



AGENDA

Local Planning Agency Meeting

5:50 PM - Thursday, July 1, 2021 - Community Building

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. APPROVAL OF MINUTES

1.1 June 17, 2021 - Local Planning Agency Meeting

[Staff Report #21-0169 - Html](#)

[06-17-2021 LPA MIN - For Approval](#)

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARING AND DIRECTION

2.1 Small-Scale Future Land Use Map Amendment to the Comprehensive Plan (2021-CPLUS-02) Northeast Corner of Estes Road and Lake Lincoln Lane

[Staff Report #21-0165 - Html](#)

[LPA Report Ord. No. 21-16](#)

[Ordinance No. 21-16](#)

2.2 Small-Scale Future Land Use Map Amendment to the Comprehensive Plan (2021-CPLUS-03) West Side of Estes Road (approximately 650-feet north of Bates Avenue)

[Staff Report #21-0166 - Html](#)

[LPA Report Ord. No. 21-19](#)

[Ordinance No. 21-19](#)

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: July 1, 2021
RE: JUNE 17, 2021 - LOCAL PLANNING AGENCY MEETING

Introduction:

This item is for consideration of the minutes of the June 17, 2021, Local Planning Agency meeting.

Attachments:

[06-17-2021 LPA MIN - For Approval](#)

Reviewed by:



MINUTES

Local Planning Agency Meeting

5:50 PM - Thursday, June 17, 2021 - City Hall

CALL TO ORDER: 5:51 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Member Willie Hawkins, Vice Chair Emily Lee, Member Karen LeHeup-Smith (arrived 5:57 p.m.), Member Nan Cobb and Chairman Michael L. Holland

1. APPROVAL OF MINUTES

- 1.1 May 20, 2021 - Local Planning Agency Meeting
June 3, 2021 - Local Planning Agency Meeting

Moved by Vice Chair Lee, seconded by Member Hawkins, to approve the Minutes as submitted. Motion carried by the following votes:

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

2. CONSIDERATION, DISCUSSION, PUBLIC HEARING & DIRECTION

- 2.1 2021-CPT-01 Comprehensive Plan Text Amendment

Lori Barnes, Development Services Director, noted that since the Commission also sits as the Local Planning Agency there would only be a brief presentation with a full presentation to be provided at the Commission meeting. She stated that the intent of the Comprehensive Plan text amendment (2021-CPT-01) is to reflect the vision of the City Commission to provide for municipal densities and intensities thereby discouraging urban sprawl and to improve the internal consistency of the Comprehensive Plan elements as well as with the Land Development Regulations. She added that the amendment would also eliminate duplicate language, add a Property Rights Element as will be required as of July 1st by state law and will amend two maps in the Future Land Use map series. She indicated that most, but not all, of the elements in the Comprehensive Plan are proposed for amendment. The addition of the Property Rights Element is proactive to the legislation that is coming into law and the Future Land Use map series will be amended to update the Eustis future land use map and to eliminate Map #19 - the visioned joint planning area map. She noted that the item was previously continued to the date certain.

Chairman Holland noted that there was a workshop on the amendment the previous night and asked if there were any further questions.

Vice Chair Lee asked how the amendment would affect the pending annexations with Mr. Neibert stating it would not have an effect as the properties are not currently contiguous and cannot be annexed at that time. However, it would have

an effect on other projects currently being considered.

Chairman Holland opened the public hearing at 5:55 p.m. He noted that additional comments would be allowed during the regular Commission meeting if the item is transmitted to the Commission.

Alan Rosen, Lake County Manager, addressed the Commission on behalf of the Lake County Commission. He stated they hoped that the Commission would postpone the item to allow more time for negotiations regarding the joint planning area.

Lee Conger expressed concern regarding property to the east being designated as Suburban Residential instead of Rural.

Karen LeHeup-Smith joined the meeting at 5:57 p.m.

There being no further public comment, the hearing was closed at 5:57 p.m.

Moved by Member Hawkins, seconded by Member LeHeup-Smith, to find the amendment consistent with the Comprehensive Plan and transmit the amendment to the City Commission for consideration. Defeated by the following votes:

Ayes: Member Willie Hawkins and Member LeHeup-Smith

Nays: Vice Chair Lee, Member Cobb and Chairman Holland

3. ADJOURNMENT: 5:58 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

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

TO: LOCAL PLANNING AGENCY
 FROM: RONALD R. NEIBERT, CITY MANAGER
 DATE: JULY 1, 2021
 RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN
 (2021-CPLUS-02): PROPERTY LOCATED AT THE NORTHEAST CORNER OF ESTES ROAD AND LAKE LINCOLN LANE

