3.C. above, which outlines the surrounding designations and demonstrates that the MCR future land use designation is consistent with other properties in this 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 and sewer. These changed conditions warrant a change in the land use designation.

e. Demand on Public Facilities:

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

City water and wastewater services are available to the site along Kurt Street and David Walker Drive. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation. New neighborhood roads will have sufficient capacity to serve a single-family development on this site. 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 other residential developments and civic uses. The requested SR future land use designation, coupled with a Suburban 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 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.

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.

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 would not be able to be incorporated into the planned subdivision (Royal Brothers/Grafton Ridge) to the west.

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 September 17, the department received one inquiry seeking clarification of the request. Additional opportunity for public input will be provided at the LPA meeting on September 23 and at the September 23 and October 7, 2021 City Commission meetings.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments: Ordinance No. 21-28, Exhibit A

ORDINANCE NUMBER 21-28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.26 ACRES OF RECENTLY ANNEXED REAL PROPERTY ON THE WEST END OF W. SEMINOLE AVENUE 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 0.26 acres of property on the west end of W. Seminole Avenue), and more particularly described herein; and

WHEREAS, on September 23, 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 September 23, 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 October 7, 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: 1216834 Parcel Identification Number: 15-19-26-0004-000-02500

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST; THENCE ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15 N00°42'36"W, A DISTANCE OF 495.78 FEET; THENCE DEPART SAID EAST LINE S89°17'24"W, A DISTANCE OF 663.17 FEET TO THE SOUTHEAST CORNER OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE ALONG THE SOUTH LINE OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF

THE SOUTHEAST 1/4 OF SAID SECTION 15 S89°55'06"W, A DISTANCE OF 65.93 FEET; THENCE ALONG THE WEST LINE OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 N00°31'51"W, A DISTANCE OF 173.00 FEET TO A POINT ON THE NORTH LINE OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 N89°59'35"E, A DISTANCE OF 66.14 FEET TO A POINT ON EAST LINE OF THE EAST 66 FEET OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE ALONG SAID EAST LINE OF SAID EAST 66 FEET OF THE NORTH 173 FEET S00°27'40"E, A DISTANCE OF 172.92 FEET TO THE POINT OF BEGINNING. 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 7th day of October 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 7th day of October, 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 City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

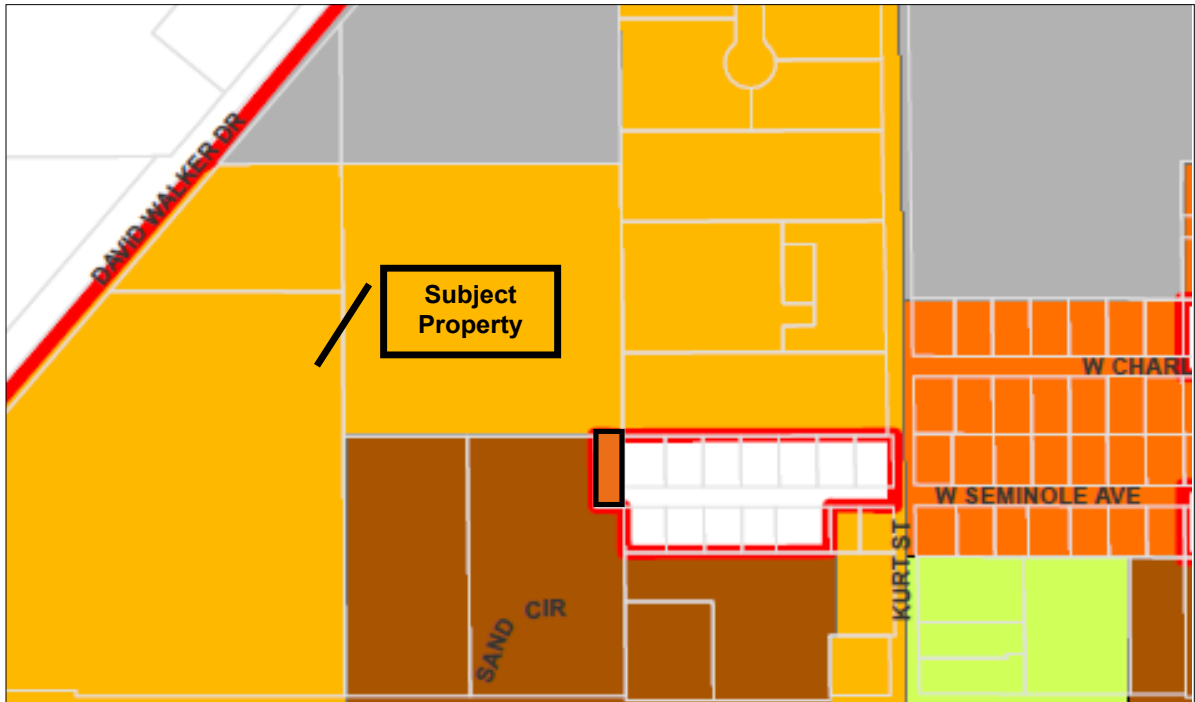
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 21-28 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: City Commission
FROM: Ronald Neibert, City Manager
DATE: September 23, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE
COMPREHENSIVE PLAN: 2959 SOUTH GROVE STREET 2021-CPLUS-06

