



# AGENDA

## Regular City Commission Meeting

6:00 PM - Thursday, June 17, 2021 - City Hall

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INVOCATION

PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE
2. APPROVAL OF MINUTES
  - 2.1 June 3, 2021 - City Commission Workshop - Fire Assessment Fee  
June 3, 2021 - Regular City Commission Meeting  
[Staff Report #21-0164 - Html](#)  
[06-03-2021 CC MIN - For Approval](#)  
[06-03-2021 CC Workshop MIN - For Approval](#)
3. AUDIENCE TO BE HEARD
4. CONSENT AGENDA
  - 4.1 Resolution Number 21-42: Renewal of Automatic Aid Agreement with City of Tavares  
[Staff Report #21-0157 - Html](#)  
[Resolution 21-42](#)  
[Tavares Auto Aid Agreement](#)
  - 4.2 Resolution Number 21-43: Renewal of Automatic Aid Agreement with City of Mount Dora  
[Staff Report #21-0153 - Html](#)  
[Resolution No 21-43](#)  
[Eustis - Mount Dora Auto Aid Agreement](#)
5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS
  - 5.1 Resolution Number 21-36: Site Plan with Waivers for Prime Plumbing  
[Staff Report #21-0161 - Html](#)  
[Staff Report Res. No. 21-36](#)  
[Resolution No. 21-36](#)
  - 5.2 Resolution Number 21-41: Trout Landing Concept Plan  
[Staff Report #21-0160 - Html](#)  
[Staff Report Res. No. 21-41](#)  
[Resolution No. 21-41](#)  
[Community Meeting Summary](#)  
[Concept Plan revised 6-14-2021](#)
  - 5.3 Resolution Number 21-45: Sixth Amendment to Purchase and Sale Agreement for City sprayfield property

[Staff Report #21-0152 - Html](#)  
[Resolution Number 21-45](#)  
[Sixth Amendment to Sale & Purchase Agrmt CR 437](#)

## SECOND READING

- 5.4 Ordinance Number 21-09: Amendments to Chapters 110 and 115 of the Land Development Regulations  
[Staff Report #21-0155 - Html](#)  
[Staff Report Ordinance No. 21-09](#)  
[Ordinance No. 21-09 LDR Amendment](#)  
[Ordinance 21-09 Clean Copy of Amendments](#)
- 5.5 Ordinance Number 21-14: Establishing a fire assessment fee procedure  
[Staff Report #21-0154 - Html](#)  
[Staff Report - Ord 21-14 Fire Assessment](#)  
[Ordinance 21-14 Fire Assessment Fee](#)
- 5.6 Resolution Number 21-44: Initiating Fire Assessment Fee Process  
[Staff Report #21-0159 - Html](#)  
[Notice of Hearing Advertisement of August 16th](#)  
[TRIM Insert Non-Ad Valorem Revenues Final](#)  
[Tax Notice](#)  
[Staff Report - Res 21-44](#)  
[Resolution 21-44 Initial Assessment Resolution](#)

## FIRST READING

- 5.7 Ordinance Number 21-10: Comprehensive Plan Text Amendment  
[Staff Report #21-0156 - Html](#)  
[Ord. No. 21-10 Staff Report](#)  
[Ordinance No 21-10 Comp Plan Text Amend](#)  
[Exhibits A thru I Redline-Strikethru 1st Reading 5-6-21](#)  
[Exhibits A thru I with Proposed Revisions](#)  
[Exhibit J 2035 Future Land Use Map](#)  
[Exhibit K Map 19 Proposed for Deletion](#)

## 6. FUTURE AGENDA ITEMS

## 7. COMMENTS

- 7.1 City Commission
- 7.2 City Manager
- 7.3 City Attorney
- 7.4 Mayor

## 8. ADJOURNMENT

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

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

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







**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Mary Montez, City Clerk  
**DATE:** June 17, 2021  
**RE:** JUNE 3, 2021 - CITY COMMISSION WORKSHOP - FIRE ASSESSMENT FEE  
JUNE 3, 2021 - REGULAR CITY COMMISSION MEETING

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**Introduction:**

This item is for consideration of the minutes of the June 3, 2021, City Commission workshop regarding the fire assessment fee and the June 3, 2021, regular City Commission meeting.

**Attachments:**

[06-03-2021 CC Workshop MIN - For Approval](#)

[06-03-2021 CC MIN - For Approval](#)

**Reviewed by:**





# MINUTES

## Regular City Commission Meeting

6:00 PM - Thursday, June 3, 2021 - City Hall

**INVOCATION: ELDER ELIJAH PERRY, CHURCH OF GOD BY FAITH**

**PLEDGE OF ALLEGIANCE: COMMISSIONER COBB**

**CALL TO ORDER: 6:11 P.M.**

### **ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

**PRESENT:** Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith and Mayor Michael L. Holland

#### **1. AGENDA UPDATE: NONE**

#### **2. APPROVAL OF MINUTES**

##### **2.1 May 20, 2021 - Regular City Commission Meeting**

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Cobb, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

#### **3. PRESENTATIONS**

##### **3.1 Recognition of Sergeant Officer Wayne Perry upon his retirement**

Mayor Holland and Police Chief Craig Capri presented Sergeant Wayne Perry with his retirement commendation and service weapon. He commented on his 35 years of service to the community and announced he was promoted to sergeant on his last day of service.

Sgt. Perry thanked the department and his family for their support noting that he achieved all of his goals that he set for himself when he joined the department.

#### **4. APPOINTMENTS**

##### **4.1 Appointment to Police Pension Board**

Ron Neibert, City Manager, explained that Adam Bolton currently sits in one of the City appointed seats on the Police Pension Board and Ken Birkhofer was serving in one of the elected positions and has now applied for the appointed position due to his retirement from the Police Department.

Ken Birkhofer explained he has served on the Pension Board for seven years and has attained certification as a pension board member.

Capt. Gary Winheim, Pension Board President, expressed thanks to Adam Bolton for his service on the Board. He noted that Mr. Bolton is the Chief of Police for Umatilla making it difficult for him to attend meetings. He stated Mr. Birkhofer is now retired and expressed support for his appointment.

Moved by Nan Cobb, seconded by Emily Lee, to appoint Ken Birkhofer to a two-year term on the Police Pension Board.

Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

## **5. AUDIENCE TO BE HEARD**

Gail Isaac Thomas addressed the Commission regarding a code enforcement violation she was sent back in September 2020. She stated her belief that it was a vendetta against her due to a complaint she had submitted. She noted trash that was left in front of her property and it was left there for a month before it was cleaned up. She also asked that the street sweeper come down the street to clean up the trash that was left.

Mayor Holland stated he would look into the allegations and respond to her.

Seford Olsen, representing Bay Street Players, announced they would be holding an open house to celebrate their 100 years of the theater's existence on Sunday, June 6, 2021, and invited everyone to attend. He indicated they would be back open fully with the Mama Mia performances.

Mayor Holland acknowledged that Barry Bostwick would be in attendance at the open house.

David Serdar addressed the Commission regarding law enforcement and acknowledged the Eustis Police Department.

## **6. CONSENT AGENDA**

- 6.1** Resolution Number 21-31: Bates Avenue WWTP Expansion - Preconstruction Services
- 6.2** Resolution Number 21-35: Approving a Memorandum of Understanding between the Eustis Police Department and Lake County Sheriff for staffing an Interagency DUI Task Force
- 6.3** Resolution Number 21-37: Approving the assignment of a developer's agreement with Redtail Club Services to Deoworks, Inc.
- 6.4** Resolution Number 21-38: Approving Memorandum of Understanding between area cities to enter into the Mid-Florida Special Weapons and Tactics (SWAT) Team
- 6.5** Resolution Number 21-39: Foreclosure Authorization - 1000 South Bay Street

(Colonial Inn Motel), Code Enforcement Case 19-01297

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve the Consent Agenda as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee,  
Commissioner LeHeup-Smith and Mayor Holland

## **7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

### **7.1 Resolution Number 21-40: Approving the 3rd amendment to the agreement for sale and purchase of property between the City and SpenceTF, LLC**

Derek Schroth, City Attorney, announced Resolution Number 21-40: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving and ratifying a third amendment to an agreement for sale and purchase of property between the City of Eustis and SpenceTF, LLC.

Tom Carrino, Economic Development Director, reviewed the requested third amendment to the sale and purchase agreement with SpenceTF, LLC. He stated the amendment would extend the due diligence period to December 31, 2021, and converts the earnest money to nonrefundable and increases the full amount of the earnest money to \$10,000. He explained the current diligence period expires August 20, 2021 and Mr. Spencer has requested to extend the diligence period to the end of the year.

The Commission asked what has been done so far with the property.

Spencer Follmar reported on their progress and noted they are scheduling a pre-development conference with the City. He announced they have an appointment with Lake County to discuss the traffic study. He indicated that, in the beginning, they stated it would take at least two years to complete the due diligence. He confirmed that the site survey has been completed. He noted that all of the studies will be provided to the City.

The Commission questioned how much money has been spent so far with Mr. Follmar indicating he would have to double check with his investors. At the Commission's request, he reviewed what was originally proposed and what is now planned with the initial construction to have two large screens with room for three additional screens.

The Commission asked when the lighthouse will be constructed with Mr. Follmar explaining that will be essential as it will hold the food and beverage and the projectors. He confirmed that in the initial contract he committed to two screens with the hope to build five. He emphasized that they have hired all the essential professionals and are still planning to open by summer or fall 2022. He then explained that he lost all of his previous investors due to the pandemic and now has Central Florida based investors.

Mr. Schroth opened the public hearing at 6:47 p.m.

Sharon Oughterson asked where the drive-in will be located and where will the

entrance and exit be located.

Mayor Holland responded that Mr. Follmar had already reported that he was meeting with the County to discuss the traffic flow.

There being no public comment, the hearing was closed at 6:48 p.m.

The Commission acknowledged delays in construction in the area due to the pandemic and manufacturers being closed. It was noted that, if the project falls through, the City will still have all of the studies to provide to the next buyers. The Commission then indicated they would be more comfortable knowing more about the funding and speaking to the investors. They further discussed how other businesses have handled the pandemic.

Mr. Carrino confirmed that the actual approval of the project occurred in March of 2020.

Mr. Follmar explained his previous investors suffered and had to back out but he now has new local investors. He indicated they have done over 650 commercial projects in Florida.

Discussion was held regarding the planned number of screens and how there have been no new movies released. Mr. Follmar indicated that the expectation is that the movie industry will be more normal by next year. Additional discussion was held regarding any plans for the unused property and how long the reports would be good for.

Rick Gierok, Public Works Director, stated any geotechnical reports should be good for years and would be good for almost any development. He noted that foundation stability tests would vary depending on the planned use. He added that the environmental study would shift over time but he was unsure what the limitation would be for other agencies.

The Commission expressed concern regarding the state and riskiness of the movie industry with Mr. Follmar indicating that drive-ins have been opening due to the need for social distancing. He indicated it would be a family destination.

The Commission asked what they will do with the property if it doesn't succeed.

Mr. Follmar noted that the food and beverage will be a large part of the success and the property could be utilized for a number of other types of outdoor events such as concerts. He confirmed that the environmental study had been completed. He indicated that the financing had to be in place before additional work could be completed.

Moved by Commissioner LeHeup-Smith, seconded by Mayor Holland, to approve Resolution Number 21-40. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith and Mayor Holland

Nays: Commissioner Cobb and Vice Mayor Lee

**7.2** Ordinance Number 21-06: Amending Chapter 42 Code of Ordinances requiring franchise agreements for textile recycling bins

Mr. Schroth read Ordinance Number 21-06 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Chapter 42, Franchises, of the City of Eustis Code of Ordinances, adding an additional article to provide for franchise agreements for textile recycling collection bins (clothing donation bins) located within the City limits; providing for repeal of conflicting ordinances; providing for codification, severability and effective date.

Mr. Schroth reviewed the amendments to Ordinances 21-06 and 21-07 as requested by the Commission at the May 30, 2021, meeting. He indicated that he had spoken with Lori Barnes and they will be notifying the affected businesses and they would have until July 5th to come into compliance. He opened the public hearing at 7:06 p.m. There being no public comment, the hearing was closed at 7:06 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-06 on second reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.3** Ordinance Number 21-07 Amending Chapter 34 Code of Ordinances establishing regulations for placement of textile recycling bins

Mr. Schroth read Ordinance Number 21-07 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 34, Article II, by adding the regulation of textile recycling collection bins (clothing donation bins) to the Code of Ordinances; repealing all prior Eustis ordinances inconsistent herewith; and providing for codification, severability, and an effective date.

Mr. Schroth opened the public hearing at 7:06 p.m. There being no public comment, the hearing was closed at 7:06 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-07 on second reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.4** Ordinance Number 20-32: Voluntary Annexation of property located on north side of CR 44A, east of East Eldorado Lake Drive

Mr. Schroth read Ordinance 20-32 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 20.691 acres of real property located on the north side of County Road 44A, east of East Eldorado Lake Drive.

Mr. Schroth stated that no further progress has been made on the negotiations nor on the issue with the Department of Environmental Regulations; therefore, the Commission's options are to continue to a date certain, continue indefinitely or

deny.

Mayor Holland explained that he has been in contact with County Commission Chairman Sean Parks to try and get another meeting scheduled. He indicated they were waiting to see if the Governor completed the appointments to that DEP Board and those have been done; however, they do not expect any action until the fall.

Mr. Schroth opened the public hearing at 7:08 p.m.

Sharon Oughterson commented on how much construction costs have increased and the state of the economy. She expressed support for continuing the ordinances.

The Commission confirmed that no specific development request has been submitted for the subject property only the annexation request.

Lee Conger expressed concern that the future land use map does not include any rural or agricultural uses. She commented on discussions with City staff regarding how properties brought into the City would be designated as Suburban Residential. She expressed support for continuing with the joint planning first.

Major Stacey addressed the Commission as a representative for Ms. Harper. He stated that since the County cannot provide utilities for the development so it makes sense for them to annex into the City.

There being no further public comment, the hearing was closed at 7:14 p.m.

The Commission discussed whether to deny the ordinance, when the DEP Board would be likely to meet, expressing support for the applicants and the possible repercussions if the ordinances are voted down at that time.

Mr. Neibert explained what would happen if they vote to deny and what would happen if it is continued to a date certain.

Discussion was held regarding lack of willingness by the County to negotiate, the need for the commissions and community to work together on a vision for the area and the need for the Commission to stand behind the property owners.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to continue Ordinance Number 20-32 to the date certain of September 2, 2021. Motion carried by the following votes:

Ayes: Commissioner LeHeup-Smith, Vice Mayor Lee, and Commissioner Hawkins

Nays: Commissioner Cobb and Mayor Holland

**7.5** Ordinance Number 20-33: Comprehensive Plan amendment assigning future land use designation to above property

Ordinance Number 20-34: Assigning a design district designation to the above



property

Ordinance Number 20-35: Voluntary annexation of property located on the south side of CR 44A and west of Thrill Hill Road

Ordinance Number 20-36: Comprehensive Plan amendment assigning a future land use designation to the above property

Ordinance Number 20-37: Assigning a design district designation to the above property

Ordinance Number 20-38: Voluntary annexation of property located on the east side of Thrill Hill Road and north of Reedy Road

Ordinance Number 20-39: Comprehensive Plan amendment assigning a future land use designation to the above property

Ordinance Number 20-40: Assigning a design district designation to the above property

Mr. Schroth stated the next item would be for continuance of Ordinances 20-33 through 20-40. He opened the public hearing on continuance of those ordinances at 7:25 p.m. There being no public comment, the hearing was closed at 7:25 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to continue Ordinances 20-33 through 20-40 to the date certain of September 2, 2021. Motion carried by the following votes:

Ayes: Commissioner LeHeup-Smith, Vice Mayor Lee, and Commissioner Hawkins

Nays: Commissioner Cobb and Mayor Holland

**7.6** Ordinance Number 21-09: Amendments to Chapters 110 and 115 of the Land Development Regulations

Mr. Schroth read Ordinance Number 21-09 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the Land Development Regulations, Section 110, Development Standards and Chapter 115, General Building and Site Standards; providing for codification, severability and an effective date.

Lori Barnes, Development Services Director, reviewed the proposed amendments to the Chapters 110 and 115 of the Land Development Regulations (LDR's). She stated the amendments are intended to address discrepancies, inconsistencies between sections and to clarify for practical application of the code. She then explained the individual amendments. She stated the proposed amendments are consistent with the comprehensive plan and indicated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:45 p.m.

Lee Conger expressed concern regarding the proposed transition regulations and the size of the buffers.

The Commission questioned what she would consider appropriate buffers with Ms. Conger declining to state something specific at that time.

Sharon Oughterson agreed that ten to fifteen feet seemed insufficient.

There being no further public comment, the hearing was closed at 7:49 p.m.

The Commission questioned when the LDR's were last amended with Ms. Barnes indicating they are amended on a regular basis with the last substantial amendment being in 2015 with the intent of making it more understandable and usable.

Mayor Holland indicated that these changes actually would give him something to work with in negotiations with the County.

The Commission thanked Ms. Barnes for the review held at the workshop that explained the regulations. It was noted that the amendments are not aimed at any specific part of the City but are intended to be applied Citywide. It was further noted that these changes have been discussed since January.

Moved by Commissioner LeHeup-Smith, seconded by Mayor Holland, to approve Ordinance Number 21-09 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.7**     Ordinance Number 21-10: Comprehensive Plan Text Amendment

Mr. Schroth announced that based on the actions of the Local Planning Agency first reading of this ordinance was to be continued to June 17, 2021. He opened the public hearing on continuance of the ordinance at 7:54 p.m. There being no public comment, the hearing was closed at 7:54 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to continue Ordinance 21-10 to the June 17, 2021, meeting. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.8**     Ordinance Number 21-11: Voluntary Annexation of approximately 10.72 acres located at the northeast corner of Fish Camp Road and Grand Island Shores Road

Mr. Schroth read Ordinance Number 21-11 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10.72 acres of real property at the northeast corner of South Fish Camp Road and Grand Island Shores Road.

Ms. Barnes reviewed the annexation application and requested future land use and design district designations for 10.72 acres of real property located at the northeast corner of South Fish Camp Road and Grand Island Shores Road. She explained the request is to change the future land use designation from Urban Low in Lake County to Suburban Residential in the City and to assign a design district designation of Suburban Neighborhood. She stated the request is compatible with the surrounding development patterns and consistent with the City's

comprehensive plan and land development regulations. She noted staff received three phone calls inquiring about the request but they did not indicate support or opposition. She added they did express concern regarding traffic. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 8:00 p.m.

Samantha Huchingson questioned if the existing homes would be annexed with the Commission indicating they would only be annexed if they requested it. She expressed concern regarding increased traffic.

David Cleaver agreed with the concerns regarding the traffic impact. He noted a subdivision that exits only onto Grand Island Shores Road. He asked if that subdivision could be changed to also exit onto Hwy. 44. He noted the lack of sidewalks and people walking in the street.

There being no further public comment, the hearing was closed at 8:05 p.m.

The Commission questioned whether or not the back gate could be opened up to allow access onto 44.

Ms. Barnes indicated that was probably designed as an emergency access only. She stated she can look into the issue and have that information available prior to any subdivision plat. She noted that City regulations will require sidewalks although it will not provide connections throughout the entire area. She indicated that the City can work on getting more interconnection.

The Commission asked where the City limits are with Ms. Barnes indicating Fish Camp and Grand Island Shores Road are both County maintained roads. She stated that everything west of Fish Camp Road is unincorporated. She indicated that many of the existing developments were developed under County regulations.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve Ordinance Number 21-11 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee,  
Commissioner LeHeup-Smith and Mayor Holland

**7.9** Ordinance Number 21-12: Comprehensive Plan Amendment changing the future land use designation of the above 10.72 acres

Mr. Schroth read Ordinance Number 21-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3184 F.S.; changing the future land use designation of approximately 10.72 acres of recently annexed real property located at the northeast corner of South Fish Camp Road and Grand Island Shores Road, as more particularly described herein, from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Mr. Schroth opened the public hearing at 8:09 p.m. There being no public

comment, the hearing was closed at 8:09 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve Ordinance Number 21-12 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.10** Ordinance Number 21-13: Assigning the Suburban Neighborhood design district designation to the above 10.72 acres

Mr. Schroth read Ordinance 21-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 10.72 acres of recently annexed real property at the northeast corner of South Fish Camp Road and Grand Island Shores Road.

Mr. Schroth opened the public hearing at 8:10 p.m. There being no public comment, the hearing was closed at 8:10 p.m.

Mayor Holland noted that when a subdivision plan comes forward the public will have another opportunity to speak and a traffic study will be required.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve Ordinance Number 21-13 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

**7.11** Ordinance Number 21-14: Establishing a fire assessment fee procedure

Mr. Schroth read Ordinance Number 21-14 by title on first reading: An ordinance by the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 86 of the Code of Ordinances; creating Article VI – Fire Services Special Assessment; providing for the implementation of a fire services special assessment; providing definitions for the proposed fire assessment and collection method; providing for legislative determinations of special benefit, general authority, and applicability throughout the city; providing for initial proceedings; directing imposition of initial assessment roll; providing notice by publication and mail; providing for adoption and effect of final assessment resolution; providing annual adoption procedures; providing liens for and revisions to fire services assessments; providing for procedural irregularities and correction of errors and omissions; providing for interim assessments and an alternative method of collection; providing for conflicts, codification, and severability; providing an effective date.

Mike Sheppard, Finance Director, explained the purpose of the ordinance is to establish the procedures by which the City would implement a fire assessment but would not provide for the actual assessment. He noted the workshop held that afternoon pertaining to the ordinance.

Mr. Schroth opened the public hearing at 8:13 p.m. There being no public comment, the hearing was closed at 8:13 p.m.

The Commission confirmed the ordinance only sets up how an assessment would be implemented but does not implement the assessment with Mr. Sheppard also noting that, if the ordinance is approved, the City would have to provide to the Tax Collector the rate selected for the assessment by July 1<sup>st</sup>.

Mr. Neibert explained that, if the ordinance is approved, it will take the City into a process that would cost the City approximately \$10,000.

The Commission discussed the need to plan for growth for both the police and fire departments, what other options the City would have to provide additional funding for public safety, and approving the ordinance utilizing the 50% rate.

Sandi Walker, Government Services Group, explained that the ordinance is procedural only and authorizes the Commission to impose an assessment. She further explained that the methodology, rate and exemptions would be adopted by resolution.

The Commission discussed how much of the funding derived from the assessment would go to the Fire Department with Mr. Neibert explaining that the total amount would be budgeted for the Fire Department but only \$525,000 would be used to increase the Fire Department budget. He indicated that the \$500,000 would enable the department to put the rescue truck back on the road with six additional employees. He further explained that currently the Fire Department is totally funded by General Fund dollars. If the assessment is approved, then all of the assessment dollars would be used to fund the Fire Department and General Fund dollars would be reallocated for other General Fund purposes. He confirmed that the Fire Department budget would be increased by approximately \$500,000. It was also confirmed that the assessment could be changed every year.

The Commission acknowledged the increasing public safety needs and the possibility of increasing the millage rate to increase revenues. The Commission questioned how much the millage rate would have to be increased to raise another \$1 million with Mr. Neibert estimating another 1.1 mills for a millage rate of 8.7. Discussion was then held regarding where the budget could possibly be cut with Mr. Sheppard noting that 80% of the budget is personnel costs. It was noted that cutting Water and Sewer does not affect the millage rate.

Mr. Neibert added they also cannot cut from the Building Department as that is not funded by ad valorem dollars. He cited the following as being the only areas that would be affected by a millage rate cut: Police, Fire, Parks & Recreation, Streets, Library, and Administration.

Mr. Neibert noted that the only budget surplus on an \$18 million budget was \$180,000. He indicated that reviewing the current year's budget would give them a head start on seeing what might be cut as there won't be much difference. He indicated staff is working to present the draft budget but they are still waiting on additional cost estimates on items such as liability and health insurance in order to put the draft together. He indicated the workshops should be scheduled for some time in early July.

Discussion was held regarding holding a workshop on the current budget and the cost for the rescue truck and additional personnel with Mr. Sheppard noting that the amount of personnel has not increased in a number of years.

Discussion was held regarding how much can be transferred from Water and Sewer to the General Fund with Mr. Neibert indicating they have been looking at that. They currently transfer \$1.8 million and think they can justify another \$200,000 for an even \$2 million. The Commission questioned how much is the Fund Balance in Water & Sewer with Mr. Neibert indicating approximately \$6 million.

Further discussion was held regarding holding departmental budget workshops.

Mr. Neibert indicated that the final vote on the assessment would not be until September.

Further discussion was held regarding what would be gained by the different rate levels with Ms. Walker explaining that whatever is initially set is the maximum the City can charge. She added they could later reduce the amount but they can't go up.

Mr. Neibert added that anything over \$1,000,000 would be used for millage rate reduction.

The Commission asked how much the millage rate could be reduced if they used the 75% rate with Mr. Neibert indicating it would probably be reduced down to close to 7%. He then explained the functional millage rate. He indicated staff would prepare figures for the Commission showing how a property owner would be affected. It was a consensus for staff to prepare information based on the 55.5% rate.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve Ordinance Number 21-14 on first reading. Motion carried by the following votes:

Ayes: Commissioner LeHeup-Smith, Commissioner Hawkins and Mayor Holland

Nays: Commissioner Cobb and Vice Mayor Lee

**8. FUTURE AGENDA ITEMS: NONE**

**9. COMMENTS**

**9.1 City Commission**

Commissioner Cobb cautioned people to be careful as the gators are very aggressive right now.

Commissioner Hawkins commented on the need to speed up some things in the City.

Commissioner LeHeup-Smith encouraged people to participate in the library's book club. She commented on the Memorial Day event.

Vice Mayor Lee reported on the excellent attendance at the Resource Center grand re-opening.

**9.2** City Manager

Mr. Neibert announced he would be on vacation the next week and he would be appointing Bill Howe as Acting City Manager.

**9.3** City Attorney - None

**9.4** Mayor

Mayor Holland congratulated the Eustis Panthers Ladies' softball team on their state championship and thanked staff for their support of the team. He complimented everyone on the Memorial Day event and congratulated the graduating seniors.

Commissioner Cobb thanked Rick Gierok for the mulch being placed in the islands. She also noted the cleanup of Lake Willie.

Vice Mayor Lee complimented Chief Capri on the bicycle ride.

The entire Commission complimented the Chief on the department's recent enforcement activities.

Commissioner Hawkins expressed support for putting code enforcement under the police department.

**10. ADJOURNMENT**

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

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MARY C. MONTEZ  
City Clerk

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MICHAEL L. HOLLAND  
Mayor/Commissioner







# MINUTES

## City Commission Workshop

5:30 PM - Thursday, June 3, 2021 - City Hall

**CALL TO ORDER: 5:30 P.M.**

### **ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

**PRESENT:** Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith and Mayor Michael Holland

### **1. WORKSHOP ITEM WITH COMMISSION DISCUSSION, PUBLIC INPUT AND DIRECTION**

#### **1.1 Discussion regarding Ordinance 21-14 establishing procedures for implementation of a fire assessment**

Mike Sheppard, Finance Director, explained they would be reviewing Ordinance Number 21-14 establishing the procedures for implementing a fire assessment. He stated it would not actually implement the assessment. He indicated the City would have to notify the Property Appraiser no later than July 1st regarding their intentions.

Ron Neibert, City Manager, noted that he had forwarded to the Commissioners the estimated list of assessments within the City.

The Commission confirmed the assessment would be tax deductible for businesses and the amount of the commercial assessment was 9 cents per square foot with industrial being 2 cents per square foot.

Mr. Sheppard explained that the residential fee is per dwelling unit so an apartment complex would be \$100 per unit.

The Commission discussed the amount of different assessments with specific discussion on Haselton Village. Discussion was held regarding the institutional assessments and the City buying those down so those entities would not have to pay the assessment.

Sandi Walker, Government Services Group, explained how the buy down works since it is a non-ad valorem assessment. She explained the City cannot assess the difference to other property owners so the City has to absorb that. She stated the parcel would have to be totally tax exempt and have an institutional use such as churches, hospitals and schools. She indicated that is a policy decision and at the \$100 rate the City would net approximately \$1.15 million.

Discussion was held regarding whether or not to exempt the institutional properties

with Ms. Walker stating the City could offer a hardship exemption. It would have to be homestead property and the City would have to set an income level. She further explained how the RV parks are charged and noted that they can offer a vacancy credit if it is actually an empty space with nothing on it. She explained that there is a formula for determining that credit.

Discussion was held regarding the possibility of only assessing at half the proposed rate for the first year as well as the City's need for growth and to plan ahead for that growth.

Ms. Walker explained it would be paid the same way they pay their property taxes.

Discussion was held regarding what other cities and Lake County charge with Ms. Walker noting that Leesburg does charge the churches a portion of their fee and that the County charges the churches.

Mr. Neibert noted that the County also charges the Fire MSTU.

Further discussion was held regarding whether or not to charge churches and similar institutions.

Mr. Neibert noted that when it was first discussed it was determined that \$500,000 would be used to get the large truck back on the road and hire six new firefighters with the remainder to be used for other public safety costs. He explained that the Fire Department budget would be increased to \$3.5 million from \$3 million which would free up General Fund monies for other purposes.

Mayor Holland adjourned the meeting stating that the Commission would have approximately 1.5 hours to think about it as it is the last thing on the regular Commission agenda.

## **2. ADJOURNMENT: 5:53 P.M.**

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



**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-42: RENEWAL OF AUTOMATIC AID AGREEMENT WITH CITY OF TAVARES

---

### **Introduction:**

Resolution Number 21-42 renews the automatic aid agreement between the Eustis and Tavares Fire Departments. The new agreement provides for automatic renewal unless otherwise revised or terminated by one of the participating cities.

### **Background:**

October 20, 2016, the City approved Resolution Number 16-93 authorizing the City Manager to execute an interlocal automatic aid agreement with the City of Tavares. This agreement allows for the immediate assistance in case of all emergencies and enables both fire departments to provide the closest most appropriate response of personnel and equipment. The current agreement provides for review and renewal every five years. The proposed agreement changes the term of the agreement so that it will automatically renew each year unless revised or terminated by one of the cities.

### **Recommended Action:**

Staff recommends approval of Resolution Number 21-42.

### **Budget Impact:**

Minimal fuel and vehicle maintenance costs that have already been budgeted for.

### **Attachments:**

[Resolution 21-42](#)

[Tavares Auto Aid Agreement](#)

### **Reviewed by:**

Ronald Neibert, City Manager  
Mary Montez, City Clerk

Approved - 11 Jun 2021  
Approved - 11 Jun 2021



**RESOLUTION NUMBER 21-42**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF EUSTIS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF TAVARES TO PROVIDE FOR AUTOMATIC ASSISTANCE FOR FIRES AND OTHER TYPES OF EMERGENCY INCIDENTS.**

**WHEREAS**, the City of Eustis strives to provide the best service to its citizens by the members of its Fire Department; and

**WHEREAS**, the City of Eustis has determined that a partnership with other area cities will benefit its citizens; and

**WHEREAS**, on October 20, 2016, the Cities of Eustis and Tavares did enter into an interlocal agreement for the provision of automatic assistance the term of which was set for five years; and

**WHEREAS**, it is now determined that it is in the best interest of the residents of both cities for this interlocal agreement to be automatically renewed each year so as to avoid any lapse in service;

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, as follows:

1. That the City Manager is hereby authorized to execute the attached interlocal mutual aid agreement, shown as Exhibit A; and
2. That said agreement is effective immediately upon signing by both parties; and
3. That said agreement shall renew automatically unless otherwise revised or terminated by the the cities.

**DONE AND RESOLVED**, this 17<sup>th</sup> day of June, 2021, in regular session of the City Commission of the City of Eustis. Lake County, Florida.

**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 17<sup>th</sup> day of June, 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 Resolution Number 21-42 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

**Resolution Number 21-42 Exhibit “A”**

**AUTOMATIC AID AGREEMENT FOR FIRE PROTECTION AND  
OTHER EMERGENCY SERVICES BETWEEN THE CITY OF TAVARES  
AND THE CITY OF EUSTIS**

**THIS AGREEMENT** is made and entered by and between the City of Tavares and City of Eustis as of the date approved by the last party hereto, to provide for automatic assistance for fires and other types of emergency incidents as described under the terms of this agreement.

WITNESSETH:

**WHEREAS**, an informal agreement for automatic assistance in fire protection and response to other emergencies has existed between the City of Tavares and the City of Eustis; and,

**WHEREAS**, it is the desire of the parties to this agreement to continue and improve the nature and coordination of emergency assistance to incidents that threaten loss of life or property within the geographic boundaries of their respective jurisdictions; and,

**WHEREAS**, it is further the determination of each of the parties hereto that the decision to enter into this Automatic Aid Agreement constitutes a fundamental governmental policy of the parties hereto which is automatic in nature, and includes the determination of the proper use of the resources available with respect to the providing of governmental services and the utilization of existing resources of each of the parties hereto, including the use of equipment and personnel; and,

**WHEREAS**, it is the desire of the parties to initiate an “Automatic Aid Agreement” for fire department and other emergency services as set forth below:

**NOW, THEREFORE, IT IS AGREED:**

1. The parties hereto acknowledge that this Agreement is being entered into pursuant to applicable Florida law.
2. The parties agree to dispatch their respective assigned fire department units on an automatic basis, if such units are available. Each jurisdiction agrees that the closest available, most appropriate unit(s) regardless of jurisdictional boundaries will respond.
3. It is agreed that the scope of this agreement includes automatic assistance in responding to fires, medical emergencies, hazardous conditions, rescue and extrication situations and other types of emergency incidents that are within the standard scope of services provided by fire departments in the usual and customary Automatic Aid Agreement.
4. This agreement shall encourage the development of cooperative procedures and protocols including but not limited to, communications coordination, training, health and safety,

and other activities that will enhance the ability of the fire departments to fulfill their missions.

5. It is expressly understood and agreed that the party first to respond to the scene may serve as initial incident commander exercising command and control functions within the other's jurisdiction until relieved by an official from the primary jurisdiction having authority. The initial responding party will then fall under the chain of command of the jurisdiction having authority.
6. Nothing in this agreement shall limit the ability of either of the parties to participate in more specific contracts for services, mutual assistance or automatic response; nor shall this prohibit any party from providing emergency assistance to another jurisdiction which is not a participant in this agreement.
7. The City of Tavares and the City of Eustis shall retain ownership of any equipment or property it brings to the performance of this agreement, and each shall retain ultimate control of its own employees.
8. Participants in this Automatic Aid Agreement do further agree to the following standard service criteria as the primary response system elements of this Automatic Aid Agreement:
  - A. The Automatic Aid Agreement allows the closest, most appropriate emergency response unit to an emergency to be dispatched automatically-regardless of jurisdiction where the emergency occurs or the jurisdictional affiliation of the response unit.
  - B. All participants will use standard procedures. A standardized Incident Management System (IMS) provides for efficient management of the emergency and for the safety of firefighters. The Incident Management System for use by Automatic Aid participants shall be NIMS.
  - C. It is the desire of the Automatic Aid participants to explore other opportunities for joint training, including entry level training, mini academies, refresher training and systems training. By training together and using common procedures, participants have a higher level of confidence in each other.
  - D. Participants shall use standardized apparatus response criteria. Lake County EMS Dispatch can tailor the response to specific types of incidents by jurisdiction or part of a jurisdiction. This includes the capability to automatically dispatch selected specialty units.
  - E. Participants agree that automatic aid is reciprocal. While automatic aid does not ensure that a municipality will receive the exact same amount of assistance as it gives, it does mean that all participants will provide some assistance outside its jurisdictional boundaries and that the level of service delivered with the Automatic Aid Agreement will be comparable.



9. No term or provision of this Agreement is intended to, or shall, create any rights in any person, firm, corporation or other entity not a party hereto, and no such person or entity shall have any cause of action hereunder.
10. It is specifically agreed by both parties that for a particular incident, neither party shall be reimbursed by the other party for any costs incurred pursuant to this agreement. In the event of Declared Disasters, participants may apply for reimbursement from County, State, and Federal agencies.
11. In the event a party shall sustain a loss or damage to its equipment or injury to any of its personnel while responding to an incident or training in that jurisdiction of the other party, unless a result of the negligent actions of the other party, such loss shall be the sole responsibility of the party responding to the incident, and the other party shall not have any liability for such damage or injury. Should the loss or damage be the result of negligence or the negligent actions of the other party, the party responding shall retain all rights available for compensation under the laws of the State of Florida.
12. If one party wishes to terminate this agreement for any reason or no reason, with or without cause, 2 months (60 days) notice in writing of intention to terminate shall be given to the other involved.
13. No term or provision in this agreement is intended to create a partnership, joint venture or agency arrangement between the Cities.
14. The term of this Agreement shall be for a period of one year from the date of execution by the last party and shall automatically renew for the like terms unless revised or terminated by the parties.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the parties to hereto have executed this Agreement in duplicate original, the day and year first above written.

ATTEST:

CITY OF TAVARES, FL

\_\_\_\_\_  
Susie Novack  
City of Tavares Clerk

\_\_\_\_\_  
Amanda Boggus  
City of Tavares Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2021

Approved as to form and legality:

\_\_\_\_\_  
Robert Williams  
City of Tavares Attorney

ATTEST:

CITY OF EUSTIS, FL

\_\_\_\_\_  
Mary C. Montez  
City of Eustis Clerk

\_\_\_\_\_  
Michael L. Holland  
City of Eustis Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2021

Approved as to form and legality:

\_\_\_\_\_  
Derek A. Schroth  
City of Eustis Attorney



**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-43: RENEWAL OF AUTOMATIC AID AGREEMENT WITH CITY OF MOUNT DORA

---

### **Introduction:**

Resolution Number 21-43 renews the automatic aid agreement between the Eustis and Mount Dora Fire Departments. The new agreement provides for automatic renewal unless otherwise revised or terminated by one of the participating cities.

### **Background:**

In February 2017, the City approved Resolution Number 17-09 authorizing the City Manager to execute an interlocal automatic aid agreement with the City of Mount Dora. This agreement allows for the immediate assistance in case of all emergencies and enables both fire departments to provide the closest most appropriate response of personnel and equipment. The current agreement provides for review and renewal every five years. The proposed agreement changes the term of the agreement so that it will automatically renew each year unless revised or terminated by one of the cities.

### **Recommended Action:**

Staff recommends approval of Resolution Number 21-43.

### **Budget Impact:**

Minimal fuel and vehicle maintenance costs that have already been budgeted for.

### **Attachments:**

[Resolution No 21-43](#)

[Eustis - Mount Dora Auto Aid Agreement](#)

### **Reviewed by:**

Ronald Neibert, City Manager

Mary Montez, City Clerk

Approved - 11 Jun 2021

Approved - 11 Jun 2021



**RESOLUTION NUMBER 21-43**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF EUSTIS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF MOUNT DORA TO PROVIDE FOR AUTOMATIC ASSISTANCE FOR FIRES AND OTHER TYPES OF EMERGENCY INCIDENTS.**

**WHEREAS**, the City of Eustis strives to provide the best service to its citizens by the members of its Fire Department; and

**WHEREAS** the City of Eustis has determined that a partnership with other area cities will benefit its citizens; and

**WHEREAS**, on February 2, 2017, the Cities of Eustis and Mount Dora did enter into an interlocal agreement for the provision of automatic assistance the term of which was set for five years; and

**WHEREAS**, it is now determined that it is in the best interest of the residents of both cities for this interlocal agreement to be automatically renewed each year so as to avoid any lapse in service;

**NOW, THEREFORE, BE IT RESOLVED** that the City Commission of the City of Eustis, Florida, as follows:

1. That the City Manager is hereby authorized to execute the attached interlocal mutual aid agreement, shown as Exhibit A; and
2. That said agreement is effective immediately upon signing by both parties; and
3. That said agreement shall renew automatically unless otherwise revised or terminated by the the cities.

**DONE AND RESOLVED**, this 17<sup>th</sup> day of June, 2021, in regular session of the City Commission of the City of Eustis. Lake County, Florida.

**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 17<sup>th</sup> day of June, 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 Resolution Number 21-43 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

**AUTOMATIC AID AGREEMENT FOR FIRE PROTECTION AND  
OTHER EMERGENCY SERVICES BETWEEN THE CITY OF MOUNT  
DORA AND THE CITY OF EUSTIS**

**THIS AGREEMENT** is made and entered by and between the City of Mount Dora and City of Eustis as of the date approved by the last party hereto, to provide for automatic assistance for fires and other types of emergency incidents as described under the terms of this agreement.

WITNESSETH:

**WHEREAS**, an informal agreement for automatic assistance in fire protection and response to other emergencies has existed between the City of Mount Dora and the City of Eustis; and,

**WHEREAS**, it is the desire of the parties to this agreement to continue and improve the nature and coordination of emergency assistance to incidents that threaten loss of life or property within the geographic boundaries of their respective jurisdictions; and,

**WHEREAS**, it is further the determination of each of the parties hereto that the decision to enter into this Automatic Aid Agreement constitutes a fundamental governmental policy of the parties hereto which is automatic in nature, and includes the determination of the proper use of the resources available with respect to the providing of governmental services and the utilization of existing resources of each of the parties hereto, including the use of equipment and personnel; and,

**WHEREAS**, it is the desire of the parties to initiate an "Automatic Aid Agreement" for fire department and other emergency services as set forth below:

**NOW, THEREFORE, IT IS AGREED:**

1. The parties hereto acknowledge that this Agreement is being entered into pursuant to applicable Florida law.
2. The parties agree to dispatch their respective assigned fire department units on an automatic basis, if such units are available. Each jurisdiction agrees that the closest available, most appropriate unit(s) regardless of jurisdictional boundaries will respond.
3. It is agreed that the scope of this agreement includes automatic assistance in responding to fires, medical emergencies, hazardous conditions, rescue and extrication situations and other types of emergency incidents that are within the standard scope of services provided by fire departments in the usual and customary Automatic Aid Agreement.
4. This agreement shall encourage the development of cooperative procedures and protocols including but not limited to, communications coordination, training, health and safety, and other activities that will enhance the ability of the fire departments to fulfill their missions.

5. It is expressly understood and agreed that the party first to respond to the scene may serve as initial incident commander exercising command and control functions within the other's jurisdiction until relieved by an official from the primary jurisdiction having authority. The initial responding party will then fall under the chain of command of the jurisdiction having authority.
6. Nothing in this agreement shall limit the ability of either of the parties to participate in more specific contracts for services, mutual assistance or automatic response; nor shall this prohibit any party from providing emergency assistance to another jurisdiction which is not a participant in this agreement.
7. The City of Mount Dora and the City of Eustis shall retain ownership of any equipment or property it brings to the performance of this agreement, and each shall retain ultimate control of its own employees.
8. Participants in this Automatic Aid Agreement do further agree to the following standard service criteria as the primary response system elements of this Automatic Aid Agreement:
  - A. The Automatic Aid Agreement allows the closest, most appropriate emergency response unit to an emergency to be dispatched automatically-regardless of jurisdiction where the emergency occurs or the jurisdictional affiliation of the response unit.
  - B. All participants will use standard procedures. A standardized Incident Management System (IMS) provides for efficient management of the emergency and for the safety of firefighters. The Incident Management System for use by Automatic Aid participants shall be NIMS.
  - C. It is the desire of the Automatic Aid participants to explore other opportunities for joint training, including entry level training, mini academies, refresher training and systems training. By training together and using common procedures, participants have a higher level of confidence in each other.
  - D. Participants shall use standardized apparatus response criteria. Lake County EMS Dispatch can tailor the response to specific types of incidents by jurisdiction or part of a jurisdiction. This includes the capability to automatically dispatch selected specialty units.
  - E. Participants agree that automatic aid is reciprocal. While automatic aid does not ensure that a municipality will receive the exact same amount of assistance as it gives, it does mean that all participants will provide some assistance outside its jurisdictional boundaries and that the level of service delivered with the Automatic Aid Agreement will be comparable.



9. No term or provision of this Agreement is intended to, or shall, create any rights in any person, firm, corporation or other entity not a party hereto, and no such person or entity shall have any cause of action hereunder.
10. It is specifically agreed by both parties that for a particular incident, neither party shall be reimbursed by the other party for any costs incurred pursuant to this agreement. In the event of Declared Disasters, participants may apply for reimbursement from County, State, and Federal agencies.
11. In the event a party shall sustain a loss or damage to its equipment or injury to any of its personnel while responding to an incident or training in that jurisdiction of the other party, unless a result of the negligent actions of the other party, such loss shall be the sole responsibility of the party responding to the incident, and the other party shall not have any liability for such damage or injury. Should the loss or damage be the result of negligence or the negligent actions of the other party, the party responding shall retain all rights available for compensation under the laws of the State of Florida.
12. If one party wishes to terminate this agreement for any reason or no reason, with or without cause, 2 months (60 days) notice in writing of intention to terminate shall be given to the other involved.
13. No term or provision in this agreement is intended to create a partnership, joint venture or agency arrangement between the Cities.
14. The term of this Agreement shall be for a period of one year from the date of execution by the last party and shall automatically renew for like terms unless revised or terminated by the parties.

IN WITNESS WHEREOF, the parties to hereto have executed this Agreement in duplicate original, the day and year first above written.

ATTEST:

CITY OF MOUNT DORA, FL

\_\_\_\_\_  
Jessica Burnham  
City of Mount Dora Clerk

\_\_\_\_\_  
Cathy Hoechst  
City of Mount Dora Mayor

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Sherry Sutphen  
City of Mount Dora Attorney

ATTEST:

CITY OF Eustis, FL

\_\_\_\_\_  
Mary C. Montez  
City of Eustis Clerk

\_\_\_\_\_  
Michael L. Holland  
City of Eustis Mayor

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Derek A. Schroth  
City of Eustis Attorney



**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-36: SITE PLAN WITH WAIVERS FOR PRIME PLUMBING

---

### **Introduction:**

Resolution Number 21-36 approves a modification to a previously approved development plan via a Site Plan approval with Waivers for Prime Plumbing office, showroom and warehousing on approximately 5.82 acres at 37136 State Road 19.

### **Background:**

See attached Staff Report.

### **Recommended Action:**

The administration recommends approval of Resolution Number 21-36.

### **Alternatives:**

1. Approve Resolution Number 21-36.
1. Deny Resolution Number 21-36.

### **Attachments:**

[Staff Report Res. No. 21-36](#)  
[Resolution No. 21-36](#)

### **Reviewed by:**

Ronald Neibert, City Manager  
Mary Montez, City Clerk

Approved - 11 Jun 2021  
Approved - 11 Jun 2021





## City of Eustis

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

TO: EUSTIS CITY COMMISSION  
FROM: RONALD R. NEIBERT, CITY MANAGER  
DATE: JUNE 17, 2021  
RE: RESOLUTION NUMBER 21-36  
MODIFICATION TO APPROVED DEVELOPMENT PLAN BY SITE PLAN WITH  
WAIVERS – PRIME PLUMBING

### **Introduction:**

Resolution Number 21-36 approves a modification to a previously approved development plan via a Site Plan approval with Waivers for Prime Plumbing office, showroom and warehousing on approximately 5.82 acres at 37136 State Road 19. Modifications include repositioned buildings to address Florida Building Code requirements, installation of an 8-foot wall to be placed 16-inches inside the common property line, and placement of 7.5-foot landscape buffer to the inside of the wall (on the west and north portion of the site adjacent to the Rapture Air property).

### **Recommended Action:**

The administration recommends approval of Resolution Number 21-36.

### **Background:**

#### **1. Pertinent Site Information:**

- a. The project site comprises approximately 5.9 acres at 37136 State Road 19, and includes road and includes road frontage on 5<sup>th</sup> Street (county road).
- b. An existing 2,550 square foot building was developed onsite in 1978, which is currently occupied by Prime Plumbing.
- c. Approximately 2.3 acres of the site is freshwater forested shrub wetland which may not be impacted by development.
- d. As the proposed site plan required no waivers, on March 19, 2019, the Development Review Committee approved a Development Plan to include office, showroom, storage and nine 1,500 square foot office/warehouse units.



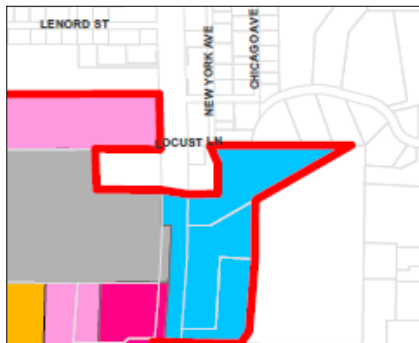
- e. In November 2019, the applicant submitted a modification request to eliminate the nine 1,500 square foot office/warehouse units and to relocate the proposed monument sign. As the plan required no waivers, the Development Plan

Modification was approved by the Development Review Committee on December 17, 2019.

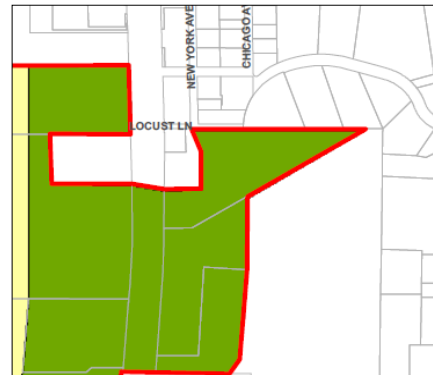
- f. The site and surrounding properties' land uses, design district designations, and existing uses are shown below.

|              | <b>Future Land Use</b> | <b>Existing Use</b>                                              | <b>Design District</b> |
|--------------|------------------------|------------------------------------------------------------------|------------------------|
| <b>Site</b>  | General Industrial     | Contractor Office/Yard                                           | Suburban Corridor      |
| <b>North</b> | Lake County Urban Low  | Contractor Office/Yard;<br>Office/Warehouse<br>and Single-Family | n/a Unincorporated     |
| <b>South</b> | General Industrial     | Mini-Storage                                                     | Suburban Corridor      |
| <b>East</b>  | Lake County Urban Low  | Wetland and Single-Family                                        | n/a Unincorporated     |
| <b>West</b>  | Public Institutional   | Church                                                           | Suburban Corridor      |

Future Land Use



Design District



**Applicant's Request:**

The applicant is requesting Site Plan approval with Waivers for Prime Plumbing office, showroom and warehousing on approximately 5.82 acres at 37136 State Road 19. Modifications to the approved Development Plan include repositioned buildings to address Florida Building Code requirements, installation of an 8-foot wall to be placed 16-inches inside the common property line, and placement of a 7.5-foot landscape buffer on the inside of the wall (on the west and north portion of the site adjacent to the Rapture Air property).

**Considerations:**

But for waivers to the Land Development Regulations (LDRs) to allow the placement of the 8-foot wall, the reduction of the landscape buffer width and placement interior to the 8-foot wall, this project could be approved administratively via the Development Plan approval process. Waivers to the LDR's for the project are as follows:

1. A waiver to Section 110-4.16 Industrial Building Lot to allow a 16-inch common lot setback in lieu of the required 10-feet (for placement of the 8-foot wall).
2. A waiver to Section 115-9.3.2 (a) (3) a.1. to allow a 7.5-foot landscape buffer in lieu of the required 10-foot buffer, and to allow that buffer to be placed on the applicant's side of the proposed 8-foot wall instead of between the property and the adjacent parcel.

The applicant has provided the following justification for the request:

**“The request to place the precast wall system 16-inches from property line is to permit the full utilization of the uplands site due to the high percentage of the site off limits to development. The wall is sorely needed to provide security to the owner's business due to criminal activity in the area.**

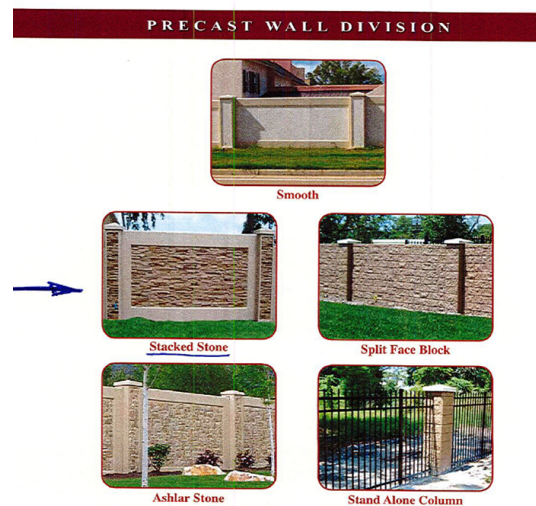
The pre-finished precast wall panels are designed to provide long-term service. The owner is able to reach over the wall using lift equipment to pressure clean the wall should the need arise. The existing ground will be excavated approx. 6" to allow the installation of weed cloth and #57 stone or its equivalent to control weed growth and provide a place for wash water to drain into and not onto adjacent properties. No access easement is required.

The submitted photos were taken outside the north wall of the existing office looking north. The existing chain-link fence belongs to Rapture Air and is on Rapture Air property. It is totally up to Rapture Air if they wish to keep or remove their chain-link fence.”

#### Existing Conditions – View from SR 19



#### Proposed Precast Wall System



### **Applicable Policies and Codes as to Waiver Requests:**

*Section 115-9.3.2 (a) (3) a.1. Suburban adjacencies for nonresidential parcels .*

a. Landscape buffers between parcels.

1. A minimum ten-foot landscape buffer is required between adjacent tracts (side and rear property boundaries) with vegetation planted per table 2. shrubs and groundcover shall comprise at least 30 percent of the landscaped area.

Section 110-4.16 Industrial Building Lot: common lot setback required 10-feet.

***Due to the site constraints, surrounding conditions, and future maintenance of the landscape buffer, the waiver requests for wall and buffer placement are reasonable. The wall will screen outside storage on the Prime Plumbing site from view along SR 19. Furthermore, the regulation does not specifically exclude placement of a wall between landscape buffers on common lot adjacencies.***

Sec. 102-24. - Modifications to approved PUD overlay site plans/preliminary plats and final plats. The development services director is authorized to approve any modifications to approved development plans provided no waivers are requested or required. The development services director may approve minor modifications to an approved PUD overlay, site plan/preliminary plat or final plat, but shall not have the power to approve changes that are inconsistent with the minimum open space requirements or the maximum density, intensity or height of the applicable land use district or that constitute a substantial modification as defined herein. A substantial modification shall be processed in accordance with [section 102-12](#) of these land development regulations as applicable.

***As this modification includes waiver requests, City Commission approval is required.***

### **Community Input**

The Department has notified adjacent property owners, advertised the resolution, and the applicant posted the site. There has been no community contact regarding the notice as of the writing of this report. The owner of the adjacent property (Rapture Air) attended Development Review Committee meetings regarding this request on April 13 and June 8, 2021. The community will have an opportunity for additional input at the meeting.

### **Budget / Staff Impact:**

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

### **Alternatives:**

1. Approve Resolution Number 21-36
2. Deny Resolution Number 21-36

### **Discussion of Alternatives:**

1. Alternative 1 approves the resolution.

#### **Advantages:**



- The property owner can continue with the development under construction and complete with the modifications proposed.
- The action would improve the view of the development.
- The action would be consistent with the goals, objectives and policies of the Comprehensive Plan.

Disadvantages:

- The resolution approves waivers to the Land Development Regulations.

2. Alternative 2 denies the resolution.

Advantages:

- The Commission could request revisions to the proposed plan.

Disadvantages:

- The property owner would not be able to develop according to the submitted Site Plan.
- The view of the development would not be improved.
- The city could lose an economic development opportunity.

**Prepared By:** Lori Barnes, AICP, Development Services Director

**Attachments:**

- Resolution Number 21-36 with Exhibit A



**RESOLUTION NUMBER 21-36**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A MODIFICATION TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN VIA SITE PLAN WITH WAIVERS FOR PRIME PLUMBING, OFFICE, SHOWROOM, MAINTENANCE BUILDING AND WAREHOUSING BUILDINGS TOTALING APPROXIMATELY 15,441 SQUARE FEET ON 5.82-ACRES AT 37136 STATE ROAD 19.**

**WHEREAS**, J & K Prime Properties, LLC has made application for approval of a modification to a previously approved Development Plan via Site Plan with waivers for Prime Plumbing office, showroom, maintenance and warehousing buildings on approximately 5.82-acres at 37136 State Road 19, as shown in Exhibit A, property more particularly described as:

Alt. Key: 1407249

Parcel Id Number: 26-18-26-0003-000-02901

FROM INTERSECTION OF E'LY LINE OF R/W OF ST RD 19 WITH N LINE OF SE 1/4 OF SW 1/4, RUN S'LY ALONG E'LY LINE OF R/W 312.66 FT TO POB, RUN S'LY ALONG R/W 207.34 FT, N 89-43-0 E 144.1 FT, N 59-48-0 E TO N LINE OF SE 1/4 OF SW 1/4, BEG AGAIN AT POB, RUN N 88-50-09 E 189.26 FT, N 0-0-44 W 189.65 FT, N 21-22-03 W 128.56 FT, E ALONG N LINE OF SE 1/4 OF SW 1/4 TO INTERSECT FIRST LINE ORB 4768 PG 762

**WHEREAS**, the property described above has a Land Use Designation of General Industrial (GI) and a Design District Designation of Suburban Corridor; and

**WHEREAS**, a contractor's office, showroom, maintenance and warehousing uses are permitted in the General Industrial (GI) land use designation; and

**WHEREAS**, the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, the proposed waivers to the Land Development Regulations meet the general intent of the regulations; do not jeopardize the health, safety, or welfare of the public; and include appropriate mitigation;

**NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:**

**SECTION 1.**

That the Site Plan for the warehouse/manufacturing facility, and attached hereto as Exhibit A is hereby approved with the following waivers:

- a. A waiver to Section 110-4.16 Industrial Building Lot to allow a 16-inch common lot setback in lieu of the required 10-feet (for placement of the 8-foot wall).
- b. A waiver to Section 115-9.3.2 (a) (3) a.1. to allow a 7.5-foot landscape buffer in lieu of the required 10-foot buffer, and to allow that buffer to be placed on the applicant's side of the proposed 8-foot wall instead of between the property and the adjacent parcel.

**SECTION 2.**

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

- a. Submit a revision to the Building Department to update the permit drawings for the ongoing construction project.

**SECTION 3.**

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

**SECTION 4.**

That this Resolution shall become effective upon filing.

**DONE AND RESOLVED** this 17<sup>th</sup> day of June 2021, in regular session of the City Commission of the City of Eustis, Florida.

**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 17<sup>th</sup> day of June, 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.

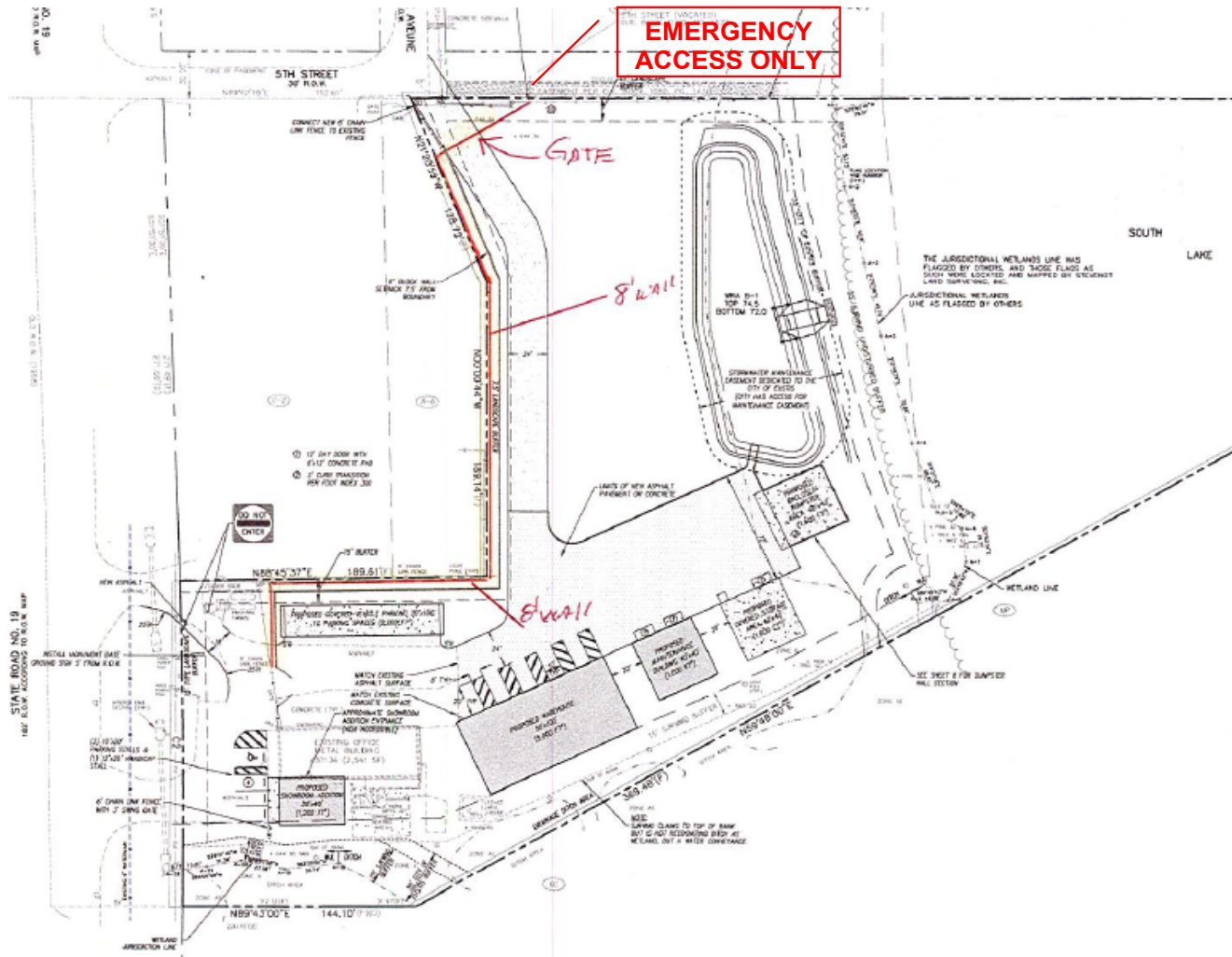
\_\_\_\_\_  
City Attorney's Office                      Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 21-36 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: SITE PLAN





**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-41: TROUT LANDING CONCEPT PLAN

---

### **Introduction:**

Resolution Number 21-41 approves a concept plan for a 62-lot single-family attached residential subdivision on approximately 6.08 acres located at the northwest corner of CR 452 and N. SR 19, east of Northshore Drive.

### **Background:**

See attached Staff Report.

### **Recommended Action:**

Staff recommends approval of Resolution Number 21-41. A concept plan does not grant any entitlements to the subject property.

### **Alternatives:**

1. Approve Resolution Number 21-41.
2. Deny Resolution Number 21-41.

### **Attachments:**

[Staff Report Res. No. 21-41](#)  
[Resolution No. 21-41](#)  
[Community Meeting Summary](#)  
[Concept Plan revised 6-14-2021](#)

### **Reviewed by:**

Ronald Neibert, City Manager  
Mary Montez, City Clerk

Approved - 11 Jun 2021  
Approved - 11 Jun 2021







## City of Eustis

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

TO: EUSTIS CITY COMMISSION  
FROM: RONALD R. NEIBERT, CITY MANAGER  
DATE: JUNE 17, 2021  
RE: RESOLUTION NUMBER 21-41: TROUT LANDING CONCEPT PLAN

### **Introduction:**

Resolution Number 21-41 approves a concept plan for a 62-lot single-family attached residential subdivision on approximately 6.08 acres located at the northwest corner of CR 452 and N. SR 19, east of Northshore Drive.

### **Recommended Action:**

Staff recommends approval of Resolution Number 21-41. A concept plan does not grant any entitlements to the subject property.

### **Background:**

#### **1. Pertinent Site Information:**

- a. The site subject to this request is a wooded property bounded by CR 452, N. SR 19 (N. Bay Street) and Northshore Drive.
- b. The Property Appraiser classifies the southern portion of the site as Vacant Commercial and the northern portion of the site as Vacant Residential.
- c. The proposed project is a subdivision to include 62 single-family attached lots (Townhouse lots) at a density of approximately 10 dwelling units an acre with park space, open space, landscape buffers, stormwater and roads.
- d. The Development Review Committee reviewed the concept plan, and on June 8, 2021, recommended approval

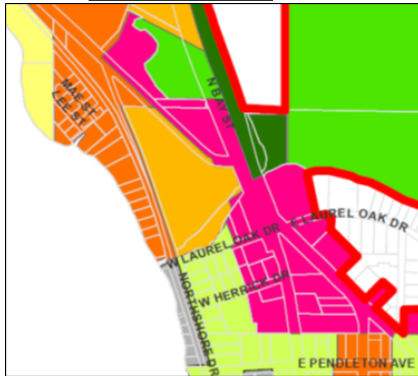


and forwarding to the City Commission for consideration.

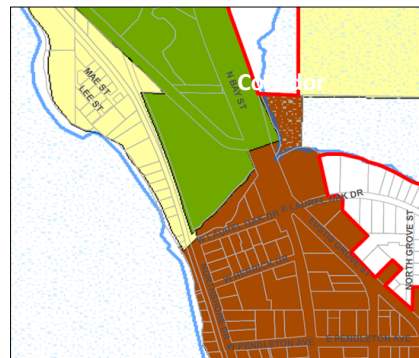
- e. The site and surrounding properties' land uses, design district designations, and existing uses are shown below.

|              | Future Land Use                 | Existing Use                                  | Design District                      |
|--------------|---------------------------------|-----------------------------------------------|--------------------------------------|
| <b>Site</b>  | Mixed Commercial/Residential    | Vacant                                        | Suburban Corridor                    |
| <b>North</b> | General Commercial              | Vacant                                        | Suburban Corridor                    |
| <b>South</b> | Residential Office Transitional | Multi-Family and Contractor's Office          | Urban Corridor                       |
| <b>East</b>  | General Commercial              | Convenience Store with Gas and Dollar General | Suburban Corridor and Urban Corridor |
| <b>West</b>  | Suburban Residential            | Single-Family                                 | Suburban Neighborhood                |

Future Land Use



Design District



#### **Applicant's Request:**

The applicant is requesting Concept Plan approval of a subdivision to include 62 single-family attached lots (Townhouse lots) at a density of approximately 10 dwelling units an acre with park space, open space, landscape buffers, stormwater and roads.

#### **Considerations:**

1. Section 102-18 provides for optional review of a conceptual plan either by the Development Review Committee alone or both the DRC and City Commission review.
  - a. No entitlements are granted via conceptual plan review/approval, and waivers to the Land Development Regulations are not approved as part of the conceptual plan review.
  - b. Development entitlements may be granted with completion of the prescribed processes in the Land Development Regulations for Preliminary Subdivision Plat per Section 102-21, Final Engineering and Construction Plan per Section 102-22 and Final Plat per Section 102-26.