Introduction

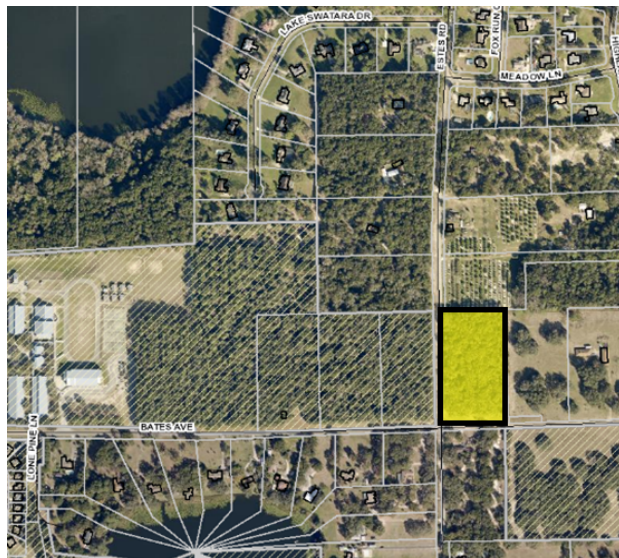
The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling 5.2 acres from Rural Transition in Lake County to Suburban Residential (SR) in the City of Eustis.

Recommended Action

Staff recommends the LPA finds this small-scale future land use map amendment consistent with the Comprehensive Plan and transmits (2021-CPLU-02) to the City Commission for action.

Background/Pertinent Site Information

1. The site contains approximately 5.2 acres, and is located within the Eustis Joint Planning Area. The is comprised of one (1) wooded, vacant parcel.
2. The site is contiguous to the City on its western boundary.
3. The site has a Lake County land use designation of Rural Transition, but approval of Ordinance Number 21-16 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
----------	--------------	-----------------	-----------------

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Rural Transition (Lake County)	NA
North	Vacant (orange grove associated with “agricultural homesite” on separate tax parcel but commonly owned)	Rural Transition (Lake County)	NA
South	Single-Family	Rural Transition (Lake County)	N/A
Southeast	Vacant (approved for 121 SFR)	Suburban Residential	Suburban Neighborhood
East	Vacant	Rural Transition (Lake County)	NA
West	Vacant (approved for 49 SFR)	Suburban Residential	Suburban Neighborhood

Applicant’s Request

The applicant, Lake RC LLC, 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 land use designation is Rural Transition. The Lake County land use designation allows for residential uses up to 1 du/5 acres with alternative densities up to 1 du/1 ac under clustered rural conservation subdivision with PUD and other conditions, and the zoning of Agricultural (A) allows agriculture, single family, day care and with conditional use approval heavy industrial and schools. 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 adjacent properties in the City of Eustis.

Analysis of Comprehensive Plan/Future Land Use Request (Ord. Number 21-16)

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 than the county FLU 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 suburban style residential development, and is located less than three 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 near 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 not within a floodplain and do not contain any wetlands. The site is heavily wooded and must obtain a subdivision or site plan 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 is heavily wooded and does not contain active agricultural uses. This indicator does not apply. The site is not prime farmland the site includes soils identified by the USDA as farmlands of unique importance. However, this is a wooded 5.2-acre site is in close proximity to a school and existing residential development. This area is suburbanizing as evidenced by recent approvals for two subdivisions with a total of 170 single-family homes; the site is adjacent to suburban development and not suitable for farming; the property is within an area designated for urban development (JPA/180 Utility District).

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water and sewer are available on the southern boundary of the property. Development of these parcels will maximize the use and efficiency of service.

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.

Any future development on the site will provide onsite stormwater to serve the development.

8. Separation of Urban and Rural:

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

This indicator does not apply. While an orange grove associated with an "agricultural homesite" exists to the north, no other 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.

9. Infill and Redevelopment:

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

This indicator does not apply. The parcels are a logical extension of development for the city. Infill development is occurring in the city, mostly on existing platted lots.

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 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 is 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 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 and sewer service are already 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.

At time of development, the site must meet the City's Land Development Regulations, including the provision of sidewalks bordering existing public rights-of-way and internal streets.

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.

The site does not provide functional open space or natural areas. Current regulations require the incorporation of park space within residential subdivisions.

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.

Although the Suburban Residential future land use designation permits neighborhood commercial in subdivisions where 50 homes or more are approved or as part of a planned unit development master plan, incorporation of commercial uses on a parcel of 5.2-acres is not expected. 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 these parcels will increase the efficiency of delivering emergency services. The County has a fire station 1 mile away and the City 3 miles from the site. As emergency services are offered to residential developments in the area, service will become more efficient.

b. *Parks & Recreation:*

The City of Eustis LDR's require park space within residential developments. Under a maximum development scenario (26 units), a new subdivision on this site would be required to provide a half-acre (0.05) park within the subdivision.

c. *Potable Water & Sanitary Sewer:*

The following outlines the water and wastewater demand based on a maximum development potential scenario. Actual build-out conditions will be determined by design district regulations, residential compatibility, minimum open space requirements and maximum impervious surface area requirements.

