



AGENDA

City Commission Workshop Meeting

5:00 PM - Thursday, July 29, 2021 – Eustis Community Building
601 Northshore Drive

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. WORKSHOP ITEMS WITH COMMISSION DISCUSSION AND DIRECTION

- 1.1 Review of Proposed Comprehensive Plan Amendment 2021-CPT-01 (Ordinance Number 21-10)
[Staff Report #21-0195 - Html](#)
[Comp Plan Amendment 2021-CPT-01 Ord. 21-10](#)
- 1.2 Review of Code Enforcement Process
[Staff Report #21-0196 - Html](#)
[Code Enforcement Workshop](#)
- 1.3 Review of Site Plan Approval Processes and Fees
[Staff Report #21-0197 - Html](#)
[Site Plan Workshop and Development Application Fee Review](#)

2. 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.



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: July 29, 2021
RE: REVIEW OF PROPOSED COMPREHENSIVE PLAN AMENDMENT 2021-CPT-01 (ORDINANCE NUMBER 21-10)

Introduction:

See attached presentation.

Attachments:

[Comp Plan Amendment 2021-CPT-01 Ord. 21-10](#)

Reviewed by:

Ronald Neibert, City Manager
Mary Montez, City Clerk

Approved - 23 Jul 2021
Approved - 23 Jul 2021



City of Eustis
Development Services Department

Workshop

Comprehensive Plan Text Amendment

2021-CPT-01 Proposed Ord. No. 21-10

Eustis City Commission – July 29, 2021

Background

- January City Commission Workshop
 - Discussed elimination of Agriculture and Rural Residential land use designations
 - FLU Map corrections (urban designations in suburban areas; industrial designations/non-conforming uses.
 - Map 19 Joint Planning Area Map elimination