2. The submitted concept plan is generally consistent with the Eustis Comprehensive Plan and Land Development Regulations. However, additional consideration and potential modifications will be necessary as part of a future Preliminary Subdivision Plat review, including the following:
  - a. Waivers to the Land Development Regulations will need to be specifically requested with justification provided; unless the plan is modified to eliminate the need for such waivers. (At this time, staff has identified the following potential waivers: (Street setback unless Ordinance Number 21-09 is adopted; Plaza park space type in suburban corridor).
  - b. Parks and streets will need to be identified by type pursuant to Section 115 of the Land Development Regulations on the Preliminary Subdivision Plat. Park space, impervious surface area, and open space calculations will need to be refined based on final design and/or study results at time of Preliminary Subdivision Plat.

The City Commission may need to consider approval of waivers referenced above as part of the future Preliminary Subdivision Plan approval process. No development can proceed unless and until the applicant is granted development approval through the prescribed processes.

#### **Applicable Policies and Codes:**

##### **COMPREHENSIVE PLAN:**

##### **Mixed Commercial / Residential (MCR)**

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses. General Range of Uses: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted. Maximum Density: Residential densities may not exceed 12 dwelling units per net buildable acre. Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

***The overall proposed density 10.19 du/acre; less than the maximum 12 du/ac.***

**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.

***The site surrounded by existing development; the project is infill development.***

**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.

***The proposed subdivision design is consistent with the city's planning principles.***

**LAND DEVELOPMENT REGULATIONS:****Sec. 102-15. - Map interpretation for property lying within multiple districts.**

(a) If a property is determined to lie in more than one land use district or design district with a majority of the property in one land use district or design district, then the land use or design district category that governs the majority of the property shall apply to the entire property.

***Although a small portion of the property has a Suburban Residential land use designation and a Suburban Neighborhood design district, the Mixed Commercial/Residential (MRC) and Suburban Corridor design district will govern the development on the property per the LDR above.***

**Mixed commercial/residential district (MCR).** This land use designation is intended to regulate the character and scale of commercial and residential uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby land uses, and provide for mixed use development.

**Suburban corridor** design district. Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods. Structure. The street system is designed to accommodate the density, intensity, and form of suburban development and provides functional connections that link neighborhoods to shopping areas. Form: Predominately single-use areas that may include a mix of uses, retail, and residential.

**Sec. 115-3.2. - Suburban districts.**

(a) *Suburban residential compatibility.* The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

***The proposed density is less than the maximum permitted under the MCR land use district.***

(b) The maximum residential density permitted within the suburban neighborhood design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property and shall further be limited by providing compatible building lot types as provided for in [chapter 110](#).

***The requested lot typologies are permitted in the Suburban Corridor design district designation.***

(c) *Transitions within a design district/edge condition standards.* When any suburban design district abuts an existing development, whether residential or commercial, the following shall occur:

(1) The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).

***As the property subject to this request is separated from existing development by road right-of-way and a water body, the separation creates a condition where the new residential building lot typologies do not share a common boundary and are therefore not considered adjacent to the existing residential lots.***

**Sec. 121-24. - Groundwater and wellhead protection.**

(c) (2) 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.

***The site surrounded by existing development; the project is infill development.***

**Community Input**

The Department has notified adjacent property owners, advertised the resolution, and the applicant posted the site. There has been no community contact regarding the notice as of the writing of this report. A community meeting was held on June 8, 2021 that was attended by eight members of the public. (See Community Meeting Summary). The community will have an opportunity for additional input at the meeting.

**Budget / Staff Impact:**

There is no budget or staff impact associated with this resolution, as approval of the resolution does not grant entitlements at this time.

**Alternatives:**

1. Approve Resolution Number 21-41
2. Deny Resolution Number 21-41

**Discussion of Alternatives:**

1. Alternative 1 approves the resolution.

Advantages:

- The applicant could move forward with engineering and final design of the subdivision.
- New housing options could be available in the city if the project progresses to final approval and construction.
- The action would be consistent with the goals, objectives and policies of the Comprehensive Plan.

Disadvantages:

- Waivers could be required.

2. Alternative 2 denies the resolution.

Advantages:

- The Commission could request revisions to the proposed plan.

Disadvantages:

- The applicant could abandon their plans to complete engineering and final design for the project, and the vacant parcel would remain without development.
- The city could lose an economic development opportunity.

**Prepared By:** Lori Barnes, AICP, Development Services Director

**Attachments:**

- Resolution Number 21-41 with Exhibit A (concept plan)
- Community Meeting Summary

## RESOLUTION NO. 21-41

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A CONCEPT PLAN FOR TROUT LANDING, A PROPOSED RESIDENTIAL SUBDIVISION (SINGLE-FAMILY ATTACHED/TOWNHOUSE LOTS) ON APPROXIMATELY 6.08 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF CR 452 AND N. SR 19, EAST OF NORTHSORE DR.**

**WHEREAS**, Build REI, LLC and Donald L. Driggers Trust have made an application for a conceptual site plan approval of a 62-lot single-family attached residential subdivision (townhouse lots) on approximately 6.08 acres located at the northwest corner of CR 452 and N. SR 19, east of Northshore Drive, as shown in Exhibit A, property more particularly described as:

Alt. Keys: 1098220 & 1705894

Parcel Id Nos.: 02-19-26-0003-000-01700 & 02-19-26-0002-000-00800

### PARCEL 1

THAT CERTAIN TRACT OF LAND LOCATED IN GOVERNMENT LOTS 6 AND 9, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BOUNDED ON THE SOUTH SIDE BY A STREAM KNOWN AS TROUT RUN, BOUNDED ON THE EAST SIDE BY TROUT LAKE, BOUNDED ON THE NORTH SIDE BY THE MID-SECTION LINE OF SECTION 2, AND BOUNDED ON THE WEST SIDE BY THE SAND ASPHALT ROAD BEING KNOWN AS OLD STATE HIGHWAY NO. 2 AND ALSO KNOWN AS LAKE EUSTIS DRIVE, WHICH SAID ROAD RUNS PARALLEL WITH THE PRESENT LOCATION OF THE ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACKS, LESS AND EXCEPT THEREFROM THE RIGHT OF WAY OF THE NEW STATE HIGHWAY NO. 2, WHICH BISECTS SAID HEREINBEFORE DESCRIBED REAL ESTATE. ALSO, LESS THE RIGHT OF WAY FOR STATE ROADS NO. 19 AND 44, ALSO, LESS AND EXCEPT A TRIANGULAR TRACT OF LAND CONVEYED TO THE STATE OF FLORIDA BY QUIT CLAIM DEED RECORDED IN DEED BOOK 364, PAGE 453, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND ALSO LESS THE FOLLOWING DESCRIBED TRACT OF LAND: THAT PART OF GOVERNMENT LOTS 6 AND 9, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 26 EAST. LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF GOVERNMENT LOT 4, IN SAID SECTION 2, RUN WEST ALONG THE NORTH LINE OF SAID SECTION 2 A DISTANCE OF 162.87 FEET; THENCE RUN SOUTH 3°35'54" WEST 1271.26 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 2864.93 FEET; THENCE RUN SOUTHERLY AND SOUTHEASTERLY ALONG THE SAID CURVE THROUGH A CENTRAL ANGLE OF 25°41' A DISTANCE OF 1284.17 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 22°05'06" EAST 510.66 FEET; THENCE RUN SOUTH 67°54'54" WEST 75 FEET TO A POINT ON THE WESTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD 19 FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN THENCE NORTHERLY ALONG THE WESTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 19 A DISTANCE OF 214 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 6, IN SAID SECTION 2; THENCE RUN WEST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 6 AND AN EXTENSION WEST

THEREOF, TO A POINT ON THE EASTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 44; THENCE RUN SOUTHEASTERLY ALONG THE EASTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 44 A DISTANCE OF 331 FEET, MORE OR LESS, TO A POINT THAT IS SOUTH 67°54'54" WEST OF THE POINT OF BEGINNING; THENCE RUN NORTH 67°54'54" EAST 94 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO LESS ANY PORTION OF THE TRACT LYING EAST OF STATE ROAD 19 (NORTH BAY STREET) IN SAID GOVERNMENT LOT 6.

**PARCEL 2**

THAT PART OF GOV., LOT 8, SECTION 2, TOWNSHIP 19 S, RANGE 26 E, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF GOV. LOT 5, SAID SECTION 2, RUN SOUTH 0°38' EAST 448.7 FEET TO A POINT IN THE CENTER LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 44, THENCE RUN SOUTH 47°09' EAST ALONG THE CENTER LINE OF SAID RIGHT OF WAY 525.8 FEET TO A POINT ON THE SOUTH LINE OF GOV. LOT 8, SAID SECTION 2, THENCE RUN SOUTH 89°30' WEST ALONG THE SOUTH LINE OF SAID GOV. LOT 8 A DISTANCE OF 251.3 FEET TO THE CENTER LINE OF THE RIGHT OF WAY OF OLD STATE ROAD NO. 2, THENCE RUN NORTH 23°40' WEST ALONG THE CENTER LINE OF THE RIGHT OF WAY OF OLD STATE ROAD NO. 2 A DISTANCE OF 197.3 FEET, THENCE RUN NORTH 17°05' WEST ALONG THE CENTER LINE OF SAID ROAD 187.6 FEET TO THE POINT OF BEGINNING: LESS AND EXCEPT THE RIGHTS OF WAY FOR STATE ROAD NO. 44 AND OLD STATE ROAD NO.2

**WHEREAS**, the property has a Land Use Designation of Mixed Commercial/Residential and a Design District Designation of Suburban Corridor; and

**WHEREAS**, single-family attached homes are a permitted use in the Mixed Commercial/Residential (MCR) land use designations, and townhome lots are permitted in the Suburban Corridor design district; and

**WHEREAS**, the concept plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; some waivers would be required; and

**NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:**

**Section 1:** That the Concept Plan for a single-family attached residential subdivision, attached hereto as "Exhibit A" is hereby approved.

**Section 2:** That the Concept Plan approval shall be subject to the owner/developer complying with and executing the following conditions:

- A. Submitting a Preliminary Subdivision Plat application for review and approval in accordance with the City's Land Development Regulations and Comprehensive Plan within one year of the Concept Plan



approval.

- B. Providing all applicable permits and certificates of concurrency compliance prior to final development approval.

**DONE AND RESOLVED** this 17<sup>th</sup> day of June 2021, in regular session of the City Commission of the City of Eustis, Florida.

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

\_\_\_\_\_  
Michael L. Holland  
Mayor-Commissioner

**ATTEST:**

\_\_\_\_\_  
City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of June 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, 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 Resolution No. 21-41 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

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Mary C. Montez, City Clerk



**COMMUNITY MEETING SUMMARY**  
**June 8, 2021**

**Proposed Subdivision (Trout Landing)**

The Department of Development Services facilitated a Community Meeting held in the Eustis City Commission Chambers at 6:00 PM on June 8, 2021, to review a proposed development on approximately 6 acres of property located on the west side of N Bay St, just north of W Laurel Oak Dr, on the southwest side of CR 452, and on the eastern side of Northshore Dr.

Highlights of the meeting include the following:

**1. Number of citizens present:**

10, including the 1 person representing the applicant

**2. Eustis staff present:**

Lori Barnes, AICP, Development Services Director  
Heather Croney, Senior Planner

**3. Noticing:**

- a. The City advertised the Community Meeting and sent notices to property owners within 500 feet. The applicant posted the site.

**4. Nature of the proposal/meeting discussion:**

- a. At approximately 6:00 pm, Lori Barnes welcomed the attendees and explained the meeting is informal, with no decisions being made. Ms. Barnes explained the following:

This community meeting is an opportunity for the developer's representative to review the proposed project prior to brining a formal request to the City Commission.

- The property proposed for development is located on the west side of N Bay St, just north of W Laurel Oak Dr, on the southwest side of CR 452, and on the eastern side of Northshore Dr. A correction was noted to the concept plan and location map shown at the meeting as the map showed the project to be off SR 44, not CR 452.
- The proposed Trout Landing proposes 62 townhomes on the approximately 6-acre parcel. The development includes required parks, parking, open space, and landscape buffers. The proposed density is 10.19 units/acre, and maximum density of 12 units/acre.

Ms. Barnes answered questions that were overheard in conversations prior to the official start of the meeting, such as regarding the requirement for, garages, sidewalks and a potential additional emergency access point.

Ms. Barnes then introduced the applicant's representative, Greg Beliveau of Land Planning Group.

- b. Mr. Beliveau began by explaining the origins of the project, and how it was decided that the development of this site would be townhomes. Mr. Beliveau explained the allowed and potential uses of the site per the City of Eustis Suburban Corridor Design District and the Mixed Commercial/Residential Future Land Use Category. In determining what to develop on this property, commercial was considered, but not seen to be the best fit or the most marketable use at this current time.
- c. Mr. Beliveau discussed the requirements for the project by the City of Eustis, and how the project has been designed to meet the requirements. The Trout Landing subdivision as proposed provides:
  - Park space
  - Open space
  - Recreation amenities (linear park, plaza w/fountain, dog park)
  - 2 parking spaces per unit required, so currently looking at 124 parking spaces total
  - Various floor plan options planned
  - Price points currently anticipated to be \$230 to \$280K, but uncertain due to current market and cost of construction materials
- d. Members of the public expressed concerns regarding parking as currently people park along the roadway, and that becomes an inconvenience. Mr. Beliveau explained the development design and that it would provide the required parking as well as the design would not allow for parking along the public roadway. Parking is provided by rear-loaded into garages and driveways for the townhomes. No parking will be on Northshore Dr.
- e. Townhome units were configured in the plans to require as little tree removal as possible.
- f. In concluding the meeting, Ms. Barnes explained the upcoming steps in the project, which includes further reviews by City staff and other organizations who will give approvals. On June 17<sup>th</sup>, the project will be presented to the Eustis City Commission.
- g. Ms. Barnes inquired if there were additional questions or comments, and seeing none, adjourned the meeting at approximately 7:15 pm.

Attachments: Notice of Community Meeting, Community Meeting Sign-In Sheet













**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-45: SIXTH AMENDMENT TO PURCHASE AND SALE AGREEMENT FOR CITY SPRAYFIELD PROPERTY

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### **Introduction:**

Resolution Number 21-45 approves an extension to the Purchase and Sale Agreement with CR 437 Land Investments LLC for the sale of the City's sprayfield property. The buyer is requesting an extension to July 20, 2021, to close the sale.

### **Background:**

The City currently has a Real Estate Purchase and Sale Agreement with CR 437 Land Investments LLC for them to acquire the City's 197.3 acre sprayfield property. At this time, CR 437 is requesting an extension to July 20, 2021, for closing of the sale. In consideration of this extension, CR 437 is providing an additional \$100,000 in earnest money for a total of \$300,000. There are no other changes to the terms of the Agreement.

### **Community Input:**

There has been no community input; however, there will be an opportunity for input during the public hearing.

### **Prepared by:**

Ronald R. Neibert, City Manager

### **Attachments:**

Sixth amendment of contract

### **Recommended Action:**

Staff recommends approval of Resolution Number 21-45 and extension of the final date for closing to July 20, 2021.

### **Attachments:**

[Resolution Number 21-45](#)

[Sixth Amendment to Sale & Purchase Agrmt CR 437](#)

**Reviewed by:**

Ronald Neibert, City Manager  
Mary Montez, City Clerk

Approved - 11 Jun 2021  
Approved - 11 Jun 2021

**RESOLUTION NUMBER 21-45**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; APPROVING THE SIXTH ADDENDUM TO THE REAL ESTATE PURCHASE AND SALE AGREEMENT WITH CR 437 LAND INVESTMENTS, LLC, FOR THE PURCHASE OF CITY-OWNED PROPERTY LOCATED EAST AND SOUTH OF CARDINAL LANE; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT.**

**WHEREAS**, August 6, 2020, Sun Terra Communities III, LLC (Sun Terra) and the City of Eustis (City) entered into a purchase agreement for the sale of the City's sprayfield property in the amount of \$1,750,000.00; and

**WHEREAS**, the City and Sun Terra subsequently agreed to three addenda to said purchase agreement; and

**WHEREAS**, on February 4, 2021, the City and Sun Terra agreed to the assignment of all rights and responsibilities for said Agreement to CR 437 Land Investments LLC for completion of the purchase; and

**WHEREAS**, on March 4, 2021, CR 437 Land Investments, LLC, requested and the City agreed to a 90-day extension and deliverance of an additional \$100,000 to escrow for that extension bringing the total non-refundable deposit to \$200,000.00; and

**WHEREAS**, on April 1, 2021, CR 437 Land Investments, LLC request and the City agreed to change the escrow agent from Goldbold, Downing, Bill & Rentz PA to the law firm of Bacon, Bacon & Furlong, PA;

**WHEREAS**, the parties have determined that it is in the best interest of the residents of Eustis to continue with this agreement and that such development shall increase the tax base of the City;

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, as follows:

1. That the sixth addendum to the real estate purchase and sale agreement is hereby approved extending the final date for closing to July 20, 2021 (Exhibit A); and
2. That the City Manager is hereby authorized to execute the sixth addendum and any other affiliated documents; and
3. This resolution and the attached agreement are hereby effective immediately.

**DONE AND RESOLVED** this 17<sup>th</sup> day of June, 2021, in regular session of the City Commission of the City of Eustis, Florida.

**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 17<sup>th</sup> day of June, 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 Resolution Number 21-45 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

**SIXTH ADDENDUM**  
**TO**  
**REAL ESTATE PURCHASE AND SALE AGREEMENT**

This Sixth Amendment to Real Estate Purchase and Sale Agreement ( the “Fifth Addendum”) is executed and made by and between the City of Eustis, a Florida municipal corporation (the “Seller”) and CR 437 and Investments, LLC, a Florida limited liability company (the “Purchaser”) to be effective upon the date of last execution of this Fifth Amendment by Seller and Purchaser (the “Effective Date”).

**RECITALS**

WHEREAS, Seller and Purchaser entered into that Real Estate Purchase and Sale Agreement with an Effective Date of August 6, 2020, as amended by that certain Addendum to Real Estate Purchase and Sale Agreement with an Effective Date of August 10, 2020, as further amended by that certain Second Addendum to Real Estate Purchase and Sale Agreement with an Effective Date of October 1, 2020, as further amended by that certain Reinstatement and Third Addendum to Real Estate Purchase and Sale Agreement with an Effective Date of December 3, 2020, as further amended by that certain Assignment and Assumption of Real Estate Purchase and Sale Agreement with an Effective Date of February 2, 2021, as further amended by that certain Fourth Amendment to Real Estate Purchase and Sale Agreement dated March 4, 2021 and as further amended by that certain Fifth Amendment to Real Estate Purchase and Sale Agreement dated April 1, 2021 (collectively, the “Agreement”)

WHEREAS, Seller and Purchaser desire to further amend the Agreement by this Sixth Amendment.

NOW THEREFORE for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in exchange of the mutual covenants and conditions herein set forth, Purchaser and Seller hereby agree as follows:

1. Recitals. The recitals set forth above are true and correct and incorporated herein by reference.
2. Closing. Section 9, Subparagraph A, is hereby deleted in its entirety and replaced with the following provision:
  - A. Closing Date. The Property shall be closed on or before July 20, 2021 (the “Closing Date”, or “Closing”). The Closing shall be a “mail away” Closing.
3. Additional Earnest Money Deposit. In consideration for the extension of the Closing Date, Buyer shall deposit an additional sum of \$100,000.00 into Escrow with the Escrow Agent within five (5) business days following the Effective Date which shall be applied towards payment of the Purchase Price at time of Closing.
4. Capitalized Terms. Capitalized terms used but not defined herein shall have the

meanings assigned to them in the Agreement.

5. Force and Effect. Except as specifically hereby amended, the Agreement shall remain in full force and effect. In the event of any conflict between the terms of the Agreement and the terms of this Fifth Addendum, the terms of this Fifth Addendum shall govern.

6. Counterparts. This Fifth Addendum may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one and the same Sixth Addendum. Signature pages may be detached from various counterparts and attached to a single copy of this Sixth Addendum to physically form one document. A facsimile or PDF version of any signature hereto shall be deemed an original for all purposes.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, this Sixth Addendum is entered into as of the Effective Date.

**SELLER:**

**CITY OF EUSTIS**, a municipal corporation of  
the State of Florida

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

As its \_\_\_\_\_

Date: \_\_\_\_\_

**PURCHASER:**

**CR 437 LAND INVESTMENTS, LLC**, a Florida  
limited liability company Florida

By: \_\_\_\_\_  
Mike Galvin, Manager

Date: \_\_\_\_\_







**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** ORDINANCE NUMBER 21-09: AMENDMENTS TO CHAPTERS 110 AND 115 OF THE LAND DEVELOPMENT REGULATIONS

---

### **Introduction:**

This item was continued from the May 20, 2021, regular Commission meeting. Ordinance Number 21-09 amends Chapters 110 and 115 of the Land Development Regulations to address discrepancies, inconsistencies between sections and to clarify for practical application of the code.

### **Background:**

See attached Staff Report.

### **Recommended Action:**

The administration recommends approval of Ordinance Number 21-09.

### **Alternatives:**

1. Approve Ordinance Number 21-09
2. Deny Ordinance Number 21-09

### **Attachments:**

[Staff Report Ordinance No. 21-09](#)  
[Ordinance No. 21-09 LDR Amendment](#)  
[Ordinance 21-09 Clean Copy of Amendments](#)

### **Reviewed by:**





## City of Eustis

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

TO: EUSTIS CITY COMMISSION  
FROM: RONALD R. NEIBERT, CITY MANAGER  
DATE: MAY 6, 2021  
RE: ORDINANCE NO. 21-09: AMENDMENT TO CHAPTERS 110 & 115 OF THE LAND DEVELOPMENT REGULATIONS

### Introduction:

Ordinance No. 21-09 amends Chapters 110 and 115 of the Land Development Regulations to address discrepancies, inconsistencies between sections and to clarify for practical application of the code.

### Recommended Action:

The administration recommends approval of Ordinance No. 21-09.

### Background:

Periodic revisions and updates to the Land Development Regulations to address discrepancies, inconsistencies between sections and to clarify for practical application of the code. The following outlines the proposed amendments:

The following sections are proposed for amendment:

Section 110-2 (b) (4) Height limitations do not apply to the following: appurtenances/structures, and other similar structures as determined by the Development Services Director.

a. Flagpoles; antennas and transmission towers in conformance with these regulations; water tanks or fire towers; heating, ventilation or air conditioning equipment, elevator shafts, chimneys and unenclosed roof-top stairways/ladders (when and specifically as required by the building code) on buildings with four or more stories; or

b. Feed storage structures.

c. Roof ornaments including spires, belfries, steeples, minarets, clock towers, or cupolas, or any other ornaments or appurtenances that are placed at or rising above the roof level may be made a part of residential or nonresidential structures.

1. In all residential districts, roof ornaments may be affixed to residential structures, and rooftops may be used for accessory uses such as swimming pools, spas, cooking facilities, playing courts, wet bars, railings, tables, chairs, umbrellas, tents and similar uses, provided no portion of any roof ornament or accessory use exceeds the maximum height limit for the applicable land use district.

2. Roof ornaments associated with nonresidential structures in all land use districts shall be subject to the following:

i. No horizontal plane of the roof ornament shall exceed five percent of the total floor area of the building to which it is attached, nor shall the horizontal planes of all roof ornaments associated with the building exceed five percent of the total floor area of the building.

ii. The height of a roof ornament may extend beyond the maximum height allowed in the district, but the amount of such extension shall not exceed 20 percent of the maximum height for the land use district in which the property is located. A cupola or other ornament may be placed atop a roof ornament, but in such case the roof ornament shall be considered a single ornament for purposes of this section.

***The amendment above provides administrative discretion and flexibility where a particular similar appurtenances or structure is not specifically listed; streamlines review and approval and avoids the necessity for variance requests.***

Section 110-2 (f) (2) b. Corner lots and through lots shall be considered to have two street yards and two common lot yards. However, where a ~~non-ingress/egress easement deed restriction~~ is recorded prohibiting vehicular access along the entire frontage of one of the two street frontages for a through lot, that street frontage shall not be considered a street yard.

***Revision to clarify intent.***

Sec. 110-4.4. - Duplex lot.

A building lot located and designed to accommodate a building with small common lots and containing two dwellings.

***The revision below addresses a discrepancy (35-foot lot width for urban duplex revised to 60-foot).***

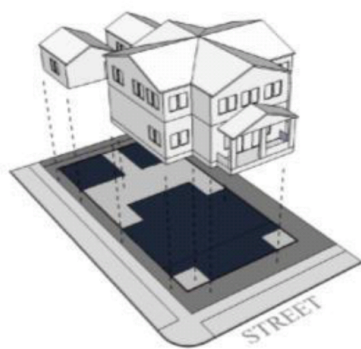
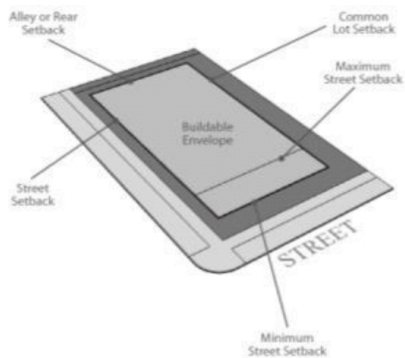
|                                 | URBAN (U)                | SUBUR-<br>BAN (S) &<br>RURAL (R) | U, S, R    |
|---------------------------------|--------------------------|----------------------------------|------------|
| <b>LOT REQUIREMENTS</b>         | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Lot Width (ft)                  | <del>35</del> 60         | 90                               | 200        |
| Lot Depth (ft)                  | 100                      | 120                              | 660        |
| Lot Size (sf)                   | 3,500                    | 10,800                           | 132,000    |
| <b>BUILDING ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10*                      | 25                               | 25 (urban) |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Alley or Rear Yard Setback (ft) | 10                       | 10                               | —          |
| Frontage Buildout %             | 70                       | —                                | —          |
| <b>ACC BLDG ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10' behind bldg frontage |                                  | —          |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Rear Setback (ft)               | 5                        | 5                                | —          |
| <b>BUILDING HEIGHT</b>          | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Principal Building (st)         | 1                        | 1                                | 2          |
| Accessory Building(s) (st)      | 1                        | 1                                | 2          |

| PARKING PROVISIONS   |                 |
|----------------------|-----------------|
| Location             | Zone 1, 2, 3, 4 |
| PRIVATE FRONTAGES    |                 |
| Common Lawn          | X               |
| Porch and Fence      | X               |
| Forecourt            |                 |
| Stoop                |                 |
| Shopfront and Awning |                 |
| Gallery              |                 |
| Arcade               |                 |

\* Garages in urban districts shall maintain an 18-foot street setback.

X - Permitted

Blank cell - prohibited



Sec. 110-4.5. - Townhouse lot.

A building lot located and designed to accommodate a building with common walls on both side building lot lines and a private garden to the rear.

***The amendment below ensures garages will be setback a minimum of 18-feet to provide for vehicle parking in front of garages in all districts.***

|                          | URBAN (U)  | SUBUR-<br>BAN (S) &<br>RURAL (R) | U, S, R    |
|--------------------------|------------|----------------------------------|------------|
| <b>LOT REQUIREMENTS</b>  | <b>MIN</b> | <b>MIN</b>                       | <b>MAX</b> |
| Lot Width (ft)           | 16         | 22                               | 32         |
| Lot Depth (ft)           | 80         | 80                               | 120        |
| Lot Size (sf)            | 1,280      | 1,760                            | 3,840      |
| <b>BUILDING ENVELOPE</b> | <b>MIN</b> | <b>MIN</b>                       | <b>MAX</b> |

|                                       |                          |     |                                             |
|---------------------------------------|--------------------------|-----|---------------------------------------------|
| Street Setback (ft)                   | 0*                       |     | 10 <u>Urban</u><br>20 <u>Suburban/Rural</u> |
| Common Lot Setback (ft)               | 0                        | 0   | —                                           |
| Alley Setback (ft)                    | 15                       | 15  | —                                           |
| Frontage Buildout %                   | 70                       | —   | —                                           |
| Length Permitted of Grouped Townhomes | —                        | —   | 120' for<br>S & R                           |
| ACC BLDG ENVELOPE                     | MIN                      | MIN | MAX                                         |
| Street Setback (ft)                   | 10' behind bldg frontage |     |                                             |
| Common Lot Setback (ft)               | 5                        | 5   | —                                           |
| Rear Setback (ft)                     | 5                        | 5   | —                                           |
| BUILDING HEIGHT                       | MIN                      | MIN | MAX                                         |
| Principal Building (st)               | 1                        | 1   | 3                                           |
| Accessory Building(s) (st)            | 1                        | 1   | 2                                           |
| PARKING PROVISIONS                    |                          |     |                                             |
| Location                              | Zone 3                   |     |                                             |
| PRIVATE FRONTAGES                     |                          |     |                                             |
| Common Lawn                           | X                        |     |                                             |
| Porch and Fence                       | X                        |     |                                             |
| Forecourt                             |                          |     |                                             |
| Stoop                                 |                          |     |                                             |
| Shopfront and Awning                  |                          |     |                                             |
| Gallery                               |                          |     |                                             |

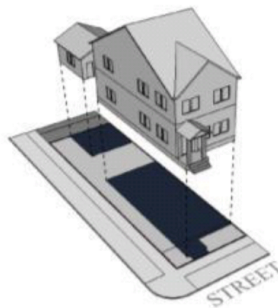
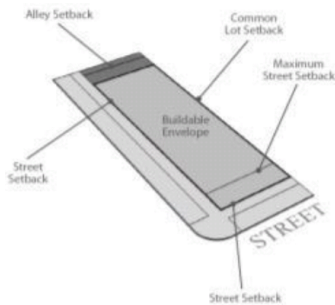


|        |  |
|--------|--|
| Arcade |  |
|--------|--|

\* Garages in urban-all districts shall maintain an minimum 18-foot street setback.

X - Permitted

Blank cell - prohibited



Section 110-5 (b) (1) An accessory structure or use shall be considered incidental to the principal dwellings and must be in full compliance with all standards and requirements of this land development regulation and all other regulations of the city.

Section 110-5.2. ~~(3) Minimum useable floor area for an accessory apartment shall not be less than 450 square feet if it is located within the principal structure and shall be governed by the building typology standards if it is located within an accessory structure.~~

***This amendment provides for an equitable standard to be applied to both detached accessory apartments and those within a principle structure.***

Section 110-5.6. - Boat houses, docks and piers. Boat houses, docks, and piers shall be considered incidental uses to the primary structure. Boat houses or covered boat docks, subject to approval of other interested governmental authorities, will be permitted on any lake within the city; provided that construction on Lake Eustis requires approval from the St. Johns River Water Management District/Department of Environmental Protection. In residential areas on connected waters (canals, streams or other inlets or

basins that have water access to a lake), the maximum height of a boat house or similar structure, above the high-water level established by the St. Johns River Water Management District shall be 12 feet. Boat houses, slips, piers, or similar structures built on streams or canals shall be built entirely within the ~~lot-riparian~~ lines; accessory structure setback requirements herein do not apply riparian lines.

***For clarification; lot lines generally do not extend into water bodies. Boat houses, docks and piers will still be required to comply with DEP/SJRWMD regulations.***

**Sec. 110-5.7. - Fences.**

(a) The posts or any portion of each fence which contacts the ground shall be of a material or chemical treatment that is ground contact resistant to decay, corrosion, and termite infestation. The posts, if wooden, must also be pressure treated for strength and endurance.

(b) Fences shall be permitted as follows/as depicted on the graphic:

- In a primary street setback, at a maximum height of 4-feet.
- In a secondary street setback, open fencing may be 6-feet high, but opaque fencing shall be limited to a height of 4-feet; 4-foot opaque fences in secondary street setbacks may be topped with additional 2-feet of open or lattice type fencing.
- In a rear or common yard setback, open fences may be 8-feet tall; 6-foot opaque fences may be topped with additional 2-feet of open or lattice type fencing.
- Fences located in landscape buffers along public streets associated with nonresidential or complex building types in suburban design districts are subject to limitations in [chapter 115](#).
- Fences installed for the sole purpose of screening of trash can storage areas, mechanical equipment, or utilities shall be exempt from permitting, provided such fence is clearly not within a required setback and does not exceed maximum height. If necessary to screen existing utilities, the Development Services Director may approve fencing exceeding maximum height in setbacks.

***This amendment provides for administrative discretion and flexibility to streamline review and approval and avoid the necessity for variance requests.***





4-foot solid fence or 4-foot open fence

6-foot solid fence

6-foot solid fence topped with 2-foot lattice

(c) In areas where the property faces two roadways, or is located in any other area construed to be a corner lot, no fence exceeding four feet high shall be located in the vision triangle, specified in [chapter 115](#), and identified as clear sight zone.

(d) The smooth side of fence shall face a right-of-way or private road, except split rail.

(e) A fence constructed for protection and safety from hazard by another public agency may not be subject to the aforementioned height limitations. Approval to exceed the minimum height standards may be given by the director of development services upon receipt of satisfactory evidence of the need to exceed height standards.

(f) No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site.

(g) Should the fence encroach on any public easement, the owner shall assume all expense of any necessary removal (either temporary or permanent) or relocation.

~~(h) Barbed wire shall not be used in fences except in agricultural and conservation districts.~~

~~(i) This section shall not apply to fences erected by a public body, or as approved by a public body for a public utility, in the interest of public safety.~~

(h) Barbed wire shall be permitted in association with fences as follows:

1. In association with bona-fide agricultural uses;

2. In Conservation (CON) land use districts;
3. In General Industrial (GI) land use districts atop fences 6-feet or taller.
4. On properties where an Industrial Building Lot or Industrial Complex lot typology has been approved via Development Plan, Site Plan, or Preliminary Subdivision Plat atop fences 6-feet or taller.
5. On properties containing water/wastewater treatment plants or electric substations atop fences 6-feet or taller.
6. On properties with barbed wire fencing installed prior to December 15, 2016, which, upon administrative verification by Development Services, shall be deemed legally non-conforming and shall be permitted to be repaired or replaced as needed.

***The City Commission directed staff to present this amendment regarding barbed wire fences. Barbed wire is a type of steel fencing wire constructed with sharp edges or points arranged at intervals along the strand(s). It is used to construct agricultural fences and is used atop walls or fences surrounding secured property (i.e. public facilities, water/wastewater plants, stormwater ponds, law enforcement facilities, etc.). While staff has concerns that barbed wire fence would detract from neighborhood appearance (especially in areas in close proximity to residential development) and could impact the perspective of residents and visitors to the area, the City Commission has discretion to amend the regulations as they see fit.***

Section 110-5.13 Portable Storage Units (d) Long-term storage containers are prohibited unless located on a commercial or industrial parcel with a fully screened masonry or brick enclosure designed and constructed for the purpose of screening such containers from view. The Development Services Director may approve alternate screening material when supported by site conditions. Storage containers shall be limited to the extent that maximum impervious surface area of the parcel is not exceeded.

***This amendment provides for administrative discretion and flexibility to streamline review and approval and avoid the necessity for variance requests.***

Section 110-5.15 – Sheds storage buildings, utility buildings, greenhouses and other accessory structures (permanent or temporary)

(c) ~~Storage and other buildings~~ All accessory structures regulated by this chapter shall be permitted only in side and rear yards, unless there are extenuating circumstances that would justify placement in the street yard with no adverse effects on surrounding properties.

(d) ~~Storage and other buildings~~ All accessory structures regulated by this chapter, except temporary ones as determined by the Director, shall be included in all calculations for impervious surfaces, floor area ratios, or other site design requirements applying to the principal use of the lot.

***This amendment provides for an equitable standard to be applied to all accessory structures.***

Section 115-4.3 Access and Pedestrian Network (4) Driveways. Private driveways shall be located not closer than three feet from stormwater inlet structures and five feet from property corners. All driveways shall be paved to the edge of the road pavement. On roads with curb and gutters, valley gutters shall be required in driveways and shall be placed in line with the gutter line. The driveways shall be designed to accommodate and improve drainage facilities at the site in accordance with the approved site plans. The drainage facility shall dictate that the driveways shall act as a paved swale or swale check. The crown of a cross-section driveway shall be one foot higher than the crown of the road to avoid potential flooding to the building during storms.

The minimum design criteria of driveways are as follows:

| Driveways                                                  | Values                                                                                 |
|------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <i>Widths :</i>                                            |                                                                                        |
| <del>Single family res.</del> <u>Residential</u> (single)* | 12 ft. <u>on local roads;</u><br><u>minimum 18 ft. on</u><br><u>collector/arterial</u> |
| <del>Single family res.</del> <u>Residential</u> (double)* | 18 ft.                                                                                 |
| <del>Commercial</del> <u>Non-Residential</u> (one-way)     | 18—24 ft.                                                                              |
| <del>Commercial</del> <u>Non-Residential</u> (two-way)     | 24—48 ft.                                                                              |
| <i>Angle :</i>                                             | 90 degrees                                                                             |
| <i>Radii :</i>                                             |                                                                                        |
| <del>Single family res.</del> <u>Residential</u>           | 8 ft. (or 4'W × 8'L flares)                                                            |
| Commercial                                                 | 35 ft.                                                                                 |
| Semi-trailer                                               | 50 ft.                                                                                 |

\* -House lots less than 70-feet wide are limited to one driveway connection per road frontage. A minimum of 25-feet must be provided between driveways on the same property.

***This amendment clarifies this section and provides for improved conditions (safety).***

(5) *Clear sight zone.* A clear sight zone shall be provided for all intersections to allow for safe ingress, egress, crossing, and turning maneuvers. A clear visibility triangle shall be maintained and clear of any obstructions within the triangle area measured from the center of the intersection to an arbitrary point along each centerline of the intersecting roads in all directions; fences, signs and similar structures not exceeding a height of four feet may be permitted in the clear sight zone. The clear sight distances required are as follows:

***Section 110-5.7 Fences (c) exempts fences not exceeding 4-feet from the clear sight zone distances. A cross-reference is required to ensure the exemption is recognized. Permitting other structures (i.e. signs) 4-feet or lower provides for a consistent standard.***

Sec. 115-3. - Residential compatibility and design district transitions.

The compatibility standards below provide standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, as provided for in the Future Land Use Element of the Comprehensive Plan. These standards are in addition to the development pattern and design district standards in Chapter 109 that provide for compatible lot typologies.

Sec. 115-3.1. - Urban districts.

(a) *Urban residential compatibility.* The maximum residential density permitted within any urban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) ~~Transitions within a design district—Edge condition standards.~~ When any urban design district abuts an existing development in an urban design district, whether residential or commercial, the following shall occur: and proposed new residential lots will share a common boundary with existing or platted lots:

~~(1) Residential building lot typologies that are adjacent to existing residential may not exceed the lot width or intensity by more than 110 percent of what is existing.~~

~~(2) Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements.~~

The width of the new lots may be no more than 110 percent of the width of the existing or platted lots, unless such existing or platted lots are non-conforming with the urban design district standards.

(c) When any urban design district ~~is adjacent to~~ abuts a suburban ~~or rural~~ design district, and proposed new residential lots will share a common boundary with existing or platted lots: the following shall occur.

~~(1) When abutting parcels have a different design district, the maximum lot width shall not exceed the rear or side lot width of the adjacent parcel.~~

~~(2) If the urban development is adjacent to vacant land, the maximum permitted lot width within the district may be used to determine the maximum lot width.~~

(1) The width of the new lots may be no less than 60 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (7 to 10 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.1. is provided between the new lots and the existing platted lots; or

(c) A consistent opaque buffer wall/fence is provided between the new lots and the existing or platted lots.

#### Sec. 115-3.2. - Suburban districts.

(a) *Suburban residential compatibility.* The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) ~~Transitions within a design district/edge condition standards.~~ When any suburban design district abuts an existing development in a suburban district, whether residential or commercial, the following shall occur: and proposed new residential lots will share a common boundary with existing or platted lots:

~~(1) The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).~~

~~(2) Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements. If lot requirements exceed the minimum, a masonry wall and landscape shall be required or a street or alley may be sufficient in buffering. This determination shall be given during site plan review by the development services director.~~

(1) The width of the new lots may be no more than 150 percent of the width of the existing or platted lots, unless:

(a) The existing or platted lots are non-conforming to the suburban design district standards;

(b) Central sewer service is not available.



~~(b) The maximum residential density permitted within the suburban neighborhood design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property and shall further be limited by providing compatible building lot types as provided for in chapter 110.~~

~~(c) When any suburban design district abuts a rural design district, and proposed new residential lots will share a common boundary with existing or platted lots:~~

~~(1) The width of the new lots may be no less than 75 percent of the width of the existing or platted lots; unless:~~

~~(a) A landscape buffer (10 to 15 feet wide) is provided between the new lots and existing or platted lots; or~~

~~(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.~~

#### Sec. 115-3.3. - Rural districts.

~~(a) *Rural residential compatibility*. For lands within the rural design district, the maximum residential density permitted shall be consistent with the maximum density of the applicable land use district assigned to each individual property, and shall further be limited by a compatibility assessment of the proposed development with the existing development patterns of nearby properties and the character of the surrounding area as determined by the following: Applicants must demonstrate that the proposed development respects the context of the adjacent uses through:~~

~~(1) Ensuring that the overall density of the development is not greater than 25 percent more than adjacent/surrounding developments. If an adjacent development has a planned unit development overlay, the overall density of the entire master plan shall be used for this compatibility assessment. Any density variation greater than 25 percent requires specific review and approval by the city commission.~~

~~(2) Providing compatible building lot types, where compatible lot types within the area require that the new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).~~

~~(b) When any rural design district abuts an existing development in a suburban district, and proposed new residential lots will share a common boundary with existing or platted lots:~~

~~(1) The width of the new lots may be no more than 200 percent of the width of the existing or platted lots, unless:~~

~~(a) The existing or platted lots are non-conforming to the suburban design district standards;~~

~~(b) Central sewer service is not available.~~

(c) When any rural design district abuts an existing development in a rural district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may not be less than 85 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (15 to 25 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.

***The current residential compatibility standards continually raise questions regarding applicability, ambiguity and differing interpretation. The proposed amendments above are consistent with the Comprehensive Plan; providing standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices; and making development decisions predictable, fair and cost effective (Comprehensive Plan Policies FLU 1.1.1. , 1.2.4, 1.3.2., 3.1.1.)***

Section 115-4.3. Loading and off-street parking

Table 5200-1 Parking spacing requirements

Table 5200-1  
Parking Spacing Requirements  
Off-Street Parking Requirements

\*\*In addition to vehicle parking spaces, any business operation, which utilizes merchandise/shopping carts, must provide a parking area for said carts.\*\*

| Activity Type/Land Use                     | Minimum Parking Spaces                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential Activity Types :</b>        |                                                                                                                                                                                                                                                                                                                                                                                 |
| Single-family                              | Two spaces per dwelling unit.                                                                                                                                                                                                                                                                                                                                                   |
| Mobile home                                | Two spaces per dwelling unit.                                                                                                                                                                                                                                                                                                                                                   |
| Duplex                                     | Two spaces per dwelling unit.                                                                                                                                                                                                                                                                                                                                                   |
| Multi-family                               | 1.5 spaces per dwelling unit. Efficiency apartments 1 space per unit.                                                                                                                                                                                                                                                                                                           |
| <b>Community Facility Activity Types :</b> |                                                                                                                                                                                                                                                                                                                                                                                 |
| Cemetery                                   | One space per 250 square feet of gross floor area, excluding burial structures.                                                                                                                                                                                                                                                                                                 |
| College or university                      | One-half space per student, plus one space per six seats in an auditorium or other places of assembly.                                                                                                                                                                                                                                                                          |
| Community assembly                         | One space per 100 square feet of gross floor area.                                                                                                                                                                                                                                                                                                                              |
| Community education                        | Elementary and junior high—one space per classroom, or one space per six seats in an auditorium, whichever requires the greater number of spaces; high school (grades 9—12)—four spaces per classroom or one space per six seats in an auditorium, arena, or stadium, whichever requires the greater number of spaces; provided that no more than 300 spaces shall be required. |
| Convent or monastery                       | one space per ten residents.                                                                                                                                                                                                                                                                                                                                                    |

|                                                                        |                                                                                                                       |
|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Correctional facility                                                  | <del>To be determined by parking study.</del> <u>One per employee and 1 per 25 inmates.</u>                           |
| Day care center (child or adult)                                       | 1:12 RPC.                                                                                                             |
| Day care home for children                                             | Two spaces, plus one per employee per shift of greatest employment.                                                   |
| Dormitory                                                              | One space per two rooming units.                                                                                      |
| Family care; group care; institutional care                            | 1:5 RPC.                                                                                                              |
| Golf course                                                            | three spaces per green.                                                                                               |
| Hospital                                                               | 2 per 1,000 sf, and .8 per bed.                                                                                       |
| Neighborhood health clinic                                             | 2.5 space per 1000 square feet of gross floor area.                                                                   |
| Nursing home                                                           | One space per four beds, plus one space per employee.                                                                 |
| Parks and recreation, active (except golf course)                      | <del>Determined during review process.</del> <u>5 per 1,000 sf gross floor area plus 10 spaces per athletic field</u> |
| Parks and recreation, passive                                          | <del>Determined during review process.</del> <u>1 per 10,000 sf of land area</u>                                      |
| Place of worship                                                       | One space per three seats in the church sanctuary.                                                                    |
| Government services                                                    | One space per 500 square feet of gross floor area.                                                                    |
| Utilities, minor; utilities, major; <del>transportation terminal</del> | <del>Determined during review process.</del> <u>One space per employee</u>                                            |
| <del>transportation terminal</del>                                     | <u>One per 200 sf gross floor area</u>                                                                                |
| <b>Commercial Activity Types :</b>                                     |                                                                                                                       |
| Amusements,                                                            | <del>Determined during review process.</del> <u>One space per 100 sf or</u>                                           |

|                                                                 |                                                                                                    |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| extensive                                                       | <u>one space per 4 seats if fixed seating is provided.</u>                                         |
| Amusements, limited (excluding bowling alley and movie theater) | Two spaces per 1000 square feet of gross floor area.                                               |
| Animal care                                                     | 1.5 per 1,000 gross floor area.                                                                    |
| Auctions                                                        | One space per 500 square feet of gross floor area.                                                 |
| Automotive repair and cleaning; automotive service station      | Two spaces, plus four spaces per service bay or repair stall.                                      |
| Bed and Breakfast                                               | Three spaces for owner, manager, and employee parking; One space per guest room for guest parking. |
| Banking services                                                | 2.5 spaces per 1000 square feet of gross floor area.                                               |
| Bar or nightclub                                                | 5 per 1,000 sf.                                                                                    |
| Barber and/or Beauty shop                                       | 2.5 spaces per 1000 square feet of gross floor area.                                               |
| Bowling alley                                                   | Four spaces per lane.                                                                              |
| Building supplies                                               | 2.5 spaces per 1000 square feet of gross floor area.                                               |
| Construction sales and service                                  | Two spaces per 1000 square feet of gross floor area.                                               |
| Consumer services                                               | 2 per 1000 gross floor area.                                                                       |
| Convenience food and beverage store                             | 2.5 space per 1000 square feet of gross floor area.                                                |
| Dry cleaning; consumer laundry and repair                       | 2.5 space per 1000 square feet of gross floor area.                                                |
| Flea market                                                     | 17 spaces per 6,000 square feet of gross floor area.                                               |
| Funeral home                                                    | 2.5 spaces per 1000 square feet, plus one-half space per                                           |

|                                                       |                                                                                                                            |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
|                                                       | seat.                                                                                                                      |
| Hardware and garden supplies                          | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Hotel or motel                                        | Guest room, 0.5 per lodging unit<br>Restaurant, cocktail lounge 5 per 1000 sf GFA<br>Banquet/meeting rooms, 0.25 per seat. |
| Major laundry and repair                              | 2 spaces per 1000 square feet of gross floor area.                                                                         |
| Marina                                                | One space per three boat slips.                                                                                            |
| Medical service                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Miniature golf course                                 | Two spaces per hole.                                                                                                       |
| Movie theater                                         | 0.10 spaces per seat.                                                                                                      |
| Office, general                                       | 2 spaces per 1000 square feet of gross floor area.                                                                         |
| Personal care services; personal improvement services | 2.0 spaces per 1000 square feet of gross floor area.                                                                       |
| Printing and publishing                               | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Research service                                      | One space per 500 square feet of gross floor area.                                                                         |
| Restaurant, fast-food; restaurant, general            | 5 spaces per 1,000 square feet GFA.                                                                                        |
| Retail, general                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Scrap operation                                       | One spaces per 5,000 square feet of gross floor area, plus one space per 10,000 square feet of open storage area.          |
| Self-service storage                                  | Four spaces at the office.                                                                                                 |
| Septic tank service                                   | 2 spaces per 1000 square feet of gross floor area.                                                                         |
| Taxidermist                                           | 2 space per 1000 square feet of gross floor area.                                                                          |

|                                                                      |                                                                                                                                      |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Travel trailer parks and campgrounds                                 | One space per campsite.                                                                                                              |
| Vehicular sales and service                                          | One space per 1000 square feet of gross floor area and 2 per bay.                                                                    |
| Vocational school                                                    | 2.5 spaces per 1000 square feet of gross floor area.                                                                                 |
| Wholesale and warehousing                                            | One space per 10,000 square feet of lot area, plus one space per employee per shift of greatest employment.                          |
| <b>Manufacturing Activity Types :</b>                                |                                                                                                                                      |
| Basic industry; hazardous operations; recycling center               | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                                            |
| Citrus and vegetable packing houses                                  | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                                            |
| Dairy processing                                                     | One space per 10,000 square of gross floor area.                                                                                     |
| Manufacturing, custom; manufacturing, light; printing and publishing | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                                            |
| Salvage yards                                                        | One space per 10,000 square of gross floor area.                                                                                     |
| <b>Agricultural and Extractive Activity Types :</b>                  |                                                                                                                                      |
| Crop and animal raising                                              | No parking requirement.                                                                                                              |
| General agricultural                                                 | None required.                                                                                                                       |
| Housing camps                                                        | Per residential activity required.                                                                                                   |
| Mills                                                                | One per 10,000 square feet, plus one per employee per shift of greatest employment.                                                  |
| Mining and quarrying; sawmill                                        | <u>One space per 10,000 square feet, plus one per employee per shift of greatest employment.</u> <del>Determined during review</del> |

|                                      |                                                                                                                                                                           |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                      | <del>process.</del>                                                                                                                                                       |
| Non-intensive agriculture            | None required.                                                                                                                                                            |
| Plant nursery                        | One space per five acres.                                                                                                                                                 |
| Roadside farm stands                 | None required.                                                                                                                                                            |
| Veterinary clinic                    | 2.5 spaces per 1000 square feet, plus one per employee per shift of greatest employment.                                                                                  |
| <b>Outdoor Recreation Activities</b> |                                                                                                                                                                           |
| Hunting and fishing resort           | <del>Guest room, 0.5 per lodging unit<br/>Restaurant, cocktail lounge 5 per 1000 sf GFA<br/>Banquet/meeting rooms, 0.25 per seat. Determined during review process.</del> |
| Riding stable or academy             | One space per five horses boarded on site.                                                                                                                                |

***The amendments above provide standard and predictable minimum parking requirements for all categories.***

#### **Applicable Policies and Codes:**

##### **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; and
- Encouraging compact building design.

##### **Policy FLU 1.2.4: Development Patterns**

To discourage urban sprawl and to protect and enhance the community's unique character, the City shall implement regulations within the Land Development Code that



encourage a mix of uses in specific areas of the City. Those areas are identified in the general development patterns of urban, suburban and rural. Each development pattern is further divided into neighborhoods, centers, corridors and districts. Each land parcel within the City is assigned a pattern and district as depicted on the Design District Map in the Land Development Regulations and as it may be amended from time to time in accordance with those regulations. The City shall adopt performance standards for the land uses within each development pattern as prescribed by the City's Land Development Code. In general, the patterns are as follows:

- a. Urban Areas. Urban development pattern areas shall rely primarily on a system of interconnected streets in a grid network pattern that prioritizes pedestrians and transit features and links civic buildings, squares, parks and other neighborhood uses.
- b. Suburban Areas. Suburban development pattern areas shall rely primarily on a pattern of residential development that is formed on a street network with fewer vehicular connections, which shall be designed to provide for pedestrian and bicycle connections, to reduce cut-through traffic and to establish distinct boundaries for residential communities/subdivisions. Non-residential uses shall be primarily located on corridors and within districts.
- c. Rural Areas. Rural development pattern areas include large lots and clustered residential development that provide substantive open space to preserve and enhance the rural viewshed and character of the community. Non-residential uses are primarily located in centers and may contain a mix of uses. The rural pattern is generally located on the outer fringes of the Planning area, away from the urban core.

**Policy FLU 1.3.2: Maintain Residential Compatibility**

The City shall continue to rely upon the Land Development Code to address specific standards for the review of residential compatibility to provide standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, screen undesirable views, preserve tree canopy and vegetation and facilitate the safe movement of traffic and pedestrians in vehicle use areas. At a minimum these standards shall conform to the following guidelines:

- a. The review and analysis of development applications and future land use map amendments shall recognize as a fundamental principle of the City's Comprehensive Plan that the highest concentration of development density and intensity within the City shall be permitted in the downtown and that this overall density/intensity decreases incrementally outward from the downtown to lower densities that are located in outlying rural areas or areas of the City which have physical limitations to development. Higher density in locations away from downtown, but supported with urban services and retail/employment activity, is permitted as an exception to this principle.
- b. Landscapes, buffers, natural areas or transitional development practices shall be utilized in site planning to demonstrate that the project transitions appropriately to adjacent uses or to lessen impacts and integrate development along the edges of different land use categories, screen undesirable views, preserve tree canopy and vegetation.

- c. The location of development on a site shall:
  - (1) Protect existing natural and environmental features on and adjacent to the site to the extent practicable, including wetlands and wetland systems, karst features, and tree canopy;
  - (2) Respect the existing adjacent development pattern;
  - (3) Permit the most density and intensity in areas that are most proximate to support services.
- d. The location of required minimum open space on a site shall be configured to:
  - (1) To create external connectedness by adding to a larger contiguous off-site network of interconnected open space, particularly existing habitats, where applicable.
  - (2) To create internal connectedness through connected and integrated open space within the subdivision parcel where applicable and shall be based upon the context sensitive site design standards.

**Policy FLU 3.1.1: Neighborhood Compatibility**

The City shall protect the quality and integrity of established neighborhoods from adjacent incompatible development and shall rely upon the standards of the adopted Land Development Regulations to address residential compatibility including specific provisions that address the adjacency of urban areas to suburban and rural areas.

**Policy FLU 3.1.2: Roadway Compatibility**

The City shall maintain and protect the long-term viability of residential neighborhoods where they are developed adjacent to collector and arterial roadways by relying upon the standards of the adopted Land Development Regulations which include standards that regulate context sensitive land use and roadway relationships.

**Alternatives:**

- 1. Approve Ordinance No. 21-09
- 2. Deny Ordinance No. 21-09.

**Discussion of Alternatives:**

- 1. Alternative 1 approves Ordinance No. 21-09.

Advantages:

- Approval of the amendments is necessary to address discrepancies, inconsistencies between sections, to clarify for practical application of the code and provide for consistency with the Comprehensive Plan.
- The action is consistent with the goals, objectives, and policies of the Comprehensive Plan.

Disadvantages:

- There are no disadvantages to approving the ordinance.

2. Alternative 2 denies Ordinance No. 21-09.

Advantages:

- The City Commission could consider other revisions to the Land Development Regulations.

Disadvantages:

- The Land Development Regulations would have discrepancies, inconsistencies between sections and areas subject to varying interpretations.

**Community Input**

Development Services has properly advertised the ordinance and there is an opportunity for community input at the public hearing.

**Budget / Staff Impact:**

None

**Prepared By:**

Lori Barnes, AICP, CPM, Development Services Director

**Attachments:**

Ordinance No. 21-09



**ORDINANCE NO. 21-09**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, SECTION 110, DEVELOPMENT STANDARDS AND CHAPTER 115, GENERAL BUILDING AND SITE STANDARDS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Eustis City Commission adopted revised Land Development Regulations under Ordinance 09-33 on July 16, 2009, amended by Ordinance 15-13 on October 1, 2015, Ordinance 16-18 on April 7, 2016, Ordinance 16-13 on May 19, 2016, Ordinance 16-31 on December 15, 2016, Ordinance 17-17 on November 2, 2017, Ordinance 19-12 on June 6, 2019, Ordinance 19-22 on August 1, 2019, and Ordinances 20-44, 20-45 and 20-46 on November 19, 2020; and

**WHEREAS**, the City Commission finds it necessary to periodically revise and update the Land Development Regulations; and

**WHEREAS**, the City Commission finds the proposed revisions are necessary to provide for consistency with the Comprehensive Plan, and clarify the City Commission's legislative intent; and

**WHEREAS**, the Local Planning Agency reviewed the proposed revisions to the Land Development Regulations and finds them in compliance with the Comprehensive Plan.

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

**SECTION 1.**

That the City of Eustis Land Development Regulations are hereby amended as show in the redline/strike through below; all other existing sections, paragraphs and subparagraphs shall remain in full force and effect:

Section 110-2 (b) (4) Height limitations do not apply to the following: appurtenances/structures, and other similar structures as determined by the Development Services Director.

Section 110-2 (f) (2) b. Corner lots and through lots shall be considered to have two street yards and two common lot yards. However, where a ~~non-ingress/egress easement deed restriction~~ is recorded prohibiting vehicular access along the entire frontage of one of the two street frontages for a through lot, that street frontage shall not be considered a street yard.

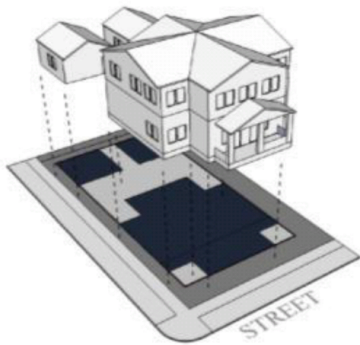
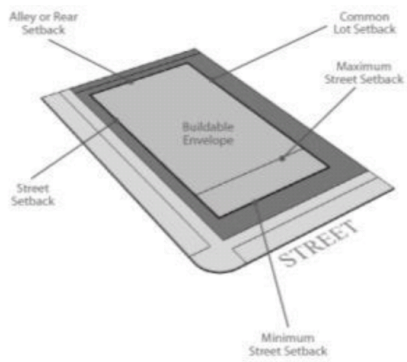
Sec. 110-4.4. - Duplex lot.

A building lot located and designed to accommodate a building with small common lots and containing two dwellings.

|                                 | URBAN (U)                | SUBUR-<br>BAN (S) &<br>RURAL (R) | U, S, R    |
|---------------------------------|--------------------------|----------------------------------|------------|
| <b>LOT REQUIREMENTS</b>         | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Lot Width (ft)                  | <del>35</del> 60         | 90                               | 200        |
| Lot Depth (ft)                  | 100                      | 120                              | 660        |
| Lot Size (sf)                   | 3,500                    | 10,800                           | 132,000    |
| <b>BUILDING ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10*                      | 25                               | 25 (urban) |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Alley or Rear Yard Setback (ft) | 10                       | 10                               | —          |
| Frontage Buildout %             | 70                       | —                                | —          |
| <b>ACC BLDG ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10' behind bldg frontage |                                  | —          |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Rear Setback (ft)               | 5                        | 5                                | —          |

| BUILDING HEIGHT            | MIN             | MIN | MAX |
|----------------------------|-----------------|-----|-----|
| Principal Building (st)    | 1               | 1   | 2   |
| Accessory Building(s) (st) | 1               | 1   | 2   |
| PARKING PROVISIONS         |                 |     |     |
| Location                   | Zone 1, 2, 3, 4 |     |     |
| PRIVATE FRONTAGES          |                 |     |     |
| Common Lawn                | X               |     |     |
| Porch and Fence            | X               |     |     |
| Forecourt                  |                 |     |     |
| Stoop                      |                 |     |     |
| Shopfront and Awning       |                 |     |     |
| Gallery                    |                 |     |     |
| Arcade                     |                 |     |     |

\* Garages in urban districts shall maintain an 18-foot street setback.  
X - Permitted  
Blank cell - prohibited





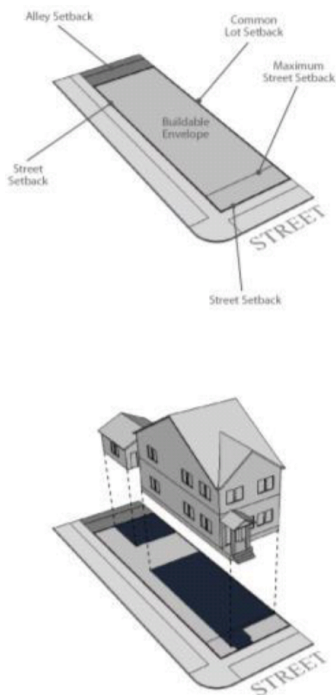
Sec. 110-4.5. - Townhouse lot.

A building lot located and designed to accommodate a building with common walls on both side building lot lines and a private garden to the rear.

|                                       | URBAN<br>(U)             | SUBUR-<br>BAN (S) &<br>RURAL<br>(R) | U, S, R                                     |
|---------------------------------------|--------------------------|-------------------------------------|---------------------------------------------|
| <b>LOT REQUIREMENTS</b>               | <b>MIN</b>               | <b>MIN</b>                          | <b>MAX</b>                                  |
| Lot Width (ft)                        | 16                       | 22                                  | 32                                          |
| Lot Depth (ft)                        | 80                       | 80                                  | 120                                         |
| Lot Size (sf)                         | 1,280                    | 1,760                               | 3,840                                       |
| <b>BUILDING ENVELOPE</b>              | <b>MIN</b>               | <b>MIN</b>                          | <b>MAX</b>                                  |
| Street Setback (ft)                   | 0*                       |                                     | 10 <u>Urban</u><br>20 <u>Suburban/Rural</u> |
| Common Lot Setback (ft)               | 0                        | 0                                   | —                                           |
| Alley Setback (ft)                    | 15                       | 15                                  | —                                           |
| Frontage Buildout %                   | 70                       | —                                   | —                                           |
| Length Permitted of Grouped Townhomes | —                        | —                                   | 120' S & R for                              |
| <b>ACC BLDG ENVELOPE</b>              | <b>MIN</b>               | <b>MIN</b>                          | <b>MAX</b>                                  |
| Street Setback (ft)                   | 10' behind bldg frontage |                                     |                                             |

|                            |        |     |     |
|----------------------------|--------|-----|-----|
| Common Lot Setback (ft)    | 5      | 5   | —   |
| Rear Setback (ft)          | 5      | 5   | —   |
| BUILDING HEIGHT            | MIN    | MIN | MAX |
| Principal Building (st)    | 1      | 1   | 3   |
| Accessory Building(s) (st) | 1      | 1   | 2   |
| PARKING PROVISIONS         |        |     |     |
| Location                   | Zone 3 |     |     |
| PRIVATE FRONTAGES          |        |     |     |
| Common Lawn                | X      |     |     |
| Porch and Fence            | X      |     |     |
| Forecourt                  |        |     |     |
| Stoop                      |        |     |     |
| Shopfront and Awning       |        |     |     |
| Gallery                    |        |     |     |
| Arcade                     |        |     |     |

\* Garages in ~~urban~~ all districts shall maintain an minimum 18-foot street setback.  
X - Permitted  
Blank cell - prohibited



Section 110-5 (b) (1) An accessory structure or use shall be considered incidental to the principal dwellings and must be in full compliance with all standards and requirements of this land development regulation and all other regulations of the city.

Section 110-5.2. ~~(3) Minimum useable floor area for an accessory apartment shall not be less than 450 square feet if it is located within the principal structure and shall be governed by the building typology standards if it is located within an accessory structure.~~

Section 110-5.6. - Boat houses, docks and piers. Boat houses, docks, and piers shall be considered incidental uses to the primary structure. Boat houses or covered boat docks, subject to approval of other interested governmental authorities, will be permitted on any lake within the city; provided that construction on Lake Eustis requires approval from the St. Johns River Water Management District/Department of Environmental Protection. In residential areas on connected waters (canals, streams or other inlets or basins that have water access to a lake), the maximum height of a boat house or similar structure, above the high-water level established by the St. Johns River Water Management District shall be 12 feet. Boat houses, slips, piers, or similar structures built on streams or canals shall be built entirely within the lot-riparian lines; accessory structure setback requirements herein do not apply riparian lines.

Sec. 110-5.7(b) add the following to the bullet list:

- Fences installed for the sole purpose of screening of trash can storage areas, mechanical equipment, or utilities shall be exempt from permitting, provided such fence is clearly not within a required setback and does not exceed maximum height. If necessary to screen existing utilities, the Development Services Director may approve fencing exceeding maximum height in setbacks.

Sec. 110-4.7(h)(i):

~~(h) Barbed wire shall not be used in fences except in agricultural and conservation districts.~~

~~(i) This section shall not apply to fences erected by a public body, or as approved by a public body for a public utility, in the interest of public safety.~~

(h) Barbed wire shall be permitted in association with fences as follows:

1. In association with bona-fide agricultural uses;
2. In Conservation (CON) land use districts;
3. In General Industrial (GI) land use districts atop fences 6-feet or taller.
4. On properties where an Industrial Building Lot or Industrial Complex lot typology has been approved via Development Plan, Site Plan, or Preliminary Subdivision Plat atop fences 6-feet or taller.
5. On properties containing water/wastewater treatment plants or electric substations atop fences 6-feet or taller.
6. On properties with barbed wire fencing installed prior to December 15, 2016, which, upon administrative verification by Development Services, shall be deemed legally non-conforming and shall be permitted to be repaired or replaced as needed.

Section 110-5.13 Portable Storage Units (d) Long-term storage containers are prohibited unless located on a commercial or industrial parcel with a fully screened masonry or brick enclosure designed and constructed for the purpose of screening such containers from view. The Development Services Director may approve alternate screening material when supported by site conditions. Storage containers shall be limited to the extent that maximum impervious surface area of the parcel is not exceeded.

Section 110-5.15 – Sheds storage buildings, utility buildings, greenhouses and other accessory structures (permanent or temporary)

(c) ~~Storage and other buildings~~ All accessory structures regulated by this chapter shall be permitted only in side and rear yards, unless there are extenuating circumstances that would justify placement in the street yard with no adverse effects on surrounding properties.

(d) ~~Storage and other buildings~~ All accessory structures regulated by this chapter, except temporary ones as determined by the Director, shall be included in all calculations for impervious surfaces, floor area ratios, or other site design requirements applying to the principal use of the lot.

Section 115-4.3 Access and Pedestrian Network (4) Driveways. Private driveways shall be located not closer than three feet from stormwater inlet structures and five feet from property corners. All driveways shall be paved to the edge of the road pavement. On roads with curb and gutters, valley gutters shall be required in driveways and shall be placed in line with the gutter line. The driveways shall be designed to accommodate and improve drainage facilities at the site in accordance with the approved site plans. The drainage facility shall dictate that the driveways shall act as a paved swale or swale check. The crown of a cross-section driveway shall be one foot higher than the crown of the road to avoid potential flooding to the building during storms.