Potential Residential Demand

5 du/ac x 5.2 ac. = 26 Dwelling Units x 2.52 p/hh = 66 persons

Water: 66 x 140 GPCD = 9,240 GPD

Wastewater: 66 x 120 GPCD = 7,920 GPD

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

d. *Schools:*

The Lake County School Board has reviewed and provided correspondence indicating adequate public facilities exist to serve a future development under the maximum potential development scenario.

e. *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.

f. *Stormwater:*

The property is located in drainage basin 50 (Lake Lincoln). At time of development review, any future project proposed will be required to demonstrate compliance with the City's and the SJRWMD's stormwater rules.

g. *Transportation Network Analysis:*

(Institute of Traffic Engineers Trip Generation Manual, 10th Edition). The following estimates are based on possible maximum development scenarios. Actual build-out conditions will be determined by residential compatibility, minimum open space requirements and maximum impervious surface area requirements.

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:

1) **Trip Generation for Residential Component of SR**

As the future development actual density and housing type is yet to be determined, staff utilized Land Use 210, Single Family Detached Housing and the maximum development scenario (26 lots) for purposes of estimating the general trips. Land Use 210: Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

County Density: 1du/ac. x 5.2 ac. = 5 du

City Density: 5 du/ac x 5.2 ac. = 26

Estimated Additional Dwelling Units: 21

PM Peak Hour of generator on a weekday

Ave. Rate @ 1.0 x 26 = 26 trips

36% exiting: 9

64% entering: 17

2) **The adopted LOS for Bates Avenue from CR 44 to Estes Road is D. The segment analysis is as follows:**

Adopted LOS Standard	LOS Capacity	Existing EB/NB Trips	Plus Proposed Additional EB/NB Trips	Existing WB/SB Trips	Plus Proposed Additional WB/SB Trips
D	675	137	146	149	158

4) **The adopted LOS for Estes Road from Lake Lincoln Lane is D. The segment analysis is as follows:**

Adopted LOS Standard	LOS Capacity	Existing EB/NB Trips	Plus Proposed Additional EB/NB Trips	Existing WB/NB Trips	Plus Proposed Additional WB/SB Trips
D	675	234	243	158	167

At this time, it appears 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; and the impact of 26 dwelling units would be de minimis.

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 within a high recharge area, over 12 inches/hour. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map. Sec. 121-24. (c) (2) Groundwater and wellhead protection requires impervious surface areas, including roof and pavement, within the development are limited to 25 percent in designated high recharge areas, per wellhead protection Map E-8. The impervious surface limit may be increased to 50 percent for infill location in developed areas. However, the site is surrounded by existing/approved development; the project is infill development. Furthermore, stormwater regulations and design will take this into account at time future 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 not located in a flood zone, nor is it adjacent to other properties that lie substantially within a flood zone. 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 5.2-acre wooded site is surrounded by existing/approved suburban 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.

Existing Land Use According to the Lake County Comprehensive Plan:

“The Rural Transition Future Land Use Category is intended to address “edge” conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These “edges” represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques.

This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate.

Alternatively, residential development not to exceed a maximum density of one (1) dwelling unit per three (3) net buildable acres may be permitted provided that any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, and provided that at least 35% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument, as allowed by law. A proposed Rural Conservation Subdivision shall consist of at least fifteen (15) net buildable acres in order to be considered for this alternate density.

As a third alternative, residential development not to exceed a maximum density of one (1) dwelling unit per one (1) net buildable acre may be permitted provided that any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, and provided that at least 50% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument, as allowed by law.

Rural Support uses are intended to address the need for narrowly defined commercial and office uses that support the resident population of areas within the Rural Future Land Use Series. Rural Support land uses include professional offices, personal services, convenience retail, agricultural-related retail sales of goods and services, banks, bars or taverns, automotive service stations, medical services, general restaurants, recreation commercial, churches, community residential homes, family day care or family residential homes, utilities, and communication towers. Such uses shall be limited in scale and scope to serve the basic and special

needs of rural areas and ensure compatibility with the character of rural areas.”

Proposed Land Use According to the Eustis Comprehensive Plan:

“The Future Land Use Classifications set forth the potential uses of property in the context of the lawful planning horizon and provide for a wide array of density or intensity of use within each land use classification. A property owner is not necessarily entitled to the most potentially dense or intense uses permitted within a land use classification. In some cases, the compatibility standards in the Land Development Regulations may result in an actual project density less than the maximum permitted by the Comprehensive Plan. The Future Land Use Map does not guarantee that maximum densities will be achieved in all cases and does not serve as a substitute density limit in place of any other regulations that would place further restrictions and/or limitations on the development density of a parcel.”

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 City uses a form-based code instead of traditional Euclidian zoning. The Future Land Use determines density/intensity and allowable uses. Design Districts determine allowable lot typologies that determine lot sizes, setbacks and other development criteria. (Actual build-out conditions are determined by residential compatibility, minimum open space requirements and maximum impervious surface area requirements).

The pairing of the proposed SR land use and Suburban Neighborhood design district in this case would limit development as follows:

Allowable lot types: Estate, House, Duplex

Landscape buffer: 15-24-feet along public right-of-way

Open space: 25% (35% if Wekiva related vegetative species exist onsite).

Site design criteria: Create interconnected open space; protect listed species; provide and restore native habitat; preserve the function and integrity of the natural features of the land to the extent practicable; provide external and internal connectivity while minimizing impacts on designed open space.