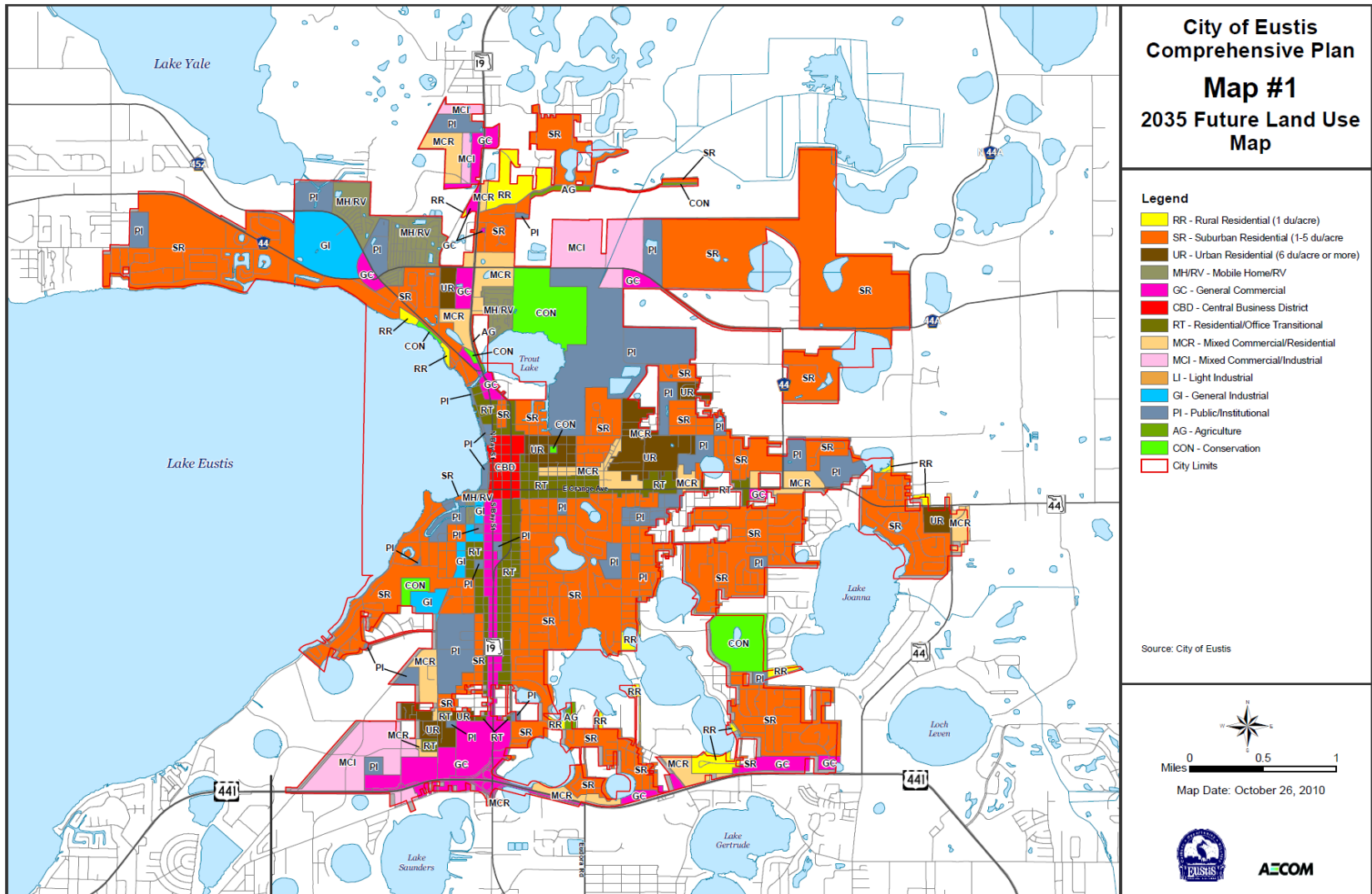
Intent of Amendment

- Reflect the vision of the City Commission per long-range master plans
- Provide for municipal densities and intensities, thereby discouraging urban sprawl
- Improve internal consistency of the CP and consistency with the LDR
- Add Property Rights Element required by State Law (Senate Bill 410)

- Add language to provide for possible future TDR program for Central Business District
- Eliminate:
 - Arbitrary and redundant language
 - Unnecessary administrative policy provisions
 - Specificity more appropriate for LDRs
 - Financial commitments not in the best interest of the Eustis taxpayers.
- To amend the Future Land Use Map Series.
- Reduce exposure in the event of litigation.

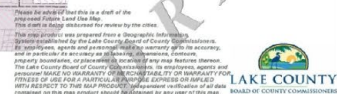
Amendments to Future Land Use Element

Eliminate Map #19 Eustis Lake County Joint Planning Area Map from the Future Land Use Map Series and deleted other references to the map.



**PROPOSED 2025 FUTURE LAND USE
PROPOSED JOINT PLANNING AREA**

FUTURE LAND USE 2025



Amendments to Future Land Use Element

Map 19:

- ❖ Is not required in CP by State law.
- ❖ Was not included as a result of discussion/negotiation with Lake County.
- ❖ Land Uses shown are Lake County land uses (apply to unincorporated areas without urban services).
- ❖ Is inconsistent with the Eustis Future Land Use Element and FLU Element Appendix

Amendments to 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.
4. Include references to allow CBD TDR program in CBD footnote and under CBD definition