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 0.83 acres from Urban Low in Lake County to Suburban residential in the City of Eustis.

Background:

See attached Staff Report.

Recommended Action:

The administration recommends the LPA finds 2021-CPLUS-06 consistent with the Comprehensive Plan and transmits to the City Commission for action.

Alternatives:

1. Transmit 2021-CPLUS-06 to the City Commission for action.
2. Do not transmit the amendment.

Attachments:

[LPA Report 2021-CPLUS-06](#)

[Ordinance Number 21-25 FLUMA](#)

Reviewed by:

Ronald Neibert, City Manager
Mary Montez, City Clerk

Approved - 17 Sep 2021
Approved - 17 Sep 2021



City of Eustis

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

TO: LOCAL PLANNING AGENCY
FROM: RONALD R. NEIBERT, CITY MANAGER
DATE: SEPTEMBER 23, 2021
RE: **SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN**
(2021-CPLUS-06): PROPERTY LOCATED AT 2959 SOUTH GROVE STREET

Introduction

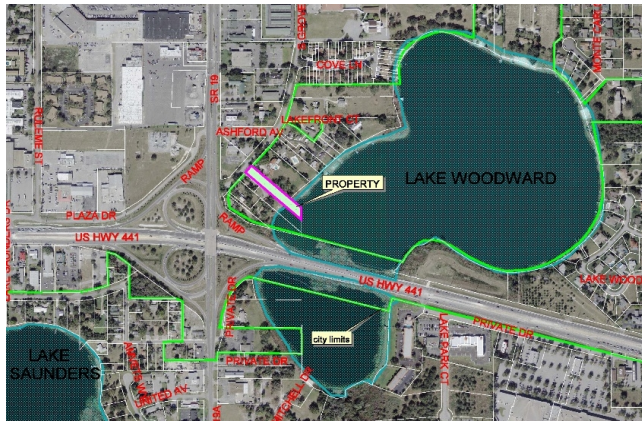
The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling approximately 0.83 acres from Urban Low in Lake County to Suburban residential in the City of Eustis.

Recommended Action

The administration recommends the LPA finds 2021-CPLUS-06 consistent with the Comprehensive Plan and transmits to the City Commission for action.

Background/Pertinent Site Information

1. The site contains approximately 0.83 acres, and is located within the Eustis Joint Planning Area. The site is currently vacant, undeveloped land with minimal vegetation in existence. *Source: Property Boundary Survey provided with application.*



2. The site is contiguous to the City on its northwestern boundary.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance No. 21-25 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	Detached Garage	Urban Low (Lake County)	NA
Northeast	Single Family Residence	Urban Low (Lake County)	NA
Southwest	Single Family Residence	Urban Low (Lake County)	NA
East	Lake Woodward	Urban Low (Lake County)	NA
Northwest	Commercial	General Commercial	Suburban Corridor

Applicant's Request

The applicant, Villagers for Veterans Inc, wishes to annex the property, change the future land use to Suburban Residential and assign a design district of Suburban Neighborhood.

The current Lake County land use designation is Urban Low. The Lake County land use designation allows for residential uses up to four (4) dwelling units per one (1) 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 dwelling units per acre. The requested SR designation permits the proposed residential use and is consistent with the land use designation of properties to the north in the City of Eustis. The SR designation allows for similar uses as those that are in existence immediately adjacent to the property to the Southwest and Northeast, which are single family residences with Lake County land use designation of Urban Low.

Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 21-25)

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 will provide for a higher density (5 du/acre) than the county FLU (4 du/acre) allows.

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 west, and 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 property is partially within a floodplain (small area to the rear of the property) and wetlands exist at the rear of the property (abuts Lake Woodward). 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 soils identified by the USDA as farmlands of unique importance, including Lake sand, 0 to 5 percent slopes, as well as Candler Sand, 0 to 5 percent slopes. Both of these are categorized as farmland of unique importance. 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 SR 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 single-family character of the SR 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 is occurring in the city, mostly on existing platted lots. The SR 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. 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.