Residential compatibility: Utilize transitional development practices, landscapes, buffers, or natural areas in site planning to demonstrate that

transition to adjacent uses undesirable views, preserve tree canopy and vegetation.

The Eustis residential land use designations in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac). The surrounding unincorporated areas are designated Rural Transitional with a maximum density of 1 dwelling unit per acre.

Source: Lake County GIS Zoning & FLU Codes

Comparison of Lake County Development Conditions

The existing Lake County future land use designations of the property is Rural Transition with allowable density of 1 dwelling unit per acre. The county land use designation would allow a theoretical maximum of 5 dwelling units.

The proposed City of Eustis future land use designation of the property is Suburban Residential (SR), which allows residential densities up to 5 dwelling units per acre (subject to design district regulations, compatibility requirements, open space, etc.). At 5 units per acre, the site could support a theoretical maximum of 26 dwelling units. The difference in development potential is 21 dwelling units.

Pursuant to the Eustis Comprehensive Plan, the property subject to this request is indicated for a density limitation of 2.5 dwelling units per acre on Map 19 of the Eustis Comprehensive Plan Future Land Use Element Map Series. However, Map 19 is inconsistent with the balance of the Comprehensive Plan Future Land Use Element and Future Land Use Element Appendix. The Future Land Use Element Appendix indicates the Suburban Residential (SR) designation is provided to accommodate the majority of residential development within the city, and the Development Patterns Map (Map 2) shows a suburban development pattern in this area of the city; thereby supporting the requested SR land use designation.

Increased density is to be expected when transitioning from unincorporated area to a municipality. In keeping with FS 163.3177, directing density to municipalities reduces the proliferation of sprawl thereby protecting true rural and agricultural lands. By directing development to municipalities, development pressure on outlying areas is reduced. Provision of cost-effective public services is not only provided for in Eustis' Strategic Plan, it is an important factor in protecting natural resources, including groundwater. Greater densities are warranted and necessary for cost effective provision of public services where both water and sewer are provided. Compact service areas reduce per capita costs of public services.

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. There are no commercial or industrial uses to be mitigated at this time.

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.

At time future development review, if the projected trips exceed the de-minimis threshold, a traffic study will be required to meet the transportation element's policies regarding traffic.

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 along in the Estes Road, Lake Lincoln and Bates Avenue area, as it is intended to provide for residential uses in a suburban atmosphere.

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 at the intersection of Estes Road and Lake Lincoln Lane. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation. Both roads 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. At time of future development review, as the property is in the Wekiva Study Area, additional studies will be required to evaluate natural features, and if present, to minimize the impact of development to the natural environment.

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.

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 requested 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.

h. 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

1. Resolution Number 87-34

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

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

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

3. Comprehensive Plan - Suburban Residential (SR): This designation is provided to accommodate the majority of residential development within the City. General Range of Uses: This designation is intended to provide for a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Maximum

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

4. Policy CON 1.1.7.b. Limit impervious surface areas, including roofs and pavement, in high recharge areas and designated wellhead protection areas, except that impervious cover factors may be increased for infill locations in already developed areas of the same or greater intensity.
5. Policy FLU 1.1.1: Planning Principles
The following principles shall guide the creation of land use policy and development regulations within the City of Eustis:
 - ☐ Creating a range of housing opportunities and choices;
 - ☐ Creating walkable neighborhoods;
 - ☐ Encouraging community and stakeholder collaboration;
 - ☐ Fostering distinctive, attractive communities with a strong sense of place;
 - ☐ Making development decisions predictable, fair and cost effective;
 - ☐ Allowing for a mix of land uses;
 - ☐ Providing for open space, natural beauty and protection of critical environmental areas;
 - ☐ Providing a variety of transportation choices;
 - ☐ Encouraging compact building design.
6. OBJECTIVE: HSG 1.1: ADEQUATE AND AFFORDABLE HOUSING To provide sufficient land and incentives and take other actions necessary to accommodate and facilitate construction of housing to meet projected demand and to accommodate the needs of the various household types and income groups characteristic of the city and planning area.
7. Policy HSG 1.1.1: Future Land Use: The City shall maintain land use classifications and density criteria to accommodate the varying housing needs of the community, as provided for in the Future Land Use Element Appendix
8. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
9. 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.
10. Sec. 121-24. (c) (2) Groundwater and wellhead protection requires impervious surface areas, including roof and pavement, within the development are limited to 25 percent in designated high recharge areas, per wellhead protection Map E-8.

The impervious surface limit may be increased to 50 percent for infill location in developed areas.

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:

- Pursuant to the Eustis Comprehensive Plan, the property subject to this request is indicated for a density limitation of 2.5 dwelling units per acre on Map 19 of the Eustis Comprehensive Plan Future Land Use Element Map Series. However, Map 19 is inconsistent with the balance of the Comprehensive Plan Future Land Use Element and Future Land Use Element Appendix. The Future Land Use Element Appendix indicates the Suburban Residential (SR) designation is provided to accommodate the majority of residential development within the city, and the Development Patterns Map (Map 2) shows a suburban development pattern in this area of the city; thereby supporting the requested SR land use designation.