TABLE A-3.1 FUTURE LAND USE DESIGNATIONS

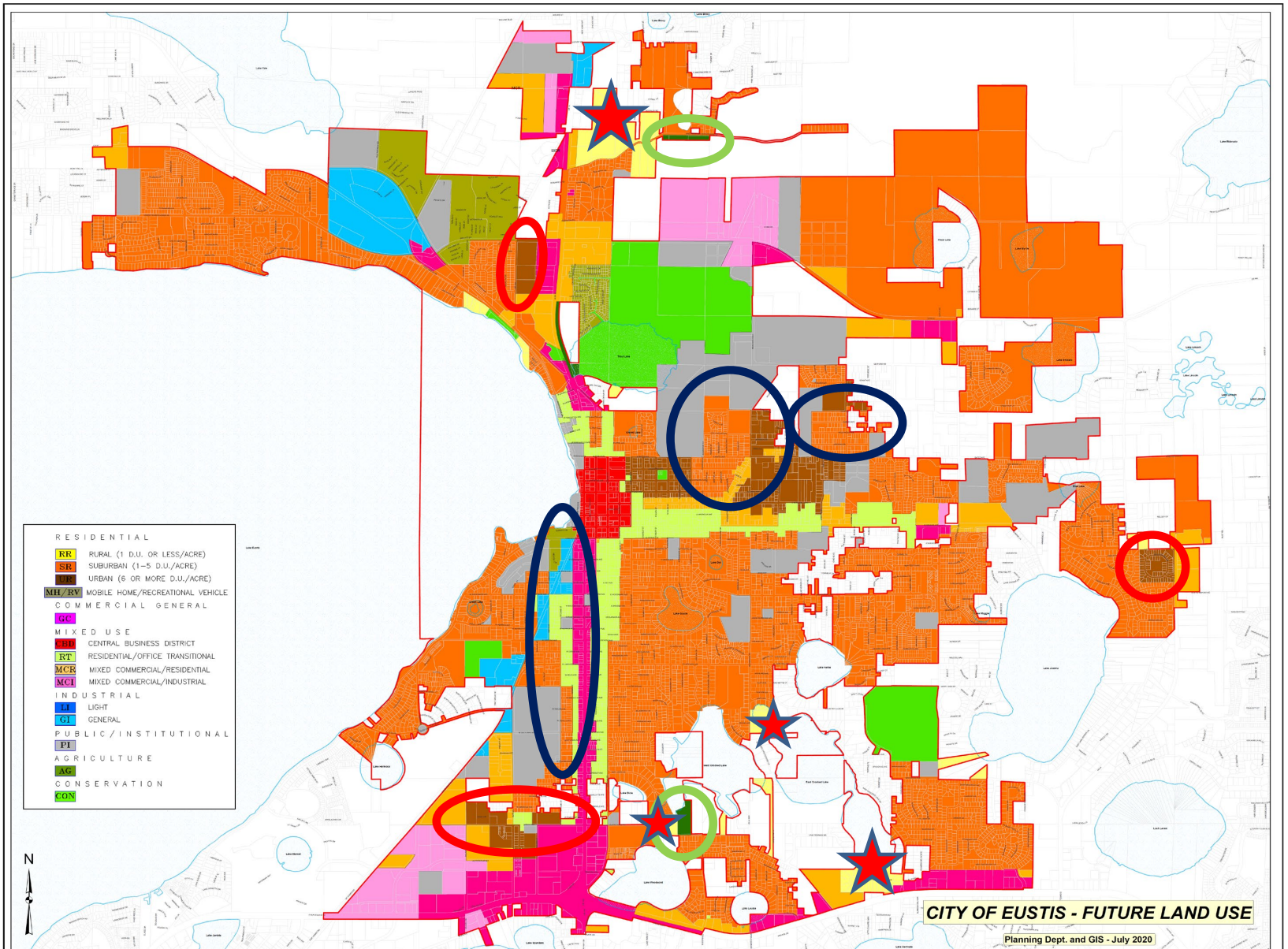
LAND USE DISTRICT	MAP SYMBOL	Maximum Net Density (Total dwelling units per net acre)	Intensity Range (Floor Area Ratio)	Maximum Impervious Surface (% of net buildable area)
Rural Residential	RR	1 dwelling-unit/acre	N/A	20%
Suburban Residential	SR	5 dwelling units/acre ⁽²⁾	N/A	450% ⁽⁴⁾
Urban Residential	UR	12 dwelling units/acre ⁽²⁾	N/A	450% ⁽⁴⁾
Manufactured Home Community	MH	8 dwelling units/acre	N/A	550% ⁽⁴⁾
General Commercial	GC	N/A	up to 2.5 ⁽³⁾	75%
General Industrial	GI	N/A	up to 2.5 ⁽³⁾	75%
Central Business District	CBD			100%
	Residential	40 dwelling units/acre ⁽¹⁾		
	Non-Residential		up to 3.0	
Residential/Office Transitional	RT			450% ⁽⁴⁾
	Residential	12 dwelling units/acre ⁽²⁾		
	Non-Residential		up to 2.5 ⁽³⁾	75%
Mixed Commercial/ Residential	MCR			450% ⁽⁴⁾
	Residential	12 dwelling units/acre ⁽²⁾		
	Non-Residential		up to 2.5 ⁽³⁾	75%
Mixed Commercial/ Industrial	MCI	N/A	up to 2.5 ⁽³⁾	75%
Public and Institutional	PI	N/A	up to 2.5 ⁽³⁾	75%
Agricultural	AG	1 dwelling-unit/5-acres	N/A	20%
Conservation	CON	N/A	up to 0.20 ⁽³⁾	10%

• 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.