The minimum design criteria of driveways are as follows:

| Driveways                                                  | Values                                                                                 |
|------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <i>Widths :</i>                                            |                                                                                        |
| <del>Single family res.</del> <u>Residential</u> (single)* | 12 ft. <u>on local roads;</u><br><u>minimum 18 ft. on</u><br><u>collector/arterial</u> |
| <del>Single family res.</del> <u>Residential</u> (double)* | 18 ft.                                                                                 |
| <del>Commercial</del> <u>Non-Residential</u> (one-way)     | 18—24 ft.                                                                              |
| <del>Commercial</del> <u>Non-Residential</u> (two-way)     | 24—48 ft.                                                                              |
| <i>Angle :</i>                                             | 90 degrees                                                                             |
| <i>Radii :</i>                                             |                                                                                        |
| <del>Single family res.</del> <u>Residential</u>           | 8 ft. (or 4'W × 8'L flares)                                                            |
| Commercial                                                 | 35 ft.                                                                                 |

| Driveways    | Values |
|--------------|--------|
| Semi-trailer | 50 ft. |

\* -House lots less than 70-feet wide are limited to one driveway connection per road frontage. A minimum of 25-feet must be provided between driveways on the same property.

Sec. 115-4.3. (5) *Clear sight zone*. A clear sight zone shall be provided for all intersections to allow for safe ingress, egress, crossing, and turning maneuvers. A clear visibility triangle shall be maintained and clear of any obstructions within the triangle area measured from the center of the intersection to an arbitrary point along each centerline of the intersecting roads in all directions; fences, signs and similar structures not exceeding a height of four feet may be permitted in the clear sight zone. The clear sight distances required are as follows:

Sec. 115-3. - Residential compatibility and design district transitions.

The compatibility standards below provide standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, as provided for in the Future Land Use Element of the Comprehensive Plan. These standards are in addition to the development pattern and design district standards in Chapter 109 that provide for compatible lot typologies.

Sec. 115-3.1. - Urban districts.

(a) *Urban residential compatibility*. The maximum residential density permitted within any urban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) ~~Transitions within a design district—Edge condition standards~~. When any urban design district abuts an existing development in an urban design district, whether residential or commercial, the following shall occur: and proposed new residential lots will share a common boundary with existing or platted lots:

~~(1) Residential building lot typologies that are adjacent to existing residential may not exceed the lot width or intensity by more than 110 percent of what is existing.~~

~~(2) Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements.~~

The width of the new lots may be no more than 110 percent of the width of the existing or platted lots, unless such existing or platted lots are non-conforming with the urban design district standards.

(c) When any urban design district ~~is adjacent to~~ abuts a suburban ~~or rural~~ design district, and proposed new residential lots will share a common boundary with existing or platted lots; the following shall occur.

~~(1) When abutting parcels have a different design district, the maximum lot width shall not exceed the rear or side lot width of the adjacent parcel.~~

~~(2) If the urban development is adjacent to vacant land, the maximum permitted lot width within the district may be used to determine the maximum lot width.~~

(1) The width of the new lots may be no less than 60 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (7 to 10 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.1. is provided between the new lots and the existing platted lots; or

(c) A consistent opaque buffer wall/fence is provided between the new lots and the existing or platted lots.

Sec. 115-3.2. - Suburban districts.

(a) *Suburban residential compatibility.* The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

~~(b) *Transitions within a design district/edge condition standards.* When any suburban design district abuts an existing development in a suburban district, whether residential or commercial, the following shall occur:~~ and proposed new residential lots will share a common boundary with existing or platted lots:

~~(1) The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).~~

~~(2) Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements. If lot requirements exceed the minimum, a masonry wall and landscape shall be required or a street or alley may be sufficient in buffering. This determination shall be given during site plan review by the development services director.~~

(1) The width of the new lots may be no more than 150 percent of the width of the existing or platted lots, unless:

(a) The existing or platted lots are non-conforming to the suburban design district standards;

(b) Central sewer service is not available.

~~(b) The maximum residential density permitted within the suburban neighborhood design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property and shall further be limited by providing compatible building lot types as provided for in chapter 110.~~

~~(c) When any suburban design district abuts a rural design district, and proposed new residential lots will share a common boundary with existing or platted lots:~~

~~(1) The width of the new lots may be no less than 75 percent of the width of the existing or platted lots; unless:~~

~~(a) A landscape buffer (10 to 15 feet wide) is provided between the new lots and existing or platted lots; or~~

~~(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.~~

Sec. 115-3.3. - Rural districts.

~~(a) *Rural residential compatibility*-. For lands within the rural design district, the maximum residential density permitted shall be consistent with the maximum density of the applicable land use district assigned to each individual property, and shall further be limited by a compatibility assessment of the proposed development with the existing development patterns of nearby properties and the character of the surrounding area as determined by the following: Applicants must demonstrate that the proposed development respects the context of the adjacent uses through:~~

~~(1) Ensuring that the overall density of the development is not greater than 25 percent more than adjacent/surrounding developments. If an adjacent development has a planned unit development overlay, the overall density of the entire master plan shall be used for this compatibility assessment. Any density variation greater than 25 percent requires specific review and approval by the city commission.~~

~~(2) Providing compatible building lot types, where compatible lot types within the area require that the new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).~~

~~(b) When any rural design district abuts an existing development in a suburban district, and proposed new residential lots will share a common boundary with existing or platted lots:~~

~~(1) The width of the new lots may be no more than 200 percent of the width of the existing or platted lots, unless:~~

~~(a) The existing or platted lots are non-conforming to the suburban design district standards;~~

~~(b) Central sewer service is not available.~~

~~(c) When any rural design district abuts an existing development in a rural district, and proposed new residential lots will share a common boundary with existing or platted lots:~~



(1) The width of the new lots may not be less than 85 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (15 to 25 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.

Section 115-4.3. Loading and off-street parking

Table 5200-1 Parking spacing requirements

Table 5200-1  
Parking Spacing Requirements  
Off-Street Parking Requirements

\*\*In addition to vehicle parking spaces, any business operation, which utilizes merchandise/shopping carts, must provide a parking area for said carts.\*\*

| Activity Type/Land Use                     | Minimum Parking Spaces                                                                                 |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>Residential Activity Types :</b>        |                                                                                                        |
| Single-family                              | Two spaces per dwelling unit.                                                                          |
| Mobile home                                | Two spaces per dwelling unit.                                                                          |
| Duplex                                     | Two spaces per dwelling unit.                                                                          |
| Multi-family                               | 1.5 spaces per dwelling unit. Efficiency apartments 1 space per unit.                                  |
| <b>Community Facility Activity Types :</b> |                                                                                                        |
| Cemetery                                   | One space per 250 square feet of gross floor area, excluding burial structures.                        |
| College or university                      | One-half space per student, plus one space per six seats in an auditorium or other places of assembly. |
| Community assembly                         | One space per 100 square feet of gross floor area.                                                     |

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community education                               | Elementary and junior high—one space per classroom, or one space per six seats in an auditorium, whichever requires the greater number of spaces; high school (grades 9—12)—four spaces per classroom or one space per six seats in an auditorium, arena, or stadium, whichever requires the greater number of spaces; provided that no more than 300 spaces shall be required. |
| Convent or monastery                              | one space per ten residents.                                                                                                                                                                                                                                                                                                                                                    |
| Correctional facility                             | <del>To be determined by parking study.</del> <u>One per employee and 1 per 25 inmates.</u>                                                                                                                                                                                                                                                                                     |
| Day care center (child or adult)                  | 1:12 RPC.                                                                                                                                                                                                                                                                                                                                                                       |
| Day care home for children                        | Two spaces, plus one per employee per shift of greatest employment.                                                                                                                                                                                                                                                                                                             |
| Dormitory                                         | One space per two rooming units.                                                                                                                                                                                                                                                                                                                                                |
| Family care; group care; institutional care       | 1:5 RPC.                                                                                                                                                                                                                                                                                                                                                                        |
| Golf course                                       | three spaces per green.                                                                                                                                                                                                                                                                                                                                                         |
| Hospital                                          | 2 per 1,000 sf, and .8 per bed.                                                                                                                                                                                                                                                                                                                                                 |
| Neighborhood health clinic                        | 2.5 space per 1000 square feet of gross floor area.                                                                                                                                                                                                                                                                                                                             |
| Nursing home                                      | One space per four beds, plus one space per employee.                                                                                                                                                                                                                                                                                                                           |
| Parks and recreation, active (except golf course) | <del>Determined during review process.</del> <u>5 per 1,000 sf gross floor area plus 10 spaces per athletic field</u>                                                                                                                                                                                                                                                           |

|                                                                              |                                                                                                                                 |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Parks and recreation, passive                                                | <del>Determined during review process.</del> <u>1 per 10,000 sf of land area</u>                                                |
| Place of worship                                                             | One space per three seats in the church sanctuary.                                                                              |
| Government services                                                          | One space per 500 square feet of gross floor area.                                                                              |
| Utilities, minor;<br>utilities, major;<br><del>transportation terminal</del> | <del>Determined during review process.</del> <u>One space per employee</u>                                                      |
| <u>transportation terminal</u>                                               | <u>One per 200 sf gross floor area</u>                                                                                          |
| <b>Commercial Activity Types :</b>                                           |                                                                                                                                 |
| Amusements, extensive                                                        | <del>Determined during review process.</del> <u>One space per 100 sf or one space per 4 seats if fixed seating is provided.</u> |
| Amusements, limited (excluding bowling alley and movie theater)              | Two spaces per 1000 square feet of gross floor area.                                                                            |
| Animal care                                                                  | 1.5 per 1,000 gross floor area.                                                                                                 |
| Auctions                                                                     | One space per 500 square feet of gross floor area.                                                                              |
| Automotive repair and cleaning; automotive service station                   | Two spaces, plus four spaces per service bay or repair stall.                                                                   |
| Bed and Breakfast                                                            | Three spaces for owner, manager, and employee parking; One space per guest room for guest parking.                              |
| Banking services                                                             | 2.5 spaces per 1000 square feet of gross floor area.                                                                            |

|                                           |                                                                                                                            |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Bar or nightclub                          | 5 per 1,000 sf.                                                                                                            |
| Barber and/or Beauty shop                 | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Bowling alley                             | Four spaces per lane.                                                                                                      |
| Building supplies                         | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Construction sales and service            | Two spaces per 1000 square feet of gross floor area.                                                                       |
| Consumer services                         | 2 per 1000 gross floor area.                                                                                               |
| Convenience food and beverage store       | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Dry cleaning; consumer laundry and repair | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Flea market                               | 17 spaces per 6,000 square feet of gross floor area.                                                                       |
| Funeral home                              | 2.5 spaces per 1000 square feet, plus one-half space per seat.                                                             |
| Hardware and garden supplies              | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Hotel or motel                            | Guest room, 0.5 per lodging unit<br>Restaurant, cocktail lounge 5 per 1000 sf GFA<br>Banquet/meeting rooms, 0.25 per seat. |
| Major laundry and repair                  | 2 spaces per 1000 square feet of gross floor area.                                                                         |

|                                                       |                                                                                                                   |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Marina                                                | One space per three boat slips.                                                                                   |
| Medical service                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                              |
| Miniature golf course                                 | Two spaces per hole.                                                                                              |
| Movie theater                                         | 0.10 spaces per seat.                                                                                             |
| Office, general                                       | 2 spaces per 1000 square feet of gross floor area.                                                                |
| Personal care services; personal improvement services | 2.0 spaces per 1000 square feet of gross floor area.                                                              |
| Printing and publishing                               | 2.5 space per 1000 square feet of gross floor area.                                                               |
| Research service                                      | One space per 500 square feet of gross floor area.                                                                |
| Restaurant, fast-food; restaurant, general            | 5 spaces per 1,000 square feet GFA.                                                                               |
| Retail, general                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                              |
| Scrap operation                                       | One spaces per 5,000 square feet of gross floor area, plus one space per 10,000 square feet of open storage area. |
| Self-service storage                                  | Four spaces at the office.                                                                                        |
| Septic tank service                                   | 2 spaces per 1000 square feet of gross floor area.                                                                |
| Taxidermist                                           | 2 space per 1000 square feet of gross floor area.                                                                 |
| Travel trailer parks                                  | One space per campsite.                                                                                           |

|                                                                      |                                                                                                             |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| and campgrounds                                                      |                                                                                                             |
| Vehicular sales and service                                          | One space per 1000 square feet of gross floor area and 2 per bay.                                           |
| Vocational school                                                    | 2.5 spaces per 1000 square feet of gross floor area.                                                        |
| Wholesale and warehousing                                            | One space per 10,000 square feet of lot area, plus one space per employee per shift of greatest employment. |
| <b>Manufacturing Activity Types :</b>                                |                                                                                                             |
| Basic industry; hazardous operations; recycling center               | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Citrus and vegetable packing houses                                  | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Dairy processing                                                     | One space per 10,000 square of gross floor area.                                                            |
| Manufacturing, custom; manufacturing, light; printing and publishing | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Salvage yards                                                        | One space per 10,000 square of gross floor area.                                                            |
| <b>Agricultural and Extractive Activity Types :</b>                  |                                                                                                             |
| Crop and animal raising                                              | No parking requirement.                                                                                     |
| General agricultural                                                 | None required.                                                                                              |

|                                      |                                                                                                                                                                                              |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Housing camps                        | Per residential activity required.                                                                                                                                                           |
| Mills                                | One per 10,000 square feet, plus one per employee per shift of greatest employment.                                                                                                          |
| Mining and quarrying; sawmill        | <u>One space per 10,000 square feet, plus one per employee per shift of greatest employment.</u> <del>Determined during review process.</del>                                                |
| Non-intensive agriculture            | None required.                                                                                                                                                                               |
| Plant nursery                        | One space per five acres.                                                                                                                                                                    |
| Roadside farm stands                 | None required.                                                                                                                                                                               |
| Veterinary clinic                    | 2.5 spaces per 1000 square feet, plus one per employee per shift of greatest employment.                                                                                                     |
| <b>Outdoor Recreation Activities</b> |                                                                                                                                                                                              |
| Hunting and fishing resort           | <u>Guest room, 0.5 per lodging unit</u><br><u>Restaurant, cocktail lounge 5 per 1000 sf GFA</u><br><u>Banquet/meeting rooms, 0.25 per seat.</u> <del>Determined during review process.</del> |
| Riding stable or academy             | One space per five horses boarded on site.                                                                                                                                                   |

## SECTION 2.

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

## SECTION 3.

That it is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations in the City of Eustis Code of Ordinances and that the sections of this Ordinance may be re-



numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

**SECTION 4.**

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.**

That this Ordinance shall become effective upon passing.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 20<sup>th</sup> day of May 2021.

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

---

Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Mary C. Montez, City Clerk

**CITY OF EUSTIS CERTIFICATION**

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of May, 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 use and reliance of the City Commission of the City of Eustis, Florida.

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

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance No. 21-09 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Mary C. Montez, City Clerk

**Ordinance 21-09**  
**Amendments to Chapter 110 & 115 of the LDRs**  
**Clean Copy of Amended Paragraphs**

Section 110-2 (b) (4) Height limitations do not apply to the following appurtenances/structures, and other similar structures as determined by the Development Services Director.

Section 110-2 (f) (2) b. Corner lots and through lots shall be considered to have two street yards and two common lot yards. However, where a deed restriction is recorded prohibiting vehicular access along the entire frontage of one of the two street frontages for a through lot, that street frontage shall not be considered a street yard.

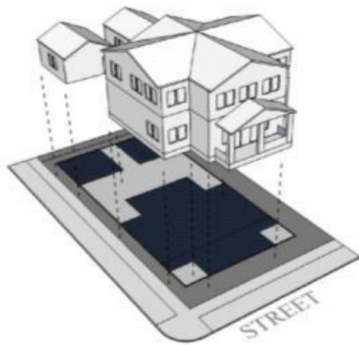
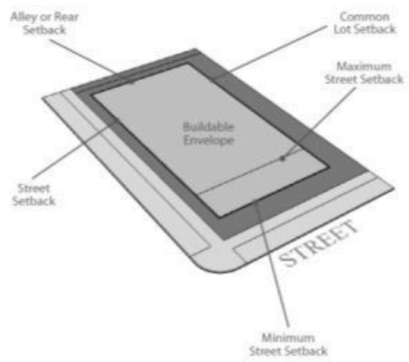
Sec. 110-4.4. - Duplex lot.

A building lot located and designed to accommodate a building with small common lots and containing two dwellings.

|                                 | URBAN (U)                | SUBUR-<br>BAN (S) &<br>RURAL (R) | U, S, R    |
|---------------------------------|--------------------------|----------------------------------|------------|
| <b>LOT REQUIREMENTS</b>         | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Lot Width (ft)                  | 60                       | 90                               | 200        |
| Lot Depth (ft)                  | 100                      | 120                              | 660        |
| Lot Size (sf)                   | 3,500                    | 10,800                           | 132,000    |
| <b>BUILDING ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10*                      | 25                               | 25 (urban) |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Alley or Rear Yard Setback (ft) | 10                       | 10                               | —          |
| Frontage Buildout %             | 70                       | —                                | —          |
| <b>ACC BLDG ENVELOPE</b>        | <b>MIN</b>               | <b>MIN</b>                       | <b>MAX</b> |
| Street Setback (ft)             | 10' behind bldg frontage |                                  | —          |
| Common Lot Setback (ft)         | 5                        | 5                                | —          |
| Rear Setback (ft)               | 5                        | 5                                | —          |

| BUILDING HEIGHT            | MIN             | MIN | MAX |
|----------------------------|-----------------|-----|-----|
| Principal Building (st)    | 1               | 1   | 2   |
| Accessory Building(s) (st) | 1               | 1   | 2   |
| PARKING PROVISIONS         |                 |     |     |
| Location                   | Zone 1, 2, 3, 4 |     |     |
| PRIVATE FRONTAGES          |                 |     |     |
| Common Lawn                | X               |     |     |
| Porch and Fence            | X               |     |     |
| Forecourt                  |                 |     |     |
| Stoop                      |                 |     |     |
| Shopfront and Awning       |                 |     |     |
| Gallery                    |                 |     |     |
| Arcade                     |                 |     |     |

\* Garages in urban districts shall maintain an 18-foot street setback.  
X - Permitted  
Blank cell - prohibited



Sec. 110-4.5. - Townhouse lot.

A building lot located and designed to accommodate a building with common walls on both side building lot lines and a private garden to the rear.

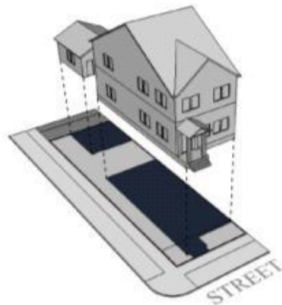
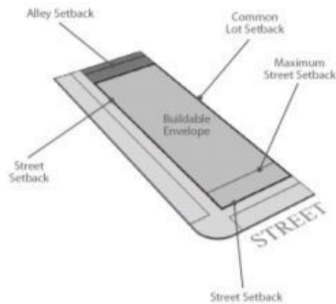
|                                       | URBAN<br>(U) | SUBUR-<br>BAN (S) &<br>RURAL<br>(R) | U, S, R                          |
|---------------------------------------|--------------|-------------------------------------|----------------------------------|
| <b>LOT REQUIREMENTS</b>               | <b>MIN</b>   | <b>MIN</b>                          | <b>MAX</b>                       |
| Lot Width (ft)                        | 16           | 22                                  | 32                               |
| Lot Depth (ft)                        | 80           | 80                                  | 120                              |
| Lot Size (sf)                         | 1,280        | 1,760                               | 3,840                            |
| <b>BUILDING ENVELOPE</b>              | <b>MIN</b>   | <b>MIN</b>                          | <b>MAX</b>                       |
| Street Setback (ft)                   | 0*           |                                     | 10 Urban<br>20<br>Suburban/Rural |
| Common Lot Setback (ft)               | 0            | 0                                   | —                                |
| Alley Setback (ft)                    | 15           | 15                                  | —                                |
| Frontage Buildout %                   | 70           | —                                   | —                                |
| Length Permitted of Grouped Townhomes | —            | —                                   | 120' for<br>S & R                |
| <b>ACC BLDG ENVELOPE</b>              | <b>MIN</b>   | <b>MIN</b>                          | <b>MAX</b>                       |

|                            |                          |     |     |
|----------------------------|--------------------------|-----|-----|
| Street Setback (ft)        | 10' behind bldg frontage |     |     |
| Common Lot Setback (ft)    | 5                        | 5   | —   |
| Rear Setback (ft)          | 5                        | 5   | —   |
| BUILDING HEIGHT            | MIN                      | MIN | MAX |
| Principal Building (st)    | 1                        | 1   | 3   |
| Accessory Building(s) (st) | 1                        | 1   | 2   |
| PARKING PROVISIONS         |                          |     |     |
| Location                   | Zone 3                   |     |     |
| PRIVATE FRONTAGES          |                          |     |     |
| Common Lawn                | X                        |     |     |
| Porch and Fence            | X                        |     |     |
| Forecourt                  |                          |     |     |
| Stoop                      |                          |     |     |
| Shopfront and Awning       |                          |     |     |
| Gallery                    |                          |     |     |
| Arcade                     |                          |     |     |



\* Garages in all districts shall maintain a minimum 18-foot street setback.  
X - Permitted

Blank cell - prohibited



Section 110-5 (b) (1) An accessory structure or use shall be considered incidental to the principal dwellings and must be in full compliance with all standards and requirements of this land development regulation and all other regulations of the city.

Section 110-5.2.

Section 110-5.6. - Boat houses, docks and piers. Boat houses, docks, and piers shall be considered incidental uses to the primary structure. Boat houses or covered boat docks, subject to approval of other interested governmental authorities, will be permitted on any lake within the city; provided that construction on Lake Eustis requires approval from the St. Johns River Water Management District/Department of Environmental Protection. In residential areas on connected waters (canals, streams or other inlets or basins that have water access to a lake), the maximum height of a boat house or similar structure, above the high-water level established by the St. Johns River Water Management District shall be 12 feet. Boat houses, slips, piers, or similar structures built on streams or canals shall be built entirely within the riparian lines; accessory structure setback requirements herein do not apply riparian lines.

Sec. 110-5.7(b) add the following to the bullet list:

- Fences installed for the sole purpose of screening of trash can storage areas, mechanical equipment, or utilities shall be exempt from permitting, provided such fence is clearly not within a required setback and does not exceed maximum height. If necessary to screen existing utilities, the Development Services Director may approve fencing exceeding maximum height in setbacks.

Sec. 110-4.7(h)(i):

(h) Barbed wire shall be permitted in association with fences as follows:

1. In association with bona-fide agricultural uses;
2. In Conservation (CON) land use districts;
3. In General Industrial (GI) land use districts atop fences 6-feet or taller.
4. On properties where an Industrial Building Lot or Industrial Complex lot typology has been approved via Development Plan, Site Plan, or Preliminary Subdivision Plat atop fences 6-feet or taller.
5. On properties containing water/wastewater treatment plants or electric substations atop fences 6-feet or taller.
6. On properties with barbed wire fencing installed prior to December 15, 2016, which, upon administrative verification by Development Services, shall be deemed legally non-conforming and shall be permitted to be repaired or replaced as needed.

Section 110-5.13 Portable Storage Units (d) Long-term storage containers are prohibited unless located on a commercial or industrial parcel with a fully screened masonry or brick enclosure designed and constructed for the purpose of screening such containers from view. The Development Services Director may approve alternate screening material when supported by site conditions. Storage containers shall be limited to the extent that maximum impervious surface area of the parcel is not exceeded.

Section 110-5.15 – Sheds storage buildings, utility buildings, greenhouses and other accessory structures (permanent or temporary)

(c) All accessory structures regulated by this chapter shall be permitted only in side and rear yards, unless there are extenuating circumstances that would justify placement in the street yard with no adverse effects on surrounding properties.

(d) All accessory structures regulated by this chapter, except temporary ones as determined by the Director, shall be included in all calculations for impervious surfaces, floor area ratios, or other site design requirements applying to the principal use of the lot.

Section 115-4.3 Access and Pedestrian Network (4) *Driveways*. Private driveways shall be located not closer than three feet from stormwater inlet structures and five feet from property corners. All driveways shall be paved to the edge of the road pavement. On roads with curb and gutters, valley gutters shall be required in driveways and shall be placed in line with the gutter line. The driveways shall be designed to accommodate and improve drainage facilities at the site in accordance with the approved site plans. The drainage facility shall dictate that the driveways shall act as a paved swale or swale check. The crown of a cross-section driveway shall be one foot higher than the crown of the road to avoid potential flooding to the building during storms.

The minimum design criteria of driveways are as follows:

| Driveways                 | Values                                                            |
|---------------------------|-------------------------------------------------------------------|
| <i>Widths :</i>           |                                                                   |
| Residential (single)*     | 12 ft. on local roads;<br>minimum 18 ft. on<br>collector/arterial |
| Residential (double)*     | 18 ft.                                                            |
| Non-Residential (one-way) | 18—24 ft.                                                         |
| Non-Residential (two-way) | 24—48 ft.                                                         |
| <i>Angle :</i>            | 90 degrees                                                        |
| <i>Radii :</i>            |                                                                   |
| Residential               | 8 ft. (or 4'W × 8'L flares)                                       |
| Commercial                | 35 ft.                                                            |
| Semi-trailer              | 50 ft.                                                            |

\* House lots less than 70-feet wide are limited to one driveway connection per road frontage. A minimum of 25-feet must be provided between driveways on the same property.

Sec. 115-4.3. (5) *Clear sight zone*. A clear sight zone shall be provided for all intersections to allow for safe ingress, egress, crossing, and turning maneuvers. A clear visibility triangle shall be maintained and clear of any obstructions within the triangle area measured from the center of the intersection to an arbitrary point along each centerline of the intersecting roads in all directions; fences, signs and similar structures not exceeding a height of four feet may be permitted in the clear sight zone. The clear sight distances required are as follows:

Sec. 115-3. - Residential compatibility and design district transitions.

The compatibility standards below provide standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, as provided for in the Future Land Use Element of the Comprehensive Plan. These standards are in addition to the development pattern and design district standards in Chapter 109 that provide for compatible lot typologies.

Sec. 115-3.1. - Urban districts.

(a) *Urban residential compatibility*. The maximum residential density permitted within any urban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) When any urban design district abuts an existing development in an urban design district, and proposed new residential lots will share a common boundary with existing or platted lots:

The width of the new lots may be no more than 110 percent of the width of the existing or platted lots, unless such existing or platted lots are non-conforming with the urban design district standards.

(c) When any urban design district abuts a suburban design district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may be no less than 60 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (7 to 10 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.1. is provided between the new lots and the existing platted lots; or

(c) A consistent opaque buffer wall/fence is provided between the new lots and the existing or platted lots.

Sec. 115-3.2. - Suburban districts.

(a) *Suburban residential compatibility.* The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) When any suburban design district abuts an existing development in a suburban district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may be no more than 150 percent of the width of the existing or platted lots, unless:

(a) The existing or platted lots are non-conforming to the suburban design district standards;

(b) Central sewer service is not available.

(c) When any suburban design district abuts a rural design district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may be no less than 75 percent of the width of the existing or platted lots; unless:

(a) A landscape buffer (10 to 15 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.

Sec. 115-3.3. - Rural districts.

(a) *Rural residential compatibility.* For lands within the rural design district, the maximum residential density permitted shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

(b) When any rural design district abuts an existing development in a suburban district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may be no more than 200 percent of the width of the existing or platted lots, unless:

(a) The existing or platted lots are non-conforming to the suburban design district standards;

(b) Central sewer service is not available.

(c) When any rural design district abuts an existing development in a rural district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may not be less than 85 percent of the width of the existing or platted lots, unless:

(a) A landscape buffer (15 to 25 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.

Section 115-4.3. Loading and off-street parking

Table 5200-1 Parking spacing requirements

Table 5200-1  
Parking Spacing Requirements  
Off-Street Parking Requirements

**\*\*In addition to vehicle parking spaces, any business operation, which utilizes merchandise/shopping carts, must provide a parking area for said carts.\*\***

| Activity Type/Land Use                     | Minimum Parking Spaces                                                                                 |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>Residential Activity Types :</b>        |                                                                                                        |
| Single-family                              | Two spaces per dwelling unit.                                                                          |
| Mobile home                                | Two spaces per dwelling unit.                                                                          |
| Duplex                                     | Two spaces per dwelling unit.                                                                          |
| Multi-family                               | 1.5 spaces per dwelling unit. Efficiency apartments 1 space per unit.                                  |
| <b>Community Facility Activity Types :</b> |                                                                                                        |
| Cemetery                                   | One space per 250 square feet of gross floor area, excluding burial structures.                        |
| College or university                      | One-half space per student, plus one space per six seats in an auditorium or other places of assembly. |
| Community assembly                         | One space per 100 square feet of gross floor area.                                                     |

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community education                               | Elementary and junior high—one space per classroom, or one space per six seats in an auditorium, whichever requires the greater number of spaces; high school (grades 9—12)—four spaces per classroom or one space per six seats in an auditorium, arena, or stadium, whichever requires the greater number of spaces; provided that no more than 300 spaces shall be required. |
| Convent or monastery                              | one space per ten residents.                                                                                                                                                                                                                                                                                                                                                    |
| Correctional facility                             | One per employee and 1 per 25 inmates.                                                                                                                                                                                                                                                                                                                                          |
| Day care center (child or adult)                  | 1:12 RPC.                                                                                                                                                                                                                                                                                                                                                                       |
| Day care home for children                        | Two spaces, plus one per employee per shift of greatest employment.                                                                                                                                                                                                                                                                                                             |
| Dormitory                                         | One space per two rooming units.                                                                                                                                                                                                                                                                                                                                                |
| Family care; group care; institutional care       | 1:5 RPC.                                                                                                                                                                                                                                                                                                                                                                        |
| Golf course                                       | three spaces per green.                                                                                                                                                                                                                                                                                                                                                         |
| Hospital                                          | 2 per 1,000 sf, and .8 per bed.                                                                                                                                                                                                                                                                                                                                                 |
| Neighborhood health clinic                        | 2.5 space per 1000 square feet of gross floor area.                                                                                                                                                                                                                                                                                                                             |
| Nursing home                                      | One space per four beds, plus one space per employee.                                                                                                                                                                                                                                                                                                                           |
| Parks and recreation, active (except golf course) | 5 per 1,000 sf gross floor area plus 10 spaces per athletic field                                                                                                                                                                                                                                                                                                               |



|                                                                 |                                                                                                       |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Parks and recreation, passive                                   | 1 per 10,000 sf of land area                                                                          |
| Place of worship                                                | One space per three seats in the church sanctuary.                                                    |
| Government services                                             | One space per 500 square feet of gross floor area.                                                    |
| Utilities, minor; utilities, major;                             | One space per employee                                                                                |
| transportation terminal                                         | One per 200 sf gross floor area                                                                       |
| <b>Commercial Activity Types :</b>                              |                                                                                                       |
| Amusements, extensive                                           | One space per 100 sf or one space per 4 seats if fixed seating is provided.                           |
| Amusements, limited (excluding bowling alley and movie theater) | Two spaces per 1000 square feet of gross floor area.                                                  |
| Animal care                                                     | 1.5 per 1,000 gross floor area.                                                                       |
| Auctions                                                        | One space per 500 square feet of gross floor area.                                                    |
| Automotive repair and cleaning; automotive service station      | Two spaces, plus four spaces per service bay or repair stall.                                         |
| Bed and Breakfast                                               | Three spaces for owner, manager, and employee parking;<br>One space per guest room for guest parking. |
| Banking services                                                | 2.5 spaces per 1000 square feet of gross floor area.                                                  |

|                                           |                                                                                                                            |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Bar or nightclub                          | 5 per 1,000 sf.                                                                                                            |
| Barber and/or Beauty shop                 | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Bowling alley                             | Four spaces per lane.                                                                                                      |
| Building supplies                         | 2.5 spaces per 1000 square feet of gross floor area.                                                                       |
| Construction sales and service            | Two spaces per 1000 square feet of gross floor area.                                                                       |
| Consumer services                         | 2 per 1000 gross floor area.                                                                                               |
| Convenience food and beverage store       | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Dry cleaning; consumer laundry and repair | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Flea market                               | 17 spaces per 6,000 square feet of gross floor area.                                                                       |
| Funeral home                              | 2.5 spaces per 1000 square feet, plus one-half space per seat.                                                             |
| Hardware and garden supplies              | 2.5 space per 1000 square feet of gross floor area.                                                                        |
| Hotel or motel                            | Guest room, 0.5 per lodging unit<br>Restaurant, cocktail lounge 5 per 1000 sf GFA<br>Banquet/meeting rooms, 0.25 per seat. |
| Major laundry and repair                  | 2 spaces per 1000 square feet of gross floor area.                                                                         |

|                                                       |                                                                                                                   |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Marina                                                | One space per three boat slips.                                                                                   |
| Medical service                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                              |
| Miniature golf course                                 | Two spaces per hole.                                                                                              |
| Movie theater                                         | 0.10 spaces per seat.                                                                                             |
| Office, general                                       | 2 spaces per 1000 square feet of gross floor area.                                                                |
| Personal care services; personal improvement services | 2.0 spaces per 1000 square feet of gross floor area.                                                              |
| Printing and publishing                               | 2.5 space per 1000 square feet of gross floor area.                                                               |
| Research service                                      | One space per 500 square feet of gross floor area.                                                                |
| Restaurant, fast-food; restaurant, general            | 5 spaces per 1,000 square feet GFA.                                                                               |
| Retail, general                                       | 2.5 spaces per 1000 square feet of gross floor area.                                                              |
| Scrap operation                                       | One spaces per 5,000 square feet of gross floor area, plus one space per 10,000 square feet of open storage area. |
| Self-service storage                                  | Four spaces at the office.                                                                                        |
| Septic tank service                                   | 2 spaces per 1000 square feet of gross floor area.                                                                |
| Taxidermist                                           | 2 space per 1000 square feet of gross floor area.                                                                 |
| Travel trailer parks and campgrounds                  | One space per campsite.                                                                                           |

|                                                                      |                                                                                                             |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Vehicular sales and service                                          | One space per 1000 square feet of gross floor area and 2 per bay.                                           |
| Vocational school                                                    | 2.5 spaces per 1000 square feet of gross floor area.                                                        |
| Wholesale and warehousing                                            | One space per 10,000 square feet of lot area, plus one space per employee per shift of greatest employment. |
| <b>Manufacturing Activity Types :</b>                                |                                                                                                             |
| Basic industry; hazardous operations; recycling center               | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Citrus and vegetable packing houses                                  | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Dairy processing                                                     | One space per 10,000 square of gross floor area.                                                            |
| Manufacturing, custom; manufacturing, light; printing and publishing | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                   |
| Salvage yards                                                        | One space per 10,000 square of gross floor area.                                                            |
| <b>Agricultural and Extractive Activity Types :</b>                  |                                                                                                             |
| Crop and animal raising                                              | No parking requirement.                                                                                     |
| General agricultural                                                 | None required.                                                                                              |
| Housing camps                                                        | Per residential activity required.                                                                          |

|                                      |                                                                                                                            |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Mills                                | One per 10,000 square feet, plus one per employee per shift of greatest employment.                                        |
| Mining and quarrying; sawmill        | One space per 10,000 square feet, plus one per employee per shift of greatest employment.                                  |
| Non-intensive agriculture            | None required.                                                                                                             |
| Plant nursery                        | One space per five acres.                                                                                                  |
| Roadside farm stands                 | None required.                                                                                                             |
| Veterinary clinic                    | 2.5 spaces per 1000 square feet, plus one per employee per shift of greatest employment.                                   |
| <b>Outdoor Recreation Activities</b> |                                                                                                                            |
| Hunting and fishing resort           | Guest room, 0.5 per lodging unit<br>Restaurant, cocktail lounge 5 per 1000 sf GFA<br>Banquet/meeting rooms, 0.25 per seat. |
| Riding stable or academy             | One space per five horses boarded on site.                                                                                 |





**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** ORDINANCE NUMBER 21-14: ESTABLISHING A FIRE ASSESSMENT FEE PROCEDURE

---

**Introduction:**

Ordinance Number 21-14 establishes the procedure for implementing a fire assessment fee.

**Background:**

See attached Staff Report.

**Attachments:**

[Staff Report - Ord 21-14 Fire Assessment](#)  
[Ordinance 21-14 Fire Assessment Fee](#)

**Reviewed by:**







## City of Eustis

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

TO: EUSTIS CITY COMMISSION  
FROM: RONALD R. NEIBERT, CITY MANAGER  
DATE: June 3, 2021  
RE: Ordinance Number 21-14  
Establishing a fire assessment fee procedure

### Introduction

Ordinance Number 21-14 establishes the procedure for implementing a fire assessment fee.

### Recommended Action

This is an ordinance which establishes how a Fire Assessment Fee shall be determined. Regardless of how the Commission wishes to proceed with a Fire Assessment Fee the minimum recommendation would be to have the second reading on June 17<sup>th</sup>. Depending on the decision to move forward will determine future steps in the implementation of the Fire Assessment Fee. This will in no way establish a fee at this time. The establishment of a fee would be with a subsequent adoption via a separate initial assessment resolution.

### Background

During the May 20, 2021 commission meeting it was suggested that an ordinance be added to our code. The ordinance would provide for a means to establish a Fire Services Special Assessment. Section 238-01 provides for various definitions as well as referencing the Florida Statutes allowing for the Fire Assessment Fee.

Government Services Group has provided the study which will allow the City to establish a Special Fire Assessment Fee which will be good for another three years.

Section 238-07 authorizes the City to impose an annual Fire Services Assessment to fund all or any portion of the cost assessed to benefit real property excluding raw undeveloped land.

The remaining process will be as follows:

- First Reading of Fire Assessment Ordinance June 3, 2021
- Publish Notice of Fire Assessment Ordinance by June 6<sup>th</sup> and publish Notice of Fire Assessment Ordinance for second reading.

- Adopt Fire Assessment Ordinance June 17<sup>th</sup>.
- Adopt initial Assessment Resolution June 17<sup>th</sup>. If commission chooses not to move forward the process will stop at the second reading of the Ordinance.

Should the commission decide to proceed during the June 3<sup>rd</sup> meeting the following will take place:

- Submit Assessment Roll to Property Appraiser for TRIM notice by July 30<sup>th</sup>
- Publish Notice of Public Hearing (at least 20 days prior to public hearing August 16<sup>th</sup>
- Property Appraiser Mails TRIM Notices August 16<sup>th</sup>
- Adopt Final Assessment Resolution between September 6<sup>th</sup> and 14<sup>th</sup>
- Certify Fire Assessment Roll to Tax Collector by September 15<sup>th</sup> @ 5:pm
- Tax bills mailed with Fire Assessment Charge November 2021

### **Budget and Staff Impact**

Should commission choose to move forward the 2021-22 budget would see an increase of revenues in the amount of \$1,063,167. The funds will be used to supplement fire services increasing the safety as well as freeing other general fund money to accommodate other public safety needs.

### **Attachments:**

Copy of Ad if Commission wishes to proceed

Copy of Ordinance if Commission wishes to proceed (Attorney needs to review)

Copy of Rate Scenarios under separate cover

Presentation under separate cover

Prepared By:

Mike Sheppard, Finance Director

## **ORDINANCE NUMBER 21-14**

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 86 OF THE CODE OF ORDINANCES; CREATING ARTICLE VI – FIRE SERVICES SPECIAL ASSESSMENT; PROVIDING FOR THE IMPLEMENTATION OF A FIRE SERVICES SPECIAL ASSESSMENT; PROVIDING DEFINITIONS FOR THE PROPOSED FIRE ASSESSMENT AND COLLECTION METHOD; PROVIDING FOR LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT, GENERAL AUTHORITY, AND APPLICABILITY THROUGHOUT THE CITY; PROVIDING FOR INITIAL PROCEEDINGS; DIRECTING IMPOSITION OF INITIAL ASSESSMENT ROLL; PROVIDING NOTICE BY PUBLICATION AND MAIL; PROVIDING FOR ADOPTION AND EFFECT OF FINAL ASSESSMENT RESOLUTION; PROVIDING ANNUAL ADOPTION PROCEDURES; PROVIDING LIENS FOR AND REVISIONS TO FIRE SERVICES ASSESSMENTS; PROVIDING FOR PROCEDURAL IRREGULARITIES AND CORRECTION OF ERRORS AND OMISSIONS; PROVIDING FOR INTERIM ASSESSMENTS AND AN ALTERNATIVE METHOD OF COLLECTION; PROVIDING FOR CONFLICTS, CODIFICATION, AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Pursuant to Article VIII, section 2(b), Florida Constitution, and sections 166.021 and 166.041, Florida Statutes, the City Commission has all powers of local self-government to perform municipal functions and to render municipal services in a manner not inconsistent with law, and such power may be exercised by the enactment of City ordinances.

**WHEREAS**, the City Commission desires to provide procedures and standards for the imposition of City-wide fire services assessments under the general home rule powers of a municipality to impose special assessments.

**WHEREAS**, the City Commission finds that the property assessed herein enjoys a special benefit from the provision of fire protection services.

**WHEREAS**, the City Commission of the City of Eustis hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Eustis.

**NOT, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA:**

**Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein by reference as legislative findings of the City Commission.

**Section 2.** Chapter 86, Taxation, of the City of Eustis Code of Ordinances is hereby amended to add a new Article VI which shall be known as "FIRE SERVICES SPECIAL ASSESSMENT," and shall read as follows:

## **CHAPTER 86 – TAXATION**

### **ARTICLE VI. – FIRE SERVICES SPECIAL ASSESSMENT**

#### **SUBPART 1 - INTRODUCTION**

##### **Sec.238-01 - Definitions.**

As used in this part, the following words and terms shall have the following meanings, unless the context clearly otherwise requires:

*Annual rate resolution* means the resolution described in section 238-14 establishing the rate at which a fire services assessment for a specific fiscal year will be computed. The final assessment resolution shall constitute the annual rate resolution for the initial fiscal year in which a fire services assessment is imposed or reimposed.

*Assessed property* means all parcels of land included on the assessment roll that receive a special benefit from the delivery of the fire services, programs or facilities identified in the initial assessment resolution or a subsequent preliminary rate resolution.

*Assessment roll* means the special assessment roll relating to a fire services assessment approved by a final assessment resolution pursuant to section 238-12 or an annual rate resolution pursuant to section 238-14.

*Building* means any structure, whether temporary or permanent, built for support, shelter or enclosure of persons, chattel, or property of any kind, including mobile homes. This term shall include the use of land in which lot or spaces are offered for use, rent or lease for the placement of mobile homes, travel trailers, or the like for residential purposes.

*Certificate of occupancy* means the written certification issued by the city that a building is ready for occupancy for its intended use. For the purposes of this part, a set up or tie down permit or its equivalent issued for a mobile home shall be considered a certificate of occupancy.

*City* means the City of Eustis, Florida.

*City clerk* means the clerk of the city commission.

*City Commission* means the city commission of the City of Eustis, Florida.

*City manager* means the chief administrative officer of the city, designated by the city commission to be responsible for coordinating fire services assessments or such person's designee.

*County* means Lake County, Florida.

*Final assessment resolution* means the resolution described in section 238-12 hereof which shall confirm, modify, or repeal the initial assessment resolution and which shall be the final proceeding for the initial imposition of fire services assessments.

*Fire services assessment* means a special assessment lawfully imposed by the city commission against assessed property to fund all or any portion of the cost of the provision of fire services, facilities, or programs providing a special benefit to property as a consequence of possessing a logical relationship to the value, use, or characteristics of the assessed property.

*Fire services assessed cost* means the amount determined by the city commission to be assessed in any fiscal year to fund all or any portion of the cost of the provision of fire services, facilities, or programs which provide a special benefit to assessed property, and shall include, but not be limited to, the following components:

- (1) The cost of physical construction, reconstruction or completion of any required facility or improvement;
- (2) The costs incurred in any required acquisition or purchase;
- (3) The cost of all labor, materials, machinery, and equipment;
- (4) The cost of fuel, parts, supplies, maintenance, repairs, and utilities;
- (5) The cost of computer services, data processing, and communications;
- (6) The cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever;
- (7) The cost of any indemnity or surety bonds and premiums for insurance;
- (8) The cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits;
- (9) The cost of uniforms, training, travel, and per diem;
- (10) The cost of construction plans and specifications, surveys, and estimates of costs;
- (11) The cost of engineering, financial, legal, and other professional services;
- (12) The cost of compliance with any contracts or agreements entered into by the city to provide fire services;
- (13) All costs associated with the structure, implementation, collection, and enforcement of the fire services assessments, including any service charges of the tax collector, or property appraiser and amounts necessary to off-set discounts received for early payment of fire services assessments pursuant to the uniform assessment collection act or for early payment of fire services assessments collected pursuant to section 238-21;
- (14) All other costs and expenses necessary or incidental to the acquisition, provision, or construction of fire services, facilities, or programs, and such other expenses as may be necessary or incidental to any related financing authorized by the city commission by subsequent resolution;

(15)A reasonable amount for contingency and anticipated delinquencies and uncollectible fire services assessments; and

(16)Reimbursement to the city or any other person for any moneys advanced for any costs incurred by the city or such person in connection with any of the foregoing components of fire services assessed cost.

In the event the city also imposes an impact fee upon new growth or development for fire services related capital improvements, the fire services assessed cost shall not include costs attributable to capital improvements necessitated by new growth or development that will be paid by such impact fees. The fire services assessed cost shall also not include costs for the provision of emergency medical services by the city.

*Fiscal year* means that period commencing October 1st of each year and continuing through the next succeeding September 30th, or such other period as may be prescribed by law as the fiscal year for the city.

*Government property* means property owned by the United States of America or any agency thereof, a sovereign state or nation, the State of Florida or any agency thereof, a county, a special district or a municipal corporation.

*Initial assessment resolution* means the resolution described in section 238-08 which shall be the initial proceeding for the identification of the fire services assessed cost for which an assessment is to be made and for the imposition of a fire services assessment.

*Maximum assessment rate* means the highest rate of a fire services assessment established by the city commission in an initial assessment resolution or preliminary rate resolution and confirmed by the city commission in the final assessment resolution or annual rate resolution.

*Ordinance* means the fire services special assessment ordinance from which this part is derived.

*Owner* shall mean the person reflected as the owner of assessed property on the tax roll.

*Part* means this Article VI, "Fire Services Special Assessment."

*Person* means any individual, partnership, firm, organization, corporation, association, or any other legal entity, whether singular or plural, masculine or feminine, as the context may require.

*Preliminary rate resolution* means the resolution described in section 238-14 initiating the annual process for updating the assessment roll and directing the reimposition of fire services assessments pursuant to an annual rate resolution.

*Property appraiser* means the Lake County Property Appraiser.

*Tax collector* means the Lake County Tax Collector.

*Tax roll* means the real property ad valorem tax assessment roll maintained by the property appraiser for the purpose of the levy and collection of ad valorem taxes.

*Uniform Assessment Collection Act* means F.S. §§ 197.3632 and 197.3635, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

**Sec. 238-02.** – Interpretation; title and citation.

- (a) Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto", "hereunder," and similar terms refer to this part; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of the Ordinance from which this part derives. Words of any gender include the correlative words of the other genders, unless the sense indicates otherwise.
- (b) This part, being necessary for the welfare of the inhabitants of the city, shall be liberally construed to effect the purposes hereof.
- (c) This part shall be known and cited as "Fire Services Special Assessment Ordinance."

**Sec. 238-03.** - General findings.

It is hereby ascertained, determined, and declared that:

- (1) Pursuant to Article VIII, section 2(b), Florida Constitution and F.S. §§ 166.021 and 166.041, the city commission has all powers of local self government to perform municipal functions and to render municipal services in a manner not inconsistent with law, and such power may be exercised by the enactment of city ordinances.
- (2) The city commission may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the city commission may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in of F.S. § 166.021(3) (a), (b), (c), and (d). The subject matter of F.S. § 166.021(3)(a), (b), (c), and (d), are not relevant to the imposition of assessments related to fire services, facilities or programs of the city.
- (3) The purpose of this part is to:
  - a. Provide procedures and standards for the imposition of citywide fire services assessments under the general home rule powers of a municipality to impose special assessments;
  - b. Authorize a procedure for the funding of fire services, facilities, or programs providing special benefits to property within the city; and
  - c. Legislatively determine the special benefit provided to assessed property from the provision of the city's fire services.
- (4) The annual fire services assessments, to be imposed using the procedures provided in this part, shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

- (5) The fire services assessments to be imposed using the procedures provided in this part are imposed by the city commission, not the Lake County Board of County Commissioners, property appraiser or tax collector. The duties of the property appraiser and tax collector under the provisions of this part and the Uniform Assessment Collection Act are ministerial.



**Sec. 238-04. - Legislative determinations of special benefit.**

It is hereby ascertained and declared that the fire services, facilities, and programs provide a special benefit to property because fire services possess a logical relationship to the use and enjoyment of property by:

- (1) Protecting the value and integrity of the improvements and structures through the provision of available fire services;
- (2) Protecting the life and safety of intended occupants in the use and enjoyment of property;
- (3) Lowering the cost of fire insurance by the presence of a professional and comprehensive fire program within the city; and
- (4) Containing the spread of fire incidents occurring on unimproved property with the potential to spread and endanger the structures and occupants of improved property.

**Sec. 238-05. - Applicability.**

This part and the city commission's authority to impose assessments pursuant hereto shall be applicable throughout the city.

**Sec. 238-06. - Alternative method.**

- (a) This part shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence.
- (b) Nothing herein shall preclude the city commission from directing and authorizing, by resolution, the combination with each other of:
  - (1) Any supplemental or additional notice deemed proper, necessary, or convenient by the city;
  - (2) Any notice required by this part; or
  - (3) Any notice required by law, including the Uniform Assessment Collection Act.

**SUBPART 2. - ANNUAL FIRE SERVICES ASSESSMENT**

**Sec. 238-07. - General authority.**

- (a) The city commission is hereby authorized to impose an annual fire services assessment to fund all or any portion of the fire services assessed cost upon benefited property within the incorporated area of the city at a rate of assessment based on the special benefit accruing to such property from the city's provision of fire services, facilities, or programs. All fire services assessments shall be imposed in conformity with the procedures set forth in this part.

- (b) The amount of the fire services assessment imposed in a fiscal year against a parcel of assessed property shall be determined pursuant to an apportionment methodology based upon a classification of property designed to provide a fair and reasonable apportionment of the fire services assessed cost among properties on a basis reasonably related to the special benefit provided by fire services, facilities, or programs funded with assessment proceeds.
- (c) Nothing contained in this part shall be construed to require the imposition of the fire services assessment against government property.

**Sec. 238-08. - Initial proceedings.**

The initial proceeding for the imposition of a fire services assessment shall be the adoption of an initial assessment resolution by the city commission:

- (1) Containing a brief and general description of the fire services, facilities, or programs to be provided;
- (2) Determining the fire services assessed cost to be assessed;
- (3) Describing the method of apportioning the fire services assessed cost and the computation of the fire services assessment for specific properties;
- (4) Establishing an estimated assessment rate for the applicable fiscal year;
- (5) Establishing a maximum assessment rate, if desired by the city commission; and
- (6) Directing the city manager to:
  - a. Prepare the initial assessment roll, as required by section 238-09;
  - b. Publish the notice required by section 238-10; and
  - c. Mail the notice required by section 238-11 using information then available from the tax roll.

**Sec. 238-09. - Initial assessment roll.**

- (a) The city manager shall prepare, or direct the preparation of, the initial assessment roll, which shall contain the following:
  - (1) A summary description of all assessed property conforming to the description contained on the tax roll.
  - (2) The name of the owner of the assessed property.
  - (3) The amount of the fire services assessment to be imposed against each such parcel of assessed property.
- (b) The initial assessment roll shall be retained by the city manager and shall be open to public inspection. The foregoing shall not be construed to require that the assessment roll be in printed form if the amount of the fire services assessment for each parcel of property can be determined by use of a computer terminal available to the public.

**Sec. 238-10. - Notice by publication.**

- (a) Upon completion of the initial assessment roll, the city manager shall publish, or direct the publication of, once in a newspaper of general circulation within the city a notice stating that at a meeting of the city commission on a certain day and hour, not earlier than 20 calendar days from such publication, which meeting shall be a regular, adjourned, or special meeting, the city commission will hear objections of all interested persons to the final assessment resolution which shall establish the rate of assessment and approve the aforementioned initial assessment roll.
- (b) The published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Such notice shall include:
  - (1) A geographic depiction of the property subject to the fire services assessment;
  - (2) A brief and general description of the fire services, facilities, or programs to be provided;
  - (3) The rate of assessment including a maximum assessment rate in the event one was adopted;
  - (4) The procedure for objecting provided in section 238-12;
  - (5) The method by which the fire services assessment will be collected; and
  - (6) A statement that the initial assessment roll is available for inspection at the office of the city manager and all interested persons may ascertain the amount to be assessed against a parcel of assessed property at the office of the city manager.

**Sec. 238-11. - Notice by mail.**

- (a) In addition to the published notice required by section 238-10, the city manager shall provide notice, or direct the provision of notice, of the proposed fire services assessment by first class mail to the owner of each parcel of property subject to the fire services assessment.
- (b) Such notice shall include:
  - (1) The purpose of the fire services assessment;
  - (2) The rate of assessment to be levied against each parcel of property, including a maximum assessment rate in the event one was adopted;
  - (3) The unit of measurement applied to determine the fire services assessment;
  - (4) The number of such units contained in each parcel of property;
  - (5) The total revenue to be collected by the city from the fire services assessment;
  - (6) A statement that failure to pay the fire services assessment will cause a tax certificate to be issued against the property or foreclosure proceedings to be instituted, either of which may result in a loss of title to the property;
  - (7) A statement that all affected owners have a right to appear at the hearing and to file written objections with the city commission within 20 days of the notice; and

- (8) The date, time, and place of the hearing.
- (c) The mailed notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Notice shall be mailed at least 20 calendar days prior to the hearing to each owner at such address as is shown on the tax roll. Notice shall be deemed mailed upon delivery thereof to the possession of the United States Postal Service. The city manager may provide proof of such notice by affidavit. Failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the assessment roll nor release or discharge any obligation for payment of a fire services assessment imposed by the city commission pursuant to this part.

**Sec. 238-12. - Adoption of final assessment resolution.**

- (a) At the public hearing as noticed pursuant to sections 238-10 and 238-11, or to which an adjournment or continuance may be taken by the city commission, the city commission shall receive any oral or written objections of interested persons and may then, or at any subsequent meeting of the city commission adopt the final assessment resolution which shall:
  - (1) Confirm, modify, or repeal the initial assessment resolution with such amendments, if any, as may be deemed appropriate by the city commission;
  - (2) Establish the rate of assessment to be imposed in the upcoming fiscal year;
  - (3) Establish a maximum assessment rate that may be imposed in the event such rate was adopted;
  - (4) Approve the initial assessment roll, with such amendments as it deems just and right; and
  - (5) Determine the method of collection.
- (b) The adoption of the final assessment resolution by the city commission shall constitute a legislative determination that all parcels assessed derive a special benefit from the fire services, facilities, or programs to be provided or constructed and a legislative determination that the fire services assessments are fairly and reasonably apportioned among the properties that receive the special benefit.
- (c) All written objections to the final assessment resolution shall be filed with the city manager at or before the time or adjourned time of such hearing. The final assessment resolution shall constitute the annual rate resolution for the initial fiscal year in which fire services assessments are imposed or reimposed hereunder.

**Sec. 238-13. - Effect of final assessment resolution.**

The fire services assessments for the initial fiscal year shall be established upon adoption of the final assessment resolution. The adoption of the final assessment resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the assessed property; the method of apportionment and assessment; the initial rate of assessment; the maximum assessment rate, if any; the initial assessment roll; and the levy and lien

of the fire services assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the city commission action on the final assessment resolution. The initial assessment roll, as approved by the final assessment resolution, shall be delivered to the tax collector, as required by the Uniform Assessment Collection Act, or if the alternative method described in section 238-21 is used to collect the fire services assessments, such other official as the city commission by resolution shall designate.

**Sec. 238-14. - Adoption of annual rate resolution.**

- (a) The city commission shall adopt an annual rate resolution during its budget adoption process for each fiscal year following the initial fiscal year for which a fire services assessment is imposed hereunder.
- (b) The initial proceedings for the adoption of an annual rate resolution shall be the adoption of a preliminary rate resolution by the city commission:
  - (1) Containing a brief and general description of the fire services, facilities, or programs to be provided;
  - (2) Determining the fire services assessed cost to be assessed for the upcoming fiscal year;
  - (3) Establishing the estimated assessment rate for the upcoming fiscal year;
  - (4) Establishing or increasing a maximum assessment rate, if desired by the city commission;
  - (5) Authorizing the date, time, and place of a public hearing to receive and consider comments from the public and consider the adoption of the annual rate resolution for the upcoming fiscal year; and
  - (6) Directing the city manager to:
    - a. Update the assessment roll;
    - b. Provide notice by publication and first-class mail to affected owners in the event circumstances described in subsection (f) of this section so require; and
    - c. Directing and authorizing any supplemental or additional notice deemed proper, necessary or convenient by the city.
- (c) The annual rate resolution shall (1) establish the rate of assessment to be imposed in the upcoming fiscal year and (2) approve the assessment roll for the upcoming fiscal year with such adjustments as the city commission deems just and right. The assessment roll shall be prepared in accordance with the method of apportionment set forth in the initial assessment resolution, or any subsequent preliminary rate resolution, together with modifications, if any, that are provided and confirmed in the final assessment resolution or any subsequent annual rate resolution.
- (d) Nothing herein shall preclude the city commission from providing annual notification to all owners of assessed property in the manner provided in sections 238-10 and 238-11 or any other method as provided by law.

- (e) The city commission may establish or increase a maximum assessment rate in an initial assessment resolution or preliminary rate resolution and confirm such maximum assessment rate in the event notice of such maximum rate assessment has been included in the notices required by sections 238-10 and 238-11 herein.
- (f) In the event (1) the proposed fire services assessment for any fiscal year exceeds the rates of assessment adopted by the city commission including a maximum assessment rate, if any, that were listed in the notices previously provided to the owners of assessed property pursuant to sections 238-10 and 238-11, (2) the purpose for which the fire services assessment is imposed or the use of the revenue from the fire services assessment is substantially changed from that represented by notice previously provided to the owners of assessed property pursuant to sections 238-10 and 238-11, (3) assessed property is reclassified or the method of apportionment is revised or altered resulting in an increased fire services assessment from that represented by notice previously provided to the owners of assessed property pursuant to sections 238-10 and 238-11, or (4) an assessment roll contains assessed property that was not included on the assessment roll approved for the prior fiscal year, notice shall be provided by publication and first class mail to the owners of such assessed property as provided by law. Such notice shall substantially conform with the notice requirements set forth in sections 238-10 and 238-11 and inform the owner of the date, time, and place for the adoption of the annual rate resolution. The failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the assessment roll nor release or discharge any obligation for payment of a fire services assessment imposed by the city commission pursuant to this part.
- (g) As to any assessed property not included on an assessment roll approved by the adoption of the final assessment resolution or a prior year's annual rate resolution, the adoption of the succeeding annual rate resolution shall be the final adjudication of the issues presented as to such assessed property (including, but not limited to, the determination of special benefit and fair apportionment to the assessed property, the method of apportionment and assessment, the rate of assessment, the establishment or increase of a maximum assessment rate, the assessment roll, and the levy and lien of the fire services assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the city commission action on the annual rate resolution. Nothing contained herein shall be construed or interpreted to affect the finality of any fire services assessment not challenged within the required 20-day period for those fire services assessments previously imposed against assessed property by the inclusion of the assessed property on an assessment roll approved in the final assessment resolution or any subsequent annual rate resolution.
- (h) The assessment roll, as approved by the annual rate resolution, shall be delivered to the tax collector as required by the Uniform Assessment Collection Act or if the alternative method described in section 238-21 is used to collect the fire services assessments, such other official as the city commission by resolution shall designate. If the fire services assessment against any property shall be sustained,

reduced, or abated by the court, an adjustment shall be made on the assessment roll.

**Sec. 238-15.** - Lien of fire services assessments.

Upon the adoption of the assessment roll, all fire services assessments shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and special assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, mortgages, titles, and claims, until paid. The lien for a fire services assessment shall be deemed perfected upon the city commission's adoption of the final assessment resolution or the annual rate resolution, whichever is applicable. The lien for a fire services assessment collected under the Uniform Assessment Collection Act shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes imposed under the tax roll. The lien for a fire services assessment collected under the alternative method of collection provided in section 238-21 shall be deemed perfected upon the city commission's adoption of the final assessment resolution or the annual rate resolution, whichever is applicable, and shall attach to the property on such date of adoption.

**Sec. 238-15.1.** - Authorization for exemptions and hardship assistance.

- (a) The city commission, in its sole discretion, shall determine on an annual basis whether to provide exemptions from payment of the fire services assessment for government property or institutional property whose use is wholly or partially exempt from ad valorem taxation under Florida law.
- (b) The city commission, in its sole discretion, shall determine on an annual basis whether to provide a program of hardship assistance to city residents who are living below or close to the poverty level and are at risk of losing title to their homes as a result of the imposition of the fire services assessments.
- (c) On an annual basis, the city commission shall designate the funds available, if any, to provide any exemptions or hardship assistance. The provision of an exemption or hardship assistance in any one year shall in no way establish a right or entitlement to such exemption or assistance in any subsequent year and the provision of funds in any year may be limited to the extent funds are available and appropriated by the city commission. Any funds designated for exemptions or hardship assistance shall be paid by the city from funds other than those generated by the fire services assessment.
- (d) Any shortfall in the expected fire services assessment proceeds due to any hardship assistance or exemptions from payment of the fire services assessments required by law or authorized by the city commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the fire services assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the city commission is improper or otherwise adversely affects the validity of the fire services assessment imposed for any fiscal year, the sole and exclusive remedy shall be the imposition of a fire services assessment upon each affected tax parcel.

in the amount of the fire services assessment that would have been otherwise imposed save for such reduction or exemption afforded to such tax parcel by the city commission.

**Sec. 238-15.2 - Government property.**

- (a) In the event fire services assessments are imposed against government property, the city commission shall provide fire services assessment bills by first class mail to the owner of each affected parcel of government property. The bill or accompanying explanatory material shall include:
  - (1) A brief explanation of the fire services assessment;
  - (2) A description of the unit of measurement used to determine the amount of the fire services assessment;
  - (3) The number of units contained within the parcel;
  - (4) The total amount of the parcel's fire services assessment for the appropriate period;
  - (5) The location at which payment will be accepted; and
  - (6) The date on which the fire services assessment is due.
- (b) Fire services assessments imposed against government property shall be due on the same date as all other fire services assessments and, if applicable, shall be subject to the same discounts for early payment.
- (c) A fire services assessment shall become delinquent if it is not paid within 30 days from the date payment was due, as identified in paragraph (a)(6) of this section. The city commission shall notify the owner of any government property that is delinquent in payment of its fire services assessment within sixty (60) days from the date such assessment was due. Such notice shall state that the city commission will initiate a mandamus or other appropriate judicial action to compel payment.
- (d) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any mandamus or other action as described herein shall be included in any judgment or decree rendered therein. All delinquent owners of government property against which a mandamus or other appropriate action is filed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the city, including reasonable attorney fees, in collection of such delinquent fire services assessments and any other costs incurred by the city commission as a result of such delinquent fire services assessments and the same shall be collectible as a part of or in addition to, the costs of the action.
- (e) As an alternative to the foregoing, a fire services assessment imposed against government property may be collected as a surcharge on a utility bill provided to such government property in periodic installments with a remedy of a mandamus action in the event of non-payment. The city commission may contract for such billing services with any utility, whether or not such utility is owned by the city.

**Sec. 238-16. - Revisions to fire services assessments.**



If any fire services assessment made under the provisions of this part is either in whole or in part annulled, vacated, or set aside by the judgment of any court, or if the city commission is satisfied that any such fire services assessment is so irregular or defective that the same cannot be enforced or collected, or if the city commission has failed to include or omitted any property on the assessment roll, which property should have been so included, the city commission may take all necessary steps to impose a new fire services assessment against any property benefited by the fire services assessed costs, following as nearly as may be practicable, the provisions of this part and in case such second fire services assessment is annulled, vacated, or set aside, the city commission may obtain and impose other fire services assessments until a valid fire services assessment is imposed.

**Sec. 238-17.** - Procedural irregularities.

Any informality or irregularity in the proceedings in connection with the levy of any fire services assessment under the provisions of this part shall not affect the validity of the same after the approval thereof, and any fire services assessment as finally approved shall be competent and sufficient evidence that such fire services assessment was duly levied, that the fire services assessment was duly made and adopted, and that all other proceedings adequate to such fire services assessment were duly had, taken, and performed as required by this part; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby.

**Sec. 238-18.** - Correction of errors and omissions.

- (a) No act of error or omission on the part of the property appraiser, tax collector, city manager, city commission, or their deputies or employees, shall operate to release or discharge any obligation for payment of a fire services assessment imposed by the city commission under the provision of this part.
- (b) When it shall appear that any fire services assessment should have been imposed under this part against a parcel of property specially benefited by the provision of fire services, facilities, or programs, but that such property was omitted from the assessment roll; or such property was erroneously assessed; or was not listed on the tax roll as an individual parcel of property as of the effective date of the assessment roll approved by the annual rate resolution for any upcoming fiscal year, the city commission may, upon provision of a notice by mail provided to the owner of the omitted or erroneously assessed parcel in the manner and form provided in section 238-11, impose the applicable fire services assessment for the fiscal year in which such error or omission is discovered, in addition to the applicable fire services assessment due for the prior two fiscal years. Such fire services assessment shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and special assessments, and superior in rank and dignity to all other prior liens, mortgages, titles, and claims in and to or against the real property involved, shall be collected as provided in Subpart 3 of this part, and shall be deemed perfected on the date of adoption of the resolution imposing the omitted or delinquent assessments.

- (c) Prior to the delivery of the assessment roll to the tax collector in accordance with the Uniform Assessment Collection Act, the city manager shall have the authority at any time, upon his or her own initiative or in response to a timely filed petition from the owner of any property subject to a fire services assessment, to reclassify property based upon presentation of competent and substantial evidence, and correct any error in applying the fire services assessment apportionment method to any particular parcel of property not otherwise requiring the provision of notice pursuant to the Uniform Assessment Collection Act. Any such correction shall be considered valid ab initio and shall in no way affect the enforcement of the fire services assessment imposed under the provisions of this part. All requests from affected property owners for any such changes, modifications or corrections shall be referred to, and processed by, the city manager and not the property appraiser or tax collector.
- (d) After the assessment roll has been delivered to the tax collector in accordance with the Uniform Assessment Collection Act, any changes, modifications, or corrections thereto shall be made in accordance with the procedures applicable to correcting errors and insolvencies on the tax roll upon timely written request and direction of the city manager.