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 applicant could withdraw the application and the property remain underutilized.

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. Opportunity for public input will be provided at the LPA meeting on July 1 and at the July 1 and July 15, 2021 City Commission meetings.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments: Ordinance Number 21-16, Exhibit A

ORDINANCE NUMBER 21-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 5.2 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT THE NORTHEAST CORNER OF ESTES ROAD AND LAKE LINCOLN LANE FROM RURAL TRANSITION 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 approximately 5.2 acres of real property located at the northeast corner of Estes Road and Lake Lincoln Lane, and more particularly described herein; and

WHEREAS, on July 1, 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 July 1, 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 July 15, 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 Rural Transition in Lake County to Suburban Residential (SR) within the City of Eustis:

Parcel Alternate Key Number: 3862863 Identification Number: 05-19-27-0200-000-02100

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 27 EAST, AND RUN NORTH 87 DEGREES 38 MINUTES 34 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4, A DISTANCE OF 1360.14 FEET TO A POINT ON THE EAST EDGE OF PAVEMENT OF ESTES ROAD, SAID POINT BEING A NAIL AND DISC LB 6676, AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN NORTH 01 DEGREES 22 MINUTES 21 SECONDS WEST, ALONG SAID EAST EDGE OF PAVEMENT, 644.04 FEET

TO A NAIL AND DISC LB 4709; THENCE NORTH 88 DEGREES 1 0 MINUTES 25 SECONDS EAST, 350.62 FEET TO A 1/2 INCH IRON ROD AND CAP LB 707; THENCE SOUTH 02 DEGREES 18 MINUTES 30 SECONDS EAST, 640. 70 FEET TO A 5/8 INCH IRON ROD AND CAP LB 6676 AND A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 5; THENCE SOUTH 87 DEGREES 38 MINUTES 34 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4, A DISTANCE OF 361.13 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN LAKE COUNTY, FLORIDA.

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 15th day of July 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, by physical presence, this 15th day of July, 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 21-16 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: Local Planning Agency
FROM: Ronald Neibert, City Manager
DATE: July 1, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN (2021-CPLUS-03) WEST SIDE OF ESTES ROAD (APPROXIMATELY 650-FEET NORTH OF BATES 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 4.69 acres from Rural Transition 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-CPLU-03) to the City Commission for action.

Alternatives:

1. Find the amendment consistent with the Comprehensive Plan and transmit to the City Commission for action.
2. Do not transmit the amendment.

Attachments:

[LPA Report Ord. No. 21-19](#)

[Ordinance No. 21-19](#)

Reviewed by:

Ronald Neibert, City Manager
Mary Montez, City Clerk

Approved - 25 Jun 2021
Approved - 25 Jun 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: JULY 1, 2021
RE: SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE
COMPREHENSIVE PLAN
(2021-CPLUS-03): PROPERTY LOCATED ON THE WEST SIDE OF ESTES
ROAD (APPROXIMATELY 650-FEET NORTH OF BATES AVENUE)

Introduction

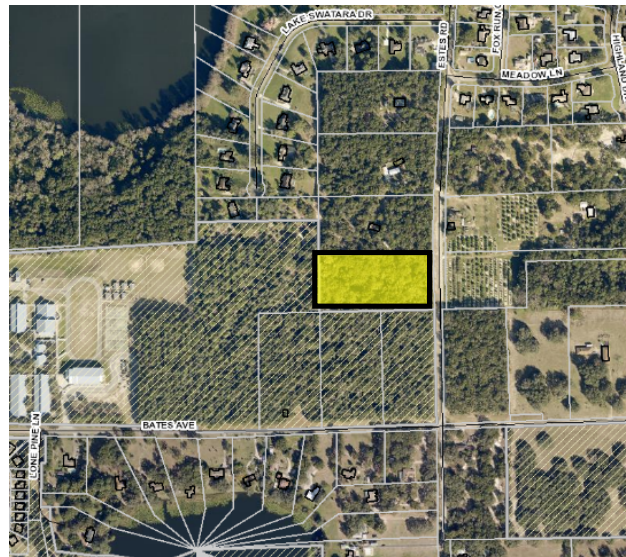
The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (upon annexation) totaling 4.69 acres from Rural Transition in Lake County to Suburban Residential (SR) in the City of Eustis.

Recommended Action

Staff recommends the LPA finds this small-scale future land use map amendment consistent with the Comprehensive Plan and transmits (2021-CPLU-03) to the City Commission for action.

Background/Pertinent Site Information

1. The site contains approximately 4.69 acres, and is located within the Eustis Joint Planning Area. The is comprised of one (1) wooded, vacant parcel.
2. The site is contiguous to the City on its southern and western boundaries.
3. The site has a Lake County land use designation of Rural Transition, but approval of Ordinance No. 21-19 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
----------	--------------	-----------------	-----------------

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Rural Transition (Lake County)	NA
North	Manufactured Home	Rural Transition (Lake County)	NA
South	Vacant (approved for 49 SFR)	Suburban Residential	Suburban Neighborhood
East	Vacant orange grove associated with “agricultural homesite” on separate tax parcel but commonly owned)	Rural Transition (Lake County)	NA
West	Vacant (LCSB owned)	Public Institutional	Suburban Neighborhood

Applicant’s Request

The applicant, Lake RC LLC, 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 land use designation is Rural Transition. The Lake County land use designation allows for residential uses up to 1 du/5 acres with alternative densities up to 1 du/1 ac under clustered rural conservation subdivision with PUD and other conditions, and the zoning of Agricultural (A) allows agriculture, single family, day care and with conditional use approval heavy industrial and schools. 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 adjacent properties in the City of Eustis.

Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 21-19)

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 than the county FLU 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 suburban style residential development, and is located less than three 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 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 not within a floodplain and do not contain any wetlands. The site is heavily wooded and must obtain a subdivision or site plan 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 is heavily wooded and does not contain active agricultural uses. This indicator does not apply. The site is not prime farmland but the site includes soils identified by the USDA as farmlands of unique importance. However, this is a wooded 4.69-acre site is in close proximity to a school and existing residential development. This area is suburbanizing as evidenced by recent approvals for two subdivisions with a total of 170 single-family homes; the site is adjacent to suburban development and not suitable for farming; the property is within an area designated for urban development (JPA/180 Utility District).

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water and sewer are available on the southern boundary of the property. Development of these parcels will maximize the use and efficiency of service.

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.

Any future development on the site will provide onsite stormwater to serve the development.

8. Separation of Urban and Rural:

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

This indicator does not apply. While an orange grove associated with an "agricultural homesite" exists to the east, no other 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.

9. Infill and Redevelopment:

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

This indicator does not apply. The parcels are a logical extension of development for the city. Infill development is occurring in the city, mostly on existing platted lots.

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 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 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 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 and sewer service are already 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.

At time of development, the site must meet the City's Land Development Regulations, including the provision of sidewalks bordering existing public rights-of-way and internal streets.

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.

The site does not provide functional open space or natural areas. Current regulations require the incorporation of park space within residential subdivisions.

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.

Although the Suburban Residential future land use designation permits neighborhood commercial in subdivisions where 50 homes or more are approved or as part of a planned unit development master plan, incorporation of commercial uses on a parcel of 4.69-acres is not expected. 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 these parcels will increase the efficiency of delivering emergency services. The County has a fire station 1 mile away and the City 3 miles from the site. As emergency services are offered to residential developments in the area, service will become more efficient.

b. *Parks & Recreation:*

The City of Eustis LDR's require park space within residential developments. Under a maximum development scenario (23 units), a new subdivision on this site would be required to provide a quarter-acre (0.25) park within the subdivision.

c. *Potable Water & Sanitary Sewer:*

The following outlines the water and wastewater demand based on a maximum development potential scenario. Actual build-out conditions will be determined by design district regulations, residential compatibility, minimum open space requirements and maximum impervious surface area requirements.

Potential Residential Demand

5 du/ac x 4.69 ac. = 23 Dwelling Units x 2.52 p/hh = 58 persons

Water: 58 x 140 GPCD = 8,120 GPD

Wastewater: 58 x 120 GPCD = 6,960 GPD

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

d. *Schools:*

The Lake County School Board has reviewed and provided correspondence indicating adequate public facilities exist to serve a future development under the maximum potential development scenario.

e. *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.

f. *Stormwater:*

The property is located in drainage basin 43 (Lake Swatara). At time of development review, any future project proposed will be required to demonstrate compliance with the City's and the SJRWMD's stormwater rules.

g. *Transportation Network Analysis:*

(Institute of Traffic Engineers Trip Generation Manual, 10th Edition). The following estimates are based on possible maximum development scenarios. Actual build-out conditions will be

determined by residential compatibility, minimum open space requirements and maximum impervious surface area requirements.

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:

1) Trip Generation for Residential Component of SR

As the future development actual density and housing type is yet to be determined, staff utilized Land Use 210, Single Family Detached Housing and the maximum development scenario (23 lots) for purposes of estimating the general trips. Land Use 210: Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

County Density: 1du/ac. x 4.69 ac. = 4 du

City Density: 5 du/ac x 4.69 ac. = 23

Estimated Additional Dwelling Units: 19

PM Peak Hour of generator on a weekday

Ave. Rate @ 1.0 x 19 = 9 trips

36% exiting: 3

64% entering: 6

2) The adopted LOS for Bates Avenue from CR 44 to Estes Road is D. The segment analysis is as follows:

Adopted LOS Standard	LOS Capacity	Existing EB/NB Trips	Plus Proposed Additional EB/NB Trips	Existing WB/SB Trips	Plus Proposed Additional WB/SB Trips
D	675	137	146	149	158

4) The adopted LOS for Estes Road from Lake Lincoln Lane is D. The segment analysis is as follows:

Adopted LOS Standard	LOS Capacity	Existing EB/NB Trips	Plus Proposed Additional EB/NB Trips	Existing WB/NB Trips	Plus Proposed Additional WB/SB Trips
D	675	234	243	158	167

At this time, it appears 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; and the impact of 23 dwelling units would be de minimis.