• 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. With the implementation of Transfer of Development Rights, maximum density/intensity in the CBD shall be measured district wide versus per site.

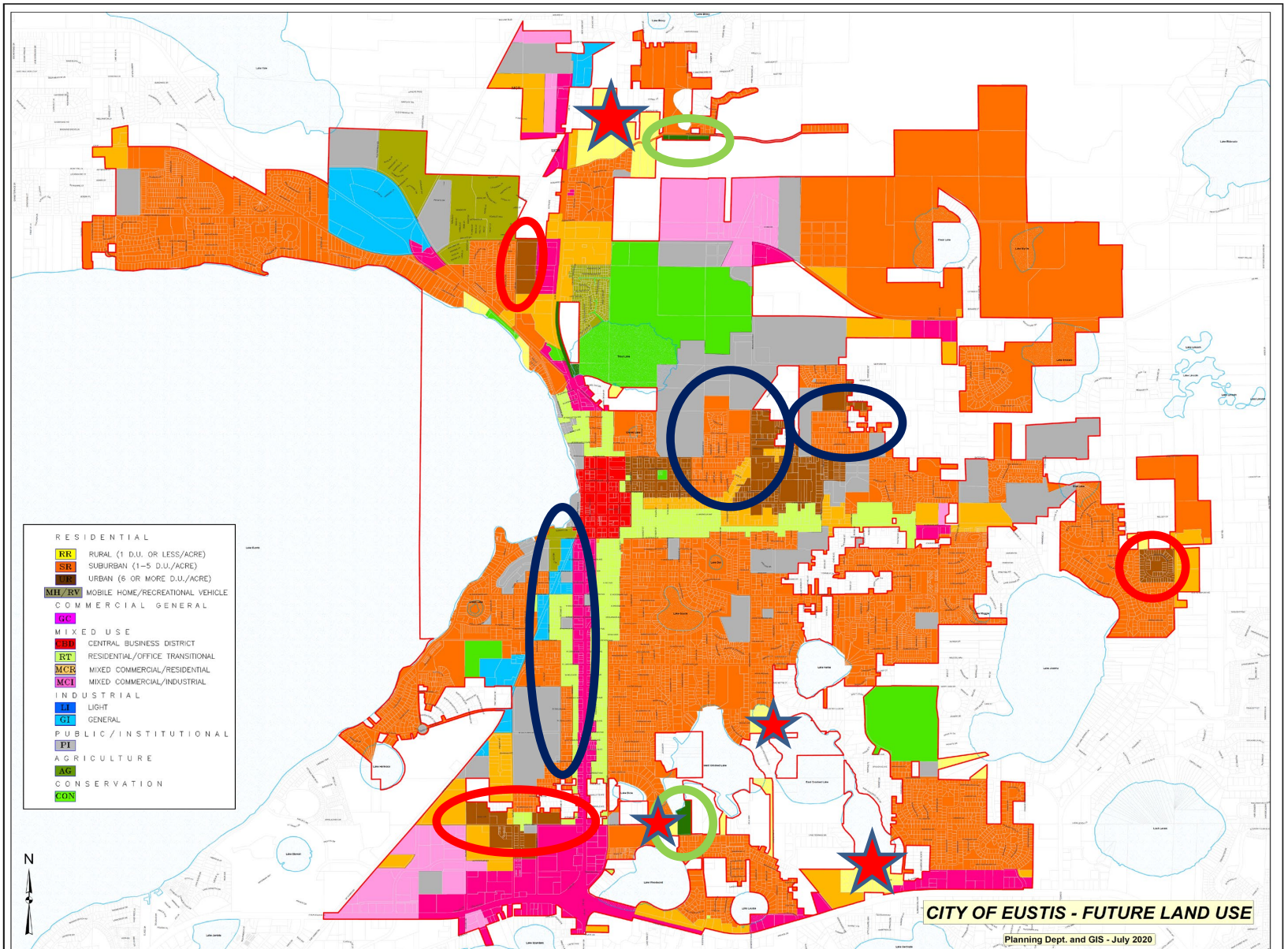
Elimination of Rural Residential FLU

- Limited on FLU Map (approx 30)
- Suburban Residential (SR) accommodates the majority of residential development in the City (up to 5 du/ac) (not 1 to 5)
- Assign densities that allow for the provision of cost effective public services.
- Lot sizes where water or sewer are lacking- limited to four per acre; greater density is warranted/ necessary for cost effective provision of public services where both water and sewer are provided.