**Sec. 238-19. - Interim assessments.**

- (a) An interim fire services assessment may be imposed against all property for which a certificate of occupancy is issued after the adoption of the annual rate resolution. The amount of the interim fire services assessment shall be calculated upon a monthly rate, which shall be one-twelfth of the annual rate for such property computed in accordance with the annual rate resolution for the fiscal year for which the interim fire services assessment is being imposed. Such monthly rate shall be imposed for each full calendar month remaining in the fiscal year. In addition to the monthly rate, the interim fire services assessment may also include an estimate of the subsequent fiscal year's fire services assessment.
- (b) Issuance of the certificate of occupancy without the payment in full of the interim fire services assessment shall not relieve the owner of such property of the obligation of full payment. Any interim fire services assessment not collected prior to the issuance of the certificate of occupancy may be collected pursuant to the Uniform Assessment Collection Act as provided in section 238-20 of this part, under the alternative collection method provided in section 238-21 or by any other method authorized by law.
- (c) Any interim fire services assessment shall be deemed due and payable on the date the certificate of occupancy was issued and shall constitute a lien against such property as of that date. Said lien shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments, and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved and shall be deemed perfected upon the issuance of the certificate of occupancy.

**SUBPART 3. - COLLECTION AND USE OF FIRE SERVICES ASSESSMENTS**

**Sec. 238-20. - Method of collection.**

- (a) Unless otherwise directed by the city commission, the fire services assessments shall be collected pursuant to the uniform method provided in the Uniform Assessment Collection Act, and the city shall comply with all applicable provisions of the Uniform Assessment Collection Act. Any hearing or notice required by this part may be combined with any other hearing or notice required by the Uniform Assessment Collection Act or other provision of law.
- (b) The amount of a fire services assessment to be collected using the uniform method pursuant to the Uniform Assessment Collection Act for any specific parcel of benefited property may include an amount equivalent to the payment delinquency, delinquency fees and recording costs for a prior year's assessment for a comparable service, facility, or program provided:
  - (1) The collection method used in connection with the prior year's assessment did not employ the use of the uniform method of collection authorized by the Uniform Assessment Collection Act;
  - (2) Notice is provided to the owner as required under the Uniform Assessment Collection Act; and
  - (3) Any lien on the affected parcel for the prior year's assessment is supplanted and transferred to such fire services assessment upon certification of a non-ad valorem roll to the tax collector by the city.

**Sec. 238-21. - Alternative method of collection.**

In lieu of using the Uniform Assessment Collection Act, the city commission may elect to collect the fire services assessments by any other method which is authorized by law or under the alternative collection method provided by this section:

- (1) The city manager shall provide fire services assessment bills by first class mail to the owner of each affected parcel of property that is subject to the fire services assessment. The bill or accompanying explanatory material shall include:
  - a. A brief explanation of the fire services assessment;
  - b. A description of the unit of measurement used to determine the amount of the fire services assessment;
  - c. The number of units contained within the parcel;
  - d. The total amount of the fire services assessment imposed against the parcel for the appropriate period;
  - e. The location at which payment will be accepted;
  - f. The date on which the fire services assessment is due; and
  - g. A statement that the fire services assessment constitutes a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments.

- (2) A general notice of the lien resulting from imposition of the fire rescue assessments shall be recorded in the official records of the city. Nothing herein shall be construed to require that individual liens or releases be filed in the official records.
- (3) The city commission shall have the right to foreclose and collect all delinquent fire services assessments in the manner provided by law for the foreclosure of mortgages on real property or appoint or retain an agent to institute such foreclosure and collection proceedings. A fire services assessment shall become delinquent if it is not paid within 30 days from the date payment was due, as identified in accordance with subsection (1)f. of this section. The city manager or his or her designee shall notify any property owner who is delinquent in payment of his or her fire services assessment within 60 days from the date such assessment was due. Such notice shall state in effect that the city manager or his or her designee will either (1) initiate a foreclosure action or suit in equity and cause the foreclosure of such property subject to a delinquent fire services assessment in a method now or hereafter provided by law for foreclosure of mortgages on real property, or (2) cause an amount equivalent to the delinquent fire services assessment, not previously subject to collection using the uniform method under the Uniform Assessment Collection Act, to be collected on the tax bill for a subsequent year.
- (4) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the city may be the purchaser to the same extent as any person. The city manager or his or her designee may join in one foreclosure action the collection of fire services assessments against any or all property assessed in accordance with the provisions hereof. All delinquent owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the city and its agents, including reasonable attorney fees, in collection of such delinquent fire services assessments and any other costs incurred by the city as a result of such delinquent fire services assessments and the same shall be collectible as a part of or in addition to, the costs of the action.
- (5) In lieu of foreclosure, any delinquent fire services assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the owner in the manner required by the Uniform Assessment Collection Act and this part, and (2) any existing lien of record on the affected parcel for the delinquent fire services assessment is supplanted by the lien resulting from certification of the assessment roll, as applicable, to the tax collector.
- (6) Notwithstanding the city commission's use of an alternative method of collection, the city manager shall have the same power and authority to correct errors and omissions as provided to the city manager or other city officials in section 238-18

herein.

- (7) Any city commission action required in the collection of fire services assessments may be by resolution.

**Section 3. Codification.** It is the intent of the City Commission of the City of Eustis that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

**Section 4. Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**Section 5. Conflicts.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 17<sup>th</sup> day of June, 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 17<sup>th</sup> day of June, 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 21-14 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



**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** RESOLUTION NUMBER 21-44: INITIATING FIRE ASSESSMENT FEE PROCESS

---

**Introduction:**

Resolution Number 21-44 initiates the process for implementation of a fire assessment fee.

**Background:**

See attached Staff Report.

**Recommended Action:**

Staff recommends approval of Resolution Number 21-44 with an assessed amount of 55.5%.

**Attachments:**

[Staff Report - Res 21-44](#)  
[Resolution 21-44 Initial Assessment Resolution](#)  
[Notice of Hearing Advertisement of August 16th](#)  
[TRIM Insert Non-Ad Valorem Revenues Final](#)  
[Tax Notice](#)

**Reviewed by:**

Ronald Neibert, City Manager  
Mary Montez, City Clerk

Approved - 11 Jun 2021  
Approved - 11 Jun 2021





**To be published no later than August 16, 2021**

**NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR  
COLLECTION OF FIRE SERVICES SPECIAL ASSESSMENTS**

Notice is hereby given that the City Commission of the City of Eustis, will conduct a public hearing to consider imposing fire services special assessments for the provision of fire protection services within the City for the Fiscal Year beginning October 1, 2021.

The hearing will be held at 6:00 p.m., or as soon thereafter as possible, on September \_\_\_, 2021, in the Commission Chambers at the City of Eustis City Hall, 10 N. Grove Street, Eustis, Florida, for the purpose of receiving public comment on the proposed assessments. This public hearing may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice.

All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

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 no later than seven (7) days prior to the proceedings. Telephone (352) 483-5430 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.

The assessments for each parcel of property will be based upon each parcel's Property Use classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire services assessment schedule being considered by City Commission for the Fiscal Year beginning October 1, 2021:

**Fire Services Assessment Rates**

| <b>Residential Property Use Category</b>       | <b>Rate Per Dwelling Unit</b> |
|------------------------------------------------|-------------------------------|
| Residential                                    | \$100.00                      |
| <b>Non-Residential Property Use Categories</b> | <b>Rate Per Square Foot</b>   |
| Commercial                                     | \$0.09                        |
| Industrial/Warehouse                           | \$0.02                        |
| Industrial                                     | \$0.28                        |

Copies of the Fire Services Special Assessment Ordinance, the Initial Assessment Resolution, the preliminary assessment roll, and other documentation related to the proposed Fire Services Special Assessment are available for inspection at the City Manager's office located at City Hall, 10 N. Grove Street, Eustis, Florida between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2021, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the City at (352) 483-5430 between 8:00 a.m. and 5:00 p.m., Monday through Friday.

[INSERT MAP OF CITY]

## NOTICE REGARDING NON-AD VALOREM ASSESSMENTS

DEAR PROPERTY OWNER:

THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO FLORIDA STATUTE 197.3632 AT THE REQUEST OF THE TAXING AUTHORITIES LISTED BELOW. PLEASE KNOW THAT NON-AD VALOREM ASSESSMENTS ARE INCLUDED FOR COLLECTION ON THE TAX BILL MAILED IN NOVEMBER BY THE LAKE COUNTY TAX COLLECTOR. FAILURE TO PAY NON-AD VALOREM ASSESSMENTS WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN A LOSS OF TITLE. ALL AFFECTED PROPERTY OWNERS HAVE THE RIGHT TO APPEAR AT THE PUBLIC HEARING AND FILE WRITTEN OBJECTIONS TO THE NON-AD VALOREM ASSESSMENTS. THE WRITTEN OBJECTION MUST BE FILED WITH THE LOCAL GOVERNMENT IMPOSING THE ASSESSMENT WITHIN 20 DAYS OF THE FIRST CLASS NOTICES AS REQUIRED BY FLORIDA STATUTE 197.3632. HEARING DATES AND TIMES ALONG WITH CONTACT PHONE NUMBERS ARE LISTED ALONG WITH THE INDIVIDUAL ASSESSMENT ON THE NOTICE OF PROPOSED PROPERTY TAXES.

THIS FORM, PROVIDED WITH THE NOTICE OF PROPOSED PROPERTY TAXES, CONSTITUTES THE FIRST CLASS NOTICE REQUIRED BY FLORIDA STATUTE 197.3632.

THE PROPERTY APPRAISER DOES NOT IMPOSE NON-AD VALOREM ASSESSMENTS. FOR QUESTIONS RELATED TO A NON-AD VALOREM ASSESSMENT, PLEASE CONTACT THE APPROPRIATE TAXING AUTHORITY.

**FOR PROPERTIES LOCATED IN THE UNINCORPORATED PORTIONS OF LAKE COUNTY AND SUBJECT TO NON-AD VALOREM ASSESSMENTS IMPOSED BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE COUNTY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$20,501,721.00

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE COUNTY SOLID WASTE NON-AD VALOREM ASSESSMENT IS: \$14,244,032.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE TOWN OF ASTATULA AND SUBJECT TO A NON-AD VALOREM ASSESSMENT IMPOSED BY THE TOWN OF ASTATULA:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE TOWN SOLID WASTE NON-AD VALOREM ASSESSMENT IS: \$167,542.48

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE CITY OF FRUITLAND PARK AND SUBJECT TO A NON-AD VALOREM ASSESSMENT IMPOSED BY THE CITY OF FRUITLAND PARK:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$918,434.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE TOWN OF LADY LAKE AND SUBJECT TO NON-AD VALOREM ASSESSMENTS IMPOSED BY THE TOWN OF LADY LAKE:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE TOWN FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$771,831.67

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE TOWN SOLID WASTE NON-AD VALOREM ASSESSMENT IS: \$1,248,210.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE CITY OF LEESBURG AND SUBJECT TO A NON-AD VALOREM ASSESSMENT IMPOSED BY THE CITY OF LEESBURG:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$1,225,000.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE CITY OF MASCOTTE AND SUBJECT TO NON-AD VALOREM ASSESSMENTS IMPOSED BY THE CITY OF MASCOTTE:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$288,896.00

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY SOLID WASTE NON-AD VALOREM ASSESSMENT IS: \$427,548.00

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY STREET LIGHTING NON-AD VALOREM ASSESSMENT IS: \$140,296.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE CITY OF MOUNT DORA AND SUBJECT TO A NON-AD VALOREM ASSESSMENT IMPOSED BY THE CITY OF MOUNT DORA:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$3,329,036.00

**FOR PROPERTIES LOCATED IN THE MUNICIPAL BOUNDARY OF THE CITY OF UMATILLA AND SUBJECT TO A NON-AD VALOREM ASSESSMENT IMPOSED BY THE CITY OF UMATILLA:**

TOTAL ESTIMATED REVENUE TO BE COLLECTED FROM THE CITY FIRE SERVICES NON-AD VALOREM ASSESSMENT IS: \$366,162.00



\*REAL ESTATE \*

DO NOT PAY  
THIS IS NOT A BILL

For more information concerning this notice,  
please visit our website at [www.lcpafl.org](http://www.lcpafl.org).

11  
8 - 3577

| PROPERTY APPRAISER VALUE INFORMATION |                 |                                             |                                                 |
|--------------------------------------|-----------------|---------------------------------------------|-------------------------------------------------|
|                                      | MARKET<br>VALUE | ASSESSED VALUE<br>APPLIES TO SCHOOL MILLAGE | ASSESSED VALUE<br>APPLIES TO NON-SCHOOL MILLAGE |
| PRIOR YEAR 2019                      | 187,808         | 140,043                                     | 140,043                                         |
| CURRENT YEAR 2020                    | 233,485         | 143,263                                     | 143,263                                         |

If you feel the market value of the property is inaccurate or does not reflect fair market value as of January 1, 2020 or if you are entitled to an exemption or classification that is not reflected, please contact the Lake County Property Appraiser's Office at: 320 W. Main St., Suite A Tavares, FL 32778-3831 (352) 253-2150

5:00 p.m. September 11, 2020

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## Lake County Notice of Proposed Property Taxes

The taxing authorities which levy property taxes against your property will soon hold Public Hearings to adopt budgets and tax rates for the next year. The purpose of these Public Hearings is to receive opinions from the general public and to answer questions on the proposed tax change and budget Prior To Taking Final Action. Each taxing authority may Amend or Alter its proposals at the hearing.

### TAXING AUTHORITY HEARING INFORMATION

| TAXING AUTHORITY             | PUBLIC HEARING DATE, LOCATION AND TIME |                                                          |               |       |
|------------------------------|----------------------------------------|----------------------------------------------------------|---------------|-------|
| Lake County BCC General Fund | September 15, 2020 5:05 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| Lake County MSTU Ambulance   | September 15, 2020 5:05 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| Lake County MSTU Fire        | September 15, 2020 5:05 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| Public Schools               | September 14, 2020 5:05 PM             | Board Rm, 201 W Burleigh Blvd                            | Tavares, FL   | 32778 |
| Lake County MSTU Stormwater  | September 15, 2020 5:05 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| St Johns Water Mgt Dist      | September 8, 2020 5:05 PM              | Visit <a href="http://www.sjrwmd.com">www.sjrwmd.com</a> | (386)312-2332 |       |
| Lake County BCC              | September 15, 2020 5:05 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| Lake County Water Authority  | September 9, 2020 5:05 PM              | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |
| North Lake Hospital Dist     | September 10, 2020 5:30 PM             | BCC Chambers, 315 W Main St                              | Tavares, FL   | 32778 |

YOUR FINAL TAX BILL MAY CONTAIN NON-AD VALOREM ASSESSMENTS WHICH MAY NOT BE REFLECTED ON THIS NOTICE SUCH AS ASSESSMENTS FOR ROADS, FIRE, GARBAGE, LIGHTING, DRAINAGE, WATER, SEWAGE, OR OTHER GOVERNMENTAL SERVICES AND FACILITIES WHICH MAY BE LEVIED BY YOUR COUNTY, CITY, SPECIAL DISTRICTS OR OTHER TAXING AUTHORITY.

NOTE: Non-ad valorem assessments are placed on this notice at the request of the respective local governing boards. Your tax collector will be including them on the November tax notice. For details on particular non-ad valorem assessments contact the levying local governing boards.

NOTE: Amounts shown on this form do not reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form).

### NON-AD VALOREM ASSESSMENTS

| LEVYING AUTHORITY        | PURPOSE OF ASSESSMENT<br>HEARING DATE, TIME, LOCATION, CONTACT |                  | UNITS                      | RATE | ASSESSMENT    |
|--------------------------|----------------------------------------------------------------|------------------|----------------------------|------|---------------|
| Lake County              | Fire Residential                                               | Sept 15, 9:00 AM | BCC Chambers (352)343-9458 | 1.00 | 213.00        |
| Lake County              | Solid Waste Collection & Disposal                              | Sept 15, 9:00 AM | BCC Chambers (352)343-3776 | 1.00 | 196.00        |
| <b>TOTAL ASSESSMENTS</b> |                                                                |                  |                            |      | <b>409.00</b> |

### EXPLANATION OF 'TAXING AUTHORITY TAX INFORMATION' SECTION

#### COLUMN 1 - "PRIOR TAXABLE VALUE"

This column shows the prior assessed value less all applicable exemptions used in the calculation of taxes for that specific taxing authority.

#### COLUMNS 2 & 3 - "YOUR FINAL TAX RATE AND TAXES LAST YEAR"

These columns show the tax rate and taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

#### COLUMN 4 - "CURRENT TAXABLE VALUE"

This column shows the current assessed value less all applicable exemptions used in the calculation of taxes for that specific taxing authority. Various taxable values in this column may indicate the impact of Limited Income Senior or the Additional Homestead Exemption. Current year taxable values are as of January 1, 2020.

#### COLUMNS 5 & 6 - "YOUR TAX RATE AND TAXES IF NO BUDGET CHANGE IS MADE"

These columns show what your tax rate and taxes will be IF EACH TAXING AUTHORITY MAKES NO CHANGE TO ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

#### COLUMNS 7 & 8 - "YOUR TAX RATE AND TAXES IF PROPOSED BUDGET CHANGE IS MADE"

These columns show what your tax rate and taxes will be this year under the BUDGET ACTUALLY PROPOSED by each taxing authority. The proposal is NOT final and may be amended at the public hearings shown at the top of this notice. The difference between columns 6 and 8 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

### EXPLANATION OF 'PROPERTY APPRAISER VALUE INFORMATION' SECTION

**MARKET (JUST) VALUE:** The most probable sale price for a property in a competitive, open market involving a willing buyer and a willing seller.

**ASSESSED VALUE:** The value of your property after any "assessment reductions" have been applied. This value may also reflect an agricultural classification. If "assessment reductions" are applied or an agricultural classification is granted, the assessed value may be different for School versus Non-School taxing authorities and for the purpose of calculating tax levies.

**ASSESSMENT REDUCTION:** Properties can receive an assessment reduction for a number of reasons including the Save Our Homes Benefit and the 10% non-homestead property assessment limitation. Agricultural Classification is not an assessment reduction. It is an assessment determined per Florida Statute 193.461.

**EXEMPTIONS:** Any exemption that impacts your property is listed in this section along with its corresponding exemption value. Specific dollar or percentage reductions in assessed value may be applicable to a property based upon certain qualifications of the property or property owner. In some cases, an exemption's value may vary depending on the taxing authority. The tax impact of an exemption value may also vary for the same taxing authority, depending on the levy (i.e. operating millage vs. debt service millage).

**TAXABLE VALUE:** Taxable value is the value used to calculate the tax due on your property. Taxable value is assessed value minus the value of your exemptions.



## City of Eustis

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

TO: EUSTIS CITY COMMISSION  
FROM: RONALD R. NEIBERT, CITY MANAGER  
DATE: JUNE 17, 2021  
RE: RESOLUTION NUMBER 21-44  
INITIATING FIRE ASSESSMENT FEE

### Introduction

Resolution Number 21-44 initiates the process for implementation of a fire assessment fee.

### Recommended Action

Staff recommends the approval of Resolution Number 21-44 implementing the Initial Fire Assessment Fee to be assessed at 55.5% of the maximum residential rate of \$179, or \$100.

### Background

Tonight Ordinance Number 21-14 will be read for the second reading along with the initial resolution 21-44 which will establish the maximum fire assessment fee as follows:

The Fire Services Assessed Cost for the Fiscal Year Beginning October 1, 2021 is as follows:

|                                                                                   |                                         |
|-----------------------------------------------------------------------------------|-----------------------------------------|
| Residential                                                                       | \$100.00 per dwelling unit              |
| <u>Non-Residential Property</u>                                                   |                                         |
| Commercial                                                                        | \$0.09 per Sq. Ft. max. Sq. Ft. 145,800 |
| Industrial/Warehouse                                                              | \$0.02 per Sq. Ft. max. Sq. Ft. 145,800 |
| Institutional                                                                     | \$0.28 per Sq. Ft. max. Sq. Ft. 145,800 |
| The maximum non-residential sq. ft has a cap of 145,800                           |                                         |
| The Gross Estimated Revenue would be \$1,295,940                                  |                                         |
| The Estimated Net Revenue after exemptions would be \$1,143,190                   |                                         |
| The Est. Revenue after early payment discounts would be approximately \$1,063,167 |                                         |

From this point forward, the rate can remain as established or reduced but an increase above this rate will not be allowed. **Key dates are as follows:**

- The estimated revenue total will be submitted to the Property Appraiser for insertion into the TRIM notice by July 1, 2021.
- The City will have to sign-off to Property Appraiser for TRIM samples by 3:00pm on July 7, 2021.
- GSG provides assessment roll to the Property Appraiser's office for inclusion on TRIM notice by July 30, 2021.
- City signs off on live TRIM non-ad valorem samples provided by the Property Appraiser.
- Property Appraiser mails TRIM notices to affected property owners by August 16, 2021. (Estimated cost of \$500 to \$1,000)
- City advertises public hearing to adopt Final Assessment Resolution on or before August 16, 2021.
- Public hearing to adopt Final Assessment Resolution on September 9, 2021.

#### **Refresh of Previous information**

Government Services Group (GSG) performed a study on the rates which could be utilized by the City. The results of the study were presented to the City on May 20, 2021. Based on the results of the study the following represents the maximum and the recommended action to be taken.

- The number of residential units (single family, mobile home and multi-family) totaled 8,662.
- The total square footage for non-residential units (commercial 3,031,841 sq. ft.), industrial/warehouse 941,007 sq. ft. and institutional 642,624 sq. ft.).
- The maximum square footage applied to non-residential units is 145,800 sq. ft.
- The rates at 100% for non-residential units is \$179.00 per residential unit and \$0.15 per sq. ft. for commercial units, \$0.02 per sq. ft. for industrial/warehouse units and \$0.51 per sq. ft. for Institutional units.
- The rates at 55.5% are as stated in the recommendation stated above.
- Exemptions at 100% for Governments would equal \$27,960 and other tax-exempt units equal \$124,789.



- Gross estimated revenues \$1,295,940 with a net of \$1,143,190 after buy downs for exemptions.
- Exemptions of \$27,960 for Governments.
- Exemptions of \$124,789 for Institutional.

GSG has performed studies for a number of Lake County cities as well as throughout the State of Florida.

Lake County Fire Assessment Programs with Non-Ad Valorem Assessments:

- Fruitland Park \$242
- City of Leesburg \$ 87
- City of Mascotte \$115
- City of Minneola \$ 59
- City of Montverde \$100
- City of Mount Dora \$219
- City of Umatilla \$142
- Lake County \$213
- Howey in the Hills \$213
- City of Tavares \$142 Collected on Utility Bill

### **Budget and Staff Impact**

Should Commission choose to move forward the 2021-22 budget would see an increase of revenues in the amount of \$1,000,000 less cost of other budgetary expenditures likely to equal the same. Addition of six new firefighters with benefits would equate to \$450,000 to \$500,000 depending on the various skills which may include EMT or Paramedic skills. The \$1,000,000 will be used to supplement fire services increasing the safety as well as freeing other general fund money to accommodate other public safety needs in the amount of \$500,000.

Attachments:

Resolution 21-44 Initial Assessment Resolution

Copy of Notice of Hearing Advertisement for August 16

Tax Notice

Copy of TRIM Insert

Copy of Similar Notice sent by Property Appraiser's office of Hearing on September 9th

Prepared By:

Mike Sheppard, Finance Director



**RESOLUTION NUMBER 2021-44**

**A RESOLUTION OF THE CITY OF EUSTIS, FLORIDA,  
RELATING TO THE IMPOSITION OF A FIRE SERVICES  
ASSESSMENTS FOR PROVISION OF FIRE PROTECTION  
SERVICES, FACILITIES AND PROGRAMS; PROVIDING  
AUTHORITY, PURPOSE, AND DEFINITIONS; PROVIDING  
LEGISLATIVE FINDINGS; DESCRIBING THE METHOD OF  
ASSESSING FIRE SERVICES ASSESSMENT COSTS  
AGAINST PROPERTIES WITHIN THE CITY OF EUSTIS;  
DETERMINING THE FIRE ASSESSMENT COST AND  
INITIAL FIRE SERVICES ASSESSMENTS; DIRECTING THE  
PREPARATION OF AN ASSESSMENT ROLL;  
AUTHORIZING A PUBLIC HEARING AND DIRECTING THE  
PROVISION OF NOTICE THEREFORE; PROVIDING  
SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Eustis, Florida has enacted Ordinance No. 2021-14, which was codified in Chapter 86 Article VI of the Code of Ordinances (hereafter referred to as the City Code), which authorizes annual imposition of Fire Services Assessments for fire protection services, facilities, and programs against Assessed Property within the City; and

**WHEREAS**, the City desires to impose Fire Services Assessments for the funding of fire protection services, facilities, or programs providing special benefits to Assessed Property within the City; and

**WHEREAS**, The City Code defines and describes the initial proceeding, or Resolution, for the identification of the fire services assessed cost for which an assessment is to be made and for the imposition of a Fire Services Assessment; and

**WHEREAS**, the adoption of this Initial Assessment Resolution serves the health, safety and general welfare of the residents of the City of Eustis.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUSTIS, FLORIDA:**

**Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein by reference and are hereby adopted as the legislative intent of the City of Eustis.

**Section 2. Authority.** This Resolution is adopted pursuant to the provisions of the City Code and Section 197.3632, Florida Statutes, and other applicable provisions of law.

### **Section 3. Purpose and Definitions.**

This Resolution constitutes the Initial Assessment Resolution as defined in the City Code which initiates the annual process for preparing the Assessment Roll, directs the imposition of Fire Rescue Assessments for the Fiscal Year beginning October 1, 2021.

All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this Resolution, the following words and terms shall have the following meanings, unless the context clearly otherwise requires:

**"Building Area"** means the total area of a building expressed in square feet and reflected on the Tax Roll or, in the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, that area determined through the use of field verification.

**"Building Use"** means the use assigned to each building based upon the Building Improvement Codes used by the Lake County Property Appraiser and the Department of Revenue (DOR) Codes, and/or field verification.

**"Code Descriptions"** mean the code descriptions listed in the Situation Found Codes, Fixed Property Use Codes, the Building Improvement Codes, and the Department of Revenue (DOR) Codes all as attached hereto and incorporated hereby by reference as Appendices A, B, C and D, respectively

**"Commercial Property"** refers to those parcels with an assigned category of "Commercial" by the Lake County Property Appraiser as specified in Appendix C or as verified by field research, including property designated as Recreational Vehicle Parks regulated by Chapter 513, Florida Statutes and § 166.223, Florida Statutes.

**"Cost Apportionment"** means the apportionment of the Fire Services Assessed Cost among all Property Use Categories according to the Demand Percentages established pursuant to the apportionment methodology described in Section 7 of this Initial Assessment Resolution.

**"Demand Percentage"** means the percentage of demand for fire protection services, facilities, or programs attributable to each Property Use Category determined by analyzing the historical demand for fire protection services as reflected in Incident Reports in the State Database under the methodology described in Section 7 of this Initial Assessment Resolution.

**"DOR Code"** means a property use code established in Rule 12D-8.008,

Florida Administrative Code, assigned by the Property Appraiser to Tax Parcels within the City as specified in Appendix D of this Initial Assessment Resolution.

**"Dwelling Unit"** means (1) a Building or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only; or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes for residential purposes.

**"Emergency Medical Services"** means those services recorded in Incident Reports that assign a "type of situation found" code of 300, 311, 320, 321, 322, 323, 381, and 554.

**"Emergency Medical Services Cost"** means the amount, other than first response medical rescue services, determined by the City to be associated with Emergency Medical Services.

**"Estimated Fire Services Assessment Rate Schedule"** means that rate schedule specifying the Fire Services Assessed Costs and the estimated Fire Services Assessments established in Section 9 of this Initial Assessment Resolution.

**"Fire Services Assessment"** means the special assessment authorized by City Council to be imposed against assessed property to fund all or any portion of the cost of the provision of fire protection services, facilities, or programs providing a special benefit to property as a consequence of possessing a logical relationship to the use or characteristics of the assessed property.

**"FFIRS"** means the Florida Fire Incident Reporting System maintained by the Florida State Fire Marshall. The City uses the FFIRS to report and maintain computerized records of the fire protection incidents and other department activities in a uniform manner.

**"Fire Services Assessed Cost"** means the costs to be assessed as defined in the Ordinance, and more specifically defined as follows:

(1) The amount determined by City Council to be assessed in any fiscal year to fund all or any portion of the cost of the provision of fire services, facilities, or programs which provide a special benefit to assessed property, and shall include, but not be limited to, the following components: (A) the cost of physical construction, reconstruction or completion of any required facility or improvement; (B) the costs incurred in any required acquisition or purchase; (C) the cost of all labor, materials, machinery, and equipment; (D) the cost of fuel, parts, supplies, maintenance, repairs, and utilities; (E) the cost of computer services, data processing, and communications; (F) the cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever; (G) the cost of any indemnity or surety bonds and premiums for insurance; (H) the

cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (I) the cost of uniforms, training, travel, and per diem; (J) the cost of construction plans and specifications, surveys, and estimates of costs; (K) the cost of engineering, financial, legal, and other professional services; (L) the cost of compliance with any contracts or agreements entered into by the City to provide fire services; (M) all costs associated with the structure, implementation, collection, and enforcement of the fire services assessments, including any service charges of the Tax Collector, or Property Appraiser and amounts necessary to offset discounts received for early payment of fire services assessments pursuant to the Uniform Assessment Collection Act or for early payment of fire services assessments collected pursuant to the Ordinance; (N) all other costs and expenses necessary or incidental to the acquisition, provision, or construction of fire services, facilities, or programs, and such other expenses as may be necessary or incidental to any related financing authorized by the City Council by subsequent resolution; (O) a reasonable amount for contingency and anticipated delinquencies and uncollectible fire services assessments; and (P) reimbursement to the City or any other person for any moneys advanced for any costs incurred by the City or such person in connection with any of the foregoing components of fire services assessed cost.

In the event the City also imposes an impact fee upon new growth or development for fire services related capital improvements, the fire services assessed cost shall not include costs attributable to capital improvements necessitated by new growth or development that will be paid by such impact fees.

(2) In no event shall the Fire Services Assessed Cost include costs for the provision of emergency medical services by the City.

**"Fixed Property Use Codes"** mean the property use codes used by FFIRS as specified in Appendix B of this Initial Assessment Resolution.

**"Incident Report"** means an individual report filed with the Florida State Fire Marshal under FFIRS that documents a City Fire Services service response, the type of situation found, and the property response address.

**"Industrial/Warehouse Property"** means those Tax Parcels with a Code Description designated as "Industrial/Warehouse" in the Improvement Codes as specified in Appendix C of this Initial Assessment Resolution.

**"Institutional Property"** means those Tax Parcels with a Code Description designated as "Institutional" in the Improvement Codes as specified in Appendix C of this Initial Assessment Resolution.

**"Mixed Use Property"** means a Tax Parcel that contains buildings whose use descriptions are capable of assignment under a Code Description in more than one Property Use Category in the Improvement Codes.

**"Mobile Home Park Property"** means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more mobile homes; and (2) licensed by the Department of Health of the State of Florida or its successor, to function as a "mobile home park" under Chapter 513, Florida Statutes, as may be amended from time to time.

**"Non-Residential Property"** means, collectively, Commercial Property, Industrial/Warehouse Property, and Institutional Property.

**"Parcel Apportionment"** means the further apportionment of the Fire Services Assessed Cost allocated to each Property Use Category by the Cost Apportionment among the Tax Parcels under the methodology established in Section 8 of this Initial Assessment Resolution.

**"Property Use Categories"** means, collectively, Residential Property and Non- Residential Property.

**"Recreational Vehicle Park Property"** means (1) a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and (2) licensed by the Department of Health of the State of Florida or its successor, to function as a "recreational vehicle park" or "lodging park" under Chapter 513, Florida Statutes, as may be amended from time to time.

**"Residential Property"** means those Tax Parcels with a Code Description designated as "Residential" in the Improvement Codes specified in Appendix C, excluding those Tax Parcels that meet the definition of Recreational Vehicle Park. Residential Property Use Category includes such properties as single-family, multi family, and mobile home Dwelling Units.

**"Tax Parcel"** means a parcel of property located within the City to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

#### **Section 4. Provision and Funding of Fire Protection Services.**

(A) Upon the imposition of a Fire Services Assessment for fire protection services, facilities, or programs against Assessed Property located within the geographic area of the City, the City shall provide such fire protection services, facilities, or programs.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the geographic area of the City will be benefited by the City's provision of fire protection services, facilities, and programs in an amount not less than the Fire Services Assessment imposed against such parcel,

computed in the manner set forth in this Initial Assessment Resolution.

**Section 5. Imposition and Computation of Fire Services Assessments.**

Fire Services Assessments shall be imposed within the City until discontinued or changed. Fire Services Assessments shall be computed in a manner set forth in this Initial Assessment Resolution unless discontinued or changed.

**Section 6. Legislative Determination of Special Benefit and Fair Apportionment.**

It is hereby ascertained and declared that the City's fire protection services, facilities, and programs provide a special benefit to assessable property based upon the following legislative determinations and the Fire Assessment Memorandum prepared by Government Services Group, Inc. dated May 2021 which is hereby incorporated by reference.

**General**

(A) Upon the adoption of this Initial Assessment Resolution determining the Fire Services Assessed Costs and identifying the Assessable Property to be included in the Assessment Roll, the legislative determinations ascertained and declared in Section 238 of the Ordinance are hereby ratified and confirmed.

(B) Fire protection services possess a logical relationship to the use and enjoyment of property by: (1) protecting the value and integrity of the improvements and structures through the provision of available fire protection services; (2) protecting the life and safety of intended occupants in the use and enjoyment of property; (3) lowering the cost of fire insurance by the presence of a professional comprehensive Fire Services program within the City; and (4) containing the spread of fire incidents occurring on unimproved property with the potential to spread and endanger property and property features.

(C) The availability and provision of comprehensive fire services enhance and strengthen the relationship of such services to the use and enjoyment of the parcels of property, the market perception of the area and, ultimately, property values.

(D) It is fair and reasonable to use the Improvement Codes and the DOR Codes for the Cost Apportionment and the Parcel Apportionment because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and Building Area for improved property within the City, and (2) the Tax Roll database employing the use of such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll. This compatibility permits the development of an



Assessment Roll in conformity with the requirements of the Uniform Assessment Collection Act.

(E) The data available in the Improvements Codes is more useful and accurate to determine Building Area than relying exclusively upon the data maintained in the DOR Codes alone because (1) the data maintained in the Improvement Codes reveals the existence of a Building with a different use than the use described on the DOR Code, and (2) the Improvements Codes represent records maintained by the Property Appraiser with the most information relative to Building Area regardless of property use.

### **Cost Apportionment**

(F) Apportioning Fire Services Assessed Costs among classifications of property based upon historical demand for fire services, but not Emergency Medical Services, is a fair and reasonable method of Cost Apportionment because it reflects the property uses' potential fire risk based upon Building Use and is a reasonable proxy for the amount of fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment that must be available in accordance with the City's standards and practices.

(G) It is fair and reasonable and consistent with the decision from the Florida Supreme Court in the case of *City of North Lauderdale v. SMM Properties, Inc.*, 825 So. 2d 343 (Fla. 2002), to exclude from the Fire Services Assessed Cost amounts determined to constitute Emergency Medical Services Cost.

(H) Apportioning the Fire Services Assessed Cost among classifications of improved property based upon historical demand for fire protection services, but not Emergency Medical Services, is fair and reasonable and proportional to the special benefit received, and will ensure that no property is assessed an amount greater than the special benefit received.

(I) The Fire Service Incident Reports are the most reliable data available to determine the potential demand for fire protection services from property use and to determine the benefit to property use resulting from the availability of fire protection services to protect and serve Buildings located within Assessable Property and their intended occupants. There exist sufficient Fire Service Incident Reports that document the historical demand for fire services from Assessable Property within the Property Use Categories. The Demand Percentage that has been determined for each Property Use Category by an examination of such Fire Service Incident Reports is consistent with the experience of the City. Therefore, the use of Demand Percentages that were determined by an examination of Fire Services Incident Reports is a fair and reasonable method to apportion the Fire Services Assessed Costs among the Property Use Categories.

(J) The level of services required to meet anticipated demand for fire

services and the corresponding annual fire services budget required to fund fire services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses. Therefore, it is fair and reasonable to omit from the Demand Percentage calculation the Fire Services Incident Reports documenting fire services provided to non-specific property uses.

(K) Because of the urbanized character of the City, the suppression of fires on vacant property primarily benefits adjacent property by containing the spread of fire rather than preserving the integrity of the vacant parcel. Therefore, it is fair and reasonable not to apportion any of the assessed costs to vacant property, thus, incidents to vacant property were not included in the final analysis of the fire call database.

#### **Residential Parcel Apportionment**

(L) Neither the size nor the value of the Residential Property determines the scope of the required fire services response. The potential demand for fire services is driven by the existence of a Dwelling Unit and the anticipated average occupant population.

(M) Apportioning the Fire Services Assessed Costs for fire services attributable to Residential Property on a per Dwelling Unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of Parcel Apportionment based upon historical call data.

(N) The historical demand for fire service availability for multi-family and single family Residential Property is substantially similar and any difference in the percentage of documented fire service calls to such specific property uses is statistically insignificant.

#### **Non-Residential Parcel Apportionment**

(O) The assessment of Non-Residential Property by actual square footage is fair and reasonable for the purpose of Parcel Apportionment because the demand for fire service, fire flow, fire fighters, quantity and size of apparatus, and other special firefighting equipment is determined and measured by the square footage of structures and improvements within benefited parcels.

(P) The greater the Building Area, the greater the potential for a large fire and the greater amount of firefighting resources that must be available in the event of a fire in a structure of that Building's size. Therefore, it is fair and reasonable to use Building Area as a proxy for determining the Tax Parcel's Fire Services Assessment.

(Q) Section 166.223, Florida Statutes, mandates that the City treat

Recreational Vehicle Park property as Commercial Property for non-ad valorem special assessments levied by the City. Thus, it is fair and reasonable to treat each space within Recreational Vehicle Park property as a Building of Commercial Property and assign the square footage of 191 square feet, the average size of a recreational vehicle according to the Florida Association of RV Parks and Campgrounds.

(R) Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law provides facilities and uses to their ownership, occupants, and membership as well as the public in general that otherwise might be requested or required to be provided by the City and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon Buildings located upon such parcels of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Services Assessments shall be imposed upon Institutional Buildings located upon a parcel of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law.

(S) Government Property provides facilities and uses to the community, local constituents, and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon such parcels of Government Property.

(T) Government Property that is owned by federal government mortgage entities, such as the VA and HUD due to foreclosures, are not serving a governmental purpose or providing a public benefit but are instead being held by these federal government mortgage entities in a proprietary capacity. Accordingly, these properties shall not be considered Government Property for purposes of the Fire Services Assessments and shall not be afforded an exemption from the Fire Services Assessment that is granted to other Government Property.

(U) As a consequence of the transient use and potential extraordinary vacancies within Mobile Home Park property and Recreational Vehicle Park property and the lack of demand for Fire Services for unoccupied spaces, it is fair and reasonable to provide for an extraordinary vacancy adjustment procedure for Mobile Home Park property and Recreational Vehicle Park property.

## **Section 7. Cost Apportionment Methodology.**

(A) The City examined the Code Descriptions in the Fixed Property Use Codes in the Fire Service Incident Reports related to the type of calls and physical location of each call and using FFIRS data where available or verification of the physical location indicated in the Fire Services Incident Reports, the City assigned Fire Services incidents to specific properties located within the City by correlating these Code Descriptions to the DOR Codes and Improvement Codes.

(B) Based upon such assignment of Fire Services Incident Reports to specific properties, the number of Fire Services Incident Reports filed within a sampling period was determined for each Property Use Category. A Demand Percentage was then determined for each Property Use Category by calculating the percentage that Fire Services Incident Reports allocated to each Property Use Category bear to the total number of Fire Services Incident Reports documented for all Property Use Categories within the sampling period (Fiscal Year 2019-20).

(C) The Demand Percentage for each Property Use Category was then applied to the Fire Services Assessed Costs and the resulting product is the cost allocation of that portion of the Fire Services Assessed Costs allocated to each individual Property Use Category as follows:

#### **Cost Apportionment**

| Category             | Number of Incidents | Percentage of Calls | Assessable Costs | Maximum Rate               |
|----------------------|---------------------|---------------------|------------------|----------------------------|
| Residential          | 417                 | 66.30%              | \$1,548,023      | \$179.00 per dwelling unit |
| Commercial           | 120                 | 19.08%              | \$445,474        | \$0.15 per sq. ft.         |
| Industrial/Warehouse | 5                   | 0.79%               | \$18,561         | \$0.02 per sq. ft.         |
| Institutional        | 87                  | 13.83%              | \$322,969        | \$0.51 per sq. ft.         |
| Total                | 629                 | 100%                | \$2,335,027      |                            |

#### **Section 8. Parcel Apportionment Methodology.**

(A) The apportionment among Tax Parcels of that portion of the Fire Services Assessed Costs apportioned to each Property Use Category under the Cost Apportionment shall be consistent with the Parcel Apportionment methodology described and determined in this Section 8.

(B) It is hereby acknowledged that the Parcel Apportionment methodology is to be applied in the calculation of the estimated Fire Services Assessment rates established in Section 9 of this Initial Assessment Resolution. The Parcel Apportionment is summarily described as:

(C) The Cost Apportionment to each Property Use Category and to Mixed Use Property shall be apportioned among the Tax Parcels within each Property Use Category and to Mixed Use Property Tax Parcels as follows:

### **Parcel Apportionment within Property Use Categories**

| <b>Category</b>                                           | <b>Parcel Apportionment</b>           |
|-----------------------------------------------------------|---------------------------------------|
| Residential                                               | Dwelling Unit                         |
| Non-Residential<br>- Commercial<br>- Industrial/Warehouse | Square Footage<br>(capped at 145,800) |

(1) **RESIDENTIAL PROPERTY.** The Fire Services Assessment for each Tax Parcel of Residential Property shall be computed by multiplying the Demand Percentage attributable to Residential Property by the Fire Services Assessed Costs, dividing such product by the total number of Dwelling Units shown on the Tax Roll within the City, and then multiplying such quotient by the number of Dwelling Units located on such Tax Parcel.

(2) **NON-RESIDENTIAL PROPERTY.** The Fire Services Assessments for each Tax Parcel of Non-Residential Property, except Recreational Vehicle Park Property, shall be computed as follows:

(a) Multiply the Fire Services Assessed Costs by the Demand Percentage attributable to the Non-Residential Property Use Category. The resulting dollar amount reflects the portion of the City's Fire Services budget to be funded from Fire Services Assessment revenue derived from the Non-Residential Property Use Category.

(b) Add the Building Area square footage of all the Tax Parcels in the Non-Residential Property Use Category. This sum reflects the aggregate square footage for the Non-Residential Property Use Category.

(c) Divide the sum of the square footage determined above by the total assessable costs for the Non-Residential Property Use Category calculated in (a) above. The resulting quotient expresses a dollar amount per square foot of Building Area.

(d) For each Tax parcel in the Non-Residential Property Use Category, multiply the applicable square foot rate by the number of square feet on each Tax Parcel. The resulting product is the amount of Fire Services Assessments to be imposed on each Tax Parcel of Non-Residential Property.

(3) **RECREATIONAL VEHICLE PARK PROPERTY.** The Fire Services Assessments for each Tax parcel of Recreational Vehicle Park property shall be computed as follows:

(a) Aggregate the amount of square footage for each Tax Parcel of Recreational Vehicle Park, with recreational vehicle spaces, as reported to the Department of Health, at 191 square feet each, and actual Building Area for all other Buildings.

(b) For each Tax parcel of Recreational Vehicle Park property, multiply the applicable square foot rate determined in Non-Residential Property subsection (c)(2) of this Section 8 for Commercial Property by the number of square feet on each Tax Parcel. The resulting product is the amount of Fire Services Assessments to be imposed on each Tax Parcel of Recreational Vehicle Park Property.

(4) MIXED USE PROPERTY. The Fire Services Assessments for each Tax Parcel classified in two or more Property Use Categories shall be the sum of the Fire Services Assessments computed for each Property Use Category.

**Section 9. Determination of Fire Services Assessed Costs; Establishment of Initial Fire Services Assessments.**

(A) The Fire Services Assessed Costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year beginning October 1, 2021, is \$1,295,940.

(B) The estimated Fire Services Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimate Fire Services Assessed Cost for the Fiscal Year beginning October 1, 2021, are hereby established as follows for the purpose of this Initial Assessment Resolution:

Preliminary Fire Services Assessment Rates (55.5% of Assessable Costs)

| Residential Property Use Category       | Rate Per Dwelling Unit |
|-----------------------------------------|------------------------|
| Residential                             | \$100.00               |
| Non-Residential Property Use Categories | Rate Per Square Foot   |
| Commercial                              | \$0.09                 |
| Industrial/Warehouse                    | \$0.02                 |
| Institutional                           | \$0.28                 |

The Estimated Gross Revenue for Fiscal Year 2021-22 is \$1,295,940; estimated exempt buy-down is \$152,750; Estimated Net Revenue therefore is \$1,143,190.

(C) No Fire Services Assessment shall be imposed upon a parcel of Government Property or upon Buildings located upon parcels of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law; however, Government Property that is owned by federal mortgage entities such as VA and HUD shall not be exempt from Fire Services Assessment.

(D) Any shortfall in the expected Fire Services Assessment proceeds due to any reduction or exemption from payment of the Fire Services Assessments required by law or authorized by the City Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Services Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the City Council is improper or otherwise adversely affects the validity of the Fire Services Assessment imposed, the sole remedy shall be the imposition of a Fire Services Assessment upon each affected Tax Parcel in the amount of the Fire Services Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the City Council.

(E) The approval of the Estimated Fire Services Assessment Rate Schedule by the adoption of this Initial Assessment Resolution determines the amount of the Fire Services Assessed Costs. The remainder of such Fiscal Year budget for fire services, facilities, and programs shall be funded from available City revenue other than Fire Services Assessment proceeds.

(F) The estimated Fire Services Assessments specified in the Estimated Fire Services Assessment Rate Schedule are hereby established to fund the specified Fire Services Assessed Costs determined to be assessed for the Fiscal Year 2021-22. No portion of such Fire Services Assessed Costs are attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Services Assessed Costs are attributable to the Emergency Medical Services Cost.

(G) The estimated Fire Services Assessments established in this Amended and Restated Initial Assessment Resolution shall be the estimated assessment rates applied by the City Manager in the preparation of the preliminary Assessment Roll for the Fiscal Year commencing October 1, 2021 as provided in Section 10 of this Initial Assessment Resolution.

#### **Section 10. Assessment Roll.**

(A) The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Assessment Roll for the Fiscal Year commencing October 1, 2021, in the manner provided in the City Code. The Assessment Roll shall

include all Assessed Property. The City Manager shall apportion the estimated Fire Services Assessed Cost to be recovered through the Fire Services Assessments in the manner set forth in this Initial Assessment Resolution.

(B) This Initial Assessment Resolution, and documents related to the estimated amount of the Fire Services Assessed Cost to be recovered through the imposition of Fire Services Assessments, and the preliminary Assessment Roll shall be maintained on file in the Office of the City Manager and open to public inspection. The foregoing shall not be construed to require that the preliminary Assessment Roll be in printed form if the amount of the Fire Services Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method for determining the Fire Services Assessments for fire protection services as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Fire Services Assessed Cost among parcels of Assessed Property within the City.

**Section 11. Authorization of Public Hearing.**

There is hereby established at a public hearing to be held at 6:00 p.m. on \_\_\_\_\_, September \_\_, 2021, at the City of Eustis City Hall, 10 N. Grove Street, Eustis, Florida, at which time the City Council will receive and consider any comments on the Fire Services Assessment from the public and affected property owners and consider imposing the Fire Services Assessments for the Fiscal Year commencing October 1, 2021 collecting such assessments imposed on Tax Parcels within the City on the same bill as ad valorem taxes pursuant to the Uniform Assessment Collection Act.

**Section 12. Notice by Publication.**

The City Manager shall publish notice of the public hearing authorized by Section 11 hereof in the manner and time provided in Section 238.10 of the City Code of Ordinance. The notice shall be published no later than August 16, 2021, in substantially the form attached hereto as Appendix E.

**Section 13. Notice by Mail.**

The City Manager or designee shall also provide notice by first class mail to the owner of each Assessed parcel, as required by Section 238-11 of the Code. Such notice shall be in substantially the form attached hereto as Appendix F. The notices shall be mailed no later than August 16, 2021. If the City determines that the truth-in-millage ("TRIM") notice that is mailed by the Property Appraiser under Section 200.069, Florida Statutes, also fulfills the requirements of this section, then the separate mailing requirement will be deemed to be fulfilled by the TRIM notice.





**Section 14. Method of Collection.**

It is hereby declared that the Fire Services Assessments re-imposed on Tax Parcels in the City shall be collected and enforced pursuant to the Uniform Assessment Collection Act for the Fiscal Year beginning October 1, 2021

**Section 15. Application of Assessment Proceeds.**

Proceeds derived by the City from the Fire Services Assessments will be utilized for the provision of fire protection services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection services, facilities and programs.

**Section 16. Severability.**

It is the intent of the City Council of the City of Eustis that if any section, sentence, clause, phrase or provision of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Resolution.

**Section 17. Conflicts.**

In any case where a provision of this Resolution is found to be in conflict with a provision of any other resolution of this City, the provisions of this Resolution shall prevail.

**Section 18. Effective Date.**

This Resolution shall take effect immediately upon its passage and adoption,

**DONE AND RESOLVED**, this 17<sup>th</sup> day of June, 2021, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

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

---

Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

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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 17<sup>th</sup> day of June, 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 Resolution Number 21-44 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





**City of Eustis**

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

## Staff Report

**TO:** Eustis City Commission  
**FROM:** Ronald Neibert, City Manager  
**DATE:** June 17, 2021  
**RE:** ORDINANCE NUMBER 21-10: COMPREHENSIVE PLAN TEXT AMENDMENT

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### **Introduction:**

This item was continued from the May 20, 2021, regular Commission meeting. Ordinance Number 21-10 amends the Future Land Use Element, Future Land Use Element Appendix, Conservation Element, Economic Development Element, Housing Element, Intergovernmental Coordination Element, Recreation and Open Space Element and Transportation Element to reflect the vision of the City Commission as identified in the Strategic Plan and other long-range master plans, provide for municipal densities and intensities, thereby discouraging urban sprawl, improve internal consistency of the Comprehensive Plan Element and consistency with the Land Development Regulations (LDRs), and eliminate duplicative language; adds a Property Rights Element as will be required by State Law; and amends the Future Land Use Map Series.

### **Background:**

See attached Staff Report.

### **Recommended Action:**

The administration recommends approval of Ordinance Number 21-10.

### **Alternatives:**

1. Approve Ordinance Number 21-10
2. Deny Ordinance Number 21-10

### **Attachments:**

[Ord. No. 21-10 Staff Report](#)  
[Ordinance No 21-10 Comp Plan Text Amend](#)  
[Exhibits A thru I Redline-Strikethru 1st Reading 5-6-21](#)  
[Exhibits A thru I with Proposed Revisions](#)  
[Exhibit J 2035 Future Land Use Map](#)

[Exhibit K Map 19 Proposed for Deletion](#)

**Reviewed by:**



## City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: MAY 6, 2021

SUBJECT: ORDINANCE NUMBER 21-10  
COMPREHENSIVE PLAN TEXT AMENDMENT

### Introduction

Ordinance Number 21-10 amends the Future Land Use Element, Future Land Use Element Appendix, Conservation Element, Economic Development Element, Housing Element, Intergovernmental Coordination Element, Recreation and Open Space Element and Transportation Element to reflect the vision of the City Commission as identified in the Strategic Plan and other long-range master plans, provide for municipal densities and intensities, thereby discouraging urban sprawl, improve internal consistency of the Comprehensive Plan Element and consistency with the Land Development Regulations (LDRs), and eliminate duplicative language; adds a Property Rights Element as will be required by State Law; and amends the Future Land Use Map Series.

### Recommended Action

The administration recommends approval of Ordinance Number 21-10.

### Background

On January 9, 2021 City Commission directed staff to prepare an ordinance for their consideration to address municipal land uses and non-conforming uses in Comprehensive Plan and the Future Land Use Map, including the elimination of Rural Residential, Agricultural and Map 19 Joint Planning Area Map. The City Commission acknowledged other revisions may be forthcoming based on staff review of the plan.

### Proposed Amendments

Future Land Use Element:

1. Eliminated unnecessary administrative policy provisions, duplicative and unnecessary language (specificity more appropriate for LDRs), and updated references.
2. Eliminated Map #19 Eustis Lake County Joint Planning Area Map from the Future Land Use Map Series and deleted other references to the map.
3. Clarified Rural Development Pattern.





Future Land Use Element Appendix:

1. Updated impervious surface area maximums for residential development and added footnote for consistency with the Land Development Regulations (LDRs).
2. Clarified Mobile Home (MH/RV) land use (mobile home vs manufactured).
3. Eliminated Rural Residential and Agricultural land use designations.

Conservation Element:

1. Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.

Economic Development Element:

1. Updated references.

Housing Element:

1. Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.

Intergovernmental Coordination Element:

1. Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.
2. Eliminated provisions related to financial commitments not clearly in the best interest of the Eustis taxpayers.
3. Eliminated provisions regarding use of school facilities by the City as there is no interest on the part of the LCSB to facilitate shared use.

Property Rights Element:

1. Added Property Rights Element per Senate Bill 410.

Recreation and Open Space Element

1. Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.
2. Provided that a Parks Master Plan and a Bicycle and Pedestrian Master Plan shall be developed by 2035.

Transportation Element:

1. Eliminated unnecessary administrative policy provisions, duplicative and unnecessary language (specificity more appropriate for CRA Revelopment Plan and LDRs), and updated references.
2. Eliminated policies regarding two-way conversion of Bay St/Grove St and connection of Bates Ave.
3. Clarified Rural Development Pattern.

Future Land Use Map Series:

1. Updated 2035 Future Land Use Map
2. Eliminated Map #19 Eustis Lake County Joint Planning Area Map

**Alternatives:**

1. Approve Ordinance Number 21-10
2. Deny Ordinance Number 21-10

**Discussion of Alternatives**

Alternative 1 approves Ordinance Number 21-10

**Advantages**

1. The Comprehensive Plan will be more consistent, internally.
2. The Comprehensive Plan will be more consistent with the vision of the City Commission as identified in the Strategic Plan and other long-range master plans, will discourage urban sprawl, and provide for predictable, fair and cost-effective development decisions.
3. Eustis will no longer be at a competitive disadvantage when compared to other surrounding communities' allowable intensities.
4. The Comprehensive Plan will be more internally consistent eliminating duplicative language.
5. Development would be directed to the municipality, relieving development pressures on unincorporated areas outside of the Eustis Urbanized Area.

**Disadvantages**

1. Some may have concerns regarding the elimination of Rural Residential and Agriculture, but lower density development can still be proposed under other land use designations and agricultural uses can continue as non-conforming.

Alternative 2 denies Ordinance Number 21-10.

**Advantages**

1. The Commission could consider other modifications to the Comprehensive Plan.

**Disadvantages**

1. Internal inconsistencies in the Comprehensive Plan and confusion regarding the type of development required to meet the City's vision of being a municipality that provides efficient, cost effective public services would continue.

**Community Input**

Staff properly advertised the ordinance. The public will have an opportunity to provide input at the May 5, 2021 and July 1, 2021 public hearings.

**Prepared By:**

Lori Barnes, AICP, CPM, Development Services Director

**Attachments**

Ordinance Number 21-10

Exhibits A – I Redline-Strike Thru of Elements to be Amendment

Exhibits A – I With Proposed Revisions (Clean Copies)

Exhibit J – Updated 2035 Future Land Use Map

Exhibit H – Map Proposed for Deletion



## **ORDINANCE NUMBER 21-10**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN 2010-2035 PURSUANT TO SECTION 163.3184 OF THE FLORIDA STATUTES; PROVIDING FOR TEXT REVISIONS TO THE FUTURE LAND USE ELEMENT, FUTURE LAND USE ELEMENT APPENDIX, CONSERVATION ELEMENT, ECONOMIC DEVELOPMENT ELEMENT, HOUSING ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, PARKS AND OPEN SPACE ELEMENT, AND TRANSPORTATION ELEMENT; AMENDING MAPS; PROVIDING FOR ADDITION OF A PROPERTY RIGHTS ELEMENT; PROVIDING FOR THE REPEAL OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, the City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 on November 4, 2010; and

**WHEREAS**, the City of Eustis periodically amends its Comprehensive Plan in accordance with Section 163.3184, Florida Statutes; and

**WHEREAS**, these Plan amendments reflect the vision of the City Commission as identified in the Strategic Plan and other long-range master plans, provide for municipal densities and intensities, thereby discouraging urban sprawl, improve internal consistency of the Comprehensive Plan Element and consistency with the Land Development Regulations, and eliminate duplicative language; and

**WHEREAS**, the City of Eustis advertised and held public hearings in accordance with Section 163.3184, Florida Statutes; and

**WHEREAS**, the City of Eustis Local Planning Agency recommended approval of the Comprehensive Plan amendment at a public hearing on May 6, 2021; and

**WHEREAS**, the City Commission held public hearings on May 6, 2021 and July 1, 2021, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public; and

**WHEREAS**, the City Commission finds that the Plan, as amended, is internally consistent with and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Eustis, Florida, as follows:

1. That the City of Eustis Comprehensive Plan 2010-2035 is hereby amended as follows to replace the following elements in their entirety, to add a Property

Rights Element, to update the 2035 Future Land Use Map, and eliminate Map #19 from the Future Land Use Map Series:

- a. Future Land Use Element Exhibit A;
  - b. Future Land Use Element Appendix Exhibit B;
  - c. Conservation Element Exhibit C;
  - d. Economic Development Element Exhibit D;
  - e. Housing Element Exhibit E;
  - f. Intergovernmental Coordination Element Exhibit F;
  - g. Property Rights Element Exhibit G;
  - h. Recreation and Open Space Element Exhibit H;
  - i. Transportation Element Exhibit I.
  - j. 2035 Future Land Use Map Exhibit J.
  - k. Deletion of Map 19 Exhibit K.
2. That this amendment is approved for submission to the State Land Planning Agency (Department of Economic Opportunity) and other jurisdictional agencies.
  3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
  4. 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.
  5. 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 1st 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 this 1<sup>st</sup> 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, 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 21-10 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

### FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES

#### GOAL FLU 1: DEVELOPMENT FRAMEWORK

Implement a land use and development framework that will:

- Promote diversified economic development;
- Protect and enhance residential neighborhoods;
- Ensure services and facilities for new and existing development;
- Discourage urban sprawl;
- Recognize the value of natural resources; and
- Respect private property rights.

#### OBJECTIVE FLU 1.1: DEVELOPMENT FRAMEWORK IMPLEMENTATION

To create a planning framework and implementation strategy that will enhance the livability of the City of Eustis; promote its natural, cultural, and physical resources; minimize any negative effects of urban development on the natural resources of the City; maintain overall air quality; and discourage urban sprawl.

##### 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; and
- Encouraging compact building design.

##### Policy FLU 1.1.2: Strategy for Sustainability

The City shall take the following actions as part of an overall strategy to improve energy efficiency and sustainability in the City of Eustis:

- a. Continue to support alternative modes of travel as called for in the Transportation Element.
- b. Support energy conservation measures and practices in the administration, design, and construction of City buildings and facilities.
- c. Encourage the cooperation of public agencies and private owners in the provision of a multi-modal transportation system connecting all land uses along arterial and collector roads within recreational, commercial and multi-family residential areas.
- d. Cooperate with existing and future land owners in the locating of solar sheds, bus stops, shelters, and other passenger and system accommodations for a transportation system to service current and future needs.

- e. Encourage energy efficient appliances and equipment, energy-efficient features in window design, use of operable windows and ceiling fans and other technology to conserve energy and encourage energy efficient lighting for streets, parking lots and other public areas.
- f. Continue to permit grassed parking areas and other permeable materials as a part of the City's Land Development Code and encourage reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas.
- g. Encourage the planting of Florida Friendly shade trees to provide reasonable shade for all recreation areas, streets and parking areas.
- ~~h. Promote the education of City employees in energy conservation measures and practices and promote certification for energy conservation practices to promote the energy conservation mission of the City.~~
- ~~i. Provide up-to-date information on its web site regarding the City's conservation initiatives, along with strategies and recommendations for all citizens.~~

**Policy FLU 1.1.3: Development Incentives**

The City shall continue to provide incentives for energy efficient development as provided in the Land Development Code and shall review the Land Development Code as a part of monitoring the effectiveness of the Comprehensive Plan to determine if there are additional opportunities for development incentives that can be provided for projects that participate in energy efficient development programs.

**Policy FLU 1.1.4: Building and Development Conservation Principles**

The City shall encourage energy and water conservation and solid waste reduction through the site plan review process and at the building scale, including participation in the following programs and development standards:

- Retrofit for Energy and Environmental Performance program (REEP)
- State Energy and Environment Development program (SEED)
- Federal Weatherization Assistance Program
- Multifamily Housing Energy Efficiency Grant Program
- Leadership in Energy Efficient Design (LEED)
- Energy Star
- Water Star
- Florida Friendly landscaping
- Reduction of fertilizer needs
- Block standards and connected streets
- High density and intensity development in the urban core
- Compact, mixed use development
- Infill development
- Support of multi-modal transportation networks
- Protection of environmentally sensitive lands

**OBJECTIVE FLU 1.2: FUTURE LAND USE MAP (FLUM)**

To direct the timing, location, density, and intensity of development and redevelopment throughout the City of Eustis.

**Policy FLU 1.2.1: Adopted Future Land Use Map Series (FLUM)**

The Future Land Use Map (FLUM) series provides the information for strategies designed to build long term community value, discourage urban sprawl and ensure that public facilities and services are provided in the most cost-effective and efficient manner. The City of Eustis provides appropriate future land use planning for a planning horizon through the year 2035 and adopts the Future Land Use Map Series as depicted in the following exhibits in the Map Appendix and uses the Future Land Use Designations as defined in the Future Land Use Element Appendix which is also adopted herein by reference:

|          |                                                                                         |
|----------|-----------------------------------------------------------------------------------------|
| Map #1:  | 2035 Future Land Use Map                                                                |
| Map #3:  | Soils                                                                                   |
| Map #4:  | Topography and Drainage Basins                                                          |
| Map #5:  | Designated Water Wellhead Protection Areas                                              |
| Map #6:  | Surface Water Features                                                                  |
| Map #7:  | Areas Subject to Flooding                                                               |
| Map #8:  | Vegetation                                                                              |
| Map #9:  | Washington Avenue Historic District                                                     |
| Map #10: | National Register of Historic Places and Sites                                          |
| Map #11: | Local Landmark Sites                                                                    |
| Map #12: | Wekiva Study Area: Most Effective Undeveloped Recharge Areas                            |
| Map #13: | Wekiva Study Area: Undeveloped and Water-Filled Karst Areas                             |
| Map #14: | Wekiva Study Area: Integrated Wildlife Habitat Ranking System                           |
| Map #15: | Wekiva Basin Land Cover                                                                 |
| Map #16: | Priority Wetlands                                                                       |
| Map #17: | Wekiva Basin: Strategic Habitat Ranking Systems, Public Lands and Proposed Acquisitions |
| Map #18: | Biodiversity Hotspots                                                                   |
| Map #19: | Eustis-Lake County Joint Planning Area Map                                              |

With the exception of Map #1, the Future Land Use Map, ~~and Map #19, the Planning Area Map,~~ these maps shall be used for general identification only and are not specifically regulatory in nature. Site specific information and analysis shall determine the actual features or applicability of a site for the purposes of applying the requirements of this Plan. The city shall continue to allocate lands in the Comprehensive Plan to meet projected development needs through the long-term planning horizon of 2035, including amounts sufficient to minimize land speculation and undue price appreciation and to provide for choices of residential and non-residential locations.

**Policy FLU 1.2.2: Future Land Use Map Limitations**

The Future Land Use Classifications set forth the current and long-range 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 entitled to the most potentially dense or intense uses permitted within a land use classification. Thus, in some cases, the application of 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.

**Policy FLU 1.2.3: Urban Services Required**

All new development in the city shall be required to receive public water service. All new development must be served by public sewer systems, except where public sewer is not available and it can be demonstrated that sewage disposal is permissible by those state and county agencies having regulatory jurisdiction.

**Policy FLU 1.2.4: Development Patterns**

To discourage urban sprawl and to protect and enhance the community's unique character, the City shall implement regulations within the Land Development Code that encourage a mix of uses in specific areas of the City. Those areas are identified in the development patterns of urban, suburban and rural. Each development pattern is further divided into neighborhoods, centers, corridors and districts. The City shall adopt performance standards for the land uses within each development pattern as prescribed by the City's Land Development Code. In general, the patterns are as follows:

- a. Urban Areas. Urban development pattern areas shall rely primarily on a system of interconnected streets in a grid network pattern that prioritizes pedestrians and transit features and links civic buildings, squares, parks, and other neighborhood uses.
- b. Suburban Areas. Suburban development pattern areas shall rely primarily on a pattern of residential development that is formed on a street network ~~with fewer vehicular connections,~~ which shall be designed to provide for pedestrian and bicycle connections, ~~to reduce cut-through traffic and to establish distinct boundaries for residential communities/subdivisions.~~ Non-residential uses shall be primarily located on corridors and within districts.
- c. Rural Areas. Rural development pattern areas ~~may include clustered residential development or~~ large lots ~~and clustered residential development~~ that provide substantive open space to preserve and enhance the rural viewshed and character of the community. Non-residential uses are primarily located in centers and may contain a mix of uses. The rural pattern is generally located on the ~~outer fringes of the Planning area~~ periphery of the Eustis urbanized area, away from the urban core.

**Policy FLU 1.2.5: Joint Planning Area**

The City shall continue to coordinate with Lake County to address annexation and land use issues ~~and shall rely upon the City of Eustis-Lake County Joint Planning Area (JPA) Map (Map #19) or its successor agreement as describing the appropriate transition between the City's urban core and the County's rural areas.~~

**OBJECTIVE FLU 1.3: RELATIONSHIP OF THE COMPREHENSIVE PLAN TO THE LAND DEVELOPMENT CODE**

To implement the policies, standards and land use classifications of the City's Comprehensive Plan through the Land Development Code.

**Policy FLU 1.3.1: Promote Compact Growth and Preservation of Open Space**

The City shall continue to rely upon its Land Development Regulations to promote

compact growth and preservation of open space, ~~including those regulations which provide for:~~

~~voluntary cluster development in all residential land use classifications  
specific minimum open space requirements by land use district including standards for the Wekiva Springs Overlay Protection District (see FLU Policy 5.1.5 and Table A-3.1.)  
maximum coverage by impervious surfaces requirements and specific maximum impervious surface requirements by land use district; for a development site within the Wekiva Springs Overlay Protection District, see Future Land Use Element Appendix, Table A-3.1.~~

~~density bonuses for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent.~~

~~Limitations on development in floodplains, near wellfields, and near lake shorelines, as more specifically provided for in the Conservation element.~~

**Policy FLU 1.3.2: Maintain Residential Compatibility**

The City shall continue to rely upon the Land Development Code to address specific standards for the review of residential compatibility to provide standard and predictable measures for establishing and creating compatibility ~~through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, screen undesirable views, preserve tree canopy and vegetation and facilitate the safe movement of traffic and pedestrians in vehicle use areas.~~ At a minimum these standards shall conform to the following guidelines:

- a. The review and analysis of development applications and future land use map amendments shall recognize as a fundamental principle of the City's Comprehensive Plan that the highest concentration of development density and intensity within the City shall be permitted in the downtown and that this overall density/intensity decreases incrementally outward from the downtown to lower densities that are located ~~in outlying rural areas on the periphery of the Eustis urbanized area~~ or in areas of the City which have physical limitations to development. Higher density in locations away from downtown, but supported with urban services ~~and retail/employment activity~~, is permitted as an exception to this principle.
- b. Landscapes, buffers, natural areas or transitional development practices shall be utilized in site planning to demonstrate that the project transitions appropriately to adjacent uses or to lessen impacts and integrate development along the edges of different land use categories, screen undesirable views, preserve tree canopy and vegetation.
- c. The location of development on a site shall:
  - (1) Protect existing natural and environmental features on and adjacent to the site to the extent practicable, including wetlands and wetland systems, karst features, and tree canopy;
  - (2) Respect the existing ~~adjacent development pattern~~ development transect;
  - (3) Permit the most density and intensity in areas that are served or may be served by public utilities, or are most proximate to support services.