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 within a high recharge area, over 12 inches/hour. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map. Sec. 121-24. (c) (2) Groundwater and wellhead protection requires impervious surface areas, including roof and pavement, within the development are limited to 25 percent in designated high recharge areas, per wellhead protection Map E-8. The impervious surface limit may be increased to 50 percent for infill location in developed areas. However, the site surrounded by existing/approved development; the project is infill development. Furthermore, stormwater regulations and design will take this into account at time future 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 not located in a flood zone, nor is it adjacent to other properties that lie substantially within a flood zone. 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 4.69-acre wooded site is surrounded by existing/approved suburban 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.

Existing Land Use According to the Lake County Comprehensive Plan:

“The Rural Transition Future Land Use Category is intended to address “edge” conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These “edges” represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques.

This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate.

Alternatively, residential development not to exceed a maximum density of one (1) dwelling unit per three (3) net buildable acres may be permitted provided that any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, and provided that at least 35% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument, as allowed by law. A proposed Rural Conservation Subdivision shall consist of at least fifteen (15) net buildable acres in order to be considered for this alternate density.

As a third alternative, residential development not to exceed a maximum density of one (1) dwelling unit per one (1) net buildable acre may be permitted provided that any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, and provided that at least 50% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument, as allowed by law.

Rural Support uses are intended to address the need for narrowly defined commercial and office uses that support the resident population of areas within the Rural Future Land Use Series. Rural Support land uses include professional offices, personal services, convenience retail, agricultural-related retail sales of goods and services, banks, bars or taverns, automotive service stations, medical services, general restaurants, recreation commercial, churches, community residential homes, family day care or family residential homes, utilities, and communication towers. Such uses shall be limited in scale and scope to serve the basic and special needs of rural areas and ensure compatibility with the character of rural areas.”

Proposed Land Use According to the Eustis Comprehensive Plan:

“The Future Land Use Classifications set forth the potential uses of property in the context of the lawful planning horizon and provide for a wide array of density or intensity of use within each land use classification. A property owner is not necessarily entitled to the most potentially dense or intense uses permitted within a land use classification. In some cases, the compatibility standards in the Land Development Regulations may result in an actual project density less than the maximum permitted by the Comprehensive Plan. The Future Land Use Map does not guarantee that maximum densities will be achieved in all cases and does not serve as a substitute density limit in place of any other regulations that would place further restrictions and/or limitations on the development density of a parcel.”

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 City uses a form-based code instead of traditional Euclidian zoning. The Future Land Use determines density/intensity and allowable uses. Design Districts determine allowable lot typologies that determine lot sizes, setbacks and other development criteria. (Actual build-out conditions are determined by residential compatibility, minimum open space requirements and maximum impervious surface area requirements).

The pairing of the proposed SR land use and Suburban Neighborhood design district in this case would limit development as follows:

Allowable lot types: Estate, House, Duplex

Landscape buffer: 15-24-feet along public right-of-way

Open space: 25% (35% if Wekiva related vegetative species exist onsite).

Site design criteria: Create interconnected open space; protect listed species; provide and restore native habitat; preserve the function and integrity of the natural features of the land to the extent practicable; provide external and internal connectivity while minimizing impacts on designed open space.

Residential compatibility: Utilize transitional development practices, landscapes, buffers, or natural areas in site planning to demonstrate that transition to adjacent uses undesirable views, preserve tree canopy and vegetation.

The Eustis residential land use designations in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac). The surrounding unincorporated areas are designated Rural Transitional with a maximum density of 1 dwelling unit per acre.

Source: Lake County GIS Zoning & FLU Codes

Comparison of Lake County Development Conditions

The existing Lake County future land use designations of the property is Rural Transition with allowable density of 1 dwelling unit per acre. The county land use designation would allow a theoretical maximum of 5 dwelling units.

The proposed City of Eustis future land use designation of the property is Suburban Residential (SR), which allows residential densities up to 5 dwelling units per acre (subject to design district regulations, compatibility requirements, open space, etc.). At 5 units per acre, the site could support a theoretical maximum of 23 dwelling units. The difference in development potential is 19 dwelling units.

Pursuant to the Eustis Comprehensive Plan, the property subject to this request is indicated for a density limitation of 2.5 dwelling units per acre on Map 19 of the Eustis Comprehensive Plan Future Land Use Element Map Series. However, Map 19 is inconsistent with the balance of the Comprehensive Plan Future Land Use Element and Future Land Use Element Appendix. The Future Land Use Element Appendix indicates the Suburban Residential (SR) designation is provided to accommodate the majority of residential development within the city, and the Development Patterns Map (Map 2) shows a suburban development pattern in this area of the city; thereby supporting the requested SR land use designation.

Increased density is to be expected when transitioning from unincorporated area to a municipality. In keeping with FS 163.3177, directing density to municipalities reduces the proliferation of sprawl thereby protecting true rural and agricultural lands. By directing development to municipalities, development pressure on outlying areas is reduced. Provision of cost-effective public services is not only provided for in Eustis' Strategic Plan, it is an important factor in protecting natural resources, including groundwater. Greater densities are warranted and necessary for cost effective provision of public services where both water and sewer are provided. Compact service areas reduce per capita costs of public services.