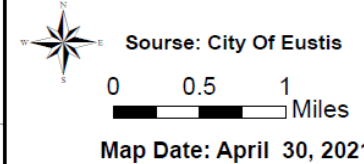


Elimination of Agricultural FLU

- Agricultural is limited on FLU Map (2 properties)
- Properties that meet criteria for annexation are suitable for urbanization
- Conditional use permit approval by CC



Map #1
2035 Future Land Use Map



Amendments to Conservation Element

Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.

Amendments to Economic Development Element

Updated references

Amendments to Housing Element

Eliminated duplicative language and unnecessary language (specificity more appropriate for LDRs), and added cross references to other Elements.

Amendments to 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.

Added Property Rights Element

Added Property Rights Element per Senate Bill 410.

Amendments to 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.

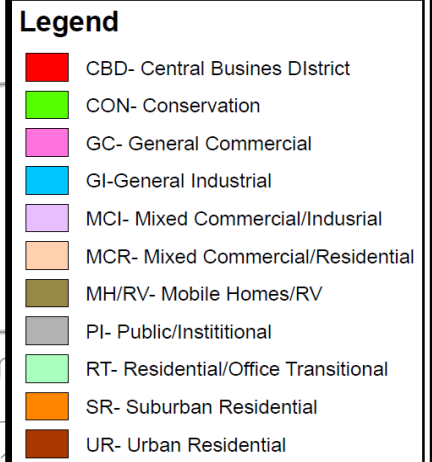
Amendments to Transportation Element

1. Eliminated unnecessary administrative policy provisions, duplicative and unnecessary language (specificity more appropriate for CRA Redevelopment Plan and LDRs), and updated references.
2. Eliminated policies regarding two-way conversion of Bay St/Grove St.
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

Map #1
2035 Future Land Use Map



Map Date: April 30, 2021



Conclusions

1. The Comprehensive Plan will be more consistent, internally and duplicative language eliminated.
2. The Comprehensive Plan will be more consistent with the vision of the City Commission in 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. Exposure to litigation will be reduced.
5. Directs development to the municipality, reducing pressures outside of the Eustis Urbanized Area.



City of Eustis

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Staff Report

TO: Eustis City Commission
FROM: Ronald Neibert, City Manager
DATE: July 29, 2021
RE: REVIEW OF CODE ENFORCEMENT PROCESS

Introduction:

See attached presentation.

Attachments:

[Code Enforcement Workshop](#)

Reviewed by:



City of Eustis
Development Services Department

Workshop

Code Enforcement Overview

City Commission – July 29, 2021

Purpose of Code Enforcement

- To promote the health, safety, comfort, convenience and general welfare of the public.
- To enhance the beauty and quality of the environment.
- To prevent the spread of disease, and the creation of nuisances.
- Protect property values.

Staff purpose and intent is to obtain voluntary compliance to the extent possible by educating the public and utilizing the following informal methods:

- Personal contact
- Informal hand written notices
- Telephone calls
- Distribution of informational pamphlets and brochures
- Mailing courtesy letters
- Partnerships with other department, agencies, community organizations, and local business

When informal methods do not obtain voluntary compliance, the Formal Enforcement Process begins:

Step 1:

The violator is notified and given a reasonable time to correct the violation, usually between 10 – 30 days depending on the severity.

Step 2:

If the violation is not corrected, the case may be presented to the Code Enforcement Board.

Step 3:

If the Board finds that a violation has occurred, they may require that compliance be obtained by a specified date; if the violation is not corrected within the time frame, a daily fine can be imposed.