- d. The location of required minimum open space on a site shall be configured to:
  - (1) To create external connectedness by adding to a larger contiguous off-site network of interconnected open space, particularly existing habitats, where applicable.
  - (2) To create internal connectedness through connected and integrated open space within the subdivision parcel where applicable and shall be based upon the context sensitive site design standards.

**Policy FLU 1.3.3: Right-of Way Standards for Utilities**

Right-of-way standards adopted as part of the Land Development Regulations and roadway improvement projects shall be designed to accommodate public and regulated utility distribution lines ~~providing needed local services.~~

**Policy FLU 1.3.4: Compatibility with the Placement of Utility Structures**

The City shall rely upon the Land Development Regulations to continue to provide for the placement and construction of utility structures and equipment, other than local distribution lines, including but not limited to water storage tanks, sewage treatment plants, electric substations, and telephone switching stations where needs for such facilities can be demonstrated by providers of services. The Land Development Regulations shall ensure compatibility of such facilities with surrounding land uses and natural resources to the extent possible.

**OBJECTIVE FLU 1.4: PROTECTION OF HISTORIC RESOURCES**

To protect and enhance those areas and individual sites of historical significance or distinct architectural character in the community.

**Policy FLU 1.4.1: Protect Historic Character ~~and Preserve Historic Properties~~**

Land Development Regulations and development review procedures shall continue to recognize the need to maintain or improve the character of designated historic properties and the historic district, and incorporate incentives to preserve designated historic properties, including advice to applicants on the tax benefits of historic preservation.

**Policy FLU 1.4.2: Downtown Main Street Character**

In addition to adding beauty to the Downtown, walkable design standards shall be included in the Land Development Regulations regarding the City shall continue to require development and redevelopment in the Urban Core, to adhere to walkable design standards. These standards address street trees; wider sidewalks; bike lanes; on-street parking; and improving / upgrading crosswalks as appropriate.

**~~Policy FLU 1.4.3: Preserve Historic Properties~~**

~~Land Development Regulations and development review procedures shall continue to incorporate incentives to preserve designated historic properties, including advice to applicants on the tax benefits of historic preservation.~~

- Policy FLU 1.4.4: Preserve the Architectural and Historical Heritage of Eustis**  
~~Pursuant to the Intergovernmental Coordination element, provide ongoing affirmational support to preservation organizations, which have an individual or collective interest in preserving the architectural and historical heritage of Eustis.~~
- Policy FLU 1.4.5: Historic Structures**  
Where an application for development may involve the removal, ~~alteration, or reuse~~ of a historic structure listed on the National Register, the city shall first invite comment by the Florida Division of Historical Resources and the City's Historic Preservation Board before rendering a decision on the application.
- Policy FLU 1.4.6: Historic Overlay**  
~~When sites or structures are included on the National Register of Historic Places, designated as local Landmarks, or designated as~~ When an area is designated as a local Historic Districts, the designation shall be entered as an overlay to the Future Land Use map in accordance with State law.
- Policy FLU 1.4.7: Archaeological Discovery**  
By year-end ~~2015~~2035, the Land Development Regulations shall provide for ~~notification of the archaeological discovery to and request for guidance from the Florida Division of Historical Resources~~the following in instances when an archaeological discovery occurs in the city; ~~and will provide for best management practices to address the discovery.:~~
- a. ~~notification of the archaeological discovery to and request for guidance from the Florida Division of Historical Resources~~
  - b. ~~suspension of all ground-disturbing activities within 20 feet of the discovery for up to 30 days to provide for an initial evaluation of archaeological significance. This period can be extended for another 30 days for further evaluation where the discovery is considered significant by the state.~~
- ~~Where the discovery is determined to be significant, various options, including relocation, acquisition of property, or redesign of the proposed development will be considered to preserve the resource. Where preservation is not a feasible alternative, the resource will be relocated if feasible, information regarding the resource shall be recorded, or elements of the resource will be salvaged for further study at the expense of the State of Florida.~~

## GOAL FLU 2: URBAN DEVELOPMENT PATTERN AREA

Enhance the livability and viability of the urban core area of the City through design standards and capital improvement priorities that:

- Align public investments, incentives and Future Land Use Element policies to encourage and protect redevelopment and revitalization opportunities that leverage existing economic assets;
- Promote revitalization in developed neighborhoods that are aging; and
- Rely primarily on a system of interconnected street grids with pedestrian and mass transit features and links to civic buildings, squares, parks and other neighborhood uses.

### OBJECTIVE FLU 2.1: REDEVELOPMENT AND INFILL

To implement programs which facilitate redevelopment of and infill development in older sections of the city including downtown Eustis and to promote the revitalization of the East Eustis Downtown and East Town Community Redevelopment Area as a safe, attractive, and stable residential and business area.

#### Policy FLU 2.1.1: **Downtown Redevelopment**

The City shall continue to implement the redevelopment and revitalization vision for the downtown area and vicinity as expressed in the Downtown Eustis Master Plan and the East CRA Plan Update Community Revopement Area as provided for in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan, and Economic Element. This vision shall be used as the basis for prioritizing public improvements, stimulation of business activity, and development of commercial, residential, and institutional properties.

#### Policy FLU 2.1.2: **Funding Assistance for Housing Needs**

The City shall continue to pursue funding pursuant to the Housing Element Policy HSG 1.3.3.

Pursue, directly or through the Eustis Housing Authority and/or agencies of Lake County, available federal and state funds to help promote the revitalization of the East Eustis area and meet the projected housing needs of very low, low, and moderate-income families and elderly households, including the following programs or their successors:

- a. SAIL
- b. Section 8
- c. Rental Rehabilitation
- d. Weatherization
- e. Section 202
- f. Community Development Block Grants
- g. HOPE VI

#### Policy FLU 2.1.3: **Code Enforcement & Displacement**

Continue an aggressive code enforcement program to upgrade properties capable of rehabilitation and modernization and to remove those which are unsafe or unfit for habitation.

The City shall continue to address substandard housing and displacement pursuant to the Housing Element Policies HSG 1.2.1 and 1.2.2.



**Policy FLU 2.1.4: ~~Displacement Requirements~~**

~~In every instance where residents are displaced by city code enforcement activities or other local public actions, assist residents as follows in seeking standard housing in the community:~~

- ~~a. provide adequate notification of public action to owners and occupants~~
- ~~b. maintain an inventory of available assisted and affordable market rate housing and housing providers in the community and advise displaced occupants of same~~
- ~~c. utilize the services of the Eustis Housing Authority, as needed, to help qualify applicants for available housing in the community~~

### GOAL FLU 3: SUBURBAN DEVELOPMENT PATTERN AREA

Enhance the livability and viability of neighborhoods and existing commercial corridors through the implementation of a coordinated strategy that discourages urban sprawl and:

- ~~Promotes development standards for new neighborhoods consistent with the principles included in FLU Policy 1.1.1.~~
- Preserves and protects existing viable neighborhoods and subdivisions;
- Promotes revitalization in developed neighborhoods that are aging; and
- ~~Promotes development standards for new neighborhoods consistent with the principles included in FLU Policy 1.1.1.~~

### OBJECTIVE FLU 3.1: PROTECTION OF RESIDENTIAL NEIGHBORHOODS

To ensure the long-term viability of residential neighborhoods by regulating future development and redevelopment to create compatibility with surrounding land uses.

#### Policy FLU 3.1.1: Neighborhood Compatibility

The City shall protect the quality and integrity of established neighborhoods ~~from adjacent incompatible development and shall by relying~~ upon the standards of the adopted Land Development Regulations to address residential compatibility ~~including specific provisions that address the adjacency of urban areas to suburban and rural areas.~~

#### Policy FLU 3.1.2: Roadway Compatibility

The City shall maintain and protect the long-term viability of residential neighborhoods where they are developed adjacent to collector and arterial roadways by relying upon the standards of the adopted Land Development Regulations ~~which include standards that regulate context sensitive land use and roadway relationships.~~

#### ~~Policy FLU 3.1.3: Utility Compatibility~~

~~Protect the integrity of existing neighborhoods from the effects, if any, of bulk, electric transmission corridors; and similar facilities by prohibiting, to the maximum extent of the City's jurisdictional authority, their location through or immediately adjacent to existing residential neighborhoods.~~

#### Policy FLU 3.1.4: Limits on Industrial Uses Adjacent to Residential Areas

The City shall ensure that future Plan amendments to industrial uses adjacent to ~~existing~~ Residential Land Use categories shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise. ~~Access which is limited only to local residential roadways may be considered unacceptable for heavy industrial uses, notwithstanding applicable access management requirements.~~

#### **OBJECTIVE FLU 3.2: DISCOURAGE URBAN SPRAWL**

To use an approach to neighborhood revitalization that will transform the character, function and form of residential land uses into functional, sustainable neighborhoods.

##### **Policy FLU 3.2.1: Neighborhood Revitalization**

The City shall encourage neighborhood revitalization by continuing to implement and enforce the adopted Land Development regulations regarding pedestrian connectivity standards and block configuration requirements.

#### **GOAL FLU 4: RURAL DEVELOPMENT PATTERN AREA**

Manage the form, pattern and timing of future growth and development for the ~~areas on the periphery of the Eustis urbanized area~~ rural areas of the City through a clear and predictable land use strategy that:

- Facilitates the transition of land uses over time into sustainable, livable places (communities).
- Provides for a rural character and lifestyle for rural residents ~~transitional area between suburban development and the County's rural areas;~~
- Respects the ~~Allows the continuance of~~ agricultural land uses ~~and landowners;~~
- Values and preserves open spaces; and
- ~~Facilitates the transition of land uses over time into sustainable, livable places (communities).~~

#### **OBJECTIVE FLU 4.1: PROTECTION OF RURAL CHARACTER**

To protect the ~~existing rural~~ character of those areas ~~in the City of Eustis~~ that are designated as Rural Design Districts, ~~and thereby ensure that there is a rural lifestyle for existing and future residents.~~

##### **Policy FLU 4.1.1: Rural Residential**

Greater flexibility and creativity in the design of residential developments within the Rural Design Districts is permitted through the subdivision development approval process and the design criteria provided ~~herein in the Land Development Regulations~~ as a means to preserve significant on-site environmental resources and preservation areas.

#### **GOAL FLU 5: WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

Support and further the *Wekiva Parkway and Protection Act* through land use strategies designed to protect significant natural resources of the Wekiva Springs Overlay Protection District, also known as the Wekiva Study Area, including the springshed and springs.

##### **OBJECTIVE FLU 5.1: Wekiva Springs Overlay Protection District Land Use Strategy**

The City shall establish an overlay district described herein for the purpose of providing an appropriate transition between the City's urban core and the County's rural areas, and implementing enhanced standards for the protection of significant open space. The following policies and open space requirements recognize the relative position of the City within the Wekiva Springs Overlay Protection District/ ~~and are intended to ensure compatibility with the persistence of rural land use patterns outside and east of the City of Eustis-Lake County Joint Planning Area (JPA) (Map #19).~~

##### **Policy FLU 5.1.1: Land Use Activity Restrictions**

The City designates the Wekiva Springs Overlay Protection District as provided on the Future Land Use Map. The City shall restrict new land use activities within the Wekiva Springs Overlay Protection District, ~~within that area~~ and adjacent to most effective

recharge areas, karst features and sensitive natural habitats, that have a potential to adversely impact ground water and surface water quality; such as mining, landfills, spray-fields, golf courses, heavy industry, intense animal operations, and other uses or activities with extensive impervious surface area, involving hazardous chemicals or materials, having potential to contaminate groundwater, or requiring significant consumption of groundwater beyond the City's adopted level of service.

**Policy FLU 5.1.2: Best Management Practices and Standards**

Where avoidance of impacts through the limitation of land use activities ~~and minimum open space requirements outlined in Table A-3.1 of the Future Land Use Element Appendix~~ is not feasible, ~~including existing single-family platted lots and infill lots or sites within and completely surrounded by existing/built urban areas of the City~~, the City shall require implementation of Best Management Practices and development/redevelopment standards, such as buffering, setbacks and open space standards, that will minimize the impact of land use and development within the Wekiva Springs Overlay Protection District, consistent with Objectives FLU 5.1, and 5.2 and supporting policies applicable to the Wekiva Springs Overlay Protection District.

**Policy FLU 5.1.3: Surveys and Studies**

The Land Development Regulations shall require the following surveys and studies to be submitted with a subdivision plan or site plan or its functional equivalent to provide an analysis and evaluate the location and presence of most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub:

- a. An analysis of soils, by a professional qualified to determine the location of most effective recharge areas. Unless otherwise provided for by rule of the St. Johns River Water Management District (SJRWMD), most effective recharge areas shall be defined as Type "A" Hydrologic soils described by the National Resources Conservation Service (NRCS) Soil Survey.
- b. An analysis of the site, by a professional qualified to determine the location and nature of sinkholes and other karst features of the property, such as stream-to-sink and other direct connections to the aquifer including an analysis to determine the depth of the water table, location of the Floridan Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer. This analysis may include the use of geophysical surveys, such as microgravity and ground penetrating radar surveys, and may be supplemented with documented locations of sinkholes, light detection and ranging surveys, and aerial photographs. If karst features are determined to exist on site, further analysis may be required to evaluate surface and sub-surface characteristics that provide potential connection to the aquifer, assess the potential for contamination of the aquifer from development, and identify protective solutions to be incorporated into the site design. Such design solutions shall utilize Best Management Practices described in Protecting Florida's Springs Manual – Land Use Planning Strategies and Best Management Practices (November 2002).
- c. An analysis of the site by a professional qualified to identify flora and fauna, state and federally listed species, and vegetative habitat types including but not limited to wetlands and sensitive natural habitat defined as Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub. This analysis shall include field surveys and use of best available information from federal, state, regional, and local agencies. The site analysis shall also consider ecosystem connectivity in

relationship to adjacent properties and surrounding area in coordination with the Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection.

- d. The analysis required above shall be used to characterize on-site soils and determine locations of geologic features including sinkholes, solution pipes, depressions, and depth of soil to lime rock, including karst features like sinkholes with a direct connection to the aquifer and stream-to-sink features that require protection.

**Policy FLU 5.1.4: Open Space Requirements**

In order to protect natural resources within the Wekiva Springs Overlay Protection District, including but not limited to most effective recharge areas, karst features and sensitive natural habitats, including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub, the City shall require that new development preserve and dedicate open space pursuant to the policies established for the Wekiva Springs Overlay Protection District. Open space shall be connected to the greatest extent possible within the development site and to natural areas or open space within adjacent property in order to provide larger contiguous corridors.

**Policy FLU 5.1.5: Open Space Priority and Assignment**

Priority for preservation and dedication of open space shall be given to most effective recharge areas, karst features, and sensitive natural habitats including Long Leaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub vegetative communities. Assignment of open space shall be determined at the time of site plan review to maximize protection of natural resource features and functions. This evaluation shall consider the aforementioned priorities, protection of wildlife habitat, the ability to provide substantial buffering to natural wetlands and water bodies, and the ability to create greenway corridors. Other significant resources, such as natural wetlands and floodplains and other sensitive natural habitats shall be protected consistent with all other objectives and policies of this Comprehensive Plan. Within the Wekiva Springs Overlay Protection District, natural wetland impacts, including the placing or depositing of fill within natural wetlands, shall be prohibited except as necessary to provide for legal ingress or egress to developable upland areas. In such circumstances, structural enhancements may be required to maintain wetland connectivity and natural flow regimes.

**Policy FLU 5.1.6: Dedication of Open Space**

Natural open space designated as part of a development project shall remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, deed restrictions or similar legal instruments that run with the land and establish the conditions and restrictions on the use of open space areas. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, ~~and marked in the field when larger than one (1) acre to distinguish from areas suitable for development and those open space areas dedicated to stormwater management and/or recreation.~~

**Policy FLU 5.1.7: Ownership and Maintenance of Open Space**

Ownership and maintenance of open space that is held in group ownership shall be by one or a combination of the following, which shall be designated prior to development.

- a. Conservation Agency such as the SJRWMD
- b. Non-profit conservation organization or land trust
- c. City of Eustis, subject to City approval

- d. Homeowners Association providing for binding legal commitments regarding preservation and management

The costs and responsibility of maintaining open space shall be borne by the owner of open space. If not properly maintained, the City may enforce maintenance.

#### **OBJECTIVE FLU 5.2: Conservation Design Standards**

All development within the Wekiva Springs Overlay Protection District shall meet the conservation design standards as set forth below as provided for in the Conservation Element:

##### **Policy FLU 5.2.1: Principles of Conservation Design**

Within the Wekiva Springs Overlay Protection District, all new development shall be required to implement the following principles of conservation design, ~~with the exception of very low density rural residential development that does not exceed one (1) dwelling unit per five (5) acres:~~

- a. When clustering dwelling units within a development, the clustering of uses shall be designed to occur in those areas with the lowest priority for preservation.
- b. Establishment of natural open space, consistent with Policies FLU 5.1.4 through 5.1.8 and Policies FLU 5.2.1 through 5.2.3, which shall be connected wherever possible and protected by recorded conservation easement, dedicated plat, or similar binding instrument;
- c. Protection and enhancement of corridors for wildlife movement in coordination with adjacent properties if applicable;
- d. Minimize site disturbance and alteration of terrain through use of design techniques that protect native vegetation and minimize earth movement;
- e. Use of Florida Friendly landscaping, and limiting areas requiring irrigation;
- f. Design of stormwater systems as natural amenities where possible;
- g. Central water and sewer treatment facilities within urban service areas that can be connected to a regional system when available or use of performance-based on-site wastewater treatment systems consistent with the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element;
- h. Installation of reclaimed water lines in order to ensure the present or future capability to receive treated reuse water.

##### **Policy FLU 5.2.2: Setback from Karst Features**

All development shall be set back from springs, spring runs, sinkholes, and other karst features as shown below. The setback area shall consist of a buffer that excludes development and retains all natural vegetation within the setback area, with the exception of the setback area from subsurface caves and flow corridors.

**Development Setbacks**

| <b>Feature</b>                                     | <b>Minimum setback (feet)</b>          |
|----------------------------------------------------|----------------------------------------|
| Springs                                            | 300                                    |
| Spring runs                                        | 100                                    |
| Sinkholes, with a direct connection to the aquifer | 200, measured from the drainage divide |
| Other sinkholes                                    | 100, measured from the drainage divide |

|                                                                                          |                                        |
|------------------------------------------------------------------------------------------|----------------------------------------|
| Other karst features with a direct connection to the aquifer (swallet or stream-to-sink) | 200, measured from the drainage divide |
|------------------------------------------------------------------------------------------|----------------------------------------|

Land uses with a high potential to impact groundwater resources such as mining, landfills, spray-fields, heavy industrial, and intense animal operations will be prohibited within one mile of a springhead and ½ mile of a surface centerline of the cave system.

#### Land Use Setbacks

| Feature                                     | Minimum setback (feet) for land uses identified as having a high potential to impact groundwater resources. |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Caves (subsurface caves and flow corridors) | ½ mile, measured on the surface from the centerline of the cave system                                      |
| Springhead (vent)                           | One (1) mile, measured from the springhead in all directions                                                |

#### Policy FLU 5.2.3: Setback Exceptions

-Where an existing lot of record as of the effective date of the previous Policy is too small to accommodate the minimum amount of development necessary for the setbacks set forth in Policy FLU 5.2.2, the allowable use may be established provided that the building and associated paved areas are located the maximum distance possible from the karst features, and further provided that a swale and berm are located between the development and the karst feature with a direct connection to the aquifer. The swale and berm shall be designed to direct drainage away from the karst feature.

#### Policy FLU 5.2.4: Shared Access and Stormwater Facilities

~~Development shall use joint or shared access and stormwater facilities to the maximum extent feasible when it serves to minimize impervious surfaces.~~

#### Policy FLU 5.2.5: Parking

~~Non-residential development shall use shared parking and pervious pavement to the maximum extent feasible in order to minimize impervious surfaces.~~

#### Policy FLU 5.2.6: Minimization of Connected Impervious Areas

Design of access, parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques shown on a site plan such as:

- ~~a. a. Development shall use joint or shared access and stormwater facilities to the maximum extent feasible when it serves to minimize impervious surfaces.~~
- ~~b. Non-residential development shall use shared parking and pervious pavement to the maximum extent feasible in order to minimize impervious surfaces.~~
- ~~a. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water;~~
- ~~b. b. Directing flows from paved areas to vegetated areas;~~
- ~~c. c. Locating impervious surfaces so that they drain to vegetated buffers or~~

- natural areas; and
- d. ~~d.~~ Breaking up flow directions from large paved surfaces.

**Policy FLU 5.2.7: Use of Pervious Materials**

Porous pavement materials, pervious concrete, and pervious asphalt should be used to minimize the amount of impervious surface within new development and redevelopment consistent with code requirements regarding protection of natural systems from contaminants.

**Policy FLU 5.2.8: Stormwater Drainage**

Drainage for streets and roads within new development shall ~~be through roadside swales and berms whenever possible. Curb and gutter design should not generally be approved, except where safety or other issues exist. Infill and redevelopment within existing urban areas with existing curb and gutter are exempt from these requirements. Where curb and gutter is approved and to the extent feasible, the curb and gutter shall be designed to provide adequate curb cuts to allow run-off to be directed to roadside landscaped swales for infiltration and treatment prior to discharge.~~ be consistent with the St. Johns River Water Management District requirement and the Land Development Regulations.

**Policy FLU 5.2.9: Minimization of Site Disturbance**

Development shall be designed to minimize site disturbance by limiting clearing to the minimum area necessary to accomplish development through the following:

- a. Avoid or minimize the removal of existing native trees and vegetation;
- b. Minimize soil compaction by delineating the smallest disturbance area feasible;
- c. Use design techniques that limit earth movement and impervious surfaces such as stem-wall construction, reduced pavement widths, and swales; and
- d. Maximize disconnection of impervious surfaces to reduce water runoff flows and increase opportunities for infiltration.

**Policy FLU 5.2.10: Golf Courses**

All golf course siting, design, construction, and management shall implement the prevention, management, and monitoring practices, detailed in the golf course siting, design, and management chapter of the *Protecting Florida's Springs Manual – Land Use Planning Strategies and Best Management Practices (November 2002)*. These practices are derived from the Audubon International Signature program.

**Policy FLU 5.2.11: Landscape Best Management Practices**

The following landscaping Best Management Practices shall be instituted to the greatest extent practicable to reduce nitrate loading:

- a. Planted turf grass and landscaping within residential lots shall be restricted wherever feasible to minimize the use of fertilization and water for irrigation;
- b. Florida Friendly landscaping shall be required wherever feasible; and
- c. The City will adopt Land Development Regulations for managing future lawns and landscapes within the Wekiva Springs Overlay Protection Area using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best Management Practices wherever feasible. Such Land Development Regulations shall include practices that are designed to reduce nitrate infiltration into ground and surface water.



**Policy FLU 5.2.12: Protection of Sensitive Natural Habitats**

The City shall protect sensitive natural habitat including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub (generally shown on Map #14 and Map #15) within the Wekiva Springs Overlay Protection Area to the greatest extent practicable. The Land Development Regulations shall require a site analysis during the development review process to identify sensitive natural habitat. If such habitat is determined to exist on-site, proposed development shall be required to avoid and protect such areas as much as possible as follows:

- a. Design shall be accomplished to maintain sensitive natural upland habitat in functional, clustered and contiguous configurations that maximize use by wildlife (Map #18) and maintain the long-term viability of natural communities. This includes linkages to habitat corridors and greenways where possible.
- b. Sensitive natural habitat protected on-site shall require a permanent conservation easement and be incorporated as open space within the subject property.

**Policy FLU 5.2.13: Management of Sensitive Natural Habitats**

The City may require a management plan for sensitive natural habitat areas greater than two acres in size that are protected as the result of a development project. The management plan shall be prepared at the expense of the developer by a qualified professional biologist and provide for the following:

- a. Eventual removal of invasive plants and replanting with Florida Friendly vegetation as necessary;
- b. Maintenance of biodiversity, with special emphasis on the protection of listed plant and animal species;
- c. Removal of debris, articles, and structures not permitted by the management plan;
- d. Conditions for use that are limited to passive recreation; and
- e. Any additional measures necessary to protect and maintain the functions and values of the habitat area while ensuring protection from wildfire.

## EXHIBIT B

### FUTURE LAND USE ELEMENT APPENDIX

#### SECTION FLU A-1: PLAN AMENDMENT STANDARDS OF REVIEW

The City of Eustis Comprehensive Plan is designed to preserve and enhance the public health, safety, and welfare through the management of growth, the provision of adequate public services and the protection of natural resources. These purposes are accomplished by the legislative establishment of goals, objectives, and policies that are designed to guide the future growth and development of lands within the City.

##### **GENERAL**

All applications for a Plan amendment 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.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

- A **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.
- B **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. Evaluation of specific features and impacts shall be included in the Land Development Regulations and addressed at time of site plan or subdivision plan consideration.
- C **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.

1. Proposed Residential Land Uses. The City shall limit these uses adjacent to incompatible commercial or industrial land uses unless sufficient mitigation, such as buffering and setbacks is provided and available through the Land Development Regulations, which lessens the impact to the proposed residences.
  2. 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.
- D **Transportation:** Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.
- D **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.

#### **AMENDMENTS WITHIN THE WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

Amendments to the Future Land Use Map (FLUM) within the Wekiva Springs Overlay Protection District shall be required to comply with all applicable policies of this Comprehensive Plan and at time of site plan or subdivision consideration, approval of a development plan shall satisfy the following criteria:

- A. Support the development plan with the -required studies and surveys -in FLU Policy 5.1.3 to document that the development is consistent with protection of groundwater and surface water and natural resources;
- B. Support the development plan with a nitrate/nitrogen loading analysis prepared by a professional qualified to use professionally accepted methods that compare the existing land use activity to the proposed future land use activity at build-out if there is no connection to central sanitary sewer. The analysis must demonstrate when all factors are taken into account considered, that there shall be no increase in nitrate/nitrogen loading to groundwater and surface water.

#### **SECTION FLU A-2: ZONING STANDARDS OF REVIEW**

The City of Eustis does not have zoning districts. The City of Eustis regulates the specific uses that are permitted and prohibited within each land use district through the City's Land Development Code based on the Future Land Use Map designation and establishes the minimum design standards to be used when developing property through the application of a Design District Overlay. The intent of the land use and design regulations of the Land Development Code is to promote the health, safety, and welfare of the community; to ensure that future growth and development which occurs in Eustis is consistent and compatible with the city comprehensive plan; is compatible with existing and planned development in the City in type, design, and location; is served by adequate public services and facilities; and in all other respects achieves and implements the goals, objectives, and policies of the city as contained in the city comprehensive plan.

### **SECTION FLU A-3: THE OFFICIAL FUTURE LAND USE MAP**

#### **General Application**

The City of Eustis Future Land Use Element contains the Official Future Land Use Map. This map depicts a land use classification system which defines the location and range of permitted uses in each classification, the range of permitted densities and/or intensities of use, and other data necessary to comply with minimum State requirements. 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 official Future Land Use Map depicts the following land use classifications, map symbols, and the identification of designations that require urban services.

**TABLE A-3.1 FUTURE LAND USE DESIGNATIONS**

| LAND USE DISTRICT               | MAP SYMBOL                     | Maximum Net Density<br>(Total dwelling units per net acre) | Intensity Range<br>(Floor Area Ratio) | Maximum Impervious Surface<br>(% of net buildable area) |
|---------------------------------|--------------------------------|------------------------------------------------------------|---------------------------------------|---------------------------------------------------------|
| Rural Residential               | RR                             | 1 dwelling-unit/acre                                       | N/A                                   | 20%                                                     |
| Suburban Residential            | SR                             | 5 dwelling units/acre <sup>(2)</sup>                       | N/A                                   | 450% <sup>(4)</sup>                                     |
| Urban Residential               | UR                             | 12 dwelling units/acre <sup>(2)</sup>                      | N/A                                   | 450% <sup>(4)</sup>                                     |
| Manufactured Home Community     | MH                             | 8 dwelling units/acre                                      | N/A                                   | 550% <sup>(4)</sup>                                     |
| General Commercial              | GC                             | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| General Industrial              | GI                             | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Central Business District       | CBD                            | 40 dwelling units/acre <sup>(1)</sup>                      | up to 3.0                             | 100%                                                    |
|                                 | Residential<br>Non-Residential |                                                            |                                       |                                                         |
| Residential/Office Transitional | RT                             | 12 dwelling units/acre <sup>(2)</sup>                      | up to 2.5 <sup>(3)</sup>              | 450% <sup>(4)</sup>                                     |
|                                 | Residential<br>Non-Residential |                                                            |                                       | 75%                                                     |
| Mixed Commercial/ Residential   | MCR                            | 12 dwelling units/acre <sup>(2)</sup>                      | up to 2.5 <sup>(3)</sup>              | 450% <sup>(4)</sup>                                     |
|                                 | Residential<br>Non-Residential |                                                            |                                       | 75%                                                     |
| Mixed Commercial/ Industrial    | MCI                            | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Public and Institutional        | PI                             | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Agricultural                    | AG                             | 1 dwelling-unit/5 acres                                    | N/A                                   | 20%                                                     |
| Conservation                    | CON                            | N/A                                                        | up to 0.20 <sup>(3)</sup>             | 10%                                                     |

Table Footnotes  
Generally: Stated densities and intensities will not be achieved in all cases. Compatibility standards and other Land Development Regulations, including those regulating the interaction between land use districts and design districts, as related to each specific site's unique characteristics, will determine actual achievable densities and intensities.

(1) In the Central Business District, the maximum of 40 units per acre is permitted in the portion of the central business district bordered on the west by Bay Street, south by Orange Avenue, east by Center Street and north by Clifford Avenue. The remainder of the Central Business District shall have a base maximum density of 12 du/ac and shall require a conditional use permit to develop up to 40 units per acre.

(2) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in these classifications where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent.

(3) Allowable intensities incrementally decrease between downtown and outlying areas, and between corridors and neighborhoods, as specified in Section 109-3 of the Land Development Regulations. Higher intensities apply in urban districts, medium intensities in suburban districts and lower intensities in rural districts. Similarly, within those districts, higher intensities apply along corridors and lower intensities in neighborhoods.

(4) Maximum impervious surface requirements apply to the development as a whole, when common area is provided. In no case shall individual building lot coverage exceed 80 percent.

For more information regarding open space and impervious definitions see the City of Eustis Land Development Regulations, Definitions and Chapter 115, Section 115-4.1

(4)

For more information regarding open space and impervious definitions see the City of Eustis Land Development Regulations, Definitions and Chapter 115, Section 115-4.1

## DEFINITIONS OF FUTURE LAND USE DESIGNATIONS

The definitions and uses provided for in each of the following future land use designations are descriptive definitions only.

### **Residential Districts**

~~Rural Residential~~

Suburban Residential

Urban Residential

~~Manufacture-Mobile~~ Home Community

### **Rural Residential (RR)**

~~This designation provides for large lot development near or on the periphery of the Eustis urbanized area. Low density designation is a proven effective means for delaying development until growth can be accommodated in an orderly economical fashion. Mainly, this category is seen as providing a low density estate type housing environment preferred by a segment of the local population. Principal locations are near East Crooked Lake, Lake Joanna, Lake Yale, and around certain lakes in the eastern portion of the City.~~

~~General Range of Uses: Single family residential dwelling units, parks, schools, and public and utility services and facilities that are 2 acres or less in size.~~

~~Maximum Density: Residential densities in Rural Residential may not exceed one dwelling unit per net buildable acre. Net Densities of one unit or less per acre are appropriate in areas of steep slope near lakes where soil erosion is a potential problem and in remote locations where provision of urban services is not economically feasible.~~

### **Special Provisions:**

- ~~(1) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:~~

- ~~a. all such housing is attached to foundations as in the case of conventional site-built construction; and~~
- ~~b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.~~
- ~~(2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.~~

#### **Suburban Residential (SR)**

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

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

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

#### Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
  - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
  - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

#### **Urban Residential (UR)**

This designation is intended to provide higher density residential options for the areas near the downtown core of the city.

General Range of Uses: Includes single family detached, patio home, townhouse dwellings, and apartments. Additional uses include adult congregate living facilities (ACLF), other group housing facilities, manufactured residential dwelling units, limited neighborhood commercial uses, parks and recreation facilities, and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density: Urban residential densities may be developed at a minimum density of six dwelling units per net buildable acre up to a maximum of 12 dwelling units per net buildable acre, except where existing conditions require a density less than six dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

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

**Manufactured-Mobile Home Community (MH/RV)**

This designation applies to specific existing mobile home and recreational vehicle developments which are predominantly located north of Trout Lake. The purpose of this district is to provide for a mobile home urban environment in a rental park where the dwelling unit may or may not be owned by the tenant residing within, provided however, that the real property for the entire mobile home community is under single ownership. No new mobile home or transient recreation vehicle home developments are specifically provided for contemplated on the Future Land Use Map.

General Range of Uses: Single-family residential dwelling units, multi-family dwelling units, manufactured residential dwelling units, mobile homes, outdoor recreation, and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density: Residential densities may not exceed eight dwelling unit per net buildable acre.

Special Provisions:

- (1) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:



- a. all such housing is attached to foundations as in the case of conventional site-built construction; and
- b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.

### **Commercial Districts**

#### **General Commercial (GC)**

The GC designation is intended to provide an area consisting of primarily free-standing commercial land uses serving both motorists and local residents.

General Range of Uses: General Commercial may include a variety of free-standing retail and service uses and small strip centers including automotive-oriented uses such as service stations and auto sales as well as outdoor recreation, and schools. Public and utility services and facilities that are 5 acres or less in size are also permitted.

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

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

### **Industrial Districts**

#### **General Industrial (GI)**

This land use designation is provided for those businesses that have one or more objectionable uses such as noise, dust or odor. The purpose of this district is to provide a method whereby industries necessary to the area, but with inherent characteristics which could prove obnoxious or detrimental to a different type of industrial operation, may locate in the most suitable and advantageous spots to minimize inconvenience to the general public. This district also offers greater economy and freedom to the industrial developer by the relaxation of certain standards and screening requirements within the district itself.

General Range of Uses: General Industrial development includes existing industrial development of light-to-heavy nature along the rail line both north and south of downtown. Outdoor recreation, schools, and public and utility services and facilities that are 5 acres or less in size are also permitted.

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

#### **Special Provisions:**

- (1) New development within GI areas shall continue to be required to:
  - a. Provide adequate setbacks and buffering from residential areas and public roads;
  - b. Comply with all federal and state environmental regulations and local performance standards contained in the Land Development Regulations; and
  - c. Limit effluent discharges to the municipal sewer system to approved pretreated industrial wastes and domestic wastes only.

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

**Mixed Use Districts**

Central Business District  
Residential / Office Transitional  
Mixed Commercial / Residential  
Mixed Commercial / Industrial

**Central Business District (CBD)**

This land use designation is designed to support a mixed-use area encompassing downtown Eustis within which a combination of commercial, institutional, office, and residential uses may occur at comparatively high densities.

General Range of Uses: This category accommodates the mix of residential, commercial, light industrial/manufacturing, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted as well as residential uses found in or otherwise desirable in downtown areas.

Density: The maximum density is 40 du/ net buildable acre where the maximum of 40 units per buildable acre is permitted in the "core area" of the district which is defined as that portion of the central business district bordered on the west by Bay Street, south by Orange Avenue, east by Center Street and north by Clifford Avenue. The remainder of the Central Business District shall be a maximum density of 12 du/ net buildable area unless granted a conditional use permit to develop up to 40 units per net buildable acre. The minimum density within the "core area" of the CBD is 6 du/ net buildable acre except where existing conditions require less than the minimum.

IntensityRange: up to 3.0 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated CBD. For the mixed land use category CBD, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Commercial/Office: 50% - 80% of total CBD building square footage  
Residential: 20% - 60% of total CBD building square footage  
Institutional: 5% - 15% of total CBD building square footage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially, commercially, or as an institutional use provided that all applicable criteria set forth herein are met.

**Residential / Office Transitional (RT)**

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

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

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

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

Mix Requirements: There are proportional requirements or limitations regarding the amount of residential and non-residential uses allowable in an area designated RT on the Future Land Use Map. For the mixed land use category RT, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 55% - 70% of total RT acreage  
Commercial/Office: 30% - 45% of total RT acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

**Special Provisions:**

- (1) Future amendments to designate areas as RT shall be required to be designated near thoroughfares and commercial areas to allow for limited transitional commercial uses in recognition that these areas are impacted by adjacent commercial use and to provide an economic use of property while maintaining their general residential character by:
  - a. limiting commercial uses to retail, business and professional offices, group homes, and home occupations as defined in the Land Development Regulations;
  - b. limiting external lighting and signs to that which would normally be permitted in adjacent residential zoning districts;
  - c. screening any permitted non-residential use from abutting residential properties by a landscape buffer, in accordance with city requirements;
- (2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Mixed Commercial / Residential (MCR)**

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

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

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

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR acreage  
Commercial/Office: 75% - 85% of total MCR acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

**Special Provisions:**

- (1) Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods which meet the following conditions:
  - a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;
  - b. strip commercial development shall be minimized, including actions that would extend or expand existing strip development;
  - c. the arterial road frontage contains an existing mix of viable commercial and residential uses;
  - d. the clustering of viable commercial businesses within or adjacent to residential neighborhoods is determined to not have a detrimental visual or operational impact on such adjacent or nearby residential uses;
- (2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Mixed Commercial / Industrial (MCI)**

This land use designation is intended to provide for development of light manufacturing, distribution, corporate office and related commercial and industrial facilities in select high profile locations and in well planned environments.

General Range of Uses: Uses include light industry and manufacturing, distribution, corporate office, and related commercial and industrial facilities in select high profile locations and in well-planned environments. Outdoor recreation and schools are permitted as well as public and utility services and facilities that are 5 acres or less in size.

Light industry includes warehousing and wholesale distribution, provided that truck access bays and loading operations are effectively screened from view where necessary, truck traffic does not impact local streets, and hours of operation are compatible with adjacent land uses. Light industry also includes those manufacturing, distribution, and associated activities which do not create any noise, glare, vibration, odor, or waste products which would adversely impact adjacent properties or municipal utility systems, based on performance standards established in the Land Development Regulations.

Maximum Density: Not applicable.

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

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCI. For the mixed land use category MCI, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Commercial: No more than 20% of total MCI acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop all commercially or all industrially, provided that all applicable criteria set forth herein are met.

Special Provisions:

- (1) Future amendments to designate areas as MCI may be permitted in undeveloped areas oriented to major highways and other transportation facilities as determined by market demand, and provided that:
  - a. Mixed Commercial Industrial areas and developments therein will be held to a higher level of community design relative to signage, lighting, landscape materials, and building quality than General Commercial (GC) areas; and
  - b. Signage and lighting are limited to maintain the generally semi-rural or high-profile image character of these designated areas.

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

**Other Districts**

Public and Institutional

**Agricultural**

Conservation

**Public and Institutional (PI)**

This land use designation applies to public and quasi-public properties and other facilities that provide a community service.

General Range of Uses: Uses include school, recreation, and public utility properties and other governmental facilities. Cemeteries are also included in this category.

Maximum Density: Not Applicable

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

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

## EXHIBIT C

**CONSERVATION  
GOALS, OBJECTIVES AND POLICIES****GOAL CON 1: AIR AND WATER RESOURCES**

**Promote the attainment and preservation of clean air and water in the Eustis Planning Area.**

**OBJECTIVE CON 1.1: WATER AND AIR QUALITY**

To assist federal, state, regional, and county efforts on an ongoing basis to improve water and air quality within prescribed standards and compliance schedules.

**Policy CON 1.1.1: Water Quality Permit Requirements**

The City shall continue to mandate that applicants meet all applicable permit requirements relating to water quality, including those of the St. Johns River Water Management District and Florida Department of Environmental Protection, as provided for ~~in the land development review procedures in~~ the Land Development Regulations.

**Policy CON 1.1.2: Water Quality Program**

The City shall, on a continuing basis, participate in discussions with Lake County, the Lake County Water Authority, and the St. Johns River Water Management District leading to the design and implementation of a program to monitor water quality in key lakes in the planning area and the establishment of joint stormwater runoff management and waste disposal guidelines and improvement programs.

**Policy CON 1.1.3: Growth Control Programs for Invasive Aquatic Weeds**

The City shall continue to participate in discussions with the Lake County Water Authority, the St. Johns River Water Management District, and/or the Florida Department of Environmental Protection leading to design and implementation of programs to control growth of invasive aquatic weeds in local lakes and waterways.

**Policy CON 1.1.4: Floodplains**

Land development shall not be permitted in the 100-year floodplain unless the following criteria are met:

Public wastewater service is provided. Alternatively, on-site waste disposal may be used only where it is permissible by state and local agencies having jurisdiction and where public sewer service is unavailable and is not included in the current five-year Capital Improvements Program;

~~Gross residential density is less than two units per acre;~~

Public water service is provided;

Wetlands and other designated environmentally sensitive resources are not

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displaced;  
Impervious surfaces in a development, including road pavement, are limited to 25 percent; and  
There is no net loss of flood storage capacity.

**Policy CON 1.1.5: Lakeshore Development Limitations**

The Land Development Regulations shall continue to limit development in areas near lake shorelines, as provided for in the Land Development Regulations follows:

Erosion control plans will be required for all subdivisions and building sites in areas within 400 feet from lake shorelines, including provisions for retaining trees and other natural vegetative cover. Ground disturbing activities will be minimized in all cases.

No net loss of 100-year flood storage area or wetlands function will be permitted.

On-site waste disposal methods may be permitted in these areas, [but only within the front yard (the yard furthest from the lake)] provided that soil conditions are acceptable (see Policy CON 2.1.1), no practical connection to a public system can be made, and disposal facilities are placed not closer to the mean high water line of a lake than 100 feet. The 100 ft. setback does not apply to lots that do not have sufficient depth to meet the 100 ft. setback and that were platted and recorded as of July 1, 2010, provided that the on-site disposal facility is located as far as possible from the mean high water line in accordance with the other provisions of this policy.

Subdivisions having more than 10 lots will be required to install dry lines for future connection to a public sewer system where such connection is scheduled or can be made realistically within five years from preliminary plat approval.

**Policy CON 1.1.6: Public Sewer Service to High Recharge Areas**

The city will continue to implement its phased program to provide public sewer service in high recharge areas, in designated wellhead protection areas, and to developed and developing areas within 400 feet of lake shorelines where such service is not presently available, provided that such service extensions are found to be economically feasible or otherwise determined to be necessary to maintain water quality. When service is available in these areas, the city will mandate connection to the public sewer system.

**Policy CON 1.1.7: Development Regulation within High Recharge Areas**

The City shall continue to regulate development within high recharge areas and designated wellhead protection areas of public water supply wellheads as follows:

- a. At a minimum, conform to Rule 62-521, FAC (Wellhead Protection)

~~adopted by the Florida Department of Environmental Protection regarding types of restrictions within designated wellhead protection areas;~~

- ~~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; and~~
- ~~c. On-site waste disposal methods may be used only where permissible by state and local agencies having jurisdiction and where public sewer service is unavailable and is not included in the current five-year Capital Improvements Program.~~

~~High recharge areas are generally identified in Map #12 and Designated Wellhead Protection Areas are generally those set forth in Map #5. Specific site information will determine actual applicability.~~

**Policy CON 1.1.8: Air Quality**

The City shall coordinate with adjacent municipalities and Lake County to comply with or exceed air quality standards established by the Florida Department of Environmental Protection (FDEP), including the following actions:

- a. Through the adopted land development regulations and the development review and approval process, regulate uses to prevent adverse impacts to air quality.
- b. Through enforcement of building codes, provide proper ventilation and restrict use of hazardous construction materials in order to promote safe indoor air quality.

**Policy CON 1.1.19: Protection and Replanting of Trees**

The City shall maintain provisions in the Land Development Regulations for the protection and replanting of trees on public property as natural air pollution filters in the community.

**OBJECTIVE CON 1.2: STORMWATER MANAGEMENT**

To take actions on a continuing basis to improve local surface water quality through implementation of Best Management Practices and regulations to minimize potential nonpoint pollution sources in accordance with the policies below.

**Policy CON 1.2.1: Drainage Program**

~~As provided for in Policy INT 1.3.6, The City shall will participate coordinate with state and local agencies regarding drainage in existing developed areas on a continuing basis in discussions with Lake County, the Lake County Water Authority, the St. Johns River Water Management District, the Florida Department of Transportation, and others leading to a program which (1) establishes reasonable and effective standards and~~

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~~procedures which can be applied to existing developed areas as a basis for individual or joint improvement programs designed to correct deficiencies and (2) delineates intergovernmental solutions to drainage problems in these areas. Such a program will also address or include:~~

- ~~a. Determination of those basins, subbasins, and waterbodies in the Eustis area to be included;~~
- ~~b. Improvement of existing drainage in unincorporated sections of the planning area; and~~
- ~~Establishment of a system to monitor the quality of discharges into receiving waters using certain pollution indicators.~~

**Policy CON 1.2.2: Correction of Existing Drainage Deficiencies**

The City will participate, on an ongoing basis, (based on facts and needs determined using the process outlined in Policy CON 1.2.1 above) in the correction of existing drainage deficiencies, including remediation of surface water pollution from urban runoff, consistent with the requirements of Rule 62-40.420, FAC through the following actions:

- a. Establishment of Best Management Practices (BMPs) applicable to existing areas of development and
- b. Improvement of facilities as recommended in the 2005 Update to the Master Stormwater Plan and any subsequent updates.

**Policy CON 1.2.3: Best Management Practices for Surface Water Quality**

The City shall implement Best Management Practices (BMPs) on an ongoing basis to improve surface water quality through the Land Development Regulations and through public improvements as scheduled in the annually updated five-year Capital Improvements Program commensurate with the availability of funds through the stormwater utility, grants from other levels of government, and other sources. Such BMPs, based on recommendations contained in the 2002 Master Stormwater Plan, the 2005 Update, and any subsequent updates shall include, where appropriate:

- a. Reverse berms in areas where existing drainage facilities outlet directly into lakes;
- b. Dry retention/detention basins for soils with good percolation;
- c. Wet retention/detention basins for soils with high water table characteristics and poor percolation;
- d. Construction of roadway swales;
- e. Exfiltration trenches;
- f. Use of wetland systems;
- g. Use of grass inlets;
- h. Multi-component sedimentation/filtration retention/detention ponds; and

- i. Vegetative swales, landscaped bump-outs, and bio-retention systems

**Policy CON 1.2.4: Mitigation of Stormwater Impacts**

The City shall on a continuing basis implement a phased multi-year program of improvements needed to mitigate existing runoff impacts commensurate with available local, state, and federal funding. The City will aggressively seek outside support in the form of grants from the Florida Department of Transportation, Florida Department of Environmental Protection, the St. Johns River Water Management District, and the Lake County Water Authority for the implementation of this program.

**Policy CON 1.2.5: LOS Standards for New Development**

The City shall adopt level of service (LOS) standards principally applicable to new development as follows:

- a. Rate of Discharge. The post-development peak rate of discharge shall not exceed predevelopment conditions based on a 50-year, 24-hour storm for areas having positive drainage outfall, and a 100-year, 24-hour storm for areas which do not have positive drainage outfall.
- b. Volume of Discharge. The post-development volume of discharge shall not exceed predevelopment conditions based on a 100-year, 24-hour storm for certain drainage basins identified in the 1990 Stormwater Facilities Study. Volumes of discharge for other basins may meet lesser requirements to be determined.
- c. Retention/Detention. Minimum on-site retention/detention for pollution abatement purposes shall be as determined by the St. Johns River Water Management District (SJRWMD) per Rule 40C-42, FAC.

**Policy CON 1.2.6: Requirements for Water Quality Standards for Stormwater Discharge**

The City shall adopt the requirements of Rule 62-25, FAC for water quality standards for stormwater discharge for all new and existing stormwater management systems. As part of this adoption by reference, the City includes the following clarifications and exceptions:

- a. The City does not mandate that existing facilities must be retrofitted to meet these standards. Such retrofitting will be accomplished through the funding constraints of the City's stormwater utility and other revenue sources.
- b. Stormwater management systems which satisfy the appropriate state or regional regulatory design and performance criteria are deemed to satisfy the stormwater discharge water quality standards.
- c. Stormwater management systems that comply with adequate locally or regionally established level of service standards shall also be deemed to satisfy the stormwater discharge water quality standards.

- d. The City of Eustis may, at its discretion, allow exemptions to the stormwater management water quality standards to the extent that such appear in state or regional stormwater management water quality laws or regulations.

This policy does not mandate that the City conduct water quality sampling or testing of stormwater discharge receiving waters to implement the standards of the policy.

**Policy CON 1.2.7: Provision of Public Sewer Service to Lake Shoreline Areas**

The City shall initiate, in accordance with the final rules resulting from the implementation of the Wekiva Parkway and Preservation Act, a phased program to provide public sewer service to developed and developing areas within 400 feet of lake shorelines where such service is not presently available, provided that such service extensions are found to be economically feasible or otherwise determined to be necessary to maintain water quality. When service is available in these areas, the City will mandate connection to the public sewer system.

**OBJECTIVE CON 1.3: GROUNDWATER PROTECTION**

To continue to protect the integrity of groundwater resources in the community through the implementation of design standards (performance and technical) –and operating standards including Best Management Practices (BMPs) regarding water consumption and location of development in relation to high recharge areas and designated wellhead protection areas.

**Policy CON 1.3.1: Development Regulation within Wellhead Protection Areas and High Recharge Areas**

The City shall continue to regulate development within designated wellhead protection areas of public water supply wellheads and in high recharge areas as follows:

- a. At a minimum, conform to Rule 62-521, FAC (Wellhead Protection) adopted by the Florida Department of Environmental Protection regarding types of restrictions within designated wellhead protection areas;
- 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 in areas with central sewer service~~; and
- c. On-site waste disposal methods may be used only where permissible by state and local agencies having jurisdiction and where public sewer service is unavailable and is not included in the current five-year Capital Improvements Program.

High recharge areas are generally identified in Map #12 and Designated Wellhead Protection Areas are generally those set forth in Map #5. Specific site information will determine actual applicability. The general high recharge areas to which this policy will apply are included as a part of the Future Land Use map series in Map #12 Wekiva Study Area: Most Effective Undeveloped Recharge Areas. These areas shall be reviewed with local jurisdictions as a basis for interlocal cooperation and agreements regarding regulation of development of environmentally sensitive lands. Designated wellhead protection areas are generally included as a part of the Future Land Use map series in Map #5 Designated Water Wellhead Protection Areas and accepted by the City of Eustis. Site specific evaluation must verify areas as high recharge or wellhead protection to determine applicability.

**Policy CON 1.3.2. Public Sewer Service to High Recharge Areas**

The city will continue to implement its phased program to provide public sewer service in high recharge areas, and in designated wellhead protection areas, where such service is not presently available, provided that such service extensions are found to be economically feasible or otherwise determined to be necessary to maintain water quality. When service is available in these areas, the city will mandate connection to the public sewer system.

**OBJECTIVE CON 1.4: WATER CONSERVATION**

To continue to implement water conservation measures to reduce per capita consumption of potable water supplies and depletion of groundwater resources during times of drought, based on the specific policies and timetables set forth below.

**Policy CON 1.4.1: Installation of Low Volume Plumbing Fixtures in New and Renovated Buildings**

The City shall, ~~through the City's Building code,~~ continue to require the installation of low volume plumbing fixtures in new and renovated buildings, consistent with requirements of the State Water Conservation Act (Chapter 553.14, FS).

**Policy CON 1.4.2: Leak Detection and Correction Program**

The City shall, on an ongoing basis, implement a leak detection and correction program for the City's water system and schedule needed improvements through the annually updated five-year Capital Improvements Program.

**Policy CON 1.4.3: Water Conservation Programs**

The City shall, on an ongoing basis, cooperate with the St. Johns River Water Management District in implementing educational and regulatory programs related to water conservation, including enforcement of periodic water consumption restrictions.

**Policy CON 1.4.4: Water Use Rate Structure**

The City shall review local water consumption trends no less frequently than biannually and, as needed, adjust the city's water use rate structure accordingly to maintain per capita consumption at or below previous levels.

**Policy CON 1.4.5: Programs for Recycled Non-Potable Water Sources**

The City shall continue to expand programs using recycled non-potable water sources for irrigation of public and private properties, including grey water, collected runoff, and treated effluent.

**Policy CON 1.4.6: Criteria for Reuse of Stormwater**

The City shall, ~~by 2015 establish~~ maintain criteria for reuse of stormwater for irrigation purposes and supplementation of reclaimed water.

**OBJECTIVE CON 1.5: WEKIVA SPRINGS WATER CONSERVATION/RESOURCES**

To conserve water and protect the Wekiva spring system and groundwater and surface water resources of the Wekiva Springs Overlay Protection District.

**Policy CON 1.5.1: Landscape Best Management Practices**

The City shall require the use of landscaping Best Management Practices as described in *Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes* (Florida Department of Environmental Protection, September 2, 2003).

**Policy CON 1.5.2: Landscaping at City Facilities**

The City shall manage existing and future lawns and landscapes at all City facilities using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles, and Best Management Practices.

**Policy CON 1.5.3: Best Management Practices Education**

The City shall continue to coordinate with other local governments to develop and maintain programs to educate and encourage homeowners and private land owners to use Best Management Practices to protect natural habitat and to protect the quality and quantity of surface and

groundwater resources within the Wekiva Springs Overlay Protection District.

**Policy CON 1.5.4: Landscaping and Lawn Care Certification**

The City shall encourage homeowners to be responsible in the application of fertilizers and pesticides, especially within the Wekiva Springs Overlay Protection District.

**GOAL CON 2: LAND, VEGETATION, AND WILDLIFE RESOURCES**

**Protect and conserve environmentally sensitive resources, including soils, wetlands, woodlands, and other resources which provide habitat for endangered, threatened, and rare species of plants and wildlife and other important ecological functions.**

**OBJECTIVE CON 2.1: SOILS**

To prevent soil erosion, on an ongoing basis, by recognizing soil limitations for development and requiring the utilization of Best Management Practices (BMPs).

**Policy CON 2.1.1: Use of Septic Systems**

The City shall continue to regulate the use of septic systems for on-site waste disposal in accordance with Florida Statutes and the requirements of FAC rule 64E 6. On-site sub-surface waste disposal methods may be used only where permissible by state and local agencies having jurisdiction and where public service is unavailable and not included in the Five-Year Capital Improvements Element at the time of application.

No on-site subsurface waste disposal is permitted in areas having the soil types listed below, except for existing lots-of-record of not less than 25,000 square feet and provided that the on-site disposal method is permissible by state and local agencies having jurisdiction under Florida Statute.

- a. Anclote
- b. Manatee
- c. Iberia
- d. Felda
- e. Oklawaha
- f. Placid
- g. Pelham
- h. Ocoee
- i. Pompano
- j. Iberia and Manatee
- k. Anclote and Myakka
- l. Swamp
- m. Placid and Myakka
- n. Emerald
- o. Myakka and Placid



- p. Fellowship
- q. Brighton
- r. Montverde

**Policy CON 2.1.2: Erosion Prevention**

The City shall continue to provide for, in the Land Development Regulations, standards, site plan review procedures, and Best Management Practices to prevent soil erosion and loss during construction on and occupancy of a site, including provisions which address the following:

- a. Density and land coverage in areas having highly erodible soils.
- b. Time period between site clearance and initiation of construction standards for tree protection and removal;
- c. Time period between completion of construction and replanting, sodding, or seeding the site; and
- d. Submittal of soil removal and erosion prevention plans for all major subdivisions and developments, as defined in the Land Development Regulations, including procedures for removal of vegetation, temporary soil stockpiling, and soil stabilization.

**OBJECTIVE CON 2.2: MINERAL RESOURCES**

To promote, on an ongoing basis, the conservation and commercial use of locally available mineral resources in an environmentally acceptable manner.

**Policy CON 2.2.1: Extraction of Mineral Resources**

The City may permit the extraction of mineral resources ~~in-Agricultural (AG)-land-use-areas~~, provided that:

- a. Compatibility with existing and potential development can be shown in terms of the character, phasing, and buffering of the proposed mineral extraction activities;
- b. Compatibility with existing and potential development can be shown in terms of access to the proposed mineral extraction activities;
- c. The activity meets all applicable licenses, regulations, and standards and is permissible by state agencies having jurisdiction; and
- d. Excavation, erosion control, and reclamation plans are submitted and provide for the protection of surface and groundwater resources, wetlands, and upland habitat areas (or their mitigation) and for the productive reuse of land after excavation is discontinued.

**OBJECTIVE CON 2.3: WETLANDS**

To continue to preserve the integrity of locally and regionally significant wetland communities from urban encroachment and degradation through the Land Development Regulations and Best

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Management Practices.

**Policy CON 2.3.1 Wetland Protection**

The City shall continue to protect the natural functions provided by wetlands by first directing incompatible uses away from wetlands, and then by requiring conservation easements, setbacks/buffers, and/or mitigation consistent with the Uniform Mitigation Assessment method used by the St. John's River Water Management District.

**Policy CON 2.3.2: Wetland Mitigation**

The City shall consider wetland alteration with mitigation only as a last resort, and only if the City determines that encroachment in the wetland is the least damaging alternative and no practicable on-site alternative exists. Such mitigation activities should replace similar habitat and function, and shall result in no net loss of wetland functions as determined by SJRWMD. Preservation of upland habitat may be considered in certain instances if deemed appropriate by the City but shall not result in a net loss of wetland functions.

**Policy CON 2.3.3: Wetland Encroachment**

In determining whether an encroachment in the wetland is the least damaging to the wetland and that no practicable on-site (or when in same ownership, adjacent off-site) alternative exists, the City shall evaluate the following:

- a. The land use category according to the Future Land Use Map (FLUM) series of the site and surrounding parcels;
- b. Alternative designs which could accomplish the purpose of providing a minimal, reasonable, beneficial use including the encroachment on the wetland of such alternative design;
- c. The degree of impact to the wetlands; and
- d. The quality of the wetland and the wetland functions being served by the area proposed to be encroached upon.
- e. The requirements applied by SJRWMD through the permitting process.

**Policy CON 2.3.4: Wetland Buffer**

The City shall require, for all natural, protected wetlands, an undisturbed upland buffer consistent with SJRWMD requirements, except where exemptions are established by SJRWMD and the Land Development Regulations. The size of the buffer shall vary in proportion to the ecological value of the adjacent wetland. The wetland classes are as follows:

- a. Isolated – on-site wetlands entirely isolated hydrologically from off-site wetlands and not considered waters of the state
- b. Non-isolated – on-site wetlands that are connected hydrologically to off-site wetlands, but not through permanently standing water
- c. Stream or lake – on-site wetlands which are riparian or otherwise

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connected to off-site wetlands via permanent bodies of water.

The minimum and average size buffers are as follows:

| Type         | Average width | Minimum width |
|--------------|---------------|---------------|
| Isolated     | 25 ft.        | 10 ft.        |
| Non-isolated | 35 ft.        | 15 ft.        |
| Stream/lake  | 50 ft.        | 35 ft.        |

**Policy CON 2.3.5 Enforcement**

The City shall continue to enforce and apply all special Federal, State, and local provisions that relate to the protection of wetlands and their functions.

**OBJECTIVE CON 2.4: WILDLIFE**

To protect, on a continuing basis, locally significant habitat for endangered, threatened, and rare species of terrestrial and aquatic animals.

**Policy CON 2.4.1: Development Application Requirements**

The City shall, on an ongoing basis, require applications for major subdivisions and developments requiring site plan approval to identify locally significant habitat areas potentially impacted by proposed development and include a plan and procedures for avoiding or mitigating potential impacts. ~~Criteria and requirements will include:~~

~~Use of some Florida-Friendly vegetation in landscape plans and limitations on tree removal in accordance with the City's landscape and tree protection regulations and the minimum open space standards set forth under Objective 1.4 of the Recreation and Open Space Element;~~  
~~Minimum setbacks for land clearing and building construction activities from high water lines of lakes and waterways; and~~  
~~Retention of some native vegetation and open space for habitat maintenance and wildlife corridors, in accordance with policies under Objective 1.4 of the Recreation and Open Space Element.~~

**OBJECTIVE CON 2.5: OPEN SPACE/ENVIRONMENTAL PROTECTION**

To conserve open space in the Eustis Planning Area for passive recreation use and natural beauty consistent with the Future Land Use and Recreation and Open Space elements.

**Policy CON 2.5.1: Required Open Space**

The City shall establish minimum open space standards by limiting the

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amount of impervious coverage for each future land use designation, where applicable, through the Future Land Use Element Appendix.

**Policy CON 2.5.2: Reservation and Maintenance of Open Space**

The City shall allow clustering of development in subdivisions or developments ~~exceeding 5 acres in size~~ to provide for the reservation and maintenance of common open spaces.

**Policy CON 2.5.3: Open Space Maintenance**

The City may accept jurisdiction for a dedicated common open space area where it finds the following:

- a. Public recreational opportunities are lacking and the site is well located to meet local needs based on adopted levels of service;
- b. The site is accessible for both public use and maintenance;
- c. Public access to and use of the site will be compatible with the proposed development and surrounding land uses; and
- d. Funding can be accommodated within normal budgeting processes and limitations and insurance liabilities are maintained within reasonable limits.

**Policy CON 2.5.4: Acquisition of Open Space**

The City may acquire open spaces needed to preserve and protect sensitive environmental and historical resources where it determines one or more of the following:

- a. The open space is part of a connected system of open spaces and will protect and preserve a sensitive environmental resource designated or delineated in the City or County Conservation Element;
- b. Requirements of the Land Development Regulations provide insufficient protection; or
- c. Grants are available to help defray acquisition costs.

**Policy CON 2.5.5: Protection of Environmentally Sensitive Areas**

The City shall, on an ongoing basis, undertake efforts to protect designated environmentally sensitive areas in perpetuity as common open space through conservation easements, deed restrictions, or other means.

**Policy CON 2.5.6: Intergovernmental Coordination**

The City shall coordinate with Lake County and other jurisdictions to ensure the protection of environmentally sensitive areas that cross jurisdictional boundaries.

**OBJECTIVE CON 2.6: LAND ACQUISITION**

To support public land acquisition within the Wekiva Springs Overlay Protection District to

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protect and preserve through acquisition and management most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub.

**Policy CON 2.6.1: Acquisition Partnerships**

The City shall support funding opportunities and partnerships with state agencies and local governments through programs such as the Florida Communities Trust to acquire lands for preservation within the Wekiva Springs Overlay Protection District including, but not limited to, karst features, habitat, corridors for wildlife movement, and most effective recharge areas. Both fee-simple acquisition of environmentally-sensitive land and less-than-fee simple conservation easements should be considered.

**Policy CON 2.6.2: Wildlife Corridors and Greenways**

The City shall coordinate with pertinent state and regional land acquisition and wildlife agencies to identify natural greenways and wildlife corridors to link public parks, preservation areas, and similar areas for aquifer recharge, conservation and habitat preservation purposes.

**GOAL CON 3: EFFICIENT DESIGN FOR THE BUILT ENVIRONMENT**

Minimize the effects of urban development on the natural resources of the City, and to the regional environment.

**OBJECTIVE CON 3.1: Efficient Design and Sustainable Techniques**

To continue to review and update policies, codes and practices to provide guidance for new development to utilize worthwhile sustainable techniques, measures and materials as appropriate.

**Policy CON 3.1.1: Incentives for Conservation Certified Projects**

The City shall continue to provide incentives for energy efficient development as provided in the Land Development Code as detailed in Policy FLU 1.1.4 ~~and shall review the Land Development Regulations as a part of monitoring the effectiveness of the Comprehensive Plan to determine if there are additional opportunities for development incentives that can be provided for projects that participate in energy efficient development programs.~~

**Policy CON 3.1.2: Existing Efficient Design at the Site Planning Scale**

~~As provided for in the Future Land Use Element,~~ The City shall continue to support and require efficient design concepts as a part of the site plan

review and approval process through the City's Land Development Regulations, ~~that:~~

~~Allow a mix of high density and intensity uses on development sites within the Central Business District;  
Reduce fertilizers in urban landscapes through urban scape requirements;  
Require Florida Friendly Landscaping;  
Encourage and protect the City's connected street network of small streets through the establishment of block standards for urban design districts; and  
Protect water quality.~~

**Policy CON 3.1.3**

**City Projects**

The City, in its public development projects, will utilize worthwhile sustainable techniques, measures and materials as appropriate.

**EXHIBIT d  
ECONOMIC DEVELOPMENT  
GOALS, OBJECTIVES AND POLICIES**

**GOAL ECD 1: ECONOMIC DEVELOPMENT**

Promote a healthy and growing local employment and tax base in terms of new job opportunities provided, wages paid and revenues generated.

**OBJECTIVE ECD 1.1: Target Industries**

To provide an environment favorable for the development of new target industries within the City.

**Policy ECD 1.1.1: Industrial Development**

The City shall continue to provide locations for industrial development on the Future Land Use Map, consistent with the standards and provisions for each district as defined in the Future Land Use Appendix.

**Policy ECD 1.1.2: Land Development Regulations Standards**

The City shall continue to ensure that Land Development Regulations standards regarding industrial development are contextually appropriate and do not place onerous site standards on new industrial development.

**Policy ECD 1.1.3: Coordination with the ~~Economic Development Commission of Mid-Florida~~ Orlando Economic Partnership**

The City shall maintain regular communications with the ~~Economic Development Commission of Mid-Florida~~ Orlando Economic Partnership to promote the Eustis area as a location for industrial development.

**Policy ECD 1.1.4: Coordination with Local Economic Development Organizations**

The City shall maintain regular communications with the ~~WAGES (Work and Gain Economic Self-sufficiency) board serving Lake County~~, Lake Technical College, the Lake County ~~Agency for Economic Prosperity Development Office~~, and Lake-Sumter State College to ensure that labor force skills and training programs are relevant to local economic development needs and opportunities.

**OBJECTIVE ECD 1.2: Downtown Eustis**

To promote the continued development and redevelopment of Downtown Eustis, consistent with the adopted ~~City of Eustis~~ Downtown ~~and East Town Community Redevelopment Area 2016 Redevelopment~~ Plan.