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. There are no commercial or industrial uses to be mitigated at this time.

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.

At time future development review, if the projected trips exceed the de-minimis threshold, a traffic study will be required to meet the transportation element's policies regarding traffic.

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 along in the Estes Road, Lake Lincoln and Bates Avenue area, as it is intended to provide for residential uses in a suburban atmosphere.

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 in close proximity to the site at the intersection of Estes Road and Lake Lincoln Lane. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation. Both roads 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. At time of future development review, as the property is in the Wekiva Study Area, additional studies will be required to evaluate natural features, and if present, to minimize the impact of development to the natural environment.

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.

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 requested 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.

h. 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

1. Resolution Number 87-34

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

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

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

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

4. Policy CON 1.1.7.b. Limit impervious surface areas, including roofs and pavement, in high recharge areas and designated wellhead protection areas,

except that impervious cover factors may be increased for infill locations in already developed areas of the same or greater intensity.

5. Policy FLU 1.1.1: Planning Principles

The following principles shall guide the creation of land use policy and development regulations within the City of Eustis:

- ☐ Creating a range of housing opportunities and choices;
- ☐ Creating walkable neighborhoods;
- ☐ Encouraging community and stakeholder collaboration;
- ☐ Fostering distinctive, attractive communities with a strong sense of place;
- ☐ Making development decisions predictable, fair and cost effective;
- ☐ Allowing for a mix of land uses;
- ☐ Providing for open space, natural beauty and protection of critical environmental areas;
- ☐ Providing a variety of transportation choices;
- ☐ Encouraging compact building design.

5. OBJECTIVE: HSG 1.1: ADEQUATE AND AFFORDABLE HOUSING To provide sufficient land and incentives and take other actions necessary to accommodate and facilitate construction of housing to meet projected demand and to accommodate the needs of the various household types and income groups characteristic of the city and planning area.
6. Policy HSG 1.1.1: Future Land Use: The City shall maintain land use classifications and density criteria to accommodate the varying housing needs of the community, as provided for in the Future Land Use Element Appendix
7. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
8. 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.
9. Sec. 121-24. (c) (2) Groundwater and wellhead protection requires impervious surface areas, including roof and pavement, within the development are limited to 25 percent in designated high recharge areas, per wellhead protection Map E-8. The impervious surface limit may be increased to 50 percent for infill location in developed areas.

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:

- Pursuant to the Eustis Comprehensive Plan, the property subject to this request is indicated for a density limitation of 2.5 dwelling units per acre on Map 19 of the Eustis Comprehensive Plan Future Land Use Element Map Series. However, Map 19 is inconsistent with the balance of the Comprehensive Plan Future Land Use Element and Future Land Use Element Appendix. The Future Land Use Element Appendix indicates the Suburban Residential (SR) designation is provided to accommodate the majority of residential development within the city, and the Development Patterns Map (Map 2) shows a suburban development pattern in this area of the city; thereby supporting the requested SR land use designation.

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 applicant could withdraw the application and the property remain underutilized.

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. Opportunity for public input will be provided at the LPA meeting on July 1 and at the July 1 and July 15, 2021 City Commission meetings.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments: Ordinance Number 21-19, Exhibit A

ORDINANCE NUMBER 21-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 4.69 ACRES OF REAL PROPERTY ON THE WEST SIDE OF ESTES ROAD (APPROXIMATELY 650-FEET NORTH OF BATES AVENUE) FROM RURAL TRANSITION 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 approximately 4.69-acres of real property located on the west side of Estes Road (about 650-feet north of Bates Avenue), and more particularly described herein; and

WHEREAS, on July 1, 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 July 1, 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 July 15, 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 Rural Transition in Lake County to Suburban Residential (SR) within the City of Eustis:

Parcel Alternate Key: 3862867 Parcel Identification Number: 05-19-27-0200-000-00901

THAT PART OF LOTS 9 AND 10, OF R. C. TREMAIN'S SUBDIVISION, UNRECORDED, SECTION 5, TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 27 EAST, AND RUN NORTH 00°36'44" WEST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4, A DISTANCE OF 25.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BATES AVENUE, SAID RIGHT-OF-WAY BEING 50 FEET

IN WIDTH; THENCE NORTH 87°38'34" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF BATES AVENUE, A DISTANCE OF 338.51 FEET; THENCE NORTH 00°43'28" WEST, 629.69 FEET; THENCE NORTH 88°12'54" EAST, 337.19 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING; RUN NORTH 00°50'17" WEST, 325.50 FEET; THENCE NORTH 88°30'58" EAST, 631.37 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ESTES ROAD, SAID RIGHT-OF-WAY BEING 66 FEET IN WIDTH; THENCE SOUTH 01 °09'51" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF ESTES ROAD 322.15 FEET; THENCE SOUTH 88°12'54" WEST, 633.25 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 15th day of July 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, by physical presence, this 15th day of July, 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.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 21-19 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Mary C. Montez, City Clerk

Exhibit A