- The Code Enforcement Board consists of seven regular members, and two alternate members that are appointed by the City Commission.
- State law requires that the members be residents of the City.
- They have the power to issue orders having the force of law, commanding whatever steps are necessary to bring a violation into compliance.

Florida Statute, Chapter 162 establishes the maximum fine amounts that can be imposed by the Code Enforcement Board.

- No more than \$250 per day, for first violations.
- No more than \$500 per day for repeat violations.
- Up to \$5,000 for violations found to be irreparable or irreversible in nature.

CEB generally applies Maximum Fines to:

- Building code violations, such as but not limited to, unsafe structures, work without permits etc.
- Public nuisances
- Exterior façade violations
- Severely overgrown properties

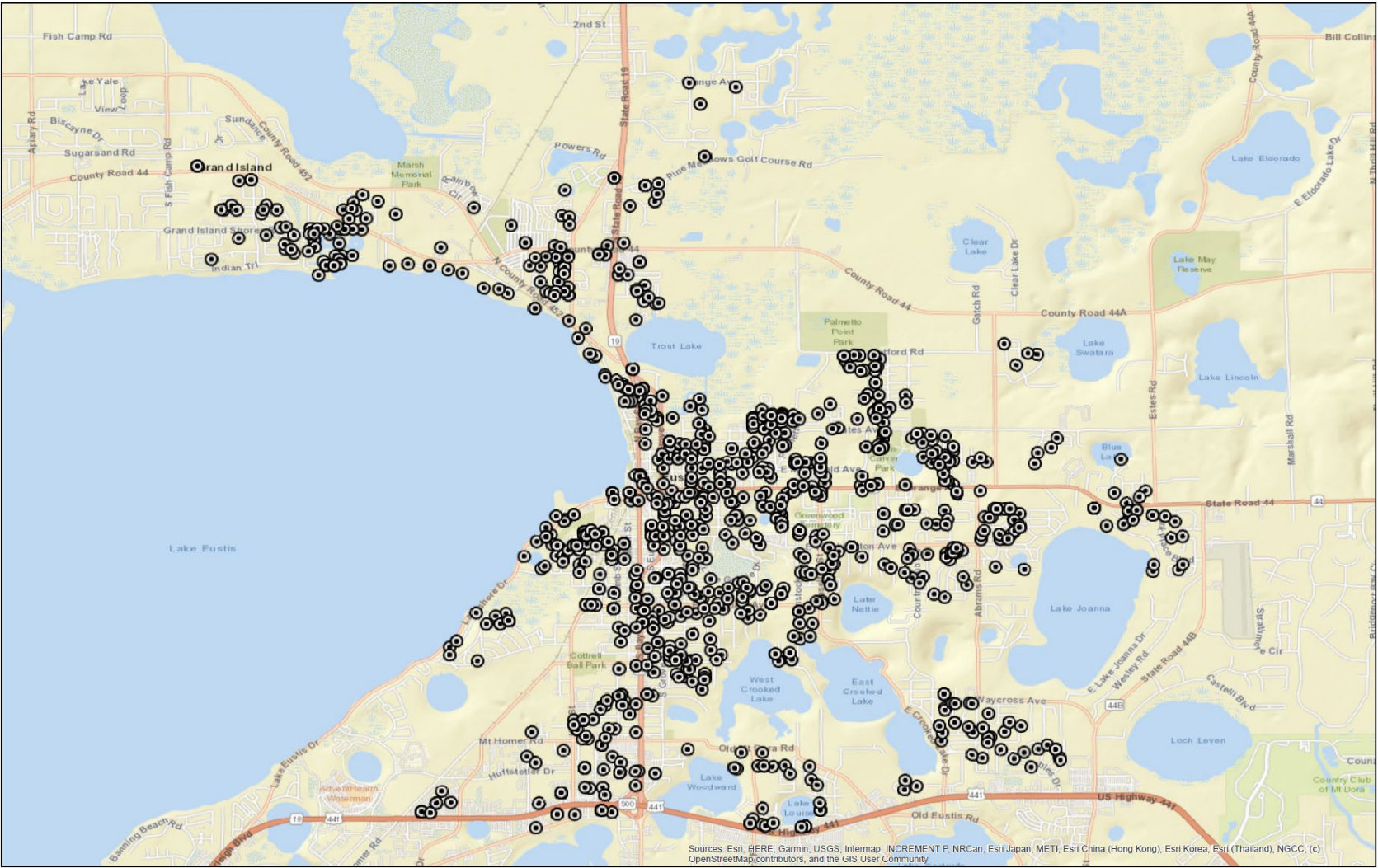
If compliance is not achieved by the deadline given by the Board, the Order Imposing Fine is recorded in public record, constituting a lien against the property.