**Policy ECD 1.2.1: Land Development Regulations Standards**

The City shall ensure that the Land Development Regulations promote investments in the Downtown and do not create significant regulatory impediments to redevelopment and infill

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projects.

**Policy ECD 1.2.2: Walkability and Beautification**

The City shall continue to pursue projects that enhance the beauty and walkability of the Eustis Downtown through streetscaping projects such as the addition of street trees, sidewalks, bike lanes, on-street parking, improved crosswalks, and Florida Friendly plantings.

**Policy ECD 1.2.3: Land Acquisition**

The City may consider programs for purchasing key downtown parcels for economic development, redevelopment, and/or housing.

**Policy ECD 1.2.4: Downtown Signage**

The City shall maintain a cohesive wayfinding and signage Master Plan for the Downtown area.

**OBJECTIVE ECD 1.3: Eustis Community Redevelopment Agency**

To coordinate economic development efforts by the City with the Community Redevelopment Agency.

**Policy ECD 1.3.1: CRA Master Plan**

The City shall consider the specific action items in the Downtown ~~Eustis Master Plan~~ and East Town Community Redevelopment Area 2016 Redevelopment ~~Eustis CRA Master Plan~~ when reviewing applications for redevelopment, site plans, or amendments to the Future Land Use Map within the CRA.

**Policy ECD 1.3.2: CRA Plan Implementation**

The City shall ~~coordinate with the CRA in implementing a CRA Strategic Action Plan joining the needs of the Downtown and eastern portions of the CRA.~~  
Incorporate goals and objectives of the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan into the City's Strategic Plan.

**Policy ECD 1.3.3: Infrastructure Coordination**

The City shall coordinate with the CRA in developing updates to the City's Five-Year Capital Improvements Plan.



## EXHIBIT E

HOUSING ELEMENT  
GOALS OBJECTIVES AND POLICIES

## GOAL HSG 1: SAFE AFFORDABLE SANITARY HOUSING

Promote safe, sanitary, and affordable housing to meet current and projected future needs.

## 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.

## 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.

## Policy HSG 1.1.2: Land Development Regulations

The City shall continue to rely upon its Land Development Regulations to promote compact growth and preservation of open space.

## Policy HSG 1.1.3: Future Permit Placement

The City shall continue to permit placement in residential districts of residential units manufactured off site which otherwise meet all applicable building codes and federal and state regulations and standards, ~~provided that:~~

~~All such housing is attached to foundations as in the case of conventional site-built construction and~~

~~All such housing otherwise meets lot, yard, and related requirements for the residential classification as set forth in the Land Development Regulations.~~

## Policy HSG 1.1.4: Energy Efficiency

The City shall encourage construction methods, materials, and appliances that minimize energy and water consumption, limit or eliminate the use of toxic materials and reduce waste in housing construction to help reduce the overall cost of home maintenance and operation. As provided for in FLU 1.1.4 The City ~~shall~~ may participate in green residential programs, ~~which may include:~~

~~Retrofit for Energy and Environmental Performance program (REEP)~~

~~State Energy and Environment Development program (SEED)~~

~~Federal Weatherization Assistance Program~~

~~Multifamily Housing Energy Efficiency Grant Program~~

~~Leadership in Energy Efficient Design (LEED)~~

~~Energy Star~~

~~Water Star~~

**OBJECTIVE HSG 1.2: SUBSTANDARD HOUSING**

To eliminate substandard housing within the City while providing relocation assistance to displaced persons.

**Policy HSG 1.2.1: Code Enforcement**

The City shall continue to carry out systematic code enforcement activities to condemn and clear substandard structures which are beyond reasonable rehabilitation, based on the provisions of City Ordinances dealing with unsafe structures and minimum conditions for habitation.

**Policy HSG 1.2.2: City Code Enforcement Displaced Residents**

Where residents are displaced by city code enforcement activities or other local public actions, the City shall assist residents as follows in seeking standard housing in the community:

~~e.g.~~ Provide adequate notification of public action to owners and occupants;

Maintain an inventory of available assisted and affordable market rate housing and housing providers in the community and advise displaced occupants of same; and

Utilize the services of the Eustis Housing Authority, as needed, to help qualify applicants for available housing in the community.

**OBJECTIVE HSG 1.3: DISADVANTAGED POPULATIONS**

To provide housing opportunities commensurate with identified needs and available resources for individuals and families having physical, economic or other limitations or who require assistance, care, or supervision through the following policies and implementing regulations and programs.

**Policy HSG 1.3.1: Permit Group Homes and Foster Care Facilities**

The City shall continue to permit group homes and foster care facilities in residential areas, and through the Land Development Regulations, provide minimum standards designed to limit impacts to other residential uses;

~~including those with respect to:~~

~~Spacing between similar uses as allowed by statute or common practice;~~

~~Signs;~~

~~Off-street parking; and~~

~~Buffering of adjacent residential uses.~~

**Policy HSG 1.3.2: High Density Residential Development**

The City shall continue to allow higher density residential development as one way to reduce per-unit costs.

**Policy HSG 1.3.3: Extremely Low, Low and Moderate Income Housing Funding**

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The City shall continue to pursue, directly or through the Eustis Housing Authority and/or agencies of Lake County, available federal and state funds to help meet the projected housing needs of extremely low-, low-, and moderate-income families and elderly households, and permit participation by the city in partnership arrangements with private and non-profit housing providers, including the following programs or their successors:

~~d-b.~~ SAIL;

Section 8;

Rental Rehabilitation;

Weatherization; and

Section 202.

Community Development Block Grants

HOPE VI

#### OBJECTIVE HSG 1.4: NEIGHBORHOOD ENVIRONMENT

To take actions to conserve and rehabilitate standard and deteriorating housing in the community and to improve living conditions in residential neighborhoods.

##### Policy HSG 1.4.1: Repair and Upgrade Funding

The City shall monitor, apply for, and utilize available federal and state funding programs to repair and upgrade residential properties to meet minimum applicable construction and sanitary standards.

##### Policy HSG 1.4.2: Housing Conservation

The City shall consult with federal and state housing agencies to help refine and apply principles and criteria for local housing conservation, code enforcement, and rehabilitation activities, such criteria to consider cost of repair versus economic value and health and safety issues, among others.

#### OBJECTIVE HSG 1.5: HISTORIC HOUSING

To preserve historically significant housing in the community.

##### Policy HSG 1.5.1: Maintain Historic Character

The City shall maintain or improve the character of designated historic properties and areas by implementing the Historic Preservation Ordinance, ~~means of economic incentives or disincentives which:~~

~~e. **SELECTIVELY ALLOW NON-RESIDENTIAL USE OF EXISTING RESIDENTIAL STRUCTURES, SUCH AS PROVIDED FOR IN THE RT DESIGNATION IN THE FUTURE LAND USE ELEMENT;**~~

~~Limit building conversions which would alter the character of the property;~~

~~Promote infill construction compatible with adjacent properties or the area in general;~~

~~Limit or regulate off-street parking to be compatible with adjacent properties or the area in general.~~

**OBJECTIVE HSG 1.6: HOUSING IMPLEMENTATION**

To pursue available means, including federal and state grants and its local regulatory authority to implement housing needs and activities.

**Policy HSG 1.6.1: Nonprofit Technical Assistance**

The city shall provide technical assistance to private, nonprofit, and other entities wishing to participate in meeting local housing needs, ~~such assistance being related to applications for funds, development permitting, and/or use of Eustis Housing Authority resources and procedures to qualify residents.~~

**Policy HSG 1.6.2: Affordable Housing**

The city shall facilitate provision of infill and affordable housing by making a percentage of the City-owned residential parcels available for residential construction and utilization to Habitat for Humanity and similar not for profit organizations at no cost and to private parties at minimal cost.

**OBJECTIVE HSG 1.7: RELOCATION**

To provide for the relocation of residents when City actions, such as the acquisition and clearance of property for construction of public facilities, result in the displacement of residents.

**~~Policy HSG 1.7.1: Involuntary Relocation~~**

~~The City shall minimize involuntary relocation by the removal of only those units which satisfy one or more of the following criteria:  
f. An imminent health or safety threat to occupants;  
Vacant; and  
Beyond the reasonable cost of rehabilitation.~~

**Policy HSG 1.7.2: Displacement Compensation**

The City shall compensate owners and occupants according to applicable state requirements and, prior to displacement, assist occupants in seeking standard housing in the community in the manner provided in Policy HSG 1.2.2 of this element.

## EXHIBIT F

INTERGOVERNMENTAL COORDINATION  
GOALS, OBJECTIVES AND POLICIES

## GOAL 1: INTERGOVERNMENTAL COORDINATION

Promote adequate coordination among local governments in the Eustis area and with other public agencies on all matters of mutual interest.

OBJECTIVE INT 1.1: ~~LAND USE AND DEVELOPMENT~~

To coordinate with adjacent local governments on mutual land use and development issues.

Policy INT 1.1.1: **Dispute Resolution Process**

The City shall use the dispute resolution process prescribed in Section 186.509, Florida Statutes, if or when conflicts of purpose among jurisdictions cannot be resolved locally.

~~Policy INT 1.1.2: **Joint Process**~~

~~The City shall continue to observe and uphold the requirements of the inter-local agreement executed between the City and Lake County School Board to establish joint processes for collaborative planning and decision-making. The joint processes included in the agreement include:  
Population projections;  
Public school siting;  
The location and extension of public facilities subject to concurrency; and  
The siting of facilities with countywide significance, including locally unwanted land uses.~~

Policy INT 1.1.3: **Joint Planning Agreement with Lake County**

The City shall continue to observe the joint planning area agreement with Lake County, ~~which includes provisions regarding the possibility of joint infrastructure service areas and a statement from the county that it will not encourage the incorporation of any new municipalities within the Eustis Planning Area.~~

Policy INT 1.1.4: **Amending the Joint Planning Agreement with Lake County**

The City shall amend the joint planning agreement with Lake County as necessary to update the location of public utility facilities.

Policy INT 1.1.5: **Level of Service Standards**

The City shall continue to coordinate level-of-service standards and the impacts of development proposed in this plan upon adjacent cities, the county, the region and the State.

**OBJECTIVE INT 1.2: TRANSPORTATION**

To coordinate with adjacent local governments, the Lake-Sumter MPO and the Florida Department of Transportation on transportation mobility and transportation service issues according to the specific policies listed below.

**Policy INT 1.2.1: Transportation Performance Standards**

The City and County shall ~~take actions to~~ coordinate transportation needs and land use activities, ~~where transportation performance standards adopted by the city are different from those adopted by Lake County~~ for county-maintained roads in unincorporated sections of the Eustis Planning Area.

**Policy INT 1.2.2: Five-Year Work Program**

The City shall continue to meet with the Florida Department of Transportation, Lake County, the Lake-Sumter MPO and adjacent municipal jurisdictions annually to ensure that the FDOT Five-Year Work Program adequately reflects local needs.

**Policy INT 1.2.3: Regional Bicycle and Trails Network**

The City shall coordinate with the Lake-Sumter MPO in implementing the regional bicycle and trails network identified in its 2035 Long-Range Plan and any subsequent updates.

**Policy INT 1.2.4: Regional Mass Transit Systems**

The City shall coordinate with the Lake-Sumter MPO and Lake Xpress in implementing the regional transit systems plan identified in the MPO's 2035 Long Range Plan and any subsequent updates.

**Policy INT 1.2.5: Transportation Impact Fees**

The City shall coordinate with Lake County in implementing a transportation impact fee system to support mobility improvements consistent with the City's vision.

**OBJECTIVE INT 1.3: UTILITIES**

To continue to coordinate with adjacent local governments and federal, state, and regional agencies on issues related to provision of urban services and conservation and protection of natural resources which supply urban needs including local and regional water supply plans, according to the specific policies listed below:

**Policy INT 1.3.1: Ten-Year Water Supply Plan**

The City will implement the Ten-Year Water Supply Plan Update adopted February 2010; will coordinate with ~~SJRWMD~~ and local governments to identify potable water supply, infrastructure and facility projects; potable water sources; and estimated project costs; and will provide five-year

updates within one year of the District's regional water supply plan update.

**Policy INT 1.3.2: Water Management District Coordination**

The City will coordinate with SJRWMD in evaluating alternative sources of providing potable water and will participate in the development of updates to the SJRWMD Water Supply Plan and other initiatives that affect the City.

**Policy INT 1.3.3: Water Supply Project Selection**

The City will work with other jurisdictions to consider the feasibility of interconnecting alternative water supply facilities and in the evaluation of alternative water supply sources.

**Policy INT 1.3.4: Water Conservation Programs Coordination**

The City shall cooperate with the St. Johns River Water Management District in implementing educational and regulatory programs related to water conservation, including enforcement of periodic water consumption restrictions.

**Policy INT 1.3.5: Interlocal Agreements**

The City shall continue to coordinate with Lake County and other municipalities in water supply planning ~~and shall observe, support and uphold the requirements of the interlocal agreements with Lake County, Mount Dora and other relevant entities for the efficient planning of water resources and services.~~

**Policy INT 1.3.6: Intergovernmental Coordination**

The City shall participate in discussions with Lake County, the Lake County Water Authority, the St. Johns River Water Management District, the Florida Department of Transportation, and others leading to a program which (1) establishes reasonable and effective standards and procedures which can be applied to existing developed areas as a basis for ~~individual or joint improvement~~ programs designed to correct deficiencies and (2) delineates ~~intergovernmental~~ solutions to drainage problems in these areas. Such a program will also address or includes:

- a. Determination of those basins, sub-basins, and water bodies in the Eustis area to be included; and
- b. ~~Improvement of existing drainage in unincorporated sections of the planning area; and~~
- c. Establishment of a system to monitor the quality of discharges into receiving waters using certain pollution indicators.
- d. Identification of funding sources; and
- e. Establishment of stormwater recharge and supplemental stormwater irrigation to meet the requirements of the Wekiva Parkway and Protection Act; and

~~f. Coordination and work with area entities toward joint planning~~

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~~agreements to facilitate the planning and implementation of regional projects.~~



**Policy INT 1.3.7: Mitigating Existing Impacts**

The City shall implement a phased multi-year program of stormwater improvements needed to mitigate existing runoff impacts and remedy existing deficiencies, commensurate with available local, state, and federal funding. The City will aggressively seek outside support in the form of grants from the Florida Department of Transportation, Florida Department of Environmental Protection, the St. Johns River Water Management District, and the Lake County Water Authority for the implementation of this program.

**Policy INT 1.3.8: Disposal Coordination**

The City shall coordinate with Lake County to regulate sources and disposal of hazardous wastes, consistent with federal and state guidelines and requirements, ~~through the Land Development Regulations~~ and collection and disposal activities.

**Policy INT 1.3.9: Used Oil and Battery Collection**

The City shall cooperate with Lake County in implementing its used oil and battery collection programs according to procedures and timetables adopted by Lake County.

**OBJECTIVE INT 1.4: NATURAL AND HISTORIC RESOURCES**

To coordinate with adjacent local governments and federal, state, and regional agencies on issues related to protection and conservation of local natural and historical resources according to the specific policies listed below.

**Policy INT 1.4.1: Water Quality Requirements**

~~The land development review procedures in the City's Land Development Regulations shall continue to mandate that applicants first meet all address~~ applicable permit requirements relating to water quality, including those of the St. Johns River Water Management District and Florida Department of Environmental Protection.

**Policy INT 1.4.3: Mapping Environmentally Sensitive Lands**

The City shall continue to coordinate ~~with Lake County regarding policies on environmentally sensitive lands, as provided for in the Lake County Conservation Element~~. The City's Land Development Regulations shall continue to regulate these areas through one or more of the following approaches:

~~g. Adopt by reference county regulations and procedures relating to matters not covered by city regulations;~~

~~h.c. Utilize the general information presented in this element, the Conservation Element, and the Future Land Use Element as a basis for development review; and~~

i.d. Require applications for development ~~of specified types and sizes within the Wekiva Study Area~~ to include information on these environmental resources, including assessments of impacts and plans for avoidance or mitigation.

**Policy INT 1.4.5: Historical Resources**

The City shall provide ongoing affirmational support to organizations which have an individual or collective interest in preserving the architectural and historical heritage of Eustis.

**Policy INT 1.4.6: National Register of Historic Resources**

~~The City shall first invite comment by the Florida Division of Historical Resources and the City's Historic Review Board before rendering a decision on the application, w~~Where an application for development may involve the removal, ~~alteration, or reuse~~ of a historic structure listed on the National Register, ~~the City shall first invite comment by the Florida Trust for Historic Preservation and the City's Historic Preservation Board before rendering a decision on the application.~~

**OBJECTIVE INT 1.5: RECREATION AND OPEN SPACE**

To coordinate with adjacent local governments and other public providers on issues relating to provision of recreation services and facilities and preservation of open space, according to the specific policies listed below.

**Policy INT 1.5.1: Inventory of Public Water Access Points**

The City shall cooperate with Lake County and the Lake County Water Authority in preparing an inventory of existing public water access points and continue to develop and improve water access facilities in the Eustis area, including boat ramps, viewing areas, and nature trails. ~~This plan shall identify opportunities on Lake Eustis and other water bodies in the Eustis Planning Area that shall include recommended parking provisions and other access criteria.~~

**OBJECTIVE INT 1.6: HOUSING AND REDEVELOPMENT**

To coordinate with adjacent local governments and federal and state agencies on issues relating to delivery of affordable housing and urban revitalization and redevelopment, according to the specific policies listed below.

**Policy INT 1.6.1: Coordination with Housing Needs**

~~As provided for in the Housing Element, t~~The City shall continue to pursue ~~directly or through the Eustis Housing Authority and/or agencies of Lake~~

~~County~~, available federal and state funds to help meet the projected housing needs of very low-, low-, and moderate-income families and elderly households, ~~and permit participation by the city in partnership arrangements with private and non-profit housing providers, including the following programs or their successors:~~

~~SAIL;  
Section 8;  
Rental Rehabilitation;  
Weatherization; and  
Section 202.  
Community Development Block Grants  
HOPE-VI~~

**Policy INT 1.6.2: Consult Federal and State Housing Agencies**

The City shall consult with federal and state housing agencies to help refine and apply principles and criteria for local housing conservation, code enforcement, and rehabilitation activities, ~~such criteria to consider cost of repair versus economic value and health and safety issues, among others.~~

**~~OBJECTIVE INT 1.7: PUBLIC SCHOOL FACILITIES~~**

~~To coordinate and fully cooperate with the Lake County School Board as needed to coordinate planning activities and maximize the use of available public facilities.~~

**~~Policy INT 1.7.1: Use of School Facilities by the City~~**

~~The City will pursue formalization of existing agreements with the Lake County School Board for the use of school facilities for recreation services and activities. Agreements should establish a level of service ratio to determine the maximum allowable use of the facilities for public access to optimize the use of the facilities and to help the City determine its long-term recreation needs.~~

**~~Policy INT 1.7.2: Recreation Facilities for the County~~**

~~The City shall coordinate with the Lake County School Board and Lake County to identify opportunities to integrate recreation facilities at school property into the recreation system for Lake County.~~

**~~Policy INT 1.7.3: Shared Use Facilities~~**

~~The City shall coordinate with the Lake County School Board, Lake County and other governmental units to discuss shared-use opportunities for school facilities to be made available for public meetings and other public use when they are not being used for their primary purpose.~~

**OBJECTIVE INT 1.8: PUBLIC SCHOOL FACILITIES**

To abide by and enforce the interlocal agreement between the city and school board to require

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cooperation in terms of population projections and school siting.

**Policy INT 1.1.2: Interlocal Agreement**

The City shall continue to observe and uphold the requirements of the inter-local agreement executed between the City and Lake County School Board to establish joint processes for collaborative planning and decision-making. The joint processes included in the agreement include:  
Population projections;  
Public school siting;  
The location and extension of public facilities subject to concurrency; and  
The siting of facilities with countywide significance, including locally unwanted land uses.

**Policy INT 1.8.1: Annual Reporting for facilities and population projections**

The school board shall provide facilities plans and population projections on an annual basis to ensure that consistency is maintained between the two.

**Policy INT 1.8.2: School Board Planning**

The School Board shall provide the City with any plans to site schools within the corporate limits or joint planning area.

**Policy INT 1.8.3: Land Use Plan Amendments**

The City shall provide to the school board all applications for land use plan amendments that have the potential of increasing residential density and that may affect student enrollment, enrollment projections, or school facilities.

**Policy INT 1.8.4: School Board Member Local Planning Agency**

The City shall allow a member of the school board to sit on the local planning agency and comment on proposals that have the potential to increase density.

**Policy INT 1.8.5: Lake County Educational Concurrency Review Committee**

The City shall take part in the Lake County Educational Concurrency Review Committee established by the County, School Board and municipalities that shall meet at least annually, but more often if needed, as outlined in the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, and will hear reports and discuss issues concerning school concurrency.

**Policy INT 1.8.6: The Joint Staff School Concurrency Review Group**

The City shall take part in the Joint Staff School Concurrency Review Group, comprised of Staff of the County, Cities, and School Board, that shall meet at least quarterly, as outlined in the Interlocal Agreement

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between the City and the Lake County School Board, to discuss issues concerning school planning. ~~These issues shall include, but not be limited to, land use, school facilities planning, including such issues as population and student projections, level of service, capacity, development trends, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support schools and ensure safe student access.~~ The School Board staff shall be responsible for making meeting arrangements.

**OBJECTIVE INT 1.9: INTERGOVERNMENTAL COORDINATION WITHIN THE WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

To coordinate with other local governments located in the Wekiva Springs Overlay Protection District to ensure a consistent approach to springs, springshed, and aquifer protection.

**Policy INT 1.9.1: Cooperation with Local Governments and Agencies**

The City shall coordinate with local governments and regulatory agencies within the Wekiva Springs Overlay Protection District regarding land development regulations, stormwater management, and other matters that impact the springs and springshed.

**Policy INT 1.9.2: Water Resource and Supply Planning**

The City shall pursue joint strategies with the SJRWMD and local governments within the Wekiva Springs Overlay Protection District for protection of water resources through water supply planning, specifically addressing identification and use of alternative water sources. ~~Development shall occur only when adequate water supplies are concurrently available to serve such development without adversely affecting local or regional water sources, or natural systems.~~

**Policy INT 1.9.3: Joint Land Acquisition Strategies**

~~Where possible, t~~The City shall pursue joint strategies with local governments within the Wekiva Springs Overlay Protection District regarding land acquisition efforts and conservation easements for protection of water resources, environmentally sensitive lands and open spaces.

**OBJECTIVE INT 1.10: WASTEWATER TREATMENT COORDINATION**

To coordinate with the Department of Health regarding on-site sewerage treatment and disposal systems located in the Wekiva Springs Overlay Protection District to ensure a coordinated approach to the provision of wastewater treatment.

**Policy INT 1.10.1: On-site Sewage Treatment and Disposal Systems**

The City shall coordinate with the county health department regarding the owners of on-site sewerage treatment and disposal systems that will be required to connect to central sewer facilities, and owners of on-site sewerage treatment and disposal systems that will remain, including those that require a department of health permit or permit modification, because of failing systems or systems requiring major repairs.

**Policy INT 1.10.2: Notification of Central Sewer Availability**

The City shall coordinate with providers of public and private sewer systems regarding the process for notification of existing owners of the

availability of central sewer facilities.

#### EXHIBIT G

##### PROPERTY RIGHTS GOALS, OBJECTIVES AND POLICIES

###### GOAL 1: PROPERTY RIGHTS

Consider property rights in local decision making.

###### OBJECTIVE PP 1.1:

The City Commission shall consider the following property rights in local decision making.

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of the property owner to the quiet enjoyment of the property, to the exclusion of all others.
3. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.
4. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
5. The right of a property owner to dispose of his or her property through sale or gift.

## EXHIBIT H

RECREATION AND OPEN SPACE  
GOALS, OBJECTIVES AND POLICIES

## GOAL REC 1: OPEN SPACE FOR RECREATIONAL USE

Ensure adequate open space for recreational use by all citizens and conservation of natural amenities.

## OBJECTIVE REC 1.1: FACILITIES

To provide recreational facilities in accordance with current and projected demand.

## Policy REC 1.1.1: Recreation Level of Service Standards

The City's recreation level of service standards reflect minimum land requirements for certain classifications of parks and recreation sites rather than standards for specific types of recreation facilities because of the variable nature of facility needs throughout the community. These level of service standards shall ensure that adequate lands are set aside for active and/or passive recreational use and protection of natural features in developed and developing areas.

## Policy REC 1.1.2: Recreation Level of Service Standards

The City's recommended recreation level of service standards for certain classes of parks and recreation sites are as follows:

Table 1: Recreation Level of Service Standards

| Class                                   | Service Area                   | Standard                                                                                                  |
|-----------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------|
| Neighborhood Park                       | Neighborhood (section of City) | 1 acre per 1,000 people                                                                                   |
| Community Park                          | Citywide                       | 2 acres per 1,000 people                                                                                  |
| *Special Use Facility (e.g., boat ramp) | Neighborhood or Citywide       | No standard; location, size, and frequency will depend on presence or accessibility of natural resources. |

\*Can be separate or included in a neighborhood or community park.

## Policy REC 1.1.3: Neighborhood Parks Improvements

The City shall use the level of service standards for recreation facilities summarized in Table 1 for planning and developing future parks and recreation sites. Neighborhood parks shall include one or more of the following types of improvements as determined on a case-by-case basis by neighborhood needs and the size and physical characteristics of an individual site:

Shuffleboard court;



Basketball court;  
Tennis court;  
Multi-purpose field;  
Picnic area with tables;  
Children's play equipment area; and  
Open area for passive use.

Community parks may include larger quantities of the facilities in the previous list plus the following facilities as appropriate:

j-e. Community building;  
k-f. Baseball and softball fields;  
Swimming pool; and  
Fishing pier.

**POLICY REC 1.1.4: PARKS AND RECREATION FUNDING PROGRAM**

The City shall continue to use its long-range program developed prior to 1992 to fund development, operations, and maintenance of the public parks and recreation system.

**Policy REC 1.1.5: Parks Master Plan & Bicycle and Pedestrian Master Plan**

The City shall develop a Parks Master Plan by the year 2035. The City shall develop a City-wide Bicycle and Pedestrian Master Plan by July 2044the year 2035. This Master Plan will address local circulation via sidewalks, trails and bikeways to connect the City's downtown, neighborhoods, parks, and environmental features. The plan shall build on the Future Network – Bicycle and Trail Plan illustrated in Transportation Map #12, the Lake-Sumter MPO Greenways and Trail Plan, the Downtown and East Town Community Redevelopment Area Plan, and the East CRA Master Plan.

**Policy REC 1.1.6: Private Recreation Connections**

The City shall encourage private residential subdivisions to provide bicycle and pedestrian connections to the City's planned and existing trail system.

**Policy REC 1.1.7: Local Recreation Preferences**

The City shall make use of citizen surveys or other methods to ensure that the parks and recreation facilities provided by the City reflect the local preferences and needs for such facilities.

**OBJECTIVE REC 1.2: ACCESS**

To make recreational facilities and important open space resources available to and accessible by the general public, including the physically impaired and economically disadvantaged.

**Policy REC 1.2.1: Acquisition of Recreation Sites**

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The City shall locate and invest primarily in acquiring and developing recreation sites which are accessible by a variety of means of transportation, including automobile, public transit, bicycle, and foot to the largest number of community residents. This will include sites which relate well with the adopted bicycle and sidewalk plans, as well as to major population concentrations.

**Policy REC 1.2.2: Access to Recreational Facilities for the Physically Handicapped**

The City shall require that new recreational facilities are designed to facilitate access by the physically handicapped.

**Policy REC 1.2.3: Special Programs**

The City shall continue to implement community recreational programs to serve the economically disadvantaged and physically impaired populations in the Eustis area including special programs for the elderly and school-age populations in existing community buildings and parks. Information on these programs shall be posted in key locations around the community. The City shall seek outside funding support to assist in paying for these programs.

**Policy REC 1.2.4: Urban Waterfront Park**

The City shall ~~consider public access rights and development of an urban waterfront park along the~~ maintain Ferran Park, the urban waterfront park along the Lake Eustis shoreline to serve as a catalyst for economic growth and revitalization in downtown Eustis.

**Policy REC 1.2.5: Water Access Facilities Planning**

The City shall cooperate with Lake County and the Lake County Water Authority in preparing an inventory of existing public water access points and shall continue to develop and improve water access facilities in the Eustis area, including boat ramps, viewing areas, and nature trails. This plan shall identify opportunities on Lake Eustis and other water bodies in the Eustis Planning Area that shall include recommended parking provisions and other access criteria.

**Policy REC 1.2.6: Provision of Bicycle Racks and/or Storage Facilities**

The City shall provide for bicycle racks and/or storage facilities at all recreation sites. Private recreation facilities permitted under the Land Development Regulations shall also meet this criterion.

**Policy REC 1.2.7: Listing and Map of Recreational Sites and Facilities**

The City's Recreation Department shall publish and distribute and/or post a listing and map of recreational sites and facilities, including conditions regarding public access and use, to better inform the local residents of recreational opportunities in the area.

**OBJECTIVE REC 1.3: PUBLIC-PRIVATE COORDINATION**

To provide for ongoing coordination of public and private resources to meet recreational demands of City residents.

**Policy REC 1.3.1: Opportunities for Joint Public/Private Development and/or Use of Existing and Potential Recreation Facilities**

The City staff shall continue to meet with private providers in the Eustis area and Lake County recreation officials on future opportunities for joint public/private development and/or use of existing and potential recreation facilities, including the nature of any operating arrangements between the public and private sectors.

**OBJECTIVE REC 1.4: OPEN SPACE**

~~The City will continue to~~ To conserve open space ~~in the Eustis Planning Area~~ for passive recreation use and natural beauty, and acquire open space to protect sensitive environmental resources consistent with the Future Land Use and Conservation elements.

**POLICY REC 1.4.1: REQUIRED OPEN SPACE**

~~The City shall establish maximum impervious surface percentages for each future land use designation, where applicable, through the Future Land Use Element Appendix and require certain open space standards for specific areas within the Wekiva Study Area.~~

**Policy REC 1.4.2: Clustering of Development in Subdivisions**

~~The City shall allow clustering of development in subdivisions or developments exceeding 5 acres in size to provide for the reservation and maintenance of common open spaces.~~

**Policy REC 1.4.3: Open Space Maintenance**

The City may accept jurisdiction for a dedicated common open space area where it finds the following:

- ~~e. Public recreational opportunities are lacking and the site is well located to meet local needs based on adopted levels of service;~~
- ~~f. The site is accessible for both public use and maintenance;~~
- ~~g. Public access to and use of the site will be compatible with the proposed development and surrounding land uses; and~~
- ~~h. Funding can be accommodated within normal budgeting processes and limitations and insurance liabilities are maintained within reasonable limits.~~

**Policy REC 1.4.4: Acquisition of Open Space**

The City may acquire open spaces needed to preserve and protect sensitive environmental and historical resources where it determines one or more of the following:

~~The open space is part of a connected system of open spaces and will protect and~~

**Commented [BL1]:** Duplicative language; addressed in conservation element.

~~preserve a sensitive environmental resource designated or delineated in the City or County Conservation Element;  
Requirements of the Land Development Regulations provide insufficient protection; and  
Grants are available to help defray acquisition costs.~~

~~Policy REC 1.4.5: City Protection of Environmentally Sensitive Areas~~

~~The City shall, on an ongoing basis, undertake efforts to protect all designated environmentally sensitive areas in perpetuity as common open space through conservation easements, deed restrictions, or other means.~~

## EXHIBIT I

TRANSPORTATION  
GOALS, OBJECTIVES AND POLICIES

## GOAL TRA 1: SYSTEMS FRAMEWORK

Implement a transportation systems framework based upon principles that will:

- Promote diversified economic development;
- Protect and enhance residential neighborhoods;
- Ensure adequate services and facilities to serve new and existing development;
- Discourage urban sprawl;
- Preserve and protect natural resources; and
- Respect private property rights.

## OBJECTIVE TRA 1.1: LAND USE AND TRANSPORTATION COORDINATION

To enforce land use, design and transportation policies, standards and regulations that coordinate the existing and future transportation infrastructure with land uses shown in the Future Land Use map exhibit and that encourage development patterns consistent with the City's various design districts.

## Policy TRA 1.1.1: Consistency with Future Land Use Element

The City shall coordinate the development of new transportation regulations, policies, standards, and plans with the Future Land Use element. The City will also consider both the Transportation Element and the Future Land Use Element when evaluating all development proposals.

## Policy TRA 1.1.2: Transportation and Development Patterns

To discourage urban sprawl and to maximize the use of existing transportation infrastructure, the City shall implement regulations within the Land Development Code consistent with the development patterns identified in FLU 1.2.4, that encourage a high density mix of uses in specific areas of the City. Those areas are identified in the development patterns of urban, suburban and rural. Each development pattern is further divided into neighborhoods, centers, corridors and districts. The City shall adopt and enforce policies, standards and regulations which relate the design and function of roadways and modes of transportation to the type, size and location of the land uses within each development pattern as prescribed by the City's Land Development Code. The high density mix of uses is specified for the suburban and urban centers such as the Central Business District where the mobility system supports multiple modes of travel.

The City's designated land use development patterns are as follows:

Urban Areas.—Urban development pattern areas provide for the highest allowable densities within the City and include the existing Central

~~Business District. The minimum and maximum residential and nonresidential densities within these areas are designed to support transit service. Through the existing Community Redevelopment Agency (CRA), the City provides infrastructure improvements and encourages the accommodation of future growth through redevelopment within the urban area. Pedestrian-oriented land use and transportation improvements shall be required throughout the urban development pattern area and implemented through CRA activities and Land Development Code standards addressing mix of uses, pedestrian facilities, site design, maximum block size, and street connectivity.~~

~~b. Suburban Areas. Suburban development pattern areas rely primarily on a pattern of residential development designed to provide for pedestrian and bicycle connections between neighborhoods and between residential and non-residential land uses. Non-residential uses are located primarily on corridors and within multi-use districts. Pedestrian-oriented development within suburban centers will be achieved through Land Development Code regulations addressing mix of uses, pedestrian facilities, site design, block structure requirements, and street connectivity.~~

~~c. Rural Areas. Rural development pattern areas provide for the lowest allowable densities within the City, relying primarily on a pattern of clustered residential development that provides substantive open space that serves to preserve and enhance the rural viewshed and character of the community. Non-residential uses are primarily located in centers and may contain a mix of uses.~~

**Policy TRA 1.1.3: Roadway Improvements and Land Use Amendments**

The City shall prohibit the use of new or expanded roadway facilities as sole justification for amendments to the Future Land Use Element where new or expanded development will adversely impact resource/conservation areas or neighborhoods.

**OBJECTIVE TRA 1.2: PROMOTE ECONOMIC DEVELOPMENT**

To promote a safe, efficient and livable transportation system that provides for mobility to support the City of Eustis' continued economic development.

**Policy TRA 1.2.1: Right of Way Preservation**

The City shall continue to adopt and enforce policies, standards and regulations which specify the City's right-of-way ~~needs, and building setback standards based on the needs identified in the Downtown Plan, the East CRA Master Plan, and other future plans.~~

**Policy TRA 1.2.2: Dedication of Rights-of-Way**

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The City shall continue to require as authorized by law, the dedication of rights-of-way ~~and appropriate building setbacks~~ as conditions of approval for all development proposals and subdivision plats.

**Policy TRA 1.2.3: Identification of Future Enhanced Transit Corridors**

The City shall work with appropriate agencies and entities to evaluate deed reservations, rail rights-of-way, major utility corridors and undeveloped platted road rights-of-way for potential use as future multi-use corridors and ~~make a determination of consistency of determine if~~ these corridors are consistent with other elements of the Plan.

**Policy TRA 1.2.4: Coordinate Transportation with Other Public Facilities**

As part of the process for the acquisition or development of land for public uses, such as, parks, open space, environmental protection or other public purpose, the City shall evaluate the impacts of the proposed project on the future transportation system and the potential for the development of future transportation corridors as a joint use.

**OBJECTIVE TRA 1.3 PROTECT AND ENHANCE RESIDENTIAL NEIGHBORHOODS**

To develop and maintain an effective, convenient and economically feasible multi-modal transportation system in its neighborhoods that preserves and strengthens the residential quality of life by providing local accessibility for multiple modes, and provides access to neighborhood developments and attractors.

**Policy TRA 1.3.1: Coordination with Future Land Use Element**

The City shall establish and enforce land use, design, and transportation policies, standards and regulations that coordinate the transportation system with the residential and residential-supportive land uses shown on the Future Land Use map exhibit.

**Policy TRA 1.3.2: Discourage Speeding on Residential Streets**

The City shall establish standards for infill and redevelopment projects to discourage high vehicle speeding on adjacent residential streets. This shall be accomplished through appropriate traffic calming methods, such as gateway treatments, roundabouts, reduced roadway width and turn radii, or other treatments as identified by the City.

**Policy TRA 1.3.3: Travel Between Neighborhoods**

The City shall ensure that existing and new developments are connected wherever feasible by roadways, bicycle and pedestrian systems, and access to transit that encourage travel between neighborhoods without requiring use of the major thoroughfare system.

**Policy TRA 1.3.4: Multimodal Access to Commercial Centers**

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The City shall work to establish bicycle and pedestrian systems to provide access to Downtown Eustis and other commercial centers from surrounding residential areas.

**OBJECTIVE TRA 1.4: TRANSPORTATION AND ENVIRONMENTAL QUALITY**

To support the City's desire to maintain environmental sustainability, conserve energy and natural resources, discourage urban sprawl, and to improve the aesthetic quality of the community through the implementation of the following policies.

**Policy TRA1.4.1: Reducing Travel Demand through Land Use Measures**

The City shall ~~establish and implement policies, standards, and regulations that recommend future development to have land use mix, density and site plan layout/phasing which recognize Future Land Use Element policies that~~ support reduced travel demand, shortened trip lengths, higher internal capture, and balanced trip demand.

**Policy TRA 1.4.2: Promotion of Energy Efficient Vehicles and Alternative Fuel Sources**

The City shall establish policies, standards, and regulations that encourage the use of energy efficient vehicles and enable the development of infrastructure systems to support their use by establishing sites for alternative energy fueling stations. Where appropriate, the City shall acquire energy-efficient vehicles as part of its vehicle fleet for police, fire, and maintenance needs.

**Policy TRA 1.4.3: Travel Demand Management**

The City shall establish policies, standards, and regulations that will result in lower vehicle miles traveled (VMT) through travel demand strategies such as telecommuting, ride-sharing, transit use, and employee guaranteed ride home programs.

**Policy TRA 1.4.4: Promoting Non-Motorized Travel**

The City shall establish and enforce policies, standards and regulations within the City's Land Development Regulations that promote pedestrian and bicycle mobility and access, including standards related to street design and connectivity; ~~standards on building and site design that~~ accommodate non-motorized travel; the provision of bicycle parking; and bicycle and trail access and connectivity.

**Policy TRA 1.4.5: Roadway Speeds**

To facilitate safe pedestrian movement, the City shall work with Lake County and the Florida Department of Transportation to limit posted speed limits within the City to 45 miles per hour or less.

**Policy TRA 1.4.6: Protecting Natural Resources and Environmental Quality**

In the planning, design and construction of transportation improvements,



the City shall consider design techniques to mitigate adverse impacts on natural and environmental resources as well as design and operational techniques which can complement adjacent development and enhance the aesthetic quality of the transportation corridor.

**Policy TRA 1.4.7: Enforcement of Environmental Regulations**

In the planning, design and construction of new transportation facilities, the City shall continue to ~~recognize policies in the Conservation Element, enforce policies, standards and regulations which provide for the protection of wetland areas by requiring documented evidence of an overriding public interest and appropriate mitigation of any unavoidable disturbance of wetland areas as required by environmental regulations.~~

**Policy TRA 1.4.8: Lakeshore Drive Scenic Road**

Lakeshore Drive is hereby designated a scenic road requiring preservation of a two-lane cross section, posting for low-to-moderate travel speeds, limited improvements for bicycle use, and careful regulation of roadside development. The City shall coordinate with Lake County and the Lake-Sumter MPO to establish a consistent functional classification of Urban Local for the Lakeshore Drive/Lake Eustis Drive corridor.

**OBJECTIVE TRA 1.5: PROMOTE MULTI-MODAL TRAVEL**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the City, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 1.5.1: Multi-Modal Connectivity**

The City shall preserve existing roadway, sidewalk and bicycle system connections, and restore networks that previously were disconnected, where appropriate. In particular, the City shall encourage future redevelopment and development projects to improve street connectivity by developing new local streets with appropriate sidewalk and bicycle facilities, where feasible. Priority shall be given to those proposed roadway connections identified in the ~~Downtown Plan and East CRA Plan~~Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan.

**Policy TRA 1.5.2: ~~Align Roadways to Connect to Stub-outs~~ Stub-outs to Adjacent Parcels**

~~The City shall ensure that streets in redevelopment areas are designed with stub-outs to connect to abutting undeveloped lands and/or land with redevelopment potential. Provisions for future connections shall be provided in all directions whether the streets are public or private, except where land is undevelopable.~~The City shall continue to require joint connectivity and block structure requirements, including stub-outs to adjacent parcels and roadway alignment as provided for in the Land

Development Regulations.**Policy TRA 1.5.3: ~~Align Roadways to Connect to Stub-outs~~**

~~The City shall ensure that new development and redevelopment projects align their roadways to connect with the stub-outs provided by adjacent developments.~~

**Policy TRA 1.5.34: Citywide Bicycle and Pedestrian Master Plan**

~~The City shall improve mobility through infrastructure improvements to be included in the citywide Bicycle and Pedestrian Master Plan proposed for completion by 2035 as provided for in the Recreation and Open Space Element, completed in 2011. This Master Plan addresses local circulation via sidewalks, trails, and on-street bikeways to connect the City's downtown, neighborhoods, parks and environmental features. The plan builds on the Future Network Bicycle and Trail Plan illustrated in Transportation Map 12, the Lake-Sumter MPO Greenways and Trails Plan, the Downtown Plan, and the East CRA Master Plan.~~

**Policy TRA 1.5.45: Demand Response Transit**

The City shall work with Lake County to continue to provide demand-response transit service to cater to the transit dependent populations within the City.

**Policy TRA 1.5.56: Evaluate Transit Service Options**

The City shall work with Lake County to monitor and evaluate and, as deemed necessary, implement additional mass transit, paratransit and transportation demand management strategies and programs which support the Future Land Use Element, address the special needs of the service population, and increase the efficiency of transit services. Such strategies and programs may include rail services, intra-city trolley, carpools/vanpools, Park-and-Ride, demand response transit service, parking management, express bus services, transfer stations and increased frequency of bus service.

**Policy TRA 1.5.76: Roadway Functional Classification**

The City shall adopt Transportation Map 1 – Roadway Functional Classification System that identifies the existing functional classification for collector and arterial roadways within the City.

**Policy TRA 1.5.87: Orange Avenue Functional Classification**

To further the goals of Eustis in improving multi-modal mobility, the City shall continue working with Lake-Sumter MPO to reclassify Orange Avenue (old SR 44) from an arterial to a collector within the City limits.

**Policy TRA 1.5.98: Constrained Facilities**

All collector and arterial roadways within the City shall be limited to the

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maximum number of through lanes shown on Transportation Map 10 - Year 2035 Roadway Number of Lanes. Small-scale modifications such as turn lanes may still be provided as warranted.

**Policy TRA 1.5.910: Bicycle and Pedestrian Access to Schools**

In coordination with the Lake County School Board, the City shall work to establish sidewalks, bicycle paths, and/or a network of low-speed neighborhood streets to provide safe and convenient access to all elementary, middle and high schools.

**OBJECTIVE TRA 1.6: TRANSPORTATION MOBILITY APPROACH**

To support urban infill and redevelopment efforts of the City and to target economic development, job creation, housing, transportation, crime prevention, and neighborhood revitalization and preservation within the City, the City rescinds transportation concurrency for all areas within the City limits .

**Policy TRA1.6.1: Mobility Planning**

The City shall continue to develop integrated land use and transportation planning studies for geographic areas of the city ~~to outline land use, urban design, and transportation strategies that will support multi-modal mobility. This will include implementation of the according to the~~ Future Land Use Element ~~to achieve a higher density mix of uses, developed in a pattern and form that would support multiple modes of travel.~~

**Policy TRA 1.6.2: City Plans that Address Multi-Modal Mobility**

The City shall implement land use and transportation strategies that call for multi-modal mobility within recently completed and adopted city plans, including the ~~City of Eustis Downtown Plan, the City of Eustis East CRA Master Plan, and the revised Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan~~ and Land Development Regulations.

**Policy TRA 1.6.3: Development Review focused on Multi-Modal Mobility**

Through the policies, standards and regulations in the Land Development Regulations, the City shall continue to encourage the provision of multi-modal facilities, ~~including new local street connections, sidewalks, transit shelters, bicycle facilities, etc., as part of any development proposals. Such multi-modal facilities will be designed to support the character and requirements of each of the City's development patterns.~~

**Policy TRA 1.6.4: Supporting Regional Multi-Modal Plans**

The City shall continue to participate in initiatives to promote regional and local transit, including future expansion plans for LakeXpress, Central Florida Commuter Rail ~~(especially the Orange Blossom Express)~~, and

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other proposed light rail or bus rapid transit projects (as illustrated in Transportation Map #13, Future Transportation Network-Mass Transit). The City shall continue to participate in the development of the MPO's Long Range Transit Plan and Greenways and Trails Plan, and coordinate with the County and adjacent municipalities in planning for and implementing future bicycle and multi-use trail facilities.

**Policy TRA 1.6.5: Roadway Level of Service Standard**

The City shall adopt a roadway Level of Service standard of E for collector and arterial roadways within the City. The roadway Level of Service shall be measured for daily conditions. In cases where individual roadway segments exceed the Level of Service standard, the available capacity on parallel corridors within the City shall be included in the evaluation.

**Policy TRA 1.6.6: Multi-Modal Transportation Level of Service**

The City shall adopt transportation system performance measures to address its multimodal goals for bicycle, pedestrian and transit circulation.

**Policy TRA 1.6.7: Refined Roadway Level of Service Analysis Techniques**

The City may authorize refined transportation methodologies and techniques to be used in situations where more precise input data and analysis is desired prior to final action associated with development review or transportation infrastructure modifications. Acceptable methodologies and techniques may include, but are not limited to:

- Trip generation studies
- Traffic studies
- Trip characteristics studies
- Travel time/speed/delay studies
- Passer-by and internal trip analysis
- Person trip analysis
- Planning level models
- Traffic operation models
- Intersection analysis
- Corridor/subarea analysis
- Multi-modal analysis

**Policy TRA 1.6.8: Multi-Modal Transportation Level of Service Analysis Techniques/Standards**

The City shall develop special area plans, as needed, for areas of special concern. When appropriate, the City shall adopt additional or alternative level of service standards and methods of applying levels of service standards that address accessibility for vehicular traffic, pedestrians, cyclists, and transit modes.

**OBJECTIVE TRA 1.7: TRANSPORTATION PLANNING COORDINATION**

The City shall coordinate its plans with all transportation planning bodies including but not limited to the Florida Department of Transportation, Lake County, East Central Florida Regional Planning Council, and the Lake-Sumter MPO.

**Policy TRA 1.7.1: FDOT Five-Year Work Program Coordination**

Through the Lake-Sumter MPO, the City shall review on an annual basis the FDOT Five-Year Work Program to address right-of-way needs, access management and level of service standards.

**Policy TRA 1.7.2: Lake County Transportation Element Coordination**

The City shall review on an annual basis the Transportation Element for Lake County to address right-of-way needs, access management, and level of service standards.

**Policy TRA 1.7.3: City of Tavares and City of Mount Dora Coordination**

The City shall review on an annual basis the Transportation Elements for Tavares and Mount Dora to address right-of-way needs, access management, and level of service standards.

**OBJECTIVE TRA 1.8: ACCESS AND CONNECTION TO REGIONAL FACILITIES**

To establish and enforce policies, standards, and regulations that recommend access and connection to regional transportation facilities and amenities.

**Policy TRA 1.8.1: Access to Recreational Facilities and Resources**

The City shall work with the County, the MPO, and other adjoining cities, to connect local trails and the sidewalks and bicycle facilities within the City to existing and proposed regional trail facilities and bicycle systems.

**Policy TRA 1.8.2: Access to Community Facilities and Downtown**

The City shall establish policies, standards, and regulations to ensure that residential neighborhoods have reasonable access to the City's community facilities and to Downtown via trails or bicycle facilities, transit service, and street network, as described under the Performance Standards for Goals TRA 2, TRA 3 and TRA 4.

**OBJECTIVE TRA 1.9: FUNDING TRANSPORTATION IMPROVEMENTS**

To identify multiple sources for funding transportation improvements necessary to support the growth forecasts, goals, objectives and policies of the Future Land Use Element and to provide for a safe, convenient and efficient transportation system.

**Policy TRA 1.9.1: Funding Sources**

The City shall work with the Lake-Sumter MPO, FDOT, Lake County, the Eustis CRA, and private developers in funding and implementing transportation improvements, as described in the policies contained in the Intergovernmental Coordination Element, Objective 1.2, Transportation.

**Policy TRA 1.9.2: Transportation Improvements as part of Development and Redevelopment**

As feasible, the City shall work to implement transportation improvements as part of development and redevelopment within the City through implementation of standards in the Land Development Regulations.

**GOAL TRA 2: URBAN DEVELOPMENT PATTERN**

Enhance the livability and viability of the urban core area of the City as described by the Urban Development Pattern Area through transportation policies and infrastructure investments that:

- Prioritize the safety, comfort and convenience of the pedestrian, bicycle and mass transit environments;
- Accommodate vehicular circulation in a manner that is responsive to the needs of alternate modes; and
- Support the land use goals for the district.

**OBJECTIVE TRA 2.1: URBAN LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce ~~land use, design and transportation~~ policies, standards and regulations that align the existing and future transportation infrastructure with higher density mixed-use development called for in the Urban Development Design District.

**Policy TRA 2.1.1: Promote Land Use Patterns to Support Mass Transit Service**

To promote the viability of existing and planned transit service, the City shall adopt and enforce land use policies, standards and regulations that ~~concentrate employment opportunities and promote high intensity residential-based mixed use developments in Urban Centers. Neighborhood retail, transit service, and other support services shall be permitted and encouraged within the Urban Centers or within convenient walking and bicycling distance from the Centers.~~

**Policy TRA 2.1.2: Promote Shared and Reduced Parking**

~~To encourage the use of other transportation modes, reduce overall traffic demand, and encourage a "park-once" environment, the City shall adopt and continue to enforce policies, standards and regulations that encourage shared parking across development parcels within Urban Centers and Urban Corridors. The City shall, from time to time, evaluate and, as deemed necessary, modify its land use policies, standards and regulations to reduce parking minimum standards for the Urban Development Pattern.~~

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**Policy TRA 2.1.3: ~~Infrastructure Support for High Density / Intensity Mixed Use Development~~**

~~The City shall provide master stormwater improvements in the Central Business District by collecting and treating stormwater outside of the urban core area so that the density and intensity of redevelopment and infill development can be maximized.~~

**OBJECTIVE TRA 2.2 URBAN MULTI-MODAL TRANSPORTATION**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the Urban Development Pattern, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 2.2.1: Complete Streets**

The City shall implement policies, including those standards already within the Land Development Regulations, to address the design and operation of all streets within the Urban Development Pattern for all users, including drivers, bicyclists, transit users, pedestrians of all ages and abilities, business owners and residents. ~~—This shall be accomplished through design speeds and other design features (streetscape, traffic calming, on-street parking, etc.) that accommodate safe and comfortable bicycling and walking, and transit operation.~~

**Policy TRA 2.2.2: Street Types in Land Development Regulations**

The City shall use the Street Types outlined in the Land Development Regulations as a guidance when designing and constructing new street sections within the Urban Development Pattern. ~~and ensure that all future streets are designed holistically, considering the pavement, curbing, bicycle facilities, sidewalks, lighting, signs, front yard setbacks, and building facades.~~

**Policy TRA 2.2.3: Street Connectivity**

As identified in the [Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan](#) ~~City's Downtown Plan and East CRA Master Plan~~, the City shall work to restore local street network segments that previously were disconnected and construct new street connections within the Urban Development Pattern. In particular, the City shall implement these street connections through development impact mitigation and as part of capital improvement projects.

**Policy TRA 2.2.4: Downtown Eustis Mobility Needs**

~~The City shall support the implementation of the City of Eustis Downtown Plan, which identified the following mobility needs for pedestrian, bicycle,~~

vehicular and transit circulation within the Urban Character area:

- ~~Bates Avenue connection between Grove Street and Prescott Street~~
- ~~McDonald Avenue connection between Grove Street and Eustis Street~~
- ~~Two-way conversion of Magnolia Avenue and Eustis Street~~
- ~~Pedestrian streetscape improvements for Magnolia Avenue and Eustis Street~~
- ~~Traffic calming on Bay Street and Grove Street to provide safe pedestrian and bicycle accommodations~~
- ~~Downtown wayfinding system for pedestrian and vehicular circulation~~

**Policy TRA 2.2.45: ~~Downtown and East Town Community Redevelopment Area East CRA~~**  
**Mobility Needs**

The City shall support the implementation of the ~~mobility needs identified in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan, City of Eustis East CRA Plan, which identified the following mobility needs for pedestrian, bicycle, vehicular and transit circulation within the Urban Character area:~~

~~Realigned intersection of Palmetto Avenue / Kensington Street / Magnolia Avenue  
 Neighborhood commercial mixed-use development at Palmetto Avenue and McDonald Avenue  
 Pedestrian improvements along McDonald Avenue between Cardinal Street and Palmetto Avenue  
 Additional sidewalks and lighting along Bates Avenue  
 Neighborhood traffic calming to provide safe pedestrian and bicycle accommodations  
 Restored local street network as part of redevelopment~~

**Policy TRA 2.2.56: ~~Lake-Sumter MPO Long Range Mobility Needs~~**

The City shall support the implementation of the ~~Lake-Sumter MPO Long Range Transportation Plan, which identified the following mobility needs for pedestrian, bicycle, vehicular and transit circulation within the City of Eustis:~~

~~Regional transit system providing connections between downtown Eustis, Lake County and greater Orlando metropolitan area  
 Regional north-south pedestrian/bicycle trail connecting Eustis to Tavares and Umatilla~~

**Policy TRA 2.2.7: ~~Lake County Transit Shelter Needs~~**

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The City shall support the implementation of the 2010 Lake County Shelter Placement Site Recommendations Report, ~~as may be amendment, which identified transit shelter needs at the following locations:~~

Ardice Mall  
Eustis Public Library  
Tall Pines Apartment Complex  
Lake Tech

**Policy TRA 2.2.8: ~~Two-Way Conversion of Bay Street and Grove Street~~**

~~To support safe pedestrian circulation within Downtown Eustis, the City shall continue working with the Florida Department of Transportation and the Lake Sumter MPO to evaluate the conversion of the one-way sections of Bay Street and Grove Street to two-way operations. The City's adopted Transportation Map #10, Year 2035 Roadway Number of Lanes, shall be amended to reflect the planned two-way conversion.~~

**Policy TRA 2.2.9: ~~Bates Avenue Connection~~**

~~To improve circulation within Downtown Eustis and provide a continuous east-west roadway alternative to Orange Avenue, the City shall plan for the roadway connection for Bates Avenue between Prescott Street and Grove Street. The City's adopted Transportation Map #10, Year 2035 Roadway Number of Lanes, shall be amended to reflect the planned reconnection of Bates Street as a two-lane roadway.~~

**Policy TRA 2.2.840: Sidewalk Connectivity**

The City shall work to complete the network of sidewalks along all streets within the Urban Development Pattern, as part of construction of new streets as well as retrofitting of existing streets.

**Policy TRA 2.2.11: Pedestrian-Oriented Development Design**

~~The City shall enforce p~~Provisions in the City's Land Development Regulations ~~that~~ require new developments in Urban Development Patterns to support the highest levels of pedestrian access and mobility. ~~These provisions include standards related to street connectivity, the design of "complete streets", and pedestrian-oriented building and site design.~~

**OBJECTIVE TRA 2.3: ENCOURAGING URBAN TRANSIT USE**

To establish and enforce policies, standards, and regulations that promote transit use within the Urban Development Pattern.

**Policy TRA 2.3.1: Transit-Oriented Density, Diversity, and Design**

The City shall enforce provisions in the Future Land Use Element and the

Future Land Use Element

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City's Land Development Regulations that encourage development patterns, densities, design, and a mix of uses in the Urban Development Pattern that will support expanded mass transit service in the future.

**Policy TRA 2.3.2: Transit in Urban Development Pattern**

The City shall work with the County, the MPO, and other regional and state agencies to increase transit service within the Urban Development Pattern, in particular encouraging the location of transit stops within the City's Urban Centers and along Urban Corridors.

**Policy TRA 2.3.3: ~~Site Design Standards coordinated with Mass Transit and Bicycle/Trail Systems~~**

~~To encourage the use of transit in the Urban Development Pattern, the City shall encourage site and building design for infill and redevelopment projects to be coordinated with transit route and stops, and bicycle and trail systems. Standards may include, but not be limited to, pedestrian access to transit stops, transit vehicle access to buildings, bus pull-offs, transfer centers, shelters, and bicycle parking facilities.~~

**OBJECTIVE TRA 2.5: URBAN DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Urban Development Pattern.

**Policy TRA 2.5.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, ~~the City shall ensure that at the minimum, future development within the Urban Development Pattern shall conform to the City has established~~ the Urban Development Pattern intent and performance standards described in the ~~City's Future Land Use Element and~~ Land Development Regulations. ~~These shall include but not limited to standards that regulate urban building lot types, building envelope standards, building height, parking provisions, setbacks and frontage, urban public space, urban landscape, and general building design standards. The general building design standards include requirements related to public entrance locations, building orientation, building mass and scale, building façade treatments, storefront character, location of pedestrian access and walkways to buildings, among others.~~

**Policy TRA 2.5.2: Sidewalks**

The City shall ensure through its Land Development Regulations that within the Urban Development Pattern, continuous sidewalks of at least five feet in width are provided on both sides of all public and private streets to the

greatest extent practicable.

**Policy TRA 2.5.3: Intersection Design**

The City shall work to ensure that all signalized intersections within the Urban Development Pattern have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the Manual on Uniform Traffic Control Devices (MUTCD).

**Policy TRA 2.5.4: Americans with Disabilities Act (ADA)**

The City shall work to ensure that all streets within the Urban Development Pattern conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.

**Policy TRA 2.5.5: Block Size and Block Configuration**

As prescribed in the City's Land Development Regulations, blocks within the Urban Development Pattern shall be laid out within an interconnected network of streets. ~~Blocks will be laid out with consideration of natural and environmental features and incorporating these features as an amenity to a development, where protection is required by environmental regulations.~~

**Policy TRA 2.5.6: Roadway Speeds**

To facilitate safe pedestrian movement, the City shall ensure that all City-maintained streets within the Urban Centers and the Urban Neighborhoods have a posted speed limit of 25 mph or less.

**Policy TRA 2.5.7: Complete Streets**

~~The City shall ensure that all new "A" streets within the Urban Development Pattern as identified in the Land Development Regulations shall be designed to accommodate pedestrian and bicycle travel. Street section elements shall include sidewalks, on-street parking, planter, travel lane, and bicycle lanes, as appropriate.~~ The Street Types outlined in the Land Development Regulations can serve as a guide for developing new complete streets within the Urban Development Pattern.

**Policy TRA 2.5.8: Trees and Street Furnishings**

Based on the recommendations of the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan ~~Downtown Plan and the East CRA Plan~~, the City shall work to ensure that all new and existing "A" streets within Urban Centers and Urban Corridors ~~as defined by the Land Development Regulations~~ have basic street furnishings and streetscape amenities, including street trees, pedestrian-scale lighting, seating, and bus stop shelters (where appropriate). ~~The arrangement,~~

~~location, and type of street trees shall be regulated by provisions within the City's Land Development Regulations.~~

**Policy TRA 2.5.9: Downtown Wayfinding**

To improve circulation for all users, the City shall implement the recommendations of the Wayfinding Plan developed for Downtown Eustis.

**Policy TRA 2.5.10: Pedestrian Destinations**

Through implementation of the policies in the Future Land Use Element, the City shall work to ensure that community-serving destinations are accessible to residents within the Urban Development Pattern. ~~These uses may include retail uses, civic and institutional uses, or one of the park space types referenced in the Land Development Regulations.~~

**Policy TRA 2.5.11: Bicycle Lanes and Multi-use Trails**

As part of the development of the Citywide Bicycle and Pedestrian Master Plan, the City shall work to provide bicycle lanes or multi-use trails accessible to residents within the Urban Development Pattern.

**Policy TRA 2.5.12: Connection to Recreational Amenities**

The City shall ensure that all public recreational amenities such as parks, regional trails, and the Lake Eustis waterfront can be accessed from the Urban Centers via direct pedestrian connection.

**Policy TRA 2.5.13: Bicycle Parking**

The City shall ensure that bicycle parking is required for all new development projects that will be accessed by the public within the Urban Development Pattern. ~~The number of bicycle parking spaces required shall conform to the standards listed in the City's Land Development Regulations.~~

**Policy TRA 2.5.14: Transit Stops and Transit Shelters**

The City shall work with Lake County to ensure that transit stops within Urban Centers and major destinations (hospitals, employment centers, shopping centers and schools) have, as feasible, shelters for transit users that would include bus route/schedule signs, seating, shelter from the elements, and be ADA compliant when required by law.

**Policy TRA 2.5.15: Transit Service Headways**

The City shall work with Lake County to improve transit service within the Urban Development Pattern during peak periods.

**Policy TRA 2.5.16: Transit Service Accessibility**

The City shall work with Lake County to improve transit service to ensure that all residents within the Urban Development Pattern have access to fixed-route transit service.

**Policy TRA 2.5.17: Transit Service Span**

The City shall work with Lake County to expand hours of operation for transit routes serving the City.

**Policy TRA 2.5.18: Transit Serving Major Destinations**

The City shall work with Lake County to ensure that major public gathering venues and destinations are served by a local transit route. These include hospitals, employment centers, shopping centers, and schools.

**GOAL TRA 3: SUBURBAN DEVELOPMENT PATTERN**

Enhance the livability and viability of neighborhoods and existing commercial corridors as described in the Suburban Development Pattern Area (in Appendix) through transportation policies and infrastructure investments that discourage urban sprawl and:

- Balance vehicular mobility with the needs for pedestrian, bicycle and mass transit mobility
- Preserve and protect existing viable neighborhoods and subdivisions;
- Support the land use goals for the district.

**OBJECTIVE TRA 3.1: SUBURBAN LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce ~~land use, design and transportation~~ policies, standards and regulations that align the existing and future transportation infrastructure to support the residential and non-residential uses in distinct patterns arranged in centers, districts, and corridors, as called for in the Suburban Development Pattern.

**Policy TRA 3.1.1: Suburban Centers**

The City shall adopt and enforce ~~land use policies, standards and regulations~~ that encourage the development of Suburban Centers where a system of streets, pedestrian walkways, and driveways support ~~a mix of commercial, office, or multi-family residential uses and uses~~ where development occurs at a density and intensity that can be feasible to support fixed-route transit.

**Policy TRA 3.1.2: Suburban Corridors**

The City shall ~~adopt and continue to~~ enforce ~~land use policies, standards, and regulations~~ that provide for adequate vehicular, bicycle, and pedestrian access and mobility to serve Suburban Corridors as well as the adjacent residential neighborhoods.

**Policy TRA 3.1.3: Linking Neighborhoods to Shopping Areas**

The City shall adopt and enforce ~~land use~~ policies, standards, and regulations that provide for multiple street connections and routing options between Suburban Neighborhoods and community-serving commercial areas.

**Policy TRA 3.1.4: Access Management**

The City shall continue to establish and enforce policies, standards and regulations for the management of access points along streets within the Suburban Development Pattern, ~~to include the consolidation of multiple driveways within a parcel, sharing of driveways among multiple parcels, and cross-access easements between properties.~~ The implementation of the State Access Management Program and the control of access connections to the State highway system shall be consistent with Chapter 14-96 and 14-97, F.A.C. and the Florida Department of Transportation Access Management Rule and will be coordinated with the Florida Department of Transportation through the City's access permitting process.

**Policy TRA 3.1.5: Promote Shared Parking**

~~To further encourage the use of alternative transportation modes, reduce the traffic demand, and encourage a "park-once" environment,~~ The City shall ~~adopt and continue to~~ enforce policies, standards and regulations that encourage shared parking among different parcels, through cross-access easements and a connected network of pedestrian walkways along Suburban Corridors and in Suburban Centers.

**Policy TRA 3.1.6: Criteria for Designation of New Suburban Centers**

~~The City's establishment of new Suburban Centers shall, in part, be based on the City's approval of plans for internal circulation which include, at a minimum, integrated roadway, transit, pedestrian and bikeway systems designed to reduce demand for automobile travel.~~

**OBJECTIVE TRA 3.2: SUBURBAN MULTI-MODAL TRANSPORTATION**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the Suburban Development Pattern, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 3.2.1: Complete Streets**

The City shall implement policies, including those standards already within the Land Development Regulations, to address the design and operation of all streets within and between Suburban Centers for safe and comfortable bicycling, walking, and transit operation.

**Policy TRA 3.2.2: Street Types in Land Development Code**

The City shall use the Street Types outlined in the Land Development Regulations as a guidance when designing and constructing new street sections within the Suburban Development Pattern ~~and ensure that all future streets are designed holistically, considering the pavement, curbing, bicycle facilities, sidewalks, lighting, signs, front yard setbacks, and building facades.~~

**Policy TRA 3.2.3: ~~Street Connectivity~~**

~~As called for in the City's East CRA Master Plan, the City shall work to restore local street network segments and construct new street connections within the Suburban Development Pattern, as feasible. In particular, the City shall achieve these street connections through development impact mitigation and as part of capital improvement projects.~~

**Policy TRA 3.2.46: Sidewalk Connectivity**

The City shall work to complete the network of sidewalks along all streets within the Suburban Centers, as part of construction of new streets as well as retrofitting of existing streets.

**OBJECTIVE TRA 3.3: SUBURBAN DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Suburban Development Pattern.

**Policy TRA 3.3.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, ~~the City shall ensure that at the minimum, future development within the City has established the~~ Suburban Development Pattern shall conform to the intent and performance standards described in the Future Land Use Element and City's Land Development Regulations. ~~These shall include but not be limited to standards that regulate suburban building lot types, setbacks and lot requirements, suburban public space, suburban landscape, building envelope standards, building height, and general building design standards. The general building design standards addressed in the Land Development Regulations include requirements related to public entrance locations, building orientation, building mass and scale, building façade treatments, storefront character, location of pedestrian access and walkways to buildings, among others.~~

**Policy TRA 3.3.2: Sidewalks**

The City shall work to ensure that within the Suburban Development Pattern sidewalks shall be provided on both sides for all streets within Suburban Centers and those streets within one mile of public schools, community centers, parks, and major transit stops.