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 subdivision or 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 development 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 nearby destinations.

d. Water and Energy Conservation:

Promotes conservation of water and energy.

When the site is developed, it 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 does not support active agricultural or silvicultural activities. The site is not prime farmland but the site includes soils identified by the USDA as farmlands of unique importance, including Lake sand, 0 to 5 percent slopes, as well as Candler Sand, 0 to 5 percent slopes. Both of these are categorized as farmland of unique importance. 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 proposed use for a residential home is similar with surrounding uses. 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. 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 0.61 miles of the subject property. Any development consistent with the SR 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. The following outlines the water and wastewater demand based on a maximum development potential scenario.

Potential Residential Demand

1 Dwelling Units

Water – 1 x 351 GPD = 351 GPD

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

Wastewater will be 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. The addition of one single-family home is 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:*

A single-family home is considered de-minimis development for transportation and is considered 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 SR 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 partially located in flood zone AE at the rear and Eastern portion of the property. The area of the property in the flood zone is minimal (only 0.07 acres of the upland portion of the property; adequate land area outside the flood zone is available for

construction of a single-family home. Source - Lake County GIS - 2012 Flood Zones.

d. Soil and topography:

The site soils are Candler sand, 0 to 5 percent slopes, a nearly level to gently sloping and excessively drained sandy soil, and Lake sand, 0 to 5% slopes.

The depth to a restriction or the water table is at 80 inches or more below the surface. Permeability is rapid. While the Candler sand is suited to shallow rooted field and truck crops, this 0.83-acre site is surrounded by existing/approved residential and commercial development and not suited to agriculture.

As building permit approval must be obtained before development 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.

At time of building permit submittal, a topographical 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:

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

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac). To the west and south, the Eustis land use designations in the surrounding area is General Commercial.

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 3 dwelling units. The SR allows 5 du/acre or 4 theoretical maximum units.

The size and configuration of the property would not support the theoretical maximums even if subdivided. Proposed is one single-family home; if a second dwelling unit were proposed, a Conditional Use Permit approval would be required from the City Commission as per the SR land use district regulations.

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.

A single-family home is considered de-minimis development for transportation and is considered 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 SR 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 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 SR future land use designation is designed for single-family residential areas. The surrounding existing uses on the southeastern side of South Grove Street are single-family residential with the same average density. The SR designation is intended to provide for residential uses in a suburban atmosphere. 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. At time of future development review, as the property includes a portion of Lake Woodward, additional studies will be required to evaluate natural features, and if present, to minimize the impact of development to the natural environment.

g. Orderly Development Pattern:

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

The annexation would create a logical development pattern as it makes the City limits more compact, to reach the eventual goal of a Eustis area under one local government jurisdiction. 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. This is an infill development project and would result in orderly and logical development.

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 SR 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 - Suburban Residential (SR): This designation is provided to accommodate the majority of residential development within the City. General Range of Uses: This designation is intended to provide for a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.
2. Land Development Regulations Section 109-2.3: The SR land use has 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.

Alternatives:

1. Transmit 2021-CPLUS-06 to the City Commission for action
2. Do not transmit 2021-CPLUS-06 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 posted the site. The department has not received contact from any adjacent property owners.

Reviewed By:

Lori Barnes, AICP, CPM, Development Services Director

Prepared By:

Heather Croney, Senior Planner

Attachments: Ordinance Number 21-25 with Exhibit A

ORDINANCE NUMBER 21-25

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 0.83 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT 2959 SOUTH GROVE STREET FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.

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

WHEREAS, 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 0.83 acres of real property located at 2959 South Grove Street, and more particularly described herein; and

WHEREAS, on September 23, 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 September 23, 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 October 7, 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 Suburban Residential within the City of Eustis:

Alt Key Number 1706289

Parcel Number 23-19-26-0002-000-02500

BEGIN 9.70 chains East of the Northwest corner of Southeast 1/4 of Northwest 1/4 of Section 23, Township 19 South, Range 26 East, Lake County, Florida, run thence South 49 degrees East 6.24 chains, thence South 40 degrees West 39 links for point of beginning; run thence South 49 degrees East 5.90 chains to Lake, thence continue in Lake to the East boundary of said Southeast 1/4 of Northwest 1/4, thence back to point of beginning, and run South 40 degrees West 70 feet, thence South 49 degrees East 5.90 chains, more or less, to Lake, thence continue in Lake to East boundary of said Southeast 1/4 of Northwest 1/4, thence North along

said East boundary of Southeast 1/4 of Northwest 1/4 to intersect the Northern boundary of this tract of land, less right of way for road.

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 7th day of October, 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 7th day of October, 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 City Commission of the City of Eustis, Florida, 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 21-25 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