- Three months from the filing of a lien, the Board may authorize the city attorney to foreclose on an unpaid lien; however, no legal action is taken until it is authorized by the City Commission.
- No lien may be foreclosed on real property which is a homestead.

Why are assessed fines reduced?

- To increase chances of collection
“Something is better than nothing”
- To recover expenses
- To avoid legal expenses
- To promote goodwill between property owners and the City

Code Enforcement Statistics	6-20 to 6-21
Citizen Complaints or Referrals	533
Additional Violations thru Surveillance	639
Total Properties in Violation	1233
Clothing Donation Bins	17
Building Permit Violations	85
Fire Code Violations	18
Tree Removal Permits	153
Inspections	4377
Correction Notices	900
Notices of Violation	342
Recorded Activities (in Edmunds)	9959
Cases Elevated to Code Enforcement Board	174
Total Violations	1520



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Results

- 88.5% Voluntary Compliance Rate on Staff Level
- Of 1520 Violations only 174 Cases Elevated to Code Enforcement Board
- 96% Overall Compliance Rate

Conclusions

- Administration, Commission, Community
Please contact the Code Enforcement
Supervisor or Development Services
Director with questions. We can provide
details, case history/origin of complaint
provided.
- Senate Bill 60; reduction in reactive code
action is expected



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Staff Report

TO: Eustis City Commission
FROM: Ronald Neibert, City Manager
DATE: July 29, 2021
RE: REVIEW OF SITE PLAN APPROVAL PROCESSES AND FEES

Introduction:

See attached presentation.

Attachments:

[Site Plan Workshop and Development Application Fee Review](#)

Reviewed by:

Ronald Neibert, City Manager
Mary Montez, City Clerk

Approved - 23 Jul 2021
Approved - 23 Jul 2021



City of Eustis
Development Services Department

Workshop

Site Plan Processes and Site Plan Application Fees

City Commission – July 29, 2021

Sec. 102-9. - Development approval required.

Development approval must be obtained prior to the development of land within the jurisdictional limits of the city, excepting single-family and two-family projects, in accordance with and pursuant to one or more of the following approval processes:

Administrative site plan

Site plan or preliminary plat

Modifications to approved site plan

(*Condensed all application types listed in this section)

Options for Site Plan Approval

- Administrative (\$200) conditions apply
- Minor Modification (\$200) conditions apply
- Major Modification (\$600) conditions apply; waivers reviewed/approved by City Commission
- Site Plan (\$1100) new construction; waivers reviewed/approved by City Commission

Sec. 102-19. - Administrative site plan review and approval.

To increase business activity in abandoned and inactive buildings and to provide an abbreviated review and approval process for minor redevelopment, small redevelopment projects and minor expansions of existing development shall be reviewed administratively in accordance with the provisions of this section.

Sec. 102-19. - Administrative site plan review (cont.)

For the purposes of this section, redevelopment means a change in use from non-use or an existing use to a different permitted use in the applicable land use district. Redevelopment does not include existing vacant land regardless of whether the existing vacant land had building(s) or structure(s) in the past.

Redevelopment means a 25 percent increase or less in the square footage of any structure and/or an increase in impervious surface subject to vehicular traffic of less than 4,000 square feet.

Sec. 102-19. - Administrative site plan review (cont.)

The development review committee (DRC) shall have the authority to review, approve, and deny administrative site plans as provided for in this section. The DRC may also grant **waivers** for current conditions that do not conform to the Land Development Code and **for code requirements that cannot be reasonably accommodated on the site**. All waivers must be noted on the final approved plan.

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.

Sec. 102-24. - Modifications to approved PUD overlay site plans/preliminary plats and final plats (cont).

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.