**Policy TRA 3.3.3: Intersection Design**

The City shall work to ensure that all signalized intersections within

Suburban Centers have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the MUTCD.

**Policy TRA 3.3.4: Americans with Disabilities Act (ADA)**

The City shall work to ensure that all streets within Suburban Centers conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.

**Policy TRA 3.3.5: Block Size and Block Configuration**

As prescribed in the City's Land Development Regulations, blocks within the Suburban Development Pattern shall be laid out within an interconnected network of streets. ~~Blocks will be laid out with consideration of natural and environmental features and incorporating these features as an amenity to a development, where protection is required by environmental regulations.~~

**Policy TRA 3.3.6: Internal Streets**

The City shall require a connected system of internal streets within new suburban developments ~~larger than five acres~~, per the standards established by the Land Development Regulations. ~~The internal street system shall connect to publicly accessible access roadways of adjacent developments and to the public street system.~~

**Policy TRA 3.3.7: Internal Pedestrian Network**

The City shall require all new suburban developments to provide sidewalks along streets or pedestrian paths that connect primary building entrances to one another and to the public street, adjacent trails, transit stops, parking areas, and to publicly accessible pedestrian walkways of adjacent development.

**Policy TRA 3.3.8: Suburban Landscape Standards and Streetscaping**

The City shall require new suburban developments to conform to the suburban landscape requirements called for by the City's Land Development Regulations, ~~specifically requirements related to the landscape buffers along streets in the Suburban Development Pattern.~~

**Policy TRA 3.3.9: Bicycle Lanes and Multi-use Trails**

As part of the development of the Citywide Bicycle and Pedestrian Master Plan, the City shall work to ensure that bicycle lanes or multi-use trails are accessible to residents within the Suburban Development Pattern.

**Policy TRA 3.3.10: Connection to Recreational Amenities**

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The City shall work to ensure that all public recreational amenities ~~such as parks, regional trails, and community facilities within the Suburban Development Pattern~~ can be accessed from the Suburban Centers through pedestrian, bicycle, or transit connections.

**Policy TRA 3.3.11: Bicycle Parking**

The City shall ensure that bicycle parking is required for all new development projects that will be accessed by the public within the Suburban Centers. ~~The number of bicycle parking spaces required shall conform to the standards listed in the City's Land Development Regulations.~~

**Policy TRA 3.3.12: Transit Stops and Transit Shelters**

The City shall work with Lake County to ensure that transit stops at major destinations (hospitals, employment centers, shopping centers, and schools) shall have, as feasible, shelters for transit users that would include bus route/schedule signs, bench, shelter from the elements, and be ADA compliant where required by law.

**Policy TRA 3.3.13: Transit Service Headways**

The City shall work with Lake County to improve transit service headways during peak periods at Suburban Centers.

**Policy TRA 3.3.14: Transit Service Accessibility**

The City shall work with Lake County to improve transit service to ensure that all residents within the Suburban Development Pattern have access to fixed-route transit service.

**Policy TRA 3.3.15: Transit Service Span**

The City shall work with Lake County to expand hours of operation for transit routes serving the City.

**Policy TRA 3.3.16: Transit Serving Major Destinations**

The City shall work with Lake County to ensure that all major public gathering venues and destinations are served by a local transit route. These include hospitals, employment centers, shopping centers, and schools.

**GOAL TRA 4: RURAL DEVELOPMENT PATTERN**

Manage the transportation system for the ~~rural areas of the City as described in the Rural Development Pattern Area~~ through transportation policies and infrastructure investments that:

- Address vehicular circulation ~~and in a manner that preserves and enhances the~~

**rural character;**

- ~~Allow for safe pedestrian and bicycle circulation in accordance with the rural character;~~
- **Value and preserve open spaces, agricultural areas, and scenic view sheds; and**
- **Support the land use goals for the district.**

**OBJECTIVE TRA 4.1: RURAL LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce land use, design and transportation policies, standards and regulations that align the existing and future transportation infrastructure ~~to support clustered residential development that allows for preservation of open space and the rural natural environment, as called for in~~ the Rural Development Pattern.

**Policy TRA 4.1.1: Rural Centers**

The City shall adopt and enforce ~~land use policies,~~ standards and regulations that encourage the development of Rural Centers where a system of streets and pedestrian walkways support ~~neighborhood-serving clusters of commercial uses integrated with other uses that may include office, residential, or open space.~~

**Policy TRA 4.1.2: Rural Corridors**

The City shall adopt and enforce ~~land use policies,~~ standards, and regulations ~~that provide adequate vehicular, bicycle, and pedestrian access and mobility to serve Rural Corridors as well as the adjacent residential neighborhoods, hat encourage new developments to occur in a pattern and intensity that respect and preserve the scenic views and character of a rural corridor.~~

**Policy TRA 4.1.3: Multi-Modal Connectivity Between Development Phases**

The City shall ensure that the street and trail layouts of subsequent phases of residential subdivision developments are coordinated with previous phases to ensure multi-modal connectivity.

**Policy TRA 4.1.4: Open Space and Street Connectivity**

~~The City shall ensure that residential subdivision developments delineate and preserve open space areas that are connected to the maximum extent practicable. The City shall uphold the principle that open space is still considered connected even if separated by a transportation facility that is necessary for overall area street connectivity.~~

**OBJECTIVE TRA 4.2: RURAL Transportation and Environmental Quality**

~~TO ESTABLISH POLICIES, STANDARDS AND REGULATIONS THAT SUPPORT THE CITY'S DESIRE TO MAINTAIN ENVIRONMENTAL SUSTAINABILITY, CONSERVE ENERGY AND NATURAL RESOURCES, DISCOURAGE URBAN SPRAWL, AND TO IMPROVE THE AESTHETIC QUALITY OF THE COMMUNITY THROUGH THE IMPLEMENTATION OF THE FOLLOWING POLICIES.~~

~~Policy TRA 4.2.1: Aesthetics and Visual Appearance of Transportation Facilities~~

~~The City shall promote the aesthetic and visual enhancement of roadways through the standards and in the City's Land Development Regulations. Existing scenic and canopy roadways shall be protected by restricting construction activity within rights-of-way to ensure preservation of canopy trees and vegetation.~~

~~Policy TRA 4.2.2: Public Access to Natural Features~~

~~The City shall ensure that to the maximum extent practicable, natural features, scenic vistas, and open space that are adjacent to or part of residential subdivision developments shall be accessible to the public through streets or multi-use trails. The City shall undertake corrective action if the quality of natural features is degraded due to public access.~~

~~Policy TRA 4.2.3: Cluster Development~~

~~The City shall enforce policies, standards and regulations that promote the clustering of development to preserve natural features, open space, and the rural character within the Rural Development Pattern.~~

**OBJECTIVE TRA 4.32: RURAL DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Rural Development Pattern.

**Policy TRA 4.3.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, the ~~City shall ensure that future development within the~~has adopted the Rural Development Pattern ~~shall conform to the intent and~~ performance standards described in the City's Future Land Use Element Land Development Regulations. ~~These shall include but not be limited to standards that regulate rural building lot types, setbacks and lot requirements, buffer requirements, rural public space, building envelope standards, building height, and general building design standards.~~

**Policy TRA 4.3.2: Sidewalks**

The City shall work to ensure that within the Rural Centers sidewalks shall be provided ~~on at least one side~~ for all streets connecting to public schools, community centers, parks, and transit stops.

**Policy TRA 4.3.3: Intersection Design**

The City shall work to ensure that all signalized intersections within Rural Centers have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the MUTCD.

**Policy TRA 4.3.4: Americans with Disabilities Act (ADA)**

The City shall work to ensure that all streets within Rural Centers conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.

**Policy TRA 4.3.5: Street Types in Land Development Code**

The City shall use the Street Types outlined in the Land Development Regulations as guidance when designing and constructing new street sections within the Rural Development Pattern.

**Policy TRA 4.3.6: Transit in Rural Centers**

The City shall work with Lake County to ensure that fixed-route transit service is provided to Rural Centers as they are developed.

**Policy TRA 4.3.7: Transit Stops**

The City shall work with Lake County to ensure that transit stops are provided for all routes that serve Rural Centers.

**EXHIBIT A****FUTURE LAND USE  
GOALS, OBJECTIVES AND POLICIES****GOAL FLU 1: DEVELOPMENT FRAMEWORK**

Implement a land use and development framework that will:

- Promote diversified economic development;
- Protect and enhance residential neighborhoods;
- Ensure services and facilities for new and existing development;
- Discourage urban sprawl;
- Recognize the value of natural resources; and
- Respect private property rights.

**OBJECTIVE FLU 1.1: DEVELOPMENT FRAMEWORK IMPLEMENTATION**

To create a planning framework and implementation strategy that will enhance the livability of the City of Eustis; promote its natural, cultural, and physical resources; minimize any negative effects of urban development on the natural resources of the City; maintain overall air quality; and discourage urban sprawl.

**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; and
- Encouraging compact building design.

**Policy FLU 1.1.2: Strategy for Sustainability**

The City shall take the following actions as part of an overall strategy to improve energy efficiency and sustainability in the City of Eustis:

- a. Continue to support alternative modes of travel as called for in the Transportation Element.
- b. Support energy conservation measures and practices in the administration, design, and construction of City buildings and facilities.
- c. Encourage the cooperation of public agencies and private owners in the provision of a multi-modal transportation system connecting all land uses along arterial and collector roads within recreational, commercial and multi-family residential areas.
- d. Cooperate with existing and future land owners in the locating of solar sheds, bus stops, shelters, and other passenger and system accommodations for a transportation system to service current and

future needs.

- e. Encourage energy efficient appliances and equipment, energy-efficient features in window design, use of operable windows and ceiling fans and other technology to conserve energy and encourage energy efficient lighting for streets, parking lots and other public areas.
- f. Continue to permit grassed parking areas and other permeable materials as a part of the City's Land Development Code and encourage reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas.
- g. Encourage the planting of Florida Friendly shade trees to provide reasonable shade for all recreation areas, streets and parking areas.

**Policy FLU 1.1.3: Development Incentives**

The City shall continue to provide incentives for energy efficient development as provided in the Land Development Code and shall review the Land Development Code as a part of monitoring the effectiveness of the Comprehensive Plan to determine if there are additional opportunities for development incentives that can be provided for projects that participate in energy efficient development programs.

**Policy FLU 1.1.4: Building and Development Conservation Principles**

The City shall encourage energy and water conservation and solid waste reduction through the site plan review process and at the building scale, including participation in the following programs and development standards:

- Retrofit for Energy and Environmental Performance program (REEP)
- State Energy and Environment Development program (SEED)
- Federal Weatherization Assistance Program
- Multifamily Housing Energy Efficiency Grant Program
- Leadership in Energy Efficient Design (LEED)
- Energy Star
- Water Star
- Florida Friendly landscaping
- Reduction of fertilizer needs
- Block standards and connected streets
- High density and intensity development in the urban core
- Compact, mixed use development
- Infill development
- Support of multi-modal transportation networks
- Protection of environmentally sensitive lands

**OBJECTIVE FLU 1.2: FUTURE LAND USE MAP (FLUM)**

To direct the timing, location, density, and intensity of development and redevelopment throughout the City of Eustis.

**Policy FLU 1.2.1: Adopted Future Land Use Map Series (FLUM)**

The Future Land Use Map (FLUM) series provides the information for strategies designed to build long term community value, discourage urban sprawl and ensure that public facilities and services are provided in the most cost-effective and efficient manner. The City of Eustis provides appropriate future land use planning for a planning horizon through the year 2035 and adopts the Future Land Use Map Series as depicted in the following exhibits in the Map Appendix and uses the Future Land Use Designations as defined in the Future Land Use Element Appendix which is also adopted herein by reference:

|          |                                                                                         |
|----------|-----------------------------------------------------------------------------------------|
| Map #1:  | 2035 Future Land Use Map                                                                |
| Map #3:  | Soils                                                                                   |
| Map #4:  | Topography and Drainage Basins                                                          |
| Map #5:  | Designated Water Wellhead Protection Areas                                              |
| Map #6:  | Surface Water Features                                                                  |
| Map #7:  | Areas Subject to Flooding                                                               |
| Map #8:  | Vegetation                                                                              |
| Map #9:  | Washington Avenue Historic District                                                     |
| Map #10: | National Register of Historic Places and Sites                                          |
| Map #11: | Local Landmark Sites                                                                    |
| Map #12: | Wekiva Study Area: Most Effective Undeveloped Recharge Areas                            |
| Map #13: | Wekiva Study Area: Undeveloped and Water-Filled Karst Areas                             |
| Map #14: | Wekiva Study Area: Integrated Wildlife Habitat Ranking System                           |
| Map #15: | Wekiva Basin Land Cover                                                                 |
| Map #16: | Priority Wetlands                                                                       |
| Map #17: | Wekiva Basin: Strategic Habitat Ranking Systems, Public Lands and Proposed Acquisitions |
| Map #18: | Biodiversity Hotspots                                                                   |

With the exception of Map #1, the Future Land Use Map, these maps shall be used for general identification only and are not specifically regulatory in nature. Site specific information and analysis shall determine the actual features or applicability of a site for the purposes of applying the requirements of this Plan. The city shall continue to allocate lands in the Comprehensive Plan to meet projected development needs through the long-term planning horizon of 2035, including amounts sufficient to minimize land speculation and undue price appreciation and to provide for choices of residential and non-residential locations.

**Policy FLU 1.2.2: Future Land Use Map Limitations**

The Future Land Use Classifications set forth the current and long-range 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 entitled to the most potentially dense

or intense uses permitted within a land use classification. Thus, in some cases, the application of 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.

**Policy FLU 1.2.3: Urban Services Required**

All new development in the city shall be required to receive public water service. All new development must be served by public sewer systems, except where public sewer is not available and it can be demonstrated that sewage disposal is permissible by those state and county agencies having regulatory jurisdiction.

**Policy FLU 1.2.4: Development Patterns**

To discourage urban sprawl and to protect and enhance the community's unique character, the City shall implement regulations within the Land Development Code that encourage a mix of uses in specific areas of the City. Those areas are identified in the development patterns of urban, suburban and rural. Each development pattern is further divided into neighborhoods, centers, corridors and districts. The City shall adopt performance standards for the land uses within each development pattern as prescribed by the City's Land Development Code. In general, the patterns are as follows:

- a. Urban Areas. Urban development pattern areas shall rely primarily on a system of interconnected streets in a grid network pattern that prioritizes pedestrians and transit features and links civic buildings, squares, parks, and other neighborhood uses.
- b. Suburban Areas. Suburban development pattern areas shall rely primarily on a pattern of residential development that is formed on a street network which shall be designed to provide for pedestrian and bicycle connections. Non-residential uses shall be primarily located on corridors and within districts.
- c. Rural Areas. Rural development pattern areas may include clustered residential development or large lots that provide substantive open space to preserve and enhance the rural viewshed and character of the community. Non-residential uses are primarily located in centers and may contain a mix of uses. The rural pattern is generally located on the periphery of the Eustis urbanized area, away from the urban core.

**Policy FLU 1.2.5: Joint Planning Area**

The City shall continue to coordinate with Lake County to address annexation and land use issues.

**OBJECTIVE FLU 1.3: RELATIONSHIP OF THE COMPREHENSIVE PLAN TO THE LAND DEVELOPMENT CODE**

To implement the policies, standards and land use classifications of the City's Comprehensive Plan



through the Land Development Code.

**Policy FLU 1.3.1: Promote Compact Growth and Preservation of Open Space**

The City shall continue to rely upon its Land Development Regulations to promote compact growth and preservation of open space

**Policy FLU 1.3.2: Maintain Residential Compatibility**

The City shall continue to rely upon the Land Development Code to address specific standards for the review of residential compatibility to provide standard and predictable measures for establishing and creating compatibility. At a minimum these standards shall conform to the following guidelines:

- a. The review and analysis of development applications and future land use map amendments shall recognize as a fundamental principle of the City's Comprehensive Plan that the highest concentration of development density and intensity within the City shall be permitted in the downtown and that this overall density/intensity decreases incrementally outward from the downtown to lower densities that are located on the periphery of the Eustis urbanized area or in areas of the City which have physical limitations to development. Higher density in locations away from downtown, but supported with urban services is permitted as an exception to this principle.
- b. Landscapes, buffers, natural areas or transitional development practices shall be utilized in site planning to demonstrate that the project transitions appropriately to adjacent uses or to lessen impacts and integrate development along the edges of different land use categories, screen undesirable views, preserve tree canopy and vegetation.
- c. The location of development on a site shall:
  - (1) Protect existing natural and environmental features on and adjacent to the site to the extent practicable, including wetlands and wetland systems, karst features, and tree canopy;
  - (2) Respect the existing development transect;
  - (3) Permit the most density and intensity in areas that are served or may be served by public utilities, or are most proximate to support services.
- d. The location of required minimum open space on a site shall be configured to:
  - (1) To create external connectedness by adding to a larger contiguous off-site network of interconnected open space, particularly existing habitats, where applicable.
  - (2) To create internal connectedness through connected and integrated open space within the subdivision parcel where applicable and shall be based upon the context sensitive site design standards.

**Policy FLU 1.3.3: Right-of Way Standards for Utilities**

Right-of-way standards adopted as part of the Land Development Regulations and roadway improvement projects shall be designed to accommodate public and regulated utility distribution lines.

**Policy FLU 1.3.4: Compatibility with the Placement of Utility Structures**

The City shall rely upon the Land Development Regulations to continue to provide for the placement and construction of utility structures and equipment, other than local distribution lines, including but not limited to water storage tanks, sewage treatment plants, electric substations, and telephone switching stations where needs for such facilities can be demonstrated by providers of services. The Land Development Regulations shall ensure compatibility of such facilities with surrounding land uses and natural resources to the extent possible.

**OBJECTIVE FLU 1.4: PROTECTION OF HISTORIC RESOURCES**

To protect and enhance those areas and individual sites of historical significance or distinct architectural character in the community.

**Policy FLU 1.4.1: Protect Historic Character and Preserve Historic Properties**

Land Development Regulations and development review procedures shall continue to recognize the need to maintain or improve the character of designated historic properties and the historic district, and incorporate incentives to preserve designated historic properties, including advice to applicants on the tax benefits of historic preservation.

**Policy FLU 1.4.2: Downtown Main Street Character**

In addition to adding beauty to the Downtown, walkable design standards shall be included in the Land Development Regulations regarding development and redevelopment in the Urban Core.

**Policy FLU 1.4.4: Preserve the Architectural and Historical Heritage of Eustis**

Pursuant to the Intergovernmental Coordination element, provide ongoing affirmational support to preservation organizations.

**Policy FLU 1.4.5: Historic Structures**

Where an application for development may involve the removal of a historic structure listed on the National Register, the city shall first invite comment by the Florida Division of Historical Resources and the City's Historic Preservation Board before rendering a decision on the application.

**Policy FLU 1.4.6: Historic Overlay**

When an area is designated as a local Historic District, the designation shall be entered as an overlay to the Future Land Use map in accordance with State law.

**Policy FLU 1.4.7: Archaeological Discovery**

By year-end 2035, the Land Development Regulations shall provide for notification of the archaeological discovery to and request for guidance from the Florida Division of Historical Resources in instances when an archaeological discovery occurs in the city; and will provide for best management practices to address the discovery.

**GOAL FLU 2: URBAN DEVELOPMENT PATTERN AREA**

Enhance the livability and viability of the urban core area of the City through design standards and capital improvement priorities that:

- Align public investments, incentives and Future Land Use Element policies to encourage and protect redevelopment and revitalization opportunities that leverage existing economic assets;
- Promote revitalization in developed neighborhoods that are aging; and
- Rely primarily on a system of interconnected street grids with pedestrian and mass transit features and links to civic buildings, squares, parks and other neighborhood uses.

**OBJECTIVE FLU 2.1: REDEVELOPMENT AND INFILL**

To implement programs which facilitate redevelopment of and infill development in older sections of the city and to promote the revitalization of the Downtown and East Town Community Redevelopment Area as a safe, attractive, and stable residential and business area.

**Policy FLU 2.1.1: Downtown Redevelopment**

The City shall continue to implement the redevelopment and revitalization vision for the Community Redevelopment Area as provided for in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan, and Economic Element.

**Policy FLU 2.1.2: Funding Assistance for Housing Needs**

The City shall continue to pursue funding pursuant to the Housing Element Policy HSG 1.3.3.

**Policy FLU 2.1.3: Code Enforcement & Displacement**

The City shall continue to address substandard housing and displacement pursuant to the Housing Element Policies HSG 1.2.1 and 1.2.2.

**GOAL FLU 3: SUBURBAN DEVELOPMENT PATTERN AREA**

Enhance the livability and viability of neighborhoods and existing commercial corridors through the implementation of a coordinated strategy that discourages urban sprawl and:

- Promotes development standards for new neighborhoods consistent with the principles included in FLU Policy 1.1.1.
- Preserves and protects existing viable neighborhoods and subdivisions;
- Promotes revitalization in developed neighborhoods that are aging; and

**OBJECTIVE FLU 3.1: PROTECTION OF RESIDENTIAL NEIGHBORHOODS**

To ensure the long-term viability of residential neighborhoods by regulating future development and redevelopment to create compatibility with surrounding land uses.

**Policy FLU 3.1.1: Neighborhood Compatibility**

The City shall protect the quality and integrity of established neighborhoods by relying upon the standards of the adopted Land Development Regulations to address residential compatibility.

**Policy FLU 3.1.2: Roadway Compatibility**

The City shall maintain and protect the long-term viability of residential neighborhoods where they are developed adjacent to collector and arterial roadways by relying upon the standards of the adopted Land Development Regulations

**Policy FLU 3.1.4: Limits on Industrial Uses Adjacent to Residential Areas**

The City shall ensure that future Plan amendments to industrial uses adjacent to existing Residential Land Use categories shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise.

**OBJECTIVE FLU 3.2: DISCOURAGE URBAN SPRAWL**

To use an approach to neighborhood revitalization that will transform the character, function and form of residential land uses into functional, sustainable neighborhoods.

**Policy FLU 3.2.1: Neighborhood Revitalization**

The City shall encourage neighborhood revitalization by continuing to implement and enforce the adopted Land Development regulations regarding pedestrian connectivity standards and block configuration requirements.

**GOAL FLU 4: RURAL DEVELOPMENT PATTERN AREA**

Manage the form, pattern and timing of future growth and development for the areas on the periphery of the Eustis urbanized area through a clear and predictable land use strategy that:

- Facilitates the transition of land uses over time into sustainable, livable places (communities).
- Provides for a transitional area between suburban development and the County's rural areas;
- Allows the continuance of agricultural land uses;
- Values and preserves open spaces; and

**OBJECTIVE FLU 4.1: PROTECTION OF RURAL CHARACTER**

To protect the character of those areas that are designated as Rural Design Districts.

**Policy FLU 4.1.1: Rural Residential**

Greater flexibility and creativity in the design of residential developments within the Rural Design Districts is permitted through the subdivision development approval process and the design criteria provided in the Land Development Regulations as a means to preserve significant on-site environmental resources and preservation areas.

**GOAL FLU 5: WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

Support and further the *Wekiva Parkway and Protection Act* through land use strategies designed to protect significant natural resources of the Wekiva Springs Overlay Protection District, also known as the Wekiva Study Area, including the springshed and springs.

**OBJECTIVE FLU 5.1: Wekiva Springs Overlay Protection District Land Use Strategy**

The City shall establish an overlay district described herein for the purpose of providing an appropriate transition between the City's urban core and the County's rural areas, and implementing enhanced standards for the protection of significant open space. The following policies and open space requirements recognize the relative position of the City within the Wekiva Springs Overlay Protection District/

**Policy FLU 5.1.1: Land Use Activity Restrictions**

The City designates the Wekiva Springs Overlay Protection District as provided on the Future Land Use Map. The City shall restrict new land use

activities within the Wekiva Springs Overlay Protection District, that are adjacent to most effective recharge areas, karst features and sensitive natural habitats, that have a potential to adversely impact ground water and surface water quality; such as mining, landfills, spray-fields, golf courses, heavy industry, intense animal operations, and other uses or activities with extensive impervious surface area, involving hazardous chemicals or materials, having potential to contaminate groundwater, or requiring significant consumption of groundwater beyond the City's adopted level of service.

**Policy FLU 5.1.2: Best Management Practices and Standards**

Where avoidance of impacts through the limitation of land use activities is not feasible, the City shall require implementation of Best Management Practices and development/redevelopment standards, such as buffering, setbacks and open space standards, that will minimize the impact of land use and development within the Wekiva Springs Overlay Protection District, consistent with Objectives FLU 5.1, and 5.2 and supporting policies applicable to the Wekiva Springs Overlay Protection District.

**Policy FLU 5.1.3: Surveys and Studies**

The Land Development Regulations shall require the following surveys and studies to be submitted with a subdivision plan or site plan or its functional equivalent to provide an analysis and evaluate the location and presence of most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub:

- a. An analysis of soils, by a professional qualified to determine the location of most effective recharge areas. Unless otherwise provided for by rule of the St. Johns River Water Management District (SJRWMD), most effective recharge areas shall be defined as Type "A" Hydrologic soils described by the National Resources Conservation Service (NRCS) Soil Survey.
- b. An analysis of the site, by a professional qualified to determine the location and nature of sinkholes and other karst features of the property, such as stream-to-sink and other direct connections to the aquifer including an analysis to determine the depth of the water table, location of the Floridan Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer. This analysis may include the use of geophysical surveys, such as microgravity and ground penetrating radar surveys, and may be supplemented with documented locations of sinkholes, light detection and ranging surveys, and aerial photographs. If karst features are determined to exist on site, further analysis may be required to evaluate surface and sub-surface characteristics that provide potential connection to the aquifer, assess the potential for contamination of the aquifer from development, and identify protective solutions to be incorporated into the site design. Such design solutions shall utilize Best Management Practices described in Protecting Florida's Springs Manual – Land Use Planning Strategies and Best

- Management Practices (November 2002).
- c. An analysis of the site by a professional qualified to identify flora and fauna, state and federally listed species, and vegetative habitat types including but not limited to wetlands and sensitive natural habitat defined as Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub. This analysis shall include field surveys and use of best available information from federal, state, regional, and local agencies. The site analysis shall also consider ecosystem connectivity in relationship to adjacent properties and surrounding area in coordination with the Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection.
  - d. The analysis required above shall be used to characterize on-site soils and determine locations of geologic features including sinkholes, solution pipes, depressions, and depth of soil to lime rock, including karst features like sinkholes with a direct connection to the aquifer and stream-to-sink features that require protection.

**Policy FLU 5.1.4: Open Space Requirements**

In order to protect natural resources within the Wekiva Springs Overlay Protection District, including but not limited to most effective recharge areas, karst features and sensitive natural habitats, including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub, the City shall require that new development preserve and dedicate open space pursuant to the policies established for the Wekiva Springs Overlay Protection District. Open space shall be connected to the greatest extent possible within the development site and to natural areas or open space within adjacent property in order to provide larger contiguous corridors.

**Policy FLU 5.1.5: Open Space Priority and Assignment**

Priority for preservation and dedication of open space shall be given to most effective recharge areas, karst features, and sensitive natural habitats including Long Leaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub vegetative communities. Assignment of open space shall be determined at the time of site plan review to maximize protection of natural resource features and functions. This evaluation shall consider the aforementioned priorities, protection of wildlife habitat, the ability to provide substantial buffering to natural wetlands and water bodies, and the ability to create greenway corridors. Other significant resources, such as natural wetlands and floodplains and other sensitive natural habitats shall be protected consistent with all other objectives and policies of this Comprehensive Plan. Within the Wekiva Springs Overlay Protection District, natural wetland impacts, including the placing or depositing of fill within natural wetlands, shall be prohibited except as necessary to provide for legal ingress or egress to developable upland areas. In such circumstances, structural enhancements may be required to maintain wetland connectivity and natural flow regimes.

**Policy FLU 5.1.6: Dedication of Open Space**



Natural open space designated as part of a development project shall remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, deed restrictions or similar legal instruments that run with the land and establish the conditions and restrictions on the use of open space areas. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats

**Policy FLU 5.1.7: Ownership and Maintenance of Open Space**

Ownership and maintenance of open space that is held in group ownership shall be by one or a combination of the following, which shall be designated prior to development.

- a. Conservation Agency such as the SJRWMD
- b. Non-profit conservation organization or land trust
- c. City of Eustis, subject to City approval
- d. Homeowners Association providing for binding legal commitments regarding preservation and management

The costs and responsibility of maintaining open space shall be borne by the owner of open space. If not properly maintained, the City may enforce maintenance.

**OBJECTIVE FLU 5.2: Conservation Design Standards**

All development within the Wekiva Springs Overlay Protection District shall meet the conservation design standards as set forth below as provided for in the Conservation Element

**Policy FLU 5.2.1: Principles of Conservation Design**

Within the Wekiva Springs Overlay Protection District, all new development shall be required to implement the following principles of conservation design:

- a. When clustering dwelling units within a development, the clustering of uses shall be designed to occur in those areas with the lowest priority for preservation.
- b. Establishment of natural open space, consistent with Policies FLU 5.1.4 through 5.1.8 and Policies FLU 5.2.1 through 5.2.3, which shall be connected wherever possible and protected by recorded conservation easement, dedicated plat, or similar binding instrument;
- c. Protection and enhancement of corridors for wildlife movement in coordination with adjacent properties if applicable;
- d. Minimize site disturbance and alteration of terrain through use of design techniques that protect native vegetation and minimize earth movement;
- e. Use of Florida Friendly landscaping, and limiting areas requiring irrigation;
- f. Design of stormwater systems as natural amenities where possible;
- g. Central water and sewer treatment facilities within urban service areas that can be connected to a regional system when available or use of performance-based on-site wastewater treatment systems consistent

- with the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element;
- h. Installation of reclaimed water lines in order to ensure the present or future capability to receive treated reuse water.

**Policy FLU 5.2.2: Setback from Karst Features**

All development shall be set back from springs, spring runs, sinkholes, and other karst features as shown below. The setback area shall consist of a buffer that excludes development and retains all natural vegetation within the setback area, with the exception of the setback area from subsurface caves and flow corridors.

**Development Setbacks**

| <b>Feature</b>                                                                           | <b>Minimum setback (feet)</b>          |
|------------------------------------------------------------------------------------------|----------------------------------------|
| Springs                                                                                  | 300                                    |
| Spring runs                                                                              | 100                                    |
| Sinkholes, with a direct connection to the aquifer                                       | 200, measured from the drainage divide |
| Other sinkholes                                                                          | 100, measured from the drainage divide |
| Other karst features with a direct connection to the aquifer (swallet or stream-to-sink) | 200, measured from the drainage divide |

Land uses with a high potential to impact groundwater resources such as mining, landfills, spray-fields, heavy industrial, and intense animal operations will be prohibited within one mile of a springhead and ½ mile of a surface centerline of the cave system.

**Land Use Setbacks**

| <b>Feature</b>                              | <b>Minimum setback (feet) for land uses identified as having a high potential to impact groundwater resources.</b> |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Caves (subsurface caves and flow corridors) | ½ mile, measured on the surface from the centerline of the cave system                                             |
| Springhead (vent)                           | One (1) mile, measured from the springhead in all directions                                                       |

**Policy FLU 5.2.3: Setback Exceptions**

Where an existing lot of record as of the effective date of the previous Policy is too small to accommodate the minimum amount of development necessary for the setbacks set forth in Policy FLU 5.2.2, the allowable use may be established provided that the building and associated paved areas are located the maximum distance possible from the karst features, and

further provided that a swale and berm are located between the development and the karst feature with a direct connection to the aquifer. The swale and berm shall be designed to direct drainage away from the karst feature.

**Policy FLU 5.2.6: Minimization of Connected Impervious Areas**

Design of access, parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques shown on a site plan such as:

- a. Development shall use joint or shared access and stormwater facilities to the maximum extent feasible when it serves to minimize impervious surfaces.
- b. Non-residential development shall use shared parking and pervious pavement to the maximum extent feasible in order to minimize impervious surfaces.
- c. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water; Directing flows from paved areas to vegetated areas; Locating impervious surfaces so that they drain to vegetated buffers or natural areas; and
- d. Breaking up flow directions from large paved surfaces.

**Policy FLU 5.2.7: Use of Pervious Materials**

Porous pavement materials, pervious concrete, and pervious asphalt should be used to minimize the amount of impervious surface within new development and redevelopment consistent with code requirements regarding protection of natural systems from contaminants.

**Policy FLU 5.2.8: Stormwater Drainage**

Drainage for streets and roads within new development shall be consistent with the St. Johns River Water Management District requirement and the Land Development Regulations.

**Policy FLU 5.2.9: Minimization of Site Disturbance**

Development shall be designed to minimize site disturbance by limiting clearing to the minimum area necessary to accomplish development through the following:

- a. Avoid or minimize the removal of existing native trees and vegetation;
- b. Minimize soil compaction by delineating the smallest disturbance area feasible;
- c. Use design techniques that limit earth movement and impervious surfaces such as stem-wall construction, reduced pavement widths, and swales; and
- d. Maximize disconnection of impervious surfaces to reduce water runoff flows and increase opportunities for infiltration.

**Policy FLU 5.2.10: Golf Courses**

All golf course siting, design, construction, and management shall implement the prevention, management, and monitoring practices, detailed in the golf course siting, design, and management chapter of the *Protecting Florida's Springs Manual – Land Use Planning Strategies and Best Management Practices (November 2002)*. These practices are derived from the Audubon International Signature program.

**Policy FLU 5.2.11: Landscape Best Management Practices**

The following landscaping Best Management Practices shall be instituted to the greatest extent practicable to reduce nitrate loading:

- a. Planted turf grass and landscaping within residential lots shall be restricted wherever feasible to minimize the use of fertilization and water for irrigation;
- b. Florida Friendly landscaping shall be required wherever feasible; and
- c. The City will adopt Land Development Regulations for managing future lawns and landscapes within the Wekiva Springs Overlay Protection Area using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best Management Practices wherever feasible. Such Land Development Regulations shall include practices that are designed to reduce nitrate infiltration into ground and surface water.

**Policy FLU 5.2.12: Protection of Sensitive Natural Habitats**

The City shall protect sensitive natural habitat including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub (generally shown on Map #14 and Map #15) within the Wekiva Springs Overlay Protection Area to the greatest extent practicable. The Land Development Regulations shall require a site analysis during the development review process to identify sensitive natural habitat. If such habitat is determined to exist on-site, proposed development shall be required to avoid and protect such areas as much as possible as follows:

- a. Design shall be accomplished to maintain sensitive natural upland habitat in functional, clustered and contiguous configurations that maximize use by wildlife (Map #18) and maintain the long-term viability of natural communities. This includes linkages to habitat corridors and greenways where possible.
- b. Sensitive natural habitat protected on-site shall require a permanent conservation easement and be incorporated as open space within the subject property.

**Policy FLU 5.2.13: Management of Sensitive Natural Habitats**

The City may require a management plan for sensitive natural habitat areas greater than two acres in size that are protected as the result of a development project. The management plan shall be prepared at the expense of the developer by a qualified professional biologist and provide for the following:

- a. Eventual removal of invasive plants and replanting with Florida



**EXHIBIT B****FUTURE LAND USE ELEMENT APPENDIX****SECTION FLU A-1: PLAN AMENDMENT STANDARDS OF REVIEW**

The City of Eustis Comprehensive Plan is designed to preserve and enhance the public health, safety, and welfare through the management of growth, the provision of adequate public services and the protection of natural resources. These purposes are accomplished by the legislative establishment of goals, objectives, and policies that are designed to guide the future growth and development of lands within the City.

**GENERAL**

All applications for a Plan amendment 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.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

- A **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.
- B **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. Evaluation of specific features and impacts shall be included in the Land Development Regulations and addressed at time of site plan or subdivision plan consideration.
- C **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.

1. Proposed Residential Land Uses. The City shall limit these uses adjacent to incompatible commercial or industrial land uses unless sufficient mitigation, such as buffering and setbacks is provided and available through the Land Development Regulations, which lessens the impact to the proposed residences.
  2. 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.
- D **Transportation:** Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.
- D **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.

#### **AMENDMENTS WITHIN THE WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

Amendments to the Future Land Use Map (FLUM) within the Wekiva Springs Overlay Protection District shall be required to comply with all applicable policies of this Comprehensive Plan and at time of site plan or subdivision consideration, approval of a development plan shall satisfy the following criteria:

- A. Support the development plan with the required studies and surveys in FLU Policy 5.1.3 to document that the development is consistent with protection of groundwater and surface water and natural resources;
- B. Support the development plan with a nitrate/nitrogen loading analysis prepared by a professional qualified to use professionally accepted methods that compare the existing land use activity to the proposed future land use activity at build-out if there is no connection to central sanitary sewer. The analysis must demonstrate when all factors are considered, that there shall be no increase in nitrate/nitrogen loading to groundwater and surface water.

#### **SECTION FLU A-2: ZONING STANDARDS OF REVIEW**

The City of Eustis does not have zoning districts. The City of Eustis regulates the specific uses that are permitted and prohibited within each land use district through the City's Land Development Code based on the Future Land Use Map designation and establishes the minimum design standards to be used when developing property through the application of a Design District Overlay. The intent of the land use and design regulations of the Land Development Code is to promote the health, safety, and welfare of the community; to ensure that future growth and development which occurs in Eustis is consistent and compatible with the city comprehensive plan; is compatible with existing and planned development in the City in type, design, and location; is served by adequate public services and facilities; and in all other respects achieves and implements the goals, objectives, and policies of the city as contained in the city comprehensive plan.

**SECTION FLU A-3: THE OFFICIAL FUTURE LAND USE MAP****General Application**

The City of Eustis Future Land Use Element contains the Official Future Land Use Map. This map depicts a land use classification system which defines the location and range of permitted uses in each classification, the range of permitted densities and/or intensities of use, and other data necessary to comply with minimum State requirements. 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 official Future Land Use Map depicts the following land use classifications, map symbols, and the identification of designations that require urban services.



TABLE A-3.1 FUTURE LAND USE DESIGNATIONS

| LAND USE DISTRICT               | MAP SYMBOL      | Maximum Net Density<br>(Total dwelling units per net acre) | Intensity Range<br>(Floor Area Ratio) | Maximum Impervious Surface<br>(% of net buildable area) |
|---------------------------------|-----------------|------------------------------------------------------------|---------------------------------------|---------------------------------------------------------|
| Suburban Residential            | SR              | 5 dwelling units/acre <sup>(2)</sup>                       | N/A                                   | 50% <sup>(4)</sup>                                      |
| Urban Residential               | UR              | 12 dwelling units/acre <sup>(2)</sup>                      | N/A                                   | 50% <sup>(4)</sup>                                      |
| Manufactured Home Community     | MH              | 8 dwelling units/acre                                      | N/A                                   | 50% <sup>(4)</sup>                                      |
| General Commercial              | GC              | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| General Industrial              | GI              | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Central Business District       | CBD             |                                                            |                                       | 100%                                                    |
|                                 | Residential     | 40 dwelling units/acre <sup>(1)</sup>                      | up to 3.0                             |                                                         |
|                                 | Non-Residential |                                                            |                                       |                                                         |
| Residential/Office Transitional | RT              |                                                            |                                       | 50% <sup>(4)</sup>                                      |
|                                 | Residential     | 12 dwelling units/acre <sup>(2)</sup>                      | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
|                                 | Non-Residential |                                                            |                                       |                                                         |
| Mixed Commercial/ Residential   | MCR             |                                                            |                                       | 50% <sup>(4)</sup>                                      |
|                                 | Residential     | 12 dwelling units/acre <sup>(2)</sup>                      | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
|                                 | Non-Residential |                                                            |                                       |                                                         |
| Mixed Commercial/ Industrial    | MCI             | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Public and Institutional        | PI              | N/A                                                        | up to 2.5 <sup>(3)</sup>              | 75%                                                     |
| Conservation                    | CON             | N/A                                                        | up to 0.20 <sup>(3)</sup>             | 10%                                                     |

## Table Footnotes

Generally: Stated densities and intensities will not be achieved in all cases. Compatibility standards and other Land Development Regulations, including those regulating the interaction between land use districts and design districts, as related to each specific site's unique characteristics, will determine actual achievable densities and intensities.

- (1) In the Central Business District, the maximum of 40 units per acre is permitted in the portion of the central business district bordered on the west by Bay Street, south by Orange Avenue, east by Center Street and north by Clifford Avenue. The remainder of the Central Business District shall have a base maximum density of 12 du/ac and shall require a conditional use permit to develop up to 40 units per acre.
- (2) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in these classifications where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent.
- (3) Allowable intensities incrementally decrease between downtown and outlying areas, and between corridors and neighborhoods, as specified in Section 109-3 of the Land Development Regulations. Higher intensities apply in urban districts, medium intensities in suburban districts and lower intensities in rural districts. Similarly, within those districts, higher intensities apply along corridors and lower intensities in neighborhoods.
- (4) Maximum impervious surface requirements apply to the development as a whole, when common area is provided. In no case shall individual building lot coverage exceed 80 percent.

For more information regarding open space and impervious definitions see the City of Eustis Land Development Regulations, Definitions and Chapter 115, Section 115-4.1

**DEFINITIONS OF FUTURE LAND USE DESIGNATIONS**

The definitions and uses provided for in each of the following future land use designations are descriptive definitions only.

**Residential Districts**

Suburban Residential

Urban Residential

Mobile Home Community

**Suburban Residential (SR)**

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

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

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

**Special Provisions:**

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
  - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
  - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Urban Residential (UR)**

This designation is intended to provide higher density residential options for the areas near the downtown core of the city.

General Range of Uses: Includes single family detached, patio home, townhouse dwellings, and apartments. Additional uses include adult congregate living facilities (ACLF), other group housing facilities, manufactured residential dwelling units, limited neighborhood commercial uses, parks and recreation facilities, and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density: Urban residential densities may be developed at a minimum density of six dwelling units per net buildable acre up to a maximum of 12 dwelling units per net buildable acre, except where existing conditions require a density less than six dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

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

**Mobile Home Community (MH/RV)**

This designation applies to specific existing mobile home and recreational vehicle developments which are predominantly located north of Trout Lake. The purpose of this district is to provide for a mobile home urban environment in a rental park where the dwelling unit may or may not be owned by the tenant residing within, provided however, that the real property for the entire mobile home community is under single ownership. No new mobile home or transient recreation vehicle developments are contemplated on the Future Land Use Map.

General Range of Uses: Single-family residential dwelling units, multi-family dwelling units, manufactured residential dwelling units, mobile homes, outdoor recreation, and schools. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density: Residential densities may not exceed eight dwelling unit per net buildable acre.

Special Provisions:

- (1) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:

- a. all such housing is attached to foundations as in the case of conventional site-built construction; and
- b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.

### **Commercial Districts**

#### **General Commercial (GC)**

The GC designation is intended to provide an area consisting of primarily free-standing commercial land uses serving both motorists and local residents.

General Range of Uses: General Commercial may include a variety of free-standing retail and service uses and small strip centers including automotive-oriented uses such as service stations and auto sales as well as outdoor recreation, and schools. Public and utility services and facilities that are 5 acres or less in size are also permitted.

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

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

### **Industrial Districts**

#### **General Industrial (GI)**

This land use designation is provided for those businesses that have one or more objectionable uses such as noise, dust or odor. The purpose of this district is to provide a method whereby industries necessary to the area, but with inherent characteristics which could prove obnoxious or detrimental to a different type of industrial operation, may locate in the most suitable and advantageous spots to minimize inconvenience to the general public. This district also offers greater economy and freedom to the industrial developer by the relaxation of certain standards and screening requirements within the district itself.

General Range of Uses: General Industrial development includes existing industrial development of light-to-heavy nature along the rail line both north and south of downtown. Outdoor recreation, schools, and public and utility services and facilities that are 5 acres or less in size are also permitted.

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

#### **Special Provisions:**

- (1) New development within GI areas shall continue to be required to:
  - a. Provide adequate setbacks and buffering from residential areas and public roads;
  - b. Comply with all federal and state environmental regulations and local performance standards contained in the Land Development Regulations; and
  - c. Limit effluent discharges to the municipal sewer system to approved pretreated industrial wastes and domestic wastes only.

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

**Mixed Use Districts**

Central Business District

Residential / Office Transitional

Mixed Commercial / Residential

Mixed Commercial / Industrial

**Central Business District (CBD)**

This land use designation is designed to support a mixed-use area encompassing downtown Eustis within which a combination of commercial, institutional, office, and residential uses may occur at comparatively high densities.

**General Range of Uses:** This category accommodates the mix of residential, commercial, light industrial/manufacturing, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted as well as residential uses found in or otherwise desirable in downtown areas.

**Density:** The maximum density is 40 du/ net buildable acre where the maximum of 40 units per buildable acre is permitted in the “core area” of the district which is defined as that portion of the central business district bordered on the west by Bay Street, south by Orange Avenue, east by Center Street and north by Clifford Avenue. The remainder of the Central Business District shall be a maximum density of 12 du/ net buildable area unless granted a conditional use permit to develop up to 40 units per net buildable acre. The minimum density within the “core area” of the CBD is 6 du/ net buildable acre except where existing conditions require less than the minimum.

**IntensityRange:** up to 3.0 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

**Mix Requirements:** There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated CBD. For the mixed land use category CBD, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Commercial/Office: 50% - 80% of total CBD building square footage

Residential: 20% - 60% of total CBD building square footage

Institutional: 5% - 15% of total CBD building square footage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially, commercially, or as an institutional use provided that all applicable criteria set forth herein are met.

**Residential / Office Transitional (RT)**

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

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

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

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

Mix Requirements: There are proportional requirements or limitations regarding the amount of residential and non-residential uses allowable in an area designated RT on the Future Land Use Map. For the mixed land use category RT, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

- Residential: 55% - 70% of total RT acreage
- Commercial/Office: 30% - 45% of total RT acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

Special Provisions:

- (1) Future amendments to designate areas as RT shall be required to be designated near thoroughfares and commercial areas to allow for limited transitional commercial uses in recognition that these areas are impacted by adjacent commercial use and to provide an economic use of property while maintaining their general residential character by:
  - a. limiting commercial uses to retail, business and professional offices, group homes, and home occupations as defined in the Land Development Regulations;
  - b. limiting external lighting and signs to that which would normally be permitted in adjacent residential zoning districts;
  - c. screening any permitted non-residential use from abutting residential properties by a landscape buffer, in accordance with city requirements;
- (2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Mixed Commercial / Residential (MCR)**

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

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

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

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR acreage  
Commercial/Office: 75% - 85% of total MCR acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

Special Provisions:

- (1) Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods which meet the following conditions:
  - a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;
  - b. strip commercial development shall be minimized, including actions that would extend or expand existing strip development;
  - c. the arterial road frontage contains an existing mix of viable commercial and residential uses;
  - d. the clustering of viable commercial businesses within or adjacent to residential neighborhoods is determined to not have a detrimental visual or operational impact on such adjacent or nearby residential uses;
- (2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Mixed Commercial / Industrial (MCI)**

This land use designation is intended to provide for development of light manufacturing, distribution, corporate office and related commercial and industrial facilities in select high profile locations and in well planned environments.



General Range of Uses: Uses include light industry and manufacturing, distribution, corporate office, and related commercial and industrial facilities in select high profile locations and in well-planned environments. Outdoor recreation and schools are permitted as well as public and utility services and facilities that are 5 acres or less in size.

Light industry includes warehousing and wholesale distribution, provided that truck access bays and loading operations are effectively screened from view where necessary, truck traffic does not impact local streets, and hours of operation are compatible with adjacent land uses. Light industry also includes those manufacturing, distribution, and associated activities which do not create any noise, glare, vibration, odor, or waste products which would adversely impact adjacent properties or municipal utility systems, based on performance standards established in the Land Development Regulations.

Maximum Density: Not applicable.

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

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCI. For the mixed land use category MCI, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Commercial: No more than 20% of total MCI acreage

The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop all commercially or all industrially, provided that all applicable criteria set forth herein are met.

Special Provisions:

- (1) Future amendments to designate areas as MCI may be permitted in undeveloped areas oriented to major highways and other transportation facilities as determined by market demand, and provided that:
  - a. Mixed Commercial Industrial areas and developments therein will be held to a higher level of community design relative to signage, lighting, landscape materials, and building quality than General Commercial (GC) areas; and
  - b. Signage and lighting are limited to maintain the generally semi-rural or high-profile image character of these designated areas.
- (2) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

**Other Districts**

Public and Institutional  
Conservation

**Public and Institutional (PI)**

This land use designation applies to public and quasi-public properties and other facilities that provide a community service.

General Range of Uses: Uses include school, recreation, and public utility properties and other governmental facilities. Cemeteries are also included in this category.

Maximum Density: Not Applicable

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

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

## EXHIBIT C

**CONSERVATION  
GOALS, OBJECTIVES AND POLICIES****GOAL CON 1: AIR AND WATER RESOURCES**

**Promote the attainment and preservation of clean air and water in the Eustis Planning Area.**

**OBJECTIVE CON 1.1: WATER AND AIR QUALITY**

To assist federal, state, regional, and county efforts on an ongoing basis to improve water and air quality within prescribed standards and compliance schedules.

**Policy CON 1.1.1: Water Quality Permit Requirements**

The City shall continue to mandate that applicants meet all applicable permit requirements relating to water quality, including those of the St. Johns River Water Management District and Florida Department of Environmental Protection, as provided for the Land Development Regulations.

**Policy CON 1.1.2: Water Quality Program**

The City shall, on a continuing basis, participate in discussions with Lake County, the Lake County Water Authority, and the St. Johns River Water Management District leading to the design and implementation of a program to monitor water quality in key lakes in the planning area and the establishment of joint stormwater runoff management and waste disposal guidelines and improvement programs.

**Policy CON 1.1.3: Growth Control Programs for Invasive Aquatic Weeds**

The City shall continue to participate in discussions with the Lake County Water Authority, the St. Johns River Water Management District, and/or the Florida Department of Environmental Protection leading to design and implementation of programs to control growth of invasive aquatic weeds in local lakes and waterways.

**Policy CON 1.1.4: Floodplains**

Land development shall not be permitted in the 100-year floodplain unless the following criteria are met:

- a. Public wastewater service is provided. Alternatively, on-site waste disposal may be used only where it is permissible by state and local agencies having jurisdiction and where public sewer service is unavailable and is not included in the current five-year Capital Improvements Program;
- b. Public water service is provided;
- c. Wetlands and other designated environmentally sensitive resources are not displaced;
- d. Impervious surfaces in a development, including road pavement, are limited; and

- e. There is no net loss of flood storage capacity.

**Policy CON 1.1.5: Lakeshore Development Limitations**

The Land Development Regulations shall continue to limit development in areas near lake shorelines, as provided for in the Land Development Regulations

**Policy CON 1.1.8: Air Quality**

The City shall coordinate with adjacent municipalities and Lake County to comply with or exceed air quality standards established by the Florida Department of Environmental Protection (FDEP), including the following actions:

- a. Through the adopted land development regulations and the development review and approval process, regulate uses to prevent adverse impacts to air quality.
- b. Through enforcement of building codes, provide proper ventilation and restrict use of hazardous construction materials in order to promote safe indoor air quality.

**Policy CON 1.1.19: Protection and Replanting of Trees**

The City shall maintain provisions in the Land Development Regulations for the protection and replanting of trees on public property as natural air pollution filters in the community.

**OBJECTIVE CON 1.2: STORMWATER MANAGEMENT**

To take actions on a continuing basis to improve local surface water quality through implementation of Best Management Practices and regulations to minimize potential nonpoint pollution sources in accordance with the policies below.

**Policy CON 1.2.1: Drainage Program**

As provided for in Policy INT 1.3.6., the City will coordinate with state and local agencies regarding drainage in existing developed areas.

**Policy CON 1.2.2: Correction of Existing Drainage Deficiencies**

The City will participate, on an ongoing basis, (based on facts and needs determined using the process outlined in Policy CON 1.2.1 above) in the correction of existing drainage deficiencies, including remediation of surface water pollution from urban runoff, consistent with the requirements of Rule 62-40.420, FAC through the following actions:

- a. Establishment of Best Management Practices (BMPs) applicable to existing areas of development and
- b. Improvement of facilities as recommended in the 2005 Update to the

Master Stormwater Plan and any subsequent updates.

**Policy CON 1.2.3: Best Management Practices for Surface Water Quality**

The City shall implement Best Management Practices (BMPs) on an ongoing basis to improve surface water quality through the Land Development Regulations and through public improvements as scheduled in the annually updated five-year Capital Improvements Program commensurate with the availability of funds through the stormwater utility, grants from other levels of government, and other sources. Such BMPs, based on recommendations contained in the 2002 Master Stormwater Plan, the 2005 Update, and any subsequent updates shall include, where appropriate:

- a. Reverse berms in areas where existing drainage facilities outlet directly into lakes;
- b. Dry retention/detention basins for soils with good percolation;
- c. Wet retention/detention basins for soils with high water table characteristics and poor percolation;
- d. Construction of roadway swales;
- e. Exfiltration trenches;
- f. Use of wetland systems;
- g. Use of grass inlets;
- h. Multi-component sedimentation/filtration retention/detention ponds; and
- i. Vegetative swales, landscaped bump-outs, and bio-retention systems

**Policy CON 1.2.4: Mitigation of Stormwater Impacts**

The City shall on a continuing basis implement a phased multi-year program of improvements needed to mitigate existing runoff impacts commensurate with available local, state, and federal funding. The City will aggressively seek outside support in the form of grants from the Florida Department of Transportation, Florida Department of Environmental Protection, the St. Johns River Water Management District, and the Lake County Water Authority for the implementation of this program.

**Policy CON 1.2.5: LOS Standards for New Development**

The City shall adopt level of service (LOS) standards principally applicable to new development as follows:

- a. Rate of Discharge. The post-development peak rate of discharge shall not exceed predevelopment conditions based on a 50-year, 24-hour storm for areas having positive drainage outfall, and a 100-year, 24-hour storm for areas which do not have positive drainage outfall.
- b. Volume of Discharge. The post-development volume of discharge shall not exceed predevelopment conditions based on a 100-year, 24-hour storm for certain drainage basins identified in the 1990 Stormwater

Facilities Study. Volumes of discharge for other basins may meet lesser requirements to be determined.

- c. Retention/Detention. Minimum on-site retention/detention for pollution abatement purposes shall be as determined by the St. Johns River Water Management District (SJRWMD) per Rule 40C-42, FAC.

**Policy CON 1.2.6: Requirements for Water Quality Standards for Stormwater Discharge**

The City shall adopt the requirements of Rule 62-25, FAC for water quality standards for stormwater discharge for all new and existing stormwater management systems. As part of this adoption by reference, the City includes the following clarifications and exceptions:

- a. The City does not mandate that existing facilities must be retrofitted to meet these standards. Such retrofitting will be accomplished through the funding constraints of the City's stormwater utility and other revenue sources.
- b. Stormwater management systems which satisfy the appropriate state or regional regulatory design and performance criteria are deemed to satisfy the stormwater discharge water quality standards.
- c. Stormwater management systems that comply with adequate locally or regionally established level of service standards shall also be deemed to satisfy the stormwater discharge water quality standards.
- d. The City of Eustis may, at its discretion, allow exemptions to the stormwater management water quality standards to the extent that such appear in state or regional stormwater management water quality laws or regulations.

This policy does not mandate that the City conduct water quality sampling or testing of stormwater discharge receiving waters to implement the standards of the policy.

**Policy CON 1.2.7: Provision of Public Sewer Service to Lake Shoreline Areas**

The City shall initiate, in accordance with the final rules resulting from the implementation of the Wekiva Parkway and Preservation Act, a phased program to provide public sewer service to developed and developing areas within 400 feet of lake shorelines where such service is not presently available, provided that such service extensions are found to be economically feasible or otherwise determined to be necessary to maintain water quality. When service is available in these areas, the City will mandate connection to the public sewer system.

**OBJECTIVE CON 1.3: GROUNDWATER PROTECTION**

To continue to protect the integrity of groundwater resources in the community through the implementation of design standards (performance and technical) and operating standards including Best Management Practices (BMPs) regarding water consumption and location of development in relation to high recharge areas and designated wellhead protection areas.

**Policy CON 1.3.1: Development Regulation within Wellhead Protection Areas and High Recharge Areas**

The City shall continue to regulate development within designated wellhead protection areas of public water supply wellheads and in high recharge areas as follows:

- a. At a minimum, conform to Rule 62-521, FAC (Wellhead Protection) adopted by the Florida Department of Environmental Protection regarding types of restrictions within designated wellhead protection areas;
- 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 in areas with central sewer service; and
- c. On-site waste disposal methods may be used only where permissible by state and local agencies having jurisdiction and where public sewer service is unavailable and is not included in the current five-year Capital Improvements Program.

High recharge areas are generally identified in Map #12 and Designated Wellhead Protection Areas are generally those set forth in Map #5. Specific site information will determine actual applicability.

**Policy CON 1.3.2. Public Sewer Service to High Recharge Areas**

The city will continue to implement its phased program to provide public sewer service in high recharge areas, and in designated wellhead protection areas, where such service is not presently available, provided that such service extensions are found to be economically feasible or otherwise determined to be necessary to maintain water quality. When service is available in these areas, the city will mandate connection to the public sewer system.

**OBJECTIVE CON 1.4: WATER CONSERVATION**

To continue to implement water conservation measures to reduce per capita consumption of potable water supplies and depletion of groundwater resources during times of drought, based on the specific policies and timetables set forth below.

**Policy CON 1.4.1: Installation of Low Volume Plumbing Fixtures in New and Renovated Buildings**

The City shall continue to require the installation of low volume plumbing

fixtures in new and renovated buildings, consistent with requirements of the State Water Conservation Act (Chapter 553.14, FS).

**Policy CON 1.4.2: Leak Detection and Correction Program**

The City shall, on an ongoing basis, implement a leak detection and correction program for the City's water system and schedule needed improvements through the annually updated five-year Capital Improvements Program.

**Policy CON 1.4.3: Water Conservation Programs**

The City shall, on an ongoing basis, cooperate with the St. Johns River Water Management District in implementing educational and regulatory programs related to water conservation, including enforcement of periodic water consumption restrictions.

**Policy CON 1.4.4: Water Use Rate Structure**

The City shall review local water consumption trends no less frequently than biannually and, as needed, adjust the city's water use rate structure accordingly to maintain per capita consumption at or below previous levels.

**Policy CON 1.4.5: Programs for Recycled Non-Potable Water Sources**

The City shall continue to expand programs using recycled non-potable water sources for irrigation of public and private properties, including grey water, collected runoff, and treated effluent.

**Policy CON 1.4.6: Criteria for Reuse of Stormwater**

The City shall maintain criteria for reuse of stormwater for irrigation purposes and supplementation of reclaimed water.

**OBJECTIVE CON 1.5: WEKIVA SPRINGS WATER CONSERVATION/RESOURCES**

To conserve water and protect the Wekiva spring system and groundwater and surface water resources of the Wekiva Springs Overlay Protection District.

**Policy CON 1.5.1: Landscape Best Management Practices**

The City shall require the use of landscaping Best Management Practices as described in *Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes* (Florida Department of Environmental Protection, September 2, 2003).

**Policy CON 1.5.2: Landscaping at City Facilities**

The City shall manage existing and future lawns and landscapes at all City facilities using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles, and Best Management Practices.



**Policy CON 1.5.3: Best Management Practices Education**

The City shall continue to coordinate with other local governments to develop and maintain programs to educate and encourage homeowners and private land owners to use Best Management Practices to protect natural habitat and to protect the quality and quantity of surface and groundwater resources within the Wekiva Springs Overlay Protection District.

**Policy CON 1.5.4: Landscaping and Lawn Care Certification**

The City shall encourage homeowners to be responsible in the application of fertilizers and pesticides, especially within the Wekiva Springs Overlay Protection District.

**GOAL CON 2: LAND, VEGETATION, AND WILDLIFE RESOURCES**

**Protect and conserve environmentally sensitive resources, including soils, wetlands, woodlands, and other resources which provide habitat for endangered, threatened, and rare species of plants and wildlife and other important ecological functions.**

**OBJECTIVE CON 2.1: SOILS**

To prevent soil erosion, on an ongoing basis, by recognizing soil limitations for development and requiring the utilization of Best Management Practices (BMPs).

**Policy CON 2.1.1: Use of Septic Systems**

The City shall continue to regulate the use of septic systems for on-site waste disposal in accordance with Florida Statutes and the requirements of FAC rule 64E 6. On-site sub-surface waste disposal methods may be used only where permissible by state and local agencies having jurisdiction and where public service is unavailable and not included in the Five-Year Capital Improvements Element at the time of application.

No on-site subsurface waste disposal is permitted in areas having the soil types listed below, except for existing lots-of-record of not less than 25,000 square feet and provided that the on-site disposal method is permissible by state and local agencies having jurisdiction under Florida Statute.

- a. Anclote
- b. Manatee
- c. Iberia
- d. Felda
- e. Oklawaha
- f. Placid
- g. Pelham
- h. Ocoee
- i. Pompano
- j. Iberia and Manatee

- k. Anclote and Myakka
- l. Swamp
- m. Placid and Myakka
- n. Emeralda
- o. Myakka and Placid
- p. Fellowship
- q. Brighton
- r. Montverde

**Policy CON 2.1.2: Erosion Prevention**

The City shall continue to provide for, in the Land Development Regulations, standards, site plan review procedures, and Best Management Practices to prevent soil erosion and loss during construction on and occupancy of a site, including provisions which address the following:

- a. Density and land coverage in areas having highly erodible soils.
- b. Time period between site clearance and initiation of construction standards for tree protection and removal;
- c. Time period between completion of construction and replanting, sodding, or seeding the site; and
- d. Submittal of soil removal and erosion prevention plans for all major subdivisions and developments, as defined in the Land Development Regulations, including procedures for removal of vegetation, temporary soil stockpiling, and soil stabilization.

**OBJECTIVE CON 2.2: MINERAL RESOURCES**

To promote, on an ongoing basis, the conservation and commercial use of locally available mineral resources in an environmentally acceptable manner.

**Policy CON 2.2.1: Extraction of Mineral Resources**

The City may permit the extraction of mineral resources , provided that:

- a. Compatibility with existing and potential development can be shown in terms of the character, phasing, and buffering of the proposed mineral extraction activities;
- b. Compatibility with existing and potential development can be shown in terms of access to the proposed mineral extraction activities;
- c. The activity meets all applicable licenses, regulations, and standards and is permittable by state agencies having jurisdiction; and
- d. Excavation, erosion control, and reclamation plans are submitted and provide for the protection of surface and groundwater resources, wetlands, and upland habitat areas (or their mitigation) and for the productive reuse of land after excavation is discontinued.

**OBJECTIVE CON 2.3: WETLANDS**

To continue to preserve the integrity of locally and regionally significant wetland communities from urban encroachment and degradation through the Land Development Regulations and Best Management Practices.

**Policy CON 2.3.1 Wetland Protection**

The City shall continue to protect the natural functions provided by wetlands by first directing incompatible uses away from wetlands, and then by requiring conservation easements, setbacks/buffers, and/or mitigation consistent with the Uniform Mitigation Assessment method used by the St. John's River Water Management District.

**Policy CON 2.3.2: Wetland Mitigation**

The City shall consider wetland alteration with mitigation only as a last resort, and only if the City determines that encroachment in the wetland is the least damaging alternative and no practicable on-site alternative exists. Such mitigation activities should replace similar habitat and function, and shall result in no net loss of wetland functions as determined by SJRWMD. Preservation of upland habitat may be considered in certain instances if deemed appropriate by the City but shall not result in a net loss of wetland functions.

**Policy CON 2.3.3: Wetland Encroachment**

In determining whether an encroachment in the wetland is the least damaging to the wetland and that no practicable on-site (or when in same ownership, adjacent off-site) alternative exists, the City shall evaluate the following:

- a. The land use category according to the Future Land Use Map (FLUM) series of the site and surrounding parcels;
- b. Alternative designs which could accomplish the purpose of providing a minimal, reasonable, beneficial use including the encroachment on the wetland of such alternative design;
- c. The degree of impact to the wetlands; and
- d. The quality of the wetland and the wetland functions being served by the area proposed to be encroached upon.
- e. The requirements applied by SJRWMD through the permitting process.

**Policy CON 2.3.4: Wetland Buffer**

The City shall require, for all natural, protected wetlands, an undisturbed upland buffer consistent with SJRWMD requirements, except where exemptions are established by SJRWMD and the Land Development Regulations. The size of the buffer shall vary in proportion to the ecological value of the adjacent wetland. The wetland classes are as follows:

- a. Isolated – on-site wetlands entirely isolated hydrologically from off-site wetlands and not considered waters of the state
- b. Non-isolated – on-site wetlands that are connected hydrologically to off-site wetlands, but not through permanently standing water

- c. Stream or lake – on-site wetlands which are riparian or otherwise connected to off-site wetlands via permanent bodies of water.

The minimum and average size buffers are as follows:

| Type         | Average width | Minimum width |
|--------------|---------------|---------------|
| Isolated     | 25 ft.        | 10 ft.        |
| Non-isolated | 35 ft.        | 15 ft.        |
| Stream/lake  | 50 ft.        | 35 ft.        |

**Policy CON 2.3.5 Enforcement**

The City shall continue to enforce and apply all special Federal, State, and local provisions that relate to the protection of wetlands and their functions.

**OBJECTIVE CON 2.4: WILDLIFE**

To protect, on a continuing basis, locally significant habitat for endangered, threatened, and rare species of terrestrial and aquatic animals.

**Policy CON 2.4.1: Development Application Requirements**

The City shall, on an ongoing basis, require applications for major subdivisions and developments requiring site plan approval to identify locally significant habitat areas potentially impacted by proposed development and include a plan and procedures for avoiding or mitigating potential impacts.

**OBJECTIVE CON 2.5: OPEN SPACE/ENVIRONMENTAL PROTECTION**

To conserve open space in the Eustis Planning Area for passive recreation use and natural beauty consistent with the Future Land Use and Recreation and Open Space elements.

**Policy CON 2.5.1: Required Open Space**

The City shall establish minimum open space standards by limiting the amount of impervious coverage for each future land use designation, where applicable, through the Future Land Use Element Appendix.

**Policy CON 2.5.2: Reservation and Maintenance of Open Space**

The City shall allow clustering of development in subdivisions or developments to provide for the reservation and maintenance of common open spaces.

**Policy CON 2.5.3: Open Space Maintenance**

The City may accept jurisdiction for a dedicated common open space area where it finds the following:

- a. Public recreational opportunities are lacking and the site is well located to meet local needs based on adopted levels of service;
- b. The site is accessible for both public use and maintenance;
- c. Public access to and use of the site will be compatible with the proposed development and surrounding land uses; and
- d. Funding can be accommodated within normal budgeting processes and limitations and insurance liabilities are maintained within reasonable limits.

**Policy CON 2.5.4: Acquisition of Open Space**

The City may acquire open spaces needed to preserve and protect sensitive environmental and historical resources where it determines one or more of the following:

- a. The open space is part of a connected system of open spaces and will protect and preserve a sensitive environmental resource designated or delineated in the City or County Conservation Element;
- b. Requirements of the Land Development Regulations provide insufficient protection; or
- c. Grants are available to help defray acquisition costs.

