



City of Eustis

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TO: Eustis City Commission

FROM: Rick Gierok, Interim City Manager

DATE: April 2, 2026

RE: Second Reading of Ordinance Number 2025-38: Adoption Hearing for 2025-CPT-01 Evaluation and Appraisal Review (EAR)-Based Amendments to the City of Eustis Comprehensive Plan

Introduction

This staff report presents the final Evaluation and Appraisal Review (EAR)-based amendments to the City of Eustis Comprehensive Plan for adoption. The amendments reflect statutory changes identified during the EAR process conducted from July through November 2025 and incorporate all required corrections identified by FloridaCommerce in its Objections, Comments, and Recommendations (ORC) Report received on February 9, 2026.

The City Commission received a briefing on the ORC Report at its March 5, 2026 meeting, and the required corrections have now been incorporated into the adoption package.

Background

Section 163.3191, Florida Statutes, requires local governments to periodically evaluate their Comprehensive Plans and adopt amendments necessary to maintain consistency with state law. City staff conducted the EAR from July through November 2025 and identified outdated strategies, policies, deadlines, and planning techniques requiring revision.

The Local Planning Agency held a duly noticed public hearing on December 9, 2025 and recommended approval. The City Commission transmitted the amendments to FloridaCommerce the same day for State Coordinated Review.

On February 9, 2026, FloridaCommerce issued its ORC Report identifying:

- One (1) Objection
- Two (2) Advisory Comments

Only the objection affected compliance and required correction prior to adoption.

Summary of State's ORC Findings

1. State Objection — Capital Improvements Element (CIP)

The State determined that the City's Five-Year Capital Improvements Program (CIP) was omitted from the transmitted amendment package. State law requires every Comprehensive Plan to include a current CIP identifying funded and unfunded capital projects necessary to maintain adopted levels of service.

City Response:

City staff restored the updated 2025/2026–2030/2031 Five-Year CIP into the Capital Improvements Element. This correction resolves the State’s objection in full. Ordinance 25-38 includes a WHEREAS clause documenting this correction.

2. Advisory Comment — Wastewater Feasibility Analysis

FloridaCommerce noted that the City had not addressed the wastewater feasibility analysis required by Section 163.3177(6)(c)3, F.S.

Resolution: As presented on March 5, DesignWest Group, the City’s Planning Consultant, contacted the Florida Department of Environmental Protection (FDEP). FDEP reviewed the City’s Data & Analysis and confirmed via email on February 20, 2026 that the required sanitary sewer information is already included and satisfies statutory requirements.

This advisory comment does not affect compliance and requires no further action.

3. Advisory Comment — General Infrastructure Element Updates

The State recommended that the City continue updating its sanitary sewer, solid waste, drainage, potable water, and aquifer recharge information as part of future amendments. This is advisory only and does not affect adoption.

Summary of EAR-Based Amendments

The EAR-based amendments update multiple elements of the Comprehensive Plan to reflect statutory changes, remove outdated language, streamline overly detailed policies, and improve internal consistency. Major revisions include:

Future Land Use Element

- Updates planning horizon to 2046
- Repeals outdated policies and map references
- Adds a concurrency-based policy linking land use decisions to available public facilities
- Relocates and reorganizes Future Land Use Districts
- Adds Transfer of Development Rights policy
- Streamlines multiple policies

Transportation Element

- Adds Transportation Corridor Aesthetics policy
- Repeals outdated transportation policies

Housing Element

- Minor non-substantive edits

Infrastructure Element

- Removes outdated deadlines
- Repeals Policy PWS 1.1.5
- Deletes Consumptive Use Permit appendices

Conservation Element

- Repeals Policy 3.1.3

Recreation & Open Space Element

- Repeals outdated Level of Service policies

Intergovernmental Coordination Element

- No substantive changes

Capital Improvements Element

- Repeals outdated CIP tables
- Restores the required Five-Year CIP (State-required correction)

Economic Development Element

- Updates partner agencies
- Incorporates public plans
- Adds entrepreneurship and development incentive policies

Property Rights Element

- No substantive changes

Consistency with Ordinance 2025-38

Ordinance 25-38 includes additional WHEREAS clauses documenting:

- Receipt of the ORC Report
- The State's objection regarding the missing CIP
- The City's correction of that issue
- FDEP's confirmation that the wastewater feasibility analysis is adequate
- The fact that all issues identified by FloridaCommerce have been fully resolved

The staff report and ordinance now form a consistent legislative record demonstrating compliance with Chapter 163, Florida Statutes.

Recommended Action

Staff recommends that the City Commission adopt Ordinance 2025-38, thereby adopting the EAR-based amendments to the City of Eustis Comprehensive Plan and incorporating the required correction to the Capital Improvements Element.

Budget/Staff Impact

None.

Business Impact Estimate

Not applicable.

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