Sec. 102-24. - Modifications to approved PUD overlay site plans/preliminary plats and final plats (cont).

A substantial modification shall be processed in accordance with section 102-12 of these land development regulations as applicable. Substantial modifications and minor modifications are defined as follows:

MINOR MODIFICATION	SUBSTANTIAL MODIFICATION
GENERAL	
---	Any change in a stipulation or condition specifically required by the City Commission as a part of the original approval.
---	Any alteration to uses approved in the site plan/master plan that lie within 100 feet of the boundary of the property, or within 100 feet of any part of the property that has been constructed or sold to any owner or owners different from the applicant requesting the change, that is not specifically set forth in this table as a minor modification.
---	Any other modifications that affect the area depicted on the site plan/master plan or the perimeter of the proposed site that are not specifically set forth in this table as a minor modification.
USE	
—	Any addition of a use not previously approved in the site plan/master plan.
A change from multifamily to single- family use.	A change from single-family residential use to multifamily residential use; from any residential use to internal commercial use; or a change in the location of an internal commercial component.

MINOR MODIFICATION	SUBSTANTIAL MODIFICATION
BUILDING AREA/UNITS	
A decrease in total residential units or nonresidential square footage.	An increase in floor area of five percent or more.
A cumulative increase of five percent or less in residential dwelling units equal to a concurrent reduction in planned areas provided the increase does not occur within 100 feet of the boundary of the district.	A cumulative increase of greater than five percent in the total number of residential dwelling units proposed for the development.
A cumulative increase of five percent or less in the amount of nonresidential square footage equal to a concurrent reduction in planned areas provided the increase does not occur within 100 feet of the boundary of the district.	A cumulative increase in the size of areas proposed for nonresidential uses of more than five percent.
An increase in structure height of less than ten feet.	An increase in structure height of ten feet or greater.
SITE CHARACTERISTICS	
A modification of the size and configuration of perimeter stormwater lakes or any internal lakes.	—

Sec. 102-21. - Site plans and preliminary plats.

For new construction, substantial modifications and waiver requests....

The site plan and preliminary subdivision plat submittals must include the information required to evaluate compatibility with adjacent land uses, consideration of natural environmental systems on site and adjacent to the site, internal and external connectivity of open space and vehicular and pedestrian access and conceptual compliance with the design standards and requirements of the Land Development Code...

Sec. 102-21.1. - Waiver.

The city commission may waive any development standards applying to site plans or preliminary plats according to the following standards:

The applicant shall identify the specific LDR provision for which the applicant is seeking the waiver and the reason why the waiver should be granted. The applicant shall specifically list any waivers on the first page of the site plan.

The city commission's consideration and granting of a waiver to the land development regulations is a quasi-judicial proceeding.

Application Type	Eustis	Mt. Dora	Leesburg	Tavares
Administrative or Minor Site Plan Modification	\$200	\$1000	\$450	\$250
Site Plan Modification (Substantial) (with or without waivers)	\$600	\$2000	Not addressed assume full site plan fee	\$1200
Site Plan (Development Plan)	\$1100	\$2000	\$1000	\$1200
Site Plan with Waivers	\$1100	Not available	\$1000	Not available
Resubmittal	n/a	2 reviews than new total fee	n/a	1 free than 25%
Pass Through Fees	n/a	For City consultants, direct costs, expenses, fees	Traffic study review	Advertising and recording

Sec. 102-9(c) Development review committee.

The development review committee (DRC) shall be composed of the following personnel or their designee or designees: the director of public works, the director of utilities, the building official, the director of development services, the fire chief, the police chief, and such other personnel as may be designated or assigned by the city manager for the purpose of reviewing land development proposals and other related issues.

Application Type	Average Advertising Costs	Estimated Average Staff Time (DS Only)	Estimated Staff Time (Other Depts Combined)
Administrative or Minor Site Plan Modification	None	8 hours	4 hours
Site Plan Modification (Substantial) with waivers	\$100 to \$250	30 - 40 hours	12 - 24 hours
Site Plan or Modification without waivers (Development Plan)	none	20 – 30 hours	12 – 24 hours
Site Plan with Waivers	\$100 to \$250	30 – 50 hours	24 – 32 hours

Questions?

Staff Direction if any...