**Policy CON 2.5.5: Protection of Environmentally Sensitive Areas**

The City shall, on an ongoing basis, undertake efforts to protect designated environmentally sensitive areas in perpetuity as common open space through conservation easements, deed restrictions, or other means.

**Policy CON 2.5.6: Intergovernmental Coordination**

The City shall coordinate with Lake County and other jurisdictions to ensure the protection of environmentally sensitive areas that cross jurisdictional boundaries.

**OBJECTIVE CON 2.6: LAND ACQUISITION**

To support public land acquisition within the Wekiva Springs Overlay Protection District to protect and preserve through acquisition and management most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub.

**Policy CON 2.6.1: Acquisition Partnerships**

The City shall support funding opportunities and partnerships with state agencies and local governments through programs such as the Florida Communities Trust to acquire lands for preservation within the Wekiva Springs Overlay Protection District including, but not limited to, karst features, habitat, corridors for wildlife movement, and most effective recharge areas. Both fee-simple acquisition of environmentally-sensitive land and less-than-fee simple conservation easements should be considered.

**Policy CON 2.6.2: Wildlife Corridors and Greenways**

The City shall coordinate with pertinent state and regional land acquisition

and wildlife agencies to identify natural greenways and wildlife corridors to link public parks, preservation areas, and similar areas for aquifer recharge, conservation and habitat preservation purposes.

**GOAL CON 3: EFFICIENT DESIGN FOR THE BUILT ENVIRONMENT**

**Minimize the effects of urban development on the natural resources of the City, and to the regional environment.**

**OBJECTIVE CON 3.1: Efficient Design and Sustainable Techniques**

To continue to review and update policies, codes and practices to provide guidance for new development to utilize worthwhile sustainable techniques, measures and materials as appropriate.

**Policy CON 3.1.1: Incentives for Conservation Certified Projects**

The City shall continue to provide incentives for energy efficient development as provided in the Land Development Code as detailed in Policy FLU 1.1.4

**Policy CON 3.1.2: Existing Efficient Design at the Site Planning Scale**

**As provided for in the Future Land Use Element, the City shall continue to support and require efficient design concepts as a part of the site plan review and approval process through the City's Land Development Regulations.**

**Policy CON 3.1.3 City Projects**

The City, in its public development projects, will utilize worthwhile sustainable techniques, measures and materials as appropriate.

**EXHIBIT D****ECONOMIC DEVELOPMENT  
GOALS, OBJECTIVES AND POLICIES****GOAL ECD 1: ECONOMIC DEVELOPMENT**

**Promote a healthy and growing local employment and tax base in terms of new job opportunities provided, wages paid and revenues generated.**

**OBJECTIVE ECD 1.1: TARGET INDUSTRIES**

To provide an environment favorable for the development of new target industries within the City.

**Policy ECD 1.1.1: Industrial Development**

The City shall continue to provide locations for industrial development on the Future Land Use Map, consistent with the standards and provisions for each district as defined in the Future Land Use Appendix.

**Policy ECD 1.1.2: Land Development Regulations Standards**

The City shall continue to ensure that Land Development Regulations standards regarding industrial development are contextually appropriate and do not place onerous site standards on new industrial development.

**Policy ECD 1.1.3: Coordination with the Orlando Economic Partnership**

The City shall maintain regular communications with the Orlando Economic Partnership to promote the Eustis area as a location for industrial development.

**Policy ECD 1.1.4: Coordination with Local Economic Development Organizations**

The City shall maintain regular communications with the, Lake Technical College, the Lake County Agency for Economic Prosperity and Lake-Sumter State College to ensure that labor force skills and training programs are relevant to local economic development needs and opportunities.

**OBJECTIVE ECD 1.2: DOWNTOWN EUSTIS**

To promote the continued development and redevelopment of Downtown Eustis, consistent with the adopted Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan.

**Policy ECD 1.2.1: Land Development Regulations Standards**

The City shall ensure that the Land Development Regulations promote investments in the Downtown and do not create significant regulatory impediments to redevelopment and infill projects.

**Policy ECD 1.2.2: Walkability and Beautification**

The City shall continue to pursue projects that enhance the beauty and walkability of the Eustis Downtown through streetscaping projects such as the addition of street trees, sidewalks, bike lanes, on-street parking,

improved crosswalks, and Florida Friendly plantings.

**Policy ECD 1.2.3: Land Acquisition**

The City may consider programs for purchasing key downtown parcels for economic development, redevelopment, and/or housing.

**Policy ECD 1.2.4: Downtown Signage**

The City shall maintain a cohesive wayfinding and signage Master Plan for the Downtown area.

**OBJECTIVE ECD 1.3: EUSTIS COMMUNITY REDEVELOPMENT AGENCY**

To coordinate economic development efforts by the City with the Community Redevelopment Agency.

**Policy ECD 1.3.1: CRA Master Plan**

The City shall consider the specific action items in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan when reviewing applications for redevelopment, site plans, or amendments to the Future Land Use Map within the CRA.

**Policy ECD 1.3.2: CRA Plan Implementation**

The City shall incorporate goals and objectives of the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan into the City's Strategic Plan.

**Policy ECD 1.3.3: Infrastructure Coordination**

The City shall coordinate with the CRA in developing updates to the City's Five-Year Capital Improvements Plan.



## EXHIBIT E

**HOUSING ELEMENT  
GOALS OBJECTIVES AND POLICIES****GOAL HSG 1: SAFE AFFORDABLE SANITARY HOUSING**

**Promote safe, sanitary, and affordable housing to meet current and projected future needs.**

**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.

**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.

**Policy HSG 1.1.2: Land Development Regulations**

The City shall continue to rely upon its Land Development Regulations to promote compact growth and preservation of open space.

**Policy HSG 1.1.3: Future Permit Placement**

The City shall continue to permit placement in residential districts of residential units manufactured off site which otherwise meet all applicable building codes and federal and state regulations and standards.

**Policy HSG 1.1.4: Energy Efficiency**

The City shall encourage construction methods, materials, and appliances that minimize energy and water consumption, limit or eliminate the use of toxic materials and reduce waste in housing construction to help reduce the overall cost of home maintenance and operation. As provided for in FLU 1.1.4 the City may participate in green residential programs.

**OBJECTIVE HSG 1.2: SUBSTANDARD HOUSING**

To eliminate substandard housing within the City while providing relocation assistance to displaced persons.

**Policy HSG 1.2.1: Code Enforcement**

The City shall continue to carry out systematic code enforcement activities to condemn and clear substandard structures which are beyond reasonable rehabilitation, based on the provisions of City Ordinances dealing with unsafe structures and minimum conditions for habitation.

**Policy HSG 1.2.2: City Code Enforcement Displaced Residents**

Where residents are displaced by city code enforcement activities or other local public actions, the City shall assist residents as follows in seeking standard housing in the community:

- a. Provide adequate notification of public action to owners and occupants;
- a. Maintain an inventory of available assisted and affordable market rate housing and housing providers in the community and advise displaced occupants of same; and
- b. Utilize the services of the Eustis Housing Authority, as needed, to help qualify applicants for available housing in the community.

**OBJECTIVE HSG 1.3: DISADVANTAGED POPULATIONS**

To provide housing opportunities commensurate with identified needs and available resources for individuals and families having physical, economic or other limitations or who require assistance, care, or supervision through the following policies and implementing regulations and programs.

**Policy HSG 1.3.1: Permit Group Homes and Foster Care Facilities**

The City shall continue to permit group homes and foster care facilities in residential areas, and through the Land Development Regulations, provide minimum standards designed to limit impacts to other residential uses

**Policy HSG 1.3.2: High Density Residential Development**

The City shall continue to allow higher density residential development as one way to reduce per-unit costs.

**Policy HSG 1.3.3: Extremely Low, Low and Moderate Income Housing Funding**

The City shall continue to pursue, directly or through the Eustis Housing Authority and/or agencies of Lake County, available federal and state funds to help meet the projected housing needs of extremely low-, low-, and moderate-income families and elderly households, and permit participation by the city in partnership arrangements with private and non-profit housing providers, including the following programs or their successors:

- a. SAIL;
- b. Section 8;
- c. Rental Rehabilitation;
- d. Weatherization; and
- e. Section 202.

- f. Community Development Block Grants
- g. HOPE VI

**OBJECTIVE HSG 1.4: NEIGHBORHOOD ENVIRONMENT**

To take actions to conserve and rehabilitate standard and deteriorating housing in the community and to improve living conditions in residential neighborhoods.

**Policy HSG 1.4.1: Repair and Upgrade Funding**

The City shall monitor, apply for, and utilize available federal and state funding programs to repair and upgrade residential properties to meet minimum applicable construction and sanitary standards.

**Policy HSG 1.4.2: Housing Conservation**

The City shall consult with federal and state housing agencies to help refine and apply principles and criteria for local housing conservation, code enforcement, and rehabilitation activities, such criteria to consider cost of repair versus economic value and health and safety issues, among others.

**OBJECTIVE HSG 1.5: HISTORIC HOUSING**

To preserve historically significant housing in the community.

**Policy HSG 1.5.1: Maintain Historic Character**

The City shall maintain or improve the character of designated historic properties and areas by implementing the Historic Preservation Ordinance.

**OBJECTIVE HSG 1.6: HOUSING IMPLEMENTATION**

To pursue available means, including federal and state grants and its local regulatory authority to implement housing needs and activities.

**Policy HSG 1.6.1: Nonprofit Technical Assistance**

The city shall provide technical assistance to private, nonprofit, and other entities wishing to participate in meeting local housing needs

**Policy HSG 1.6.2: Affordable Housing**

The city shall facilitate provision of infill and affordable housing by making a percentage of the City-owned residential parcels available for residential construction and utilization to Habitat for Humanity and similar not for profit organizations at no cost and to private parties at minimal cost.

**OBJECTIVE HSG 1.7: RELOCATION**

To provide for the relocation of residents when City actions, such as the acquisition and clearance of property for construction of public facilities, result in the displacement of residents.

**Policy HSG 1.7.2: Displacement Compensation**

The City shall compensate owners and occupants according to applicable state requirements and, prior to displacement, assist occupants in seeking standard housing in the community in the manner provided in Policy HSG 1.2.2 of this element.

**EXHIBIT F****INTERGOVERNMENTAL COORDINATION  
GOALS, OBJECTIVES AND POLICIES****GOAL 1: INTERGOVERNMENTAL COORDINATION**

Promote adequate coordination among local governments in the Eustis area and with other public agencies on all matters of mutual interest.

**OBJECTIVE INT 1.1: LAND USE AND DEVELOPMENT**

To coordinate with adjacent local governments on mutual land use and development issues.

**Policy INT 1.1.1: Dispute Resolution Process**

The City shall use the dispute resolution process prescribed in Section 186.509, Florida Statutes, if or when conflicts of purpose among jurisdictions cannot be resolved locally.

**Policy INT 1.1.3: Joint Planning Agreement with Lake County**

The City shall continue to observe the joint planning area agreement with Lake County.

**Policy INT 1.1.4: Amending the Joint Planning Agreement with Lake County**

The City shall amend the joint planning agreement with Lake County as necessary to update the location of public utility facilities.

**Policy INT 1.1.5: Level of Service Standards**

The City shall continue to coordinate level-of-service standards and the impacts of development proposed in this plan upon adjacent cities, the county, the region and the State.

**OBJECTIVE INT 1.2: TRANSPORTATION**

To coordinate with adjacent local governments, the Lake-Sumter MPO and the Florida Department of Transportation on transportation mobility and transportation service issues according to the specific policies listed below.

**Policy INT 1.2.1: Transportation Performance Standards**

The City and County shall coordinate transportation needs for county-maintained roads in unincorporated sections of the Eustis Planning Area.

**Policy INT 1.2.2: Five-Year Work Program**

The City shall continue to meet with the Florida Department of Transportation, Lake County, the Lake-Sumter MPO and adjacent municipal jurisdictions annually to ensure that the FDOT Five-Year Work Program adequately reflects local needs.

**Policy INT 1.2.3: Regional Bicycle and Trails Network**

The City shall coordinate with the Lake-Sumter MPO in implementing the

regional bicycle and trails network identified in its 2035 Long-Range Plan and any subsequent updates.

**Policy INT 1.2.4: Regional Mass Transit Systems**

The City shall coordinate with the Lake-Sumter MPO and Lake Xpress in implementing the regional transit systems plan identified in the MPO's 2035 Long Range Plan and any subsequent updates.

**Policy INT 1.2.5: Transportation Impact Fees**

The City shall coordinate with Lake County in implementing a transportation impact fee system to support mobility improvements consistent with the City's vision.

**OBJECTIVE INT 1.3: UTILITIES**

To continue to coordinate with adjacent local governments and federal, state, and regional agencies on issues related to provision of urban services and conservation and protection of natural resources which supply urban needs including local and regional water supply plans, according to the specific policies listed below:

**Policy INT 1.3.1: Ten-Year Water Supply Plan**

The City will implement the Ten-Year Water Supply Plan Update adopted February 2010; will coordinate with SJRWMD and local governments to identify potable water supply, infrastructure and facility projects; potable water sources; and estimated project costs; and will provide fiveyear updates within one year of the District's regional water supply plan update.

**Policy INT 1.3.2: Water Management District Coordination**

The City will coordinate with SJRWMD in evaluating alternative sources of providing potable water and will participate in the development of updates to the SJRWMD Water Supply Plan and other initiatives that affect the City.

**Policy INT 1.3.3: Water Supply Project Selection**

The City will work with other jurisdictions to consider the feasibility of interconnecting alternative water supply facilities and in the evaluation of alternative water supply sources.

**Policy INT 1.3.4: Water Conservation Programs Coordination**

The City shall cooperate with the St. Johns River Water Management District in implementing educational and regulatory programs related to water conservation, including enforcement of periodic water consumption restrictions.

**Policy INT 1.3.5: Interlocal Agreements**

The City shall continue to coordinate with Lake County and other municipalities in water supply planning.

**Policy INT 1.3.6: Intergovernmental Coordination**

The City shall participate in discussions with Lake County, the Lake County Water Authority, the St. Johns River Water Management District, the Florida Department of Transportation, and others leading to a program which (1) establishes reasonable and effective standards and procedures which can be applied to existing developed areas as a basis for programs designed to correct deficiencies and (2) delineates solutions to drainage problems in these areas. Such a program will also address or includes:

- a. Determination of those basins, sub-basins, and water bodies in the Eustis area to be included; and
- b.
- c. Establishment of a system to monitor the quality of discharges into receiving waters using certain pollution indicators.
- d. Identification of funding sources; and
- e. Establishment of stormwater recharge and supplemental stormwater irrigation to meet the requirements of the Wekiva Parkway and Protection Act; and

**Policy INT 1.3.7: Mitigating Existing Impacts**

The City shall implement a phased multi-year program of stormwater improvements needed to mitigate existing runoff impacts and remedy existing deficiencies, commensurate with available local, state, and federal funding. The City will aggressively seek outside support in the form of grants from the Florida Department of Transportation, Florida Department of Environmental Protection, the St. Johns River Water Management District, and the Lake County Water Authority for the implementation of this program.

**Policy INT 1.3.8: Disposal Coordination**

The City shall coordinate with Lake County to regulate sources and disposal of hazardous wastes, consistent with federal and state guidelines and requirements, and collection and disposal activities.

**Policy INT 1.3.9: Used Oil and Battery Collection**

The City shall cooperate with Lake County in implementing its used oil and battery collection programs according to procedures and timetables adopted by Lake County. **OBJECTIVE INT 1.4: NATURAL AND HISTORIC RESOURCES**

To coordinate with adjacent local governments and federal, state, and regional agencies on issues related to protection and conservation of local natural and historical resources according to the specific policies listed below.

**Policy INT 1.4.1: Water Quality Requirements**

The City's Land Development Regulations shall continue address applicable permit requirements relating to water quality, including those of the St. Johns River Water Management District and Florida Department of Environmental Protection.

**Policy INT 1.4.3: Mapping Environmentally Sensitive Lands**

The City shall continue to coordinate with Lake County regarding policies on environmentally sensitive lands. The City's Land Development Regulations continue to regulate these areas through one or more of the following approaches:

- a. Utilize the general information presented in this element, the Conservation Element, and the Future Land Use Element as a basis for development review; and
- b. Require applications for development within the Wekiva Study Area to include information on these environmental resources, including assessments of impacts and plans for avoidance or mitigation.

**Policy INT 1.4.5: Historical Resources**

**The City shall provide ongoing affirmational support to organizations which have an individual or collective interest in preserving the architectural and historical heritage of Eustis.**

**Policy INT 1.4.6: National Register of Historic Resources**

Where an application for development may involve the removal of a historic structure listed on the National Register, the City shall first invite comment by the Florida Trust for Historic Preservation and the City's Historic Preservation Board before rendering a decision on the application..



**OBJECTIVE INT 1.5: RECREATION AND OPEN SPACE**

To coordinate with adjacent local governments and other public providers on issues relating to provision of recreation services and facilities and preservation of open space, according to the specific policies listed below.

**Policy INT 1.5.1: Inventory of Public Water Access Points**

The City shall cooperate with Lake County and the Lake County Water Authority in preparing an inventory of existing public water access points and continue to develop and improve water access facilities in the Eustis area, including boat ramps, viewing areas, and nature trails. **OBJECTIVE**

**INT 1.6: HOUSING AND REDEVELOPMENT**

To coordinate with adjacent local governments and federal and state agencies on issues relating to delivery of affordable housing and urban revitalization and redevelopment, according to the specific policies listed below.

**Policy INT 1.6.1: Coordination with Housing Needs**

As provided for in the Housing Element, the City shall continue to pursue available federal and state funds to help meet the projected housing needs of very low-, low-, and moderate-income families and elderly households

**Policy INT 1.6.2: Consult Federal and State Housing Agencies**

The City shall consult with federal and state housing agencies to help refine and apply principles and criteria for local housing conservation, code enforcement, and rehabilitation activities

**OBJECTIVE INT 1.8: PUBLIC SCHOOL FACILITIES**

To abide by and enforce the interlocal agreement between the city and school board to require cooperation in terms of population projections and school siting.

**Policy INT 1.1.2: Interlocal Agreement**

The City shall continue to observe and uphold the requirements of the interlocal agreement executed between the City and Lake County School Board to establish joint processes for collaborative planning and decision-making. The joint processes included in the agreement include:

- c. Population projections;
- d. Public school siting;
- e. The location and extension of public facilities subject to concurrency; and
- f. The siting of facilities with countywide significance, including locally unwanted land uses.

**Policy INT 1.8.1: Annual Reporting for facilities and population projections**

The school board shall provide facilities plans and population projections on an annual basis to ensure that consistency is maintained between the two.

**Policy INT 1.8.2: School Board Planning**

The School Board shall provide the City with any plans to site schools within the corporate limits or joint planning area.

- Policy INT 1.8.3: Land Use Plan Amendments**  
The City shall provide to the school board all applications for land use plan amendments that have the potential of increasing residential density and that may affect student enrollment, enrollment projections, or school facilities.
- Policy INT 1.8.4: School Board Member Local Planning Agency**  
The City shall allow a member of the school board to sit on the local planning agency and comment on proposals that have the potential to increase density.
- Policy INT 1.8.5: Lake County Educational Concurrency Review Committee**  
The City shall take part in the Lake County Educational Concurrency Review Committee established by the County, School Board and municipalities that shall meet at least annually, but more often if needed, as outlined in the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, and will hear reports and discuss issues concerning school concurrency.
- Policy INT 1.8.6: The Joint Staff School Concurrency Review Group**  
The City shall take part in the Joint Staff School Concurrency Review Group, comprised of Staff of the County, Cities, and School Board, that shall meet at least quarterly, as outlined in the Interlocal Agreement between the City and the Lake County School Board, to discuss issues concerning school planning. The School Board staff shall be responsible for making meeting arrangements.

**OBJECTIVE INT 1.9: INTERGOVERNMENTAL COORDINATION WITHIN THE WEKIVA SPRINGS OVERLAY PROTECTION DISTRICT**

To coordinate with other local governments located in the Wekiva Springs Overlay Protection District to ensure a consistent approach to springs, springshed, and aquifer protection.

**Policy INT 1.9.1: Cooperation with Local Governments and Agencies**

The City shall coordinate with local governments and regulatory agencies within the Wekiva Springs Overlay Protection District regarding land development regulations, stormwater management, and other matters that impact the springs and springshed.

**Policy INT 1.9.2: Water Resource and Supply Planning**

The City shall pursue joint strategies with the SJRWMD and local governments within the Wekiva Springs Overlay Protection District for protection of water resources through water supply planning, specifically addressing identification and use of alternative water sources.

**Policy INT 1.9.3: Joint Land Acquisition Strategies**

Where possible, the City shall pursue joint strategies with local governments within the Wekiva Springs Overlay Protection District regarding land acquisition efforts and conservation easements for protection of water resources, environmentally sensitive lands and open spaces.

**OBJECTIVE INT 1.10: WASTEWATER TREATMENT COORDINATION**

To coordinate with the Department of Health regarding on-site sewerage treatment and disposal systems located in the Wekiva Springs Overlay Protection District to ensure a coordinated approach to the provision of wastewater treatment.

**Policy INT 1.10.1: On-site Sewage Treatment and Disposal Systems**

The City shall coordinate with the county health department regarding the owners of on-site sewerage treatment and disposal systems that will be required to connect to central sewer facilities, and owners of on-site sewerage treatment and disposal systems that will remain, including those that require a department of health permit or permit modification, because of failing systems or systems requiring major repairs.

**Policy INT 1.10.2: Notification of Central Sewer Availability**

The City shall coordinate with providers of public and private sewer systems regarding the process for notification of existing owners of the availability of central sewer facilities.

**EXHIBIT G****PROPERTY RIGHTS  
GOALS, OBJECTIVES AND POLICIES****GOAL 1: PROPERTY RIGHTS**

Consider property rights in local decision making.

**OBJECTIVE PP 1.1:**

The City Commission shall consider the following property rights in local decision making.

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of the property owner to the quiet enjoyment of the property, to the exclusion of all others.
3. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.
4. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
5. The right of a property owner to dispose of his or her property through sale or gift.

## EXHIBIT H

**RECREATION AND OPEN SPACE  
GOALS, OBJECTIVES AND POLICIES**
**GOAL REC 1: OPEN SPACE FOR RECREATIONAL USE**

Ensure adequate open space for recreational use by all citizens and conservation of natural amenities.

**OBJECTIVE REC 1.1: FACILITIES**

To provide recreational facilities in accordance with current and projected demand.

**Policy REC 1.1.1: Recreation Level of Service Standards**

The City's recreation level of service standards reflect minimum land requirements for certain classifications of parks and recreation sites rather than standards for specific types of recreation facilities because of the variable nature of facility needs throughout the community. These level of service standards shall ensure that adequate lands are set aside for active and/or passive recreational use and protection of natural features in developed and developing areas.

**Policy REC 1.1.2: Recreation Level of Service Standards**

The City's recommended recreation level of service standards for certain classes of parks and recreation sites are as follows:

**Table 1: Recreation Level of Service Standards**

| <b>Class</b>                            | <b>Service Area</b>            | <b>Standard</b>                                                                                           |
|-----------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------|
| Neighborhood Park                       | Neighborhood (section of City) | 1 acre per 1,000 people                                                                                   |
| Community Park                          | Citywide                       | 2 acres per 1,000 people                                                                                  |
| *Special Use Facility (e.g., boat ramp) | Neighborhood or Citywide       | No standard; location, size, and frequency will depend on presence or accessibility of natural resources. |

*\*Can be separate or included in a neighborhood or community park.*

**Policy REC 1.1.3: Neighborhood Parks Improvements**

The City shall use the level of service standards for recreation facilities summarized in Table 1 for planning and developing future parks and recreation sites. Neighborhood parks shall include one or more of the following types of improvements as determined on a case-by-case basis by neighborhood needs and the size and physical characteristics of an individual site:

- a. Shuffleboard court;
- b. Basketball court;
- c. Tennis court;
- d. Multi-purpose field;
- e. Picnic area with tables;
- f. Children's play equipment area; and

- g. Open area for passive use.

Community parks may include larger quantities of the facilities in the previous list plus the following facilities as appropriate:

- a. Community building;
- b. Baseball and softball fields;
- c. Swimming pool; and
- d. Fishing pier.

**Policy REC 1.1.4: Parks and Recreation Funding Program**

The City shall continue to use its long-range program developed prior to 1992 to fund development, operations, and maintenance of the public parks and recreation system.

**Policy REC 1.1.5: Parks Master Plan & Bicycle and Pedestrian Master Plan**

The City shall develop a Parks Master Plan by the year 2035. The City shall develop a City-wide Bicycle and Pedestrian Master Plan by the year 2035. This Master Plan will address local circulation via sidewalks, trails and bikeways to connect the City's downtown, neighborhoods, parks, and environmental features. The plan shall build on the Future Network – Bicycle and Trail Plan illustrated in Transportation Map #12, the Lake-Sumter MPO Greenways and Trail Plan, the Downtown and East Town Community Redevelopment Area Plan.

**Policy REC 1.1.6: Private Recreation Connections**

The City shall encourage private residential subdivisions to provide bicycle and pedestrian connections to the City's planned and existing trail system.

**Policy REC 1.1.7: Local Recreation Preferences**

The City shall make use of citizen surveys or other methods to ensure that the parks and recreation facilities provided by the City reflect the local preferences and needs for such facilities.

**OBJECTIVE REC 1.2: ACCESS**

To make recreational facilities and important open space resources available to and accessible by the general public, including the physically impaired and economically disadvantaged.

**Policy REC 1.2.1: Acquisition of Recreation Sites**

The City shall locate and invest primarily in acquiring and developing recreation sites which are accessible by a variety of means of transportation, including automobile, public transit, bicycle, and foot to the largest number of community residents. This will include sites which relate well with the adopted bicycle and sidewalk plans, as well as to major population concentrations.

- Policy REC 1.2.2: Access to Recreational Facilities for the Physically Handicapped**  
The City shall require that new recreational facilities are designed to facilitate access by the physically handicapped.
- Policy REC 1.2.3: Special Programs**  
The City shall continue to implement community recreational programs to serve the economically disadvantaged and physically impaired populations in the Eustis area including special programs for the elderly and school-age populations in existing community buildings and parks. Information on these programs shall be posted in key locations around the community. The City shall seek outside funding support to assist in paying for these programs.
- Policy REC 1.2.4: Urban Waterfront Park**  
The City shall maintain Ferran Park, the urban waterfront park along the Lake Eustis shoreline to serve as a catalyst for economic growth and revitalization in downtown Eustis.
- Policy REC 1.2.5: Water Access Facilities Planning**  
The City shall cooperate with Lake County and the Lake County Water Authority in preparing an inventory of existing public water access points and shall continue to develop and improve water access facilities in the Eustis area, including boat ramps, viewing areas, and nature trails. This plan shall identify opportunities on Lake Eustis and other water bodies in the Eustis Planning Area that shall include recommended parking provisions and other access criteria.
- Policy REC 1.2.6: Provision of Bicycle Racks and/or Storage Facilities**  
The City shall provide for bicycle racks and/or storage facilities at all recreation sites. Private recreation facilities permitted under the Land Development Regulations shall also meet this criterion.
- Policy REC 1.2.7: Listing and Map of Recreational Sites and Facilities**  
The City's Recreation Department shall publish and distribute and/or post a listing and map of recreational sites and facilities, including conditions regarding public access and use, to better inform the local residents of recreational opportunities in the area.
- OBJECTIVE REC 1.3: PUBLIC-PRIVATE COORDINATION**  
To provide for ongoing coordination of public and private resources to meet recreational demands of City residents.
- Policy REC 1.3.1: Opportunities for Joint Public/Private Development and/or Use of Existing and Potential Recreation Facilities**  
The City staff shall continue to meet with private providers in the Eustis area and Lake County recreation officials on future opportunities for joint public/private development and/or use of existing and potential recreation facilities, including the nature of any operating arrangements between the public and private sectors.

**OBJECTIVE REC 1.4: OPEN SPACE**

The City will continue to conserve open space for passive recreation use and natural beauty, and acquire open space to protect sensitive environmental resources consistent with the Future Land Use and Conservation elements



## EXHIBIT I

**TRANSPORTATION  
GOALS, OBJECTIVES AND POLICIES****GOAL TRA 1: SYSTEMS FRAMEWORK**

Implement a transportation systems framework based upon principles that will:

- Promote diversified economic development;
- Protect and enhance residential neighborhoods;
- Ensure adequate services and facilities to serve new and existing development;
- Discourage urban sprawl;
- Preserve and protect natural resources; and
- Respect private property rights.

**OBJECTIVE TRA 1.1: LAND USE AND TRANSPORTATION COORDINATION**

To enforce land use, design and transportation policies, standards and regulations that coordinate the existing and future transportation infrastructure with land uses shown in the Future Land Use map exhibit and that encourage development patterns consistent with the City's various design districts.

**Policy TRA 1.1.1: Consistency with Future Land Use Element**

The City shall coordinate the development of new transportation regulations, policies, standards, and plans with the Future Land Use element. The City will also consider both the Transportation Element and the Future Land Use Element when evaluating all development proposals.

**Policy TRA 1.1.2: Transportation and Development Patterns**

To discourage urban sprawl and to maximize the use of existing transportation infrastructure, the City shall implement regulations within the Land Development Code consistent with the development patterns identified in FLU 1.2.4.

**Policy TRA 1.1.3: Roadway Improvements and Land Use Amendments**

The City shall prohibit the use of new or expanded roadway facilities as sole justification for amendments to the Future Land Use Element where new or expanded development will adversely impact resource/ conservation areas or neighborhoods.

**OBJECTIVE TRA 1.2: PROMOTE ECONOMIC DEVELOPMENT**

To promote a safe, efficient and livable transportation system that provides for mobility to support the City of Eustis' continued economic development.

**Policy TRA 1.2.1: Right of Way Preservation**

The City shall continue to adopt and enforce policies, standards and regulations which specify the City's right-of-way needs.

**Policy TRA 1.2.2: Dedication of Rights-of-Way**

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The City shall continue to require as authorized by law, the dedication of rights-of-way as conditions of approval for all development proposals and subdivision plats.

**Policy TRA 1.2.3: Identification of Future Enhanced Transit Corridors**

The City shall work with appropriate agencies and entities to evaluate deed reservations, rail rights-of-way, major utility corridors and undeveloped platted road rights-of-way for potential use as future multi-use corridors and determine if these corridors are consistent with other elements of the Plan.

**Policy TRA 1.2.4: Coordinate Transportation with Other Public Facilities**

As part of the process for the acquisition or development of land for public uses, such as, parks, open space, environmental protection or other public purpose, the City shall evaluate the impacts of the proposed project on the future transportation system and the potential for the development of future transportation corridors as a joint use.

**OBJECTIVE TRA 1.3 PROTECT AND ENHANCE RESIDENTIAL NEIGHBORHOODS**

To develop and maintain an effective, convenient and economically feasible multi-modal transportation system in its neighborhoods that preserves and strengthens the residential quality of life by providing local accessibility for multiple modes, and provides access to neighborhood developments and attractors.

**Policy TRA 1.3.1: Coordination with Future Land Use Element**

The City shall establish and enforce land use, design, and transportation policies, standards and regulations that coordinate the transportation system with the residential and residential-supportive land uses shown on the Future Land Use map exhibit.

**Policy TRA 1.3.2: Discourage Speeding on Residential Streets**

The City shall establish standards for infill and redevelopment projects to discourage high vehicle speeding on adjacent residential streets. This shall be accomplished through appropriate traffic calming methods, such as gateway treatments, roundabouts, reduced roadway width and turn radii, or other treatments as identified by the City.

**Policy TRA 1.3.3: Travel Between Neighborhoods**

The City shall ensure that existing and new developments are connected wherever feasible by roadways, bicycle and pedestrian systems, and access to transit that encourage travel between neighborhoods without requiring use of the major thoroughfare system.

**Policy TRA 1.3.4: Multimodal Access to Commercial Centers**

The City shall work to establish bicycle and pedestrian systems to provide access to Downtown Eustis and other commercial centers from surrounding residential areas.

**OBJECTIVE TRA 1.4: TRANSPORTATION AND ENVIRONMENTAL QUALITY**

To support the City's desire to maintain environmental sustainability, conserve energy and natural resources, discourage urban sprawl, and to improve the aesthetic quality of the community through the implementation of the following policies.

- Policy TRA1.4.1: Reducing Travel Demand through Land Use Measures**  
The City shall recognize Future Land Use Element policies that support reduced travel demand, shortened trip lengths, higher internal capture, and balanced trip demand.
- Policy TRA 1.4.2: Promotion of Energy Efficient Vehicles and Alternative Fuel Sources**  
The City shall establish policies, standards, and regulations that encourage the use of energy efficient vehicles and enable the development of infrastructure systems to support their use by establishing sites for alternative energy fueling stations. Where appropriate, the City shall acquire energy-efficient vehicles as part of its vehicle fleet for police, fire, and maintenance needs.
- Policy TRA 1.4.3: Travel Demand Management**  
The City shall establish policies, standards, and regulations that will result in lower vehicle miles traveled (VMT) through travel demand strategies such as telecommuting, ride-sharing, transit use, and employee guaranteed ride home programs.
- Policy TRA 1.4.4: Promoting Non-Motorized Travel**  
The City shall establish and enforce policies, standards and regulations within the City's Land Development Regulations that promote pedestrian and bicycle mobility and access, including standards related to street design and connectivity; accommodate non-motorized travel; the provision of bicycle parking; and bicycle and trail access and connectivity.
- Policy TRA 1.4.5: Roadway Speeds**  
To facilitate safe pedestrian movement, the City shall work with Lake County and the Florida Department of Transportation to limit posted speed limits within the City to 45 miles per hour or less.
- Policy TRA 1.4.6: Protecting Natural Resources and Environmental Quality**  
In the planning, design and construction of transportation improvements, the City shall consider design techniques to mitigate adverse impacts on natural and environmental resources as well as design and operational techniques which can complement adjacent development and enhance the aesthetic quality of the transportation corridor.
- Policy TRA 1.4.7: Enforcement of Environmental Regulations**  
In the planning, design and construction of new transportation facilities, the City shall continue to recognize policies in the Conservation Element.
- Policy TRA 1.4.8: Lakeshore Drive Scenic Road**

Lakeshore Drive is hereby designated a scenic road requiring preservation of a two-lane cross section, posting for low-to-moderate travel speeds, limited improvements for bicycle use, and careful regulation of roadside development. The City shall coordinate with Lake County and the Lake-Sumter MPO to establish a consistent functional classification of Urban Local for the Lakeshore Drive/Lake Eustis Drive corridor.

**OBJECTIVE TRA 1.5: PROMOTE MULTI-MODAL TRAVEL**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the City, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 1.5.1: Multi-Modal Connectivity**

The City shall preserve existing roadway, sidewalk and bicycle system connections, and restore networks that previously were disconnected, where appropriate. In particular, the City shall encourage future redevelopment and development projects to improve street connectivity by developing new local streets with appropriate sidewalk and bicycle facilities, where feasible. Priority shall be given to those proposed roadway connections identified in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan..

**Policy TRA 1.5.2: Align Roadways to Connect to Stub-outs to Adjacent Parcels**

The City shall continue to require joint connectivity and block structure requirements, including stub-outs to adjacent parcels and roadway alignment as provided for in the Land Development Regulations.

**Policy TRA 1.5.3: Citywide Bicycle and Pedestrian Master Plan**

The City shall improve mobility through infrastructure improvements to be included in the citywide Bicycle and Pedestrian Master Plan proposed for completion by 2035 as provided for in the Recreation and Open Space Element.

**Policy TRA 1.5.4: Demand Response Transit**

The City shall work with Lake County to continue to provide demand-response transit service to cater to the transit dependent populations within the City.

**Policy TRA 1.5.5: Evaluate Transit Service Options**

The City shall work with Lake County to monitor and evaluate and, as deemed necessary, implement additional mass transit, paratransit and transportation demand management strategies and programs which support the Future Land Use Element, address the special needs of the service population, and increase the efficiency of transit services. Such strategies and programs may include rail services, intra-city trolley, carpools/vanpools, Park-and-Ride, demand response transit service, parking management, express bus services, transfer stations and increased frequency of bus service.

- Policy TRA 1.5.6: Roadway Functional Classification**  
The City shall adopt Transportation Map 1 – Roadway Functional Classification System that identifies the existing functional classification for collector and arterial roadways within the City.
- Policy TRA 1.5.7: Orange Avenue Functional Classification**  
To further the goals of Eustis in improving multi-modal mobility, the City shall continue working with Lake-Sumter MPO to reclassify Orange Avenue (old SR 44) from an arterial to a collector within the City limits.
- Policy TRA 1.5.8: Constrained Facilities**  
All collector and arterial roadways within the City shall be limited to the maximum number of through lanes shown on Transportation Map 10 - Year 2035 Roadway Number of Lanes. Small-scale modifications such as turn lanes may still be provided as warranted.
- Policy TRA 1.5.9: Bicycle and Pedestrian Access to Schools**  
In coordination with the Lake County School Board, the City shall work to establish sidewalks, bicycle paths, and/or a network of low-speed neighborhood streets to provide safe and convenient access to all elementary, middle and high schools.

**OBJECTIVE TRA 1.6: TRANSPORTATION MOBILITY APPROACH**

To support urban infill and redevelopment efforts of the City and to target economic development, job creation, housing, transportation, crime prevention, and neighborhood revitalization and preservation within the City, the City rescinds transportation concurrency for all areas within the City limits .

- Policy TRA1.6.1: Mobility Planning**  
The City shall continue to develop integrated land use and transportation planning studies for geographic areas of the city according to the Future Land Use Element
- Policy TRA 1.6.2: City Plans that Address Multi-Modal Mobility**  
The City shall implement land use and transportation strategies that call for multi-modal mobility within recently completed and adopted city plans, including the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan and Land Development Regulations.
- Policy TRA 1.6.3: Development Review focused on Multi-Modal Mobility**  
Through the policies, standards and regulations in the Land Development Regulations, the City shall continue to encourage the provision of multi-modal facilities.
- Policy TRA 1.6.4: Supporting Regional Multi-Modal Plans**  
The City shall continue to participate in initiatives to promote regional and

local transit, including future expansion plans for LakeXpress, Central Florida Commuter Rail, and other proposed light rail or bus rapid transit projects (as illustrated in Transportation Map #13, Future Transportation Network-Mass Transit). The City shall continue to participate in the development of the MPO's Long Range Transit Plan and Greenways and Trails Plan, and coordinate with the County and adjacent municipalities in planning for and implementing future bicycle and multi-use trail facilities.

**Policy TRA 1.6.5: Roadway Level of Service Standard**

The City shall adopt a roadway Level of Service standard of E for collector and arterial roadways within the City. The roadway Level of Service shall be measured for daily conditions. In cases where individual roadway segments exceed the Level of Service standard, the available capacity on parallel corridors within the City shall be included in the evaluation.

**Policy TRA 1.6.6: Multi-Modal Transportation Level of Service**

The City shall adopt transportation system performance measures to address its multimodal goals for bicycle, pedestrian and transit circulation.

**Policy TRA 1.6.7: Refined Roadway Level of Service Analysis Techniques**

The City may authorize refined transportation methodologies and techniques to be used in situations where more precise input data and analysis is desired prior to final action associated with development review or transportation infrastructure modifications. Acceptable methodologies and techniques may include, but are not limited to:

- Trip generation studies
- Traffic studies
- Trip characteristics studies
- Travel time/speed/delay studies
- Passer-by and internal trip analysis
- Person trip analysis
- Planning level models
- Traffic operation models
- Intersection analysis
- Corridor/subarea analysis
- Multi-modal analysis

**Policy TRA 1.6.8: Multi-Modal Transportation Level of Service Analysis Techniques/Standards**

The City shall develop special area plans, as needed, for areas of special concern. When appropriate, the City shall adopt additional or alternative level of service standards and methods of applying levels of service standards that address accessibility for vehicular traffic, pedestrians, cyclists, and transit modes.

**OBJECTIVE TRA 1.7: TRANSPORTATION PLANNING COORDINATION**

The City shall coordinate its plans with all transportation planning bodies including but not limited to the Florida Department of Transportation, Lake County, East Central Florida Regional Planning Council, and the Lake-Sumter MPO.

**Policy TRA 1.7.1: FDOT Five-Year Work Program Coordination**

Through the Lake-Sumter MPO, the City shall review on an annual basis the FDOT Five-Year Work Program to address right-of-way needs, access management and level of service standards.

**Policy TRA 1.7.2: Lake County Transportation Element Coordination**

The City shall review on an annual basis the Transportation Element for Lake County to address right-of-way needs, access management, and level of service standards.

**Policy TRA 1.7.3: City of Tavares and City of Mount Dora Coordination**

The City shall review on an annual basis the Transportation Elements for Tavares and Mount Dora to address right-of-way needs, access management, and level of service standards.

**OBJECTIVE TRA 1.8: ACCESS AND CONNECTION TO REGIONAL FACILITIES**

To establish and enforce policies, standards, and regulations that recommend access and connection to regional transportation facilities and amenities.

**Policy TRA 1.8.1: Access to Recreational Facilities and Resources**

The City shall work with the County, the MPO, and other adjoining cities, to connect local trails and the sidewalks and bicycle facilities within the City to existing and proposed regional trail facilities and bicycle systems.

**Policy TRA 1.8.2: Access to Community Facilities and Downtown**

The City shall establish policies, standards, and regulations to ensure that residential neighborhoods have reasonable access to the City's community facilities and to Downtown via trails or bicycle facilities, transit service, and street network, as described under the Performance Standards for Goals TRA 2, TRA 3 and TRA 4.

**OBJECTIVE TRA 1.9: FUNDING TRANSPORTATION IMPROVEMENTS**

To identify multiple sources for funding transportation improvements necessary to support the growth forecasts, goals, objectives and policies of the Future Land Use Element and to provide for a safe, convenient and efficient transportation system.

**Policy TRA 1.9.1: Funding Sources**

The City shall work with the Lake-Sumter MPO, FDOT, Lake County, the Eustis CRA, and private developers in funding and implementing transportation improvements, as described in the policies contained in the Intergovernmental Coordination Element, Objective 1.2, Transportation.

**Policy TRA 1.9.2: Transportation Improvements as part of Development and Redevelopment**

As feasible, the City shall work to implement transportation improvements as part of development and redevelopment within the City through implementation of standards in the Land Development Regulations.

**GOAL TRA 2: URBAN DEVELOPMENT PATTERN**

Enhance the livability and viability of the urban core area of the City as described by the Urban Development Pattern Area through transportation policies and infrastructure investments that:

- Prioritize the safety, comfort and convenience of the pedestrian, bicycle and mass transit environments;
- Accommodate vehicular circulation in a manner that is responsive to the needs of alternate modes; and
- Support the land use goals for the district.

**OBJECTIVE TRA 2.1: URBAN LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce policies, standards and regulations that align the existing and future transportation infrastructure with higher density mixed-use development called for in the Urban Development Design District.

**Policy TRA 2.1.1: Promote Land Use Patterns to Support Mass Transit Service**

To promote the viability of existing and planned transit service, the City shall adopt and enforce land use policies, standards and regulations that promote high intensity residential-based mixed use developments in Urban Centers.

**Policy TRA 2.1.2: Promote Shared and Reduced Parking**

The City shall continue to enforce policies, standards and regulations that encourage shared parking across development parcels within Urban Centers and Urban Corridors.

**OBJECTIVE TRA 2.2 URBAN MULTI-MODAL TRANSPORTATION**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the Urban Development Pattern, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 2.2.1: Complete Streets**

The City shall implement policies, including those standards already within the Land Development Regulations, to address the design and operation of all streets within the Urban Development Pattern for all users, including drivers, bicyclists, transit users, pedestrians of all ages and abilities, business owners and residents.

**Policy TRA 2.2.2: Street Types in Land Development Regulations**



The City shall use the Street Types outlined in the Land Development Regulations as a guidance when designing and constructing new street sections within the Urban Development Pattern.

**Policy TRA 2.2.3: Street Connectivity**

As identified in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan, the City shall work to restore local street network segments that previously were disconnected and construct new street connections within the Urban Development Pattern. In particular, the City shall implement these street connections through development impact mitigation and as part of capital improvement projects.

**Policy TRA 2.2.4: Downtown and East Town Community Redevelopment Area Mobility Needs**

The City shall support the implementation of the mobility needs identified in the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan.

**Policy TRA 2.25: Lake-Sumter MPO Long Range Mobility Needs**

The City shall support the implementation of the Lake-Sumter MPO Long Range Transportation Plan,

**Policy TRA 2.2.7: Lake County Transit Shelter Needs**

The City shall support the implementation of the 2010 Lake County Shelter Placement Site Recommendations Report, as may be amendment

**Policy TRA 2.2.8: Sidewalk Connectivity**

The City shall work to complete the network of sidewalks along all streets within the Urban Development Pattern, as part of construction of new streets as well as retrofitting of existing streets.

**Policy TRA 2.2.11: Pedestrian-Oriented Development Design**

Provisions in the City's Land Development Regulations require new developments in Urban Development Patterns to support the highest levels of pedestrian access and mobility.

**OBJECTIVE TRA 2.3: ENCOURAGING URBAN TRANSIT USE**

To establish and enforce policies, standards, and regulations that promote transit use within the Urban Development Pattern.

**Policy TRA 2.3.1: Transit-Oriented Density, Diversity, and Design**

The City shall enforce provisions in the Future Land Use Element and the City's Land Development Regulations that encourage development patterns, densities, design, and a mix of uses in the Urban Development Pattern that will support expanded mass transit service in the future.

**Policy TRA 2.3.2: Transit in Urban Development Pattern**

The City shall work with the County, the MPO, and other regional and state agencies to increase transit service within the Urban Development Pattern, in particular encouraging the location of transit stops within the City's Urban Centers and along Urban Corridors.

**OBJECTIVE TRA 2.5: URBAN DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Urban Development Pattern.

**Policy TRA 2.5.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, the City has established the Urban Development Pattern intent and performance standards described in the Future Land Use Element and Land Development Regulations.

**Policy TRA 2.5.2: Sidewalks**

The City shall ensure through its Land Development Regulations that within the Urban Development Pattern, continuous sidewalks of at least five feet in width are provided on both sides of all public and private streets to the greatest extent practicable.

**Policy TRA 2.5.3: Intersection Design**

The City shall work to ensure that all signalized intersections within the Urban Development Pattern have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the Manual on Uniform Traffic Control Devices (MUTCD).

**Policy TRA 2.5.4: Americans with Disabilities Act (ADA)**

The City shall work to ensure that all streets within the Urban Development Pattern conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.

**Policy TRA 2.5.5: Block Size and Block Configuration**

As prescribed in the City's Land Development Regulations, blocks within the Urban Development Pattern shall be laid out within an interconnected network of streets.

**Policy TRA 2.5.6: Roadway Speeds**

To facilitate safe pedestrian movement, the City shall ensure that all City-maintained streets within the Urban Centers and the Urban Neighborhoods

have a posted speed limit of 25 mph or less.

**Policy TRA 2.5.7: Complete Streets**

The Street Types outlined in the Land Development Regulations can serve as a guide for developing new complete streets within the Urban Development Pattern.

**Policy TRA 2.5.8: Trees and Street Furnishings**

Based on the recommendations of the Downtown and East Town Community Redevelopment Area 2016 Redevelopment Plan, the City shall work to ensure that all new and existing “A” streets within Urban Centers and Urban Corridors have basic street furnishings and streetscape amenities, including street trees, pedestrian-scale lighting, seating, and bus stop shelters (where appropriate).

**Policy TRA 2.5.9: Downtown Wayfinding**

To improve circulation for all users, the City shall implement the recommendations of the Wayfinding Plan developed for Downtown Eustis.

**Policy TRA 2.5.10: Pedestrian Destinations**

Through implementation of the policies in the Future Land Use Element, the City shall work to ensure that community-serving destinations are accessible to residents within the Urban Development Pattern.

**Policy TRA 2.5.11: Bicycle Lanes and Multi-use Trails**

As part of the development of the Citywide Bicycle and Pedestrian Master Plan, the City shall work to provide bicycle lanes or multi-use trails accessible to residents within the Urban Development Pattern.

**Policy TRA 2.5.12: Connection to Recreational Amenities**

The City shall ensure that all public recreational amenities such as parks, regional trails, and the Lake Eustis waterfront can be accessed from the Urban Centers via direct pedestrian connection.

**Policy TRA 2.5.13: Bicycle Parking**

The City shall ensure that bicycle parking is required for all new development projects that will be accessed by the public within the Urban Development Pattern.

**Policy TRA 2.5.14: Transit Stops and Transit Shelters**

The City shall work with Lake County to ensure that transit stops within Urban Centers and major destinations (hospitals, employment centers, shopping centers and schools) have, as feasible, shelters for transit users that would include bus route/schedule signs, seating, shelter from the elements, and be ADA compliant when required by law.

**Policy TRA 2.5.15: Transit Service Headways**

The City shall work with Lake County to improve transit service within the Urban Development Pattern during peak periods.

**Policy TRA 2.5.16: Transit Service Accessibility**

The City shall work with Lake County to improve transit service to ensure that all residents within the Urban Development Pattern have access to fixed-route transit service.

**Policy TRA 2.5.17: Transit Service Span**

The City shall work with Lake County to expand hours of operation for transit routes serving the City.

**Policy TRA 2.5.18: Transit Serving Major Destinations**

The City shall work with Lake County to ensure that major public gathering venues and destinations are served by a local transit route. These include hospitals, employment centers, shopping centers, and schools.

**GOAL TRA 3: SUBURBAN DEVELOPMENT PATTERN**

Enhance the livability and viability of neighborhoods and existing commercial corridors as described in the Suburban Development Pattern Area (in Appendix) through transportation policies and infrastructure investments that discourage urban sprawl and:

- Balance vehicular mobility with the needs for pedestrian, bicycle and mass transit mobility
- Preserve and protect existing viable neighborhoods and subdivisions;
- Support the land use goals for the district.

**OBJECTIVE TRA 3.1: SUBURBAN LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce policies, standards and regulations that align the existing and future transportation infrastructure to support the residential and non-residential uses in distinct patterns arranged in centers, districts, and corridors, as called for in the Suburban Development Pattern.

**Policy TRA 3.1.1: Suburban Centers**

The City shall adopt and enforce standards that encourage the development of Suburban Centers where a system of streets, pedestrian walkways, and driveways support uses where development occurs at a density and intensity that can be feasible to support fixed-route transit.

**Policy TRA 3.1.2: Suburban Corridors**

The City shall continue to enforce standards, and regulations that provide for adequate vehicular, bicycle, and pedestrian access and mobility to serve Suburban Corridors as well as the adjacent residential neighborhoods.

**Policy TRA 3.1.3: Linking Neighborhoods to Shopping Areas**

The City shall adopt and enforce policies, standards, and regulations that provide for multiple street connections and routing options between Suburban Neighborhoods and community-serving commercial areas.

**Policy TRA 3.1.4: Access Management**

The City shall continue to establish and enforce policies, standards and regulations for the management of access points along streets within the

Suburban Development PatternThe implementation of the State Access Management Program and the control of access connections to the State highway system shall be consistent with Chapter 14-96 and 14-97, F.A.C. and the Florida Department of Transportation Access Management Rule and will be coordinated with the Florida Department of Transportation through the City's access permitting process.

**Policy TRA 3.1.5: Promote Shared Parking**

The City shall continue to enforce policies, standards and regulations that encourage shared parking among different parcels, through cross-access easements and a connected network of pedestrian walkways along Suburban Corridors and in Suburban Centers.

**OBJECTIVE TRA 3.2: SUBURBAN MULTI-MODAL TRANSPORTATION**

To establish and enforce policies, standards, and regulations that promote multi-modal mobility and access throughout the Suburban Development Pattern, including travel by automobile, bicycle, walking, and transit.

**Policy TRA 3.2.1: Complete Streets**

The City shall implement policies, including those standards already within the Land Development Regulations, to address the design and operation of all streets within and between Suburban Centers for safe and comfortable bicycling, walking, and transit operation.

**Policy TRA 3.2.2: Street Types in Land Development Code**

The City shall use the Street Types outlined in the Land Development Regulations as a guidance when designing and constructing new street sections within the Suburban Development Pattern.

**Policy TRA 3.2.6: Sidewalk Connectivity**

The City shall work to complete the network of sidewalks along all streets within the Suburban Centers, as part of construction of new streets as well as retrofitting of existing streets.

**OBJECTIVE TRA 3.3: SUBURBAN DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Suburban Development Pattern.

**Policy TRA 3.3.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, the City has established the Suburban Development Pattern standards and performance standards described in the Future

## Land Use Element and Land Development Regulations.

- Policy TRA 3.3.2: Sidewalks**  
The City shall work to ensure that within the Suburban Development Pattern sidewalks shall be provided on both sides for all streets within Suburban Centers and those streets within one mile of public schools, community centers, parks, and major transit stops.
- Policy TRA 3.3.3: Intersection Design**  
The City shall work to ensure that all signalized intersections within Suburban Centers have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the MUTCD.
- Policy TRA 3.3.4: Americans with Disabilities Act (ADA)**  
The City shall work to ensure that all streets within Suburban Centers conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.
- Policy TRA 3.3.5: Block Size and Block Configuration**  
As prescribed in the City's Land Development Regulations, blocks within the Suburban Development Pattern shall be laid out within an interconnected network of streets.
- Policy TRA 3.3.6: Internal Streets**  
The City shall require a connected system of internal streets within new suburban developments, per the standards established by the Land Development Regulations.
- Policy TRA 3.3.7: Internal Pedestrian Network**  
The City shall require all new suburban developments to provide sidewalks along streets or pedestrian paths that connect primary building entrances to one another and to the public street, adjacent trails, transit stops, parking areas, and to publicly accessible pedestrian walkways of adjacent development.
- Policy TRA 3.3.8: Suburban Landscape Standards and Streetscaping**  
The City shall require new suburban developments to conform to the suburban landscape requirements called for by the City's Land Development Regulations.
- Policy TRA 3.3.9: Bicycle Lanes and Multi-use Trails**  
As part of the development of the Citywide Bicycle and Pedestrian Master Plan, the City shall work to ensure that bicycle lanes or multi-use trails are accessible to residents within the Suburban Development Pattern.
- Policy TRA 3.3.10: Connection to Recreational Amenities**

The City shall work to ensure that all public recreational amenities can be accessed from the Suburban Centers through pedestrian, bicycle, or transit connections.

**Policy TRA 3.3.11: Bicycle Parking**

The City shall ensure that bicycle parking is required for all new development projects that will be accessed by the public within the Suburban Centers.

**Policy TRA 3.3.12: Transit Stops and Transit Shelters**

The City shall work with Lake County to ensure that transit stops at major destinations (hospitals, employment centers, shopping centers, and schools) shall have, as feasible, shelters for transit users that would include bus route/schedule signs, bench, shelter from the elements, and be ADA compliant where required by law.

**Policy TRA 3.3.13: Transit Service Headways**

The City shall work with Lake County to improve transit service headways during peak periods at Suburban Centers.

**Policy TRA 3.3.14: Transit Service Accessibility**

The City shall work with Lake County to improve transit service to ensure that all residents within the Suburban Development Pattern have access to fixed-route transit service.

**Policy TRA 3.3.15: Transit Service Span**

The City shall work with Lake County to expand hours of operation for transit routes serving the City.

**Policy TRA 3.3.16: Transit Serving Major Destinations**

The City shall work with Lake County to ensure that all major public gathering venues and destinations are served by a local transit route. These include hospitals, employment centers, shopping centers, and schools.

**GOAL TRA 4: RURAL DEVELOPMENT PATTERN**

**Manage the transportation system for the Rural Development Pattern Area through transportation policies and infrastructure investments that:**

- Address vehicular circulation and allow for safe pedestrian and bicycle circulation
- Support the land use goals for the district.

**OBJECTIVE TRA 4.1: RURAL LAND USE AND TRANSPORTATION COORDINATION**

To establish and enforce land use, design and transportation policies, standards and regulations that align the existing and future transportation infrastructure to the Rural Development Pattern.

**Policy TRA 4.1.1: Rural Centers**

The City shall adopt and enforce standards and regulations that encourage the development of Rural Centers where a system of streets and pedestrian

walkways support uses.

**Policy TRA 4.1.2: Rural Corridors**

The City shall adopt and enforce standards, and regulations that provide adequate vehicular, bicycle, and pedestrian access and mobility to serve Rural Corridors as well as the adjacent residential neighborhoods.

**Policy TRA 4.1.3: Multi-Modal Connectivity Between Development Phases**

The City shall ensure that the street and trail layouts of subsequent phases of residential subdivision developments are coordinated with previous phases to ensure multi-modal connectivity.

**OBJECTIVE TRA 4.2: RURAL DEVELOPMENT PATTERN PERFORMANCE STANDARDS**

To establish and utilize performance standards for the provision and operation of a multi-modal transportation system (including pedestrian and bicycle facilities, mass transit and paratransit services, the City Road System and the portion of the County Road and State Highway Systems within the City). The performance standards will measure progress toward achieving the multi-modal mobility goals within the Rural Development Pattern.

**Policy TRA 4.3.1: Site and Building Design**

The character of the built environment that frames a street contributes greatly to its walkability. Because of this, the City has adopted the Rural Development Pattern and performance standards described in the Future Land Use Element Land Development Regulations.

**Policy TRA 4.3.2: Sidewalks**

The City shall work to ensure that within the Rural Centers sidewalks shall be provided for all streets connecting to public schools, community centers, parks, and transit stops.

**Policy TRA 4.3.3: Intersection Design**

The City shall work to ensure that all signalized intersections within Rural Centers have a protected signal phase for pedestrians on all legs of the intersection. In addition, all signalized intersections shall have striped crosswalks or other crosswalk treatments that would enhance the comfort and safety of pedestrians crossing a street. Crosswalk treatments shall be in compliance with requirements of the MUTCD.

**Policy TRA 4.3.4: Americans with Disabilities Act (ADA)**

The City shall work to ensure that all streets within Rural Centers conform with the requirements of the ADA, including the provision of handicapped accessibility ramps and provision of handicapped accessible routes from the street to major public entrances of buildings.

**Policy TRA 4.3.5: Street Types in Land Development Code**

The City shall use the Street Types outlined in the Land Development Regulations as guidance when designing and constructing new street sections within the Rural Development Pattern.



**Policy TRA 4.3.6: Transit in Rural Centers**

The City shall work with Lake County to ensure that fixed-route transit service is provided to Rural Centers as they are developed.

**Policy TRA 4.3.7: Transit Stops**

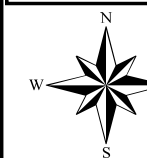
The City shall work with Lake County to ensure that transit stops are provided for all routes that serve Rural Centers.



## Map #1

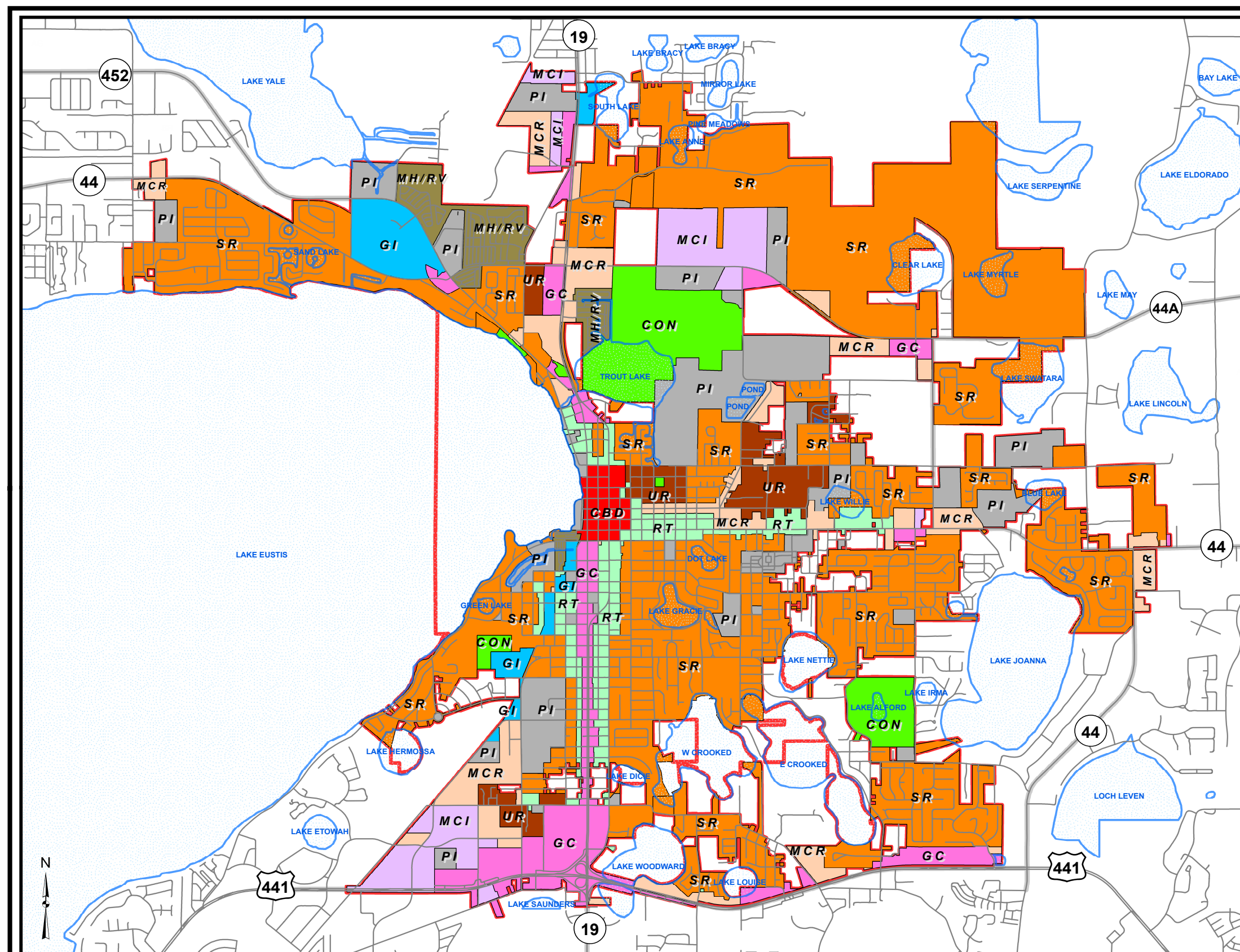
### 2035 Future Land Use Map

|                                                                                       |                                     |
|---------------------------------------------------------------------------------------|-------------------------------------|
|    | CBD- Central Business District      |
|    | CON- Conservation                   |
|    | GC- General Commercial              |
|    | GI- General Industrial              |
|    | MCI- Mixed Commercial/Industrial    |
|    | MCR- Mixed Commercial/Residential   |
|  | MH/RV- Mobile Homes/RV              |
|  | PI- Public/Institutional            |
|  | RT- Residential/Office Transitional |
|  | SR- Suburban Residential            |
|  | UR- Urban Residential               |



0 0.5 1 Miles

Map Date: April 30, 2021

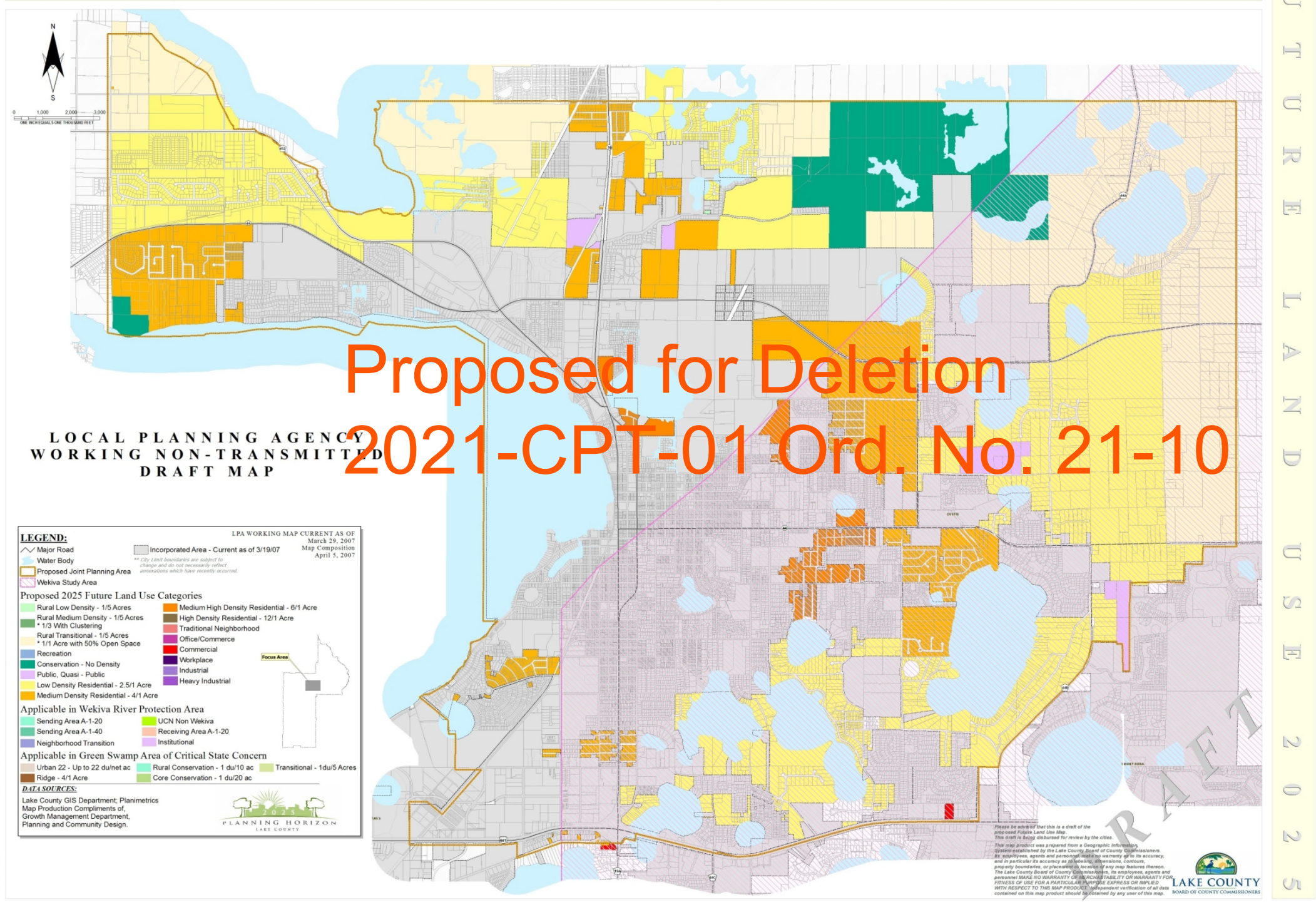






# CITY OF EUSTIS LAKE COUNTY, FLORIDA

## PROPOSED 2025 FUTURE LAND USE PROPOSED JOINT PLANNING AREA



### City of Eustis Comprehensive Plan

## Map #19

### Eustis-Lake County Joint Planning Area

Source: City of Eustis



Map Date: March 10, 2010



AECOM