



# City of Eustis

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TO: EUSTIS LOCAL PLANNING AGENCY

FROM: TOM CARRINO, CITY MANAGER

DATE: APRIL 4, 2024

RE: ORDINANCE NUMBER 24-18: SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN (2024-CPLUS-01) – NORTHWEST OF THE INTERSECTION OF GRAND ISLAND SHORES ROAD AND COUNTY ROAD 44

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## **Introduction:**

The proposed small-scale amendment to the Future Land Use Map would change the future land use designation of one parcel (seven lots of Johnson's Point Subdivision) totaling 1.99 acres located at the northwest side of the intersection of Grand Island Shores Road and County Road from Suburban Residential (SR) to Urban Residential (UR).

## **Recommended Action:**

Staff recommends approval of Ordinance Number 24-18.

## **Background:**

### 1. Site Information

a. The property under consideration includes seven lots of the Johnson's Point Subdivision totaling approximately 1.99 acres.

b. The majority of the site contains 7 duplexes on 1.99 acres (7 dwelling units per acre, which is non-conforming to the SR land use maximum density of 5 dwelling units per acre) that were built in 1999.

c. The site and surrounding properties land use, design district designations, and existing uses are shown below in Figures 1, 2 and 3.



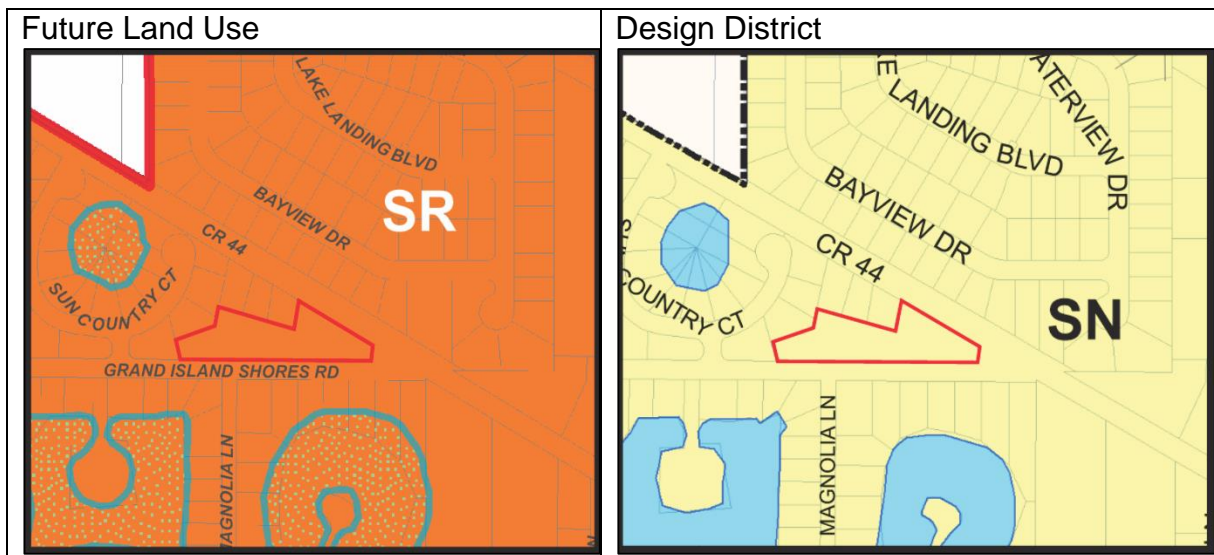
2. Applicant's Request

The applicant is requesting to change to the existing future land use from SR to Urban Residential (UR) to facilitate future redevelopment (conversion of the 7 duplexes into 14 individually owned townhomes or condominiums).

**Figure 1: Existing and Surrounding Land Use**

	Future Land Use	Existing Use	Design District
<b>Site</b>	SR	Duplexes	Suburban Neighborhood
<b>North</b>	SR	Residential Subdivision	Suburban Neighborhood
<b>South</b>	SR	Residential Subdivision	Suburban Neighborhood
<b>East</b>	SR	Residential Subdivision	Suburban Neighborhood
<b>West</b>	SR	Residential Subdivision	Suburban Neighborhood

**Figure 2 and 3: Surrounding Future Land Use and Design Districts**



3. Analysis of Comprehensive Plan/Future Land Use Request in Accordance with Florida Statutes Chapter 163.3177.9: The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

***Not applicable since the property has been developed.***

- a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

*This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.*

- (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

*This indicator does not apply. The properties are part of an existing, urban developed area.*

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

*This indicator does not apply. The properties are part of a developed urban residential area. The proposed designations are consistent with the character of the surrounding area.*

- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

*This indicator does not apply. The properties are already developed.*

- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

*This indicator does not apply. This is a developed urban area with no agricultural activities.*

- (VI) Fails to maximize use of existing public facilities and services.

*This indicator does not apply. The site is currently connected to City water but not sewer.*

- (VII) Fails to maximize use of future public facilities and services.

*This indicator does not apply. There are no proposed facilities or services projected for future development in the area.*

- (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

*This indicator does not apply. Adequate capacity is available to serve the existing and proposed development. The City provides these services to this and other properties in the area.*

- (IX) Fails to provide a clear separation between rural and urban uses.

*This indicator does not apply. The property is within an existing urban developed area.*

- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

*This indicator does not apply. The future land use map amendment will facilitate redevelopment of an existing development.*

- (XI) Fails to encourage a functional mix of uses.

*This indicator does not apply. This is an existing urban developed area.*

- (XII) Results in poor accessibility among linked or related land uses.

*This indicator does not apply. This parcel is within an existing developed area. Access to the site is already developed.*

- (XIII) Results in the loss of significant amounts of functional open space.

*This indicator does not apply. The existing site provides limited open space primarily in the rear of each structure.*

- b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

*This property is part of an existing developed area in an established neighborhood.*

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

*The City provides water services to the existing site. The existing site is located in a developed area and therefore no additional provision of services are required.*

- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

*This parcel is part of an existing developed area in an established suburban core.*

- (IV) Promotes conservation of water and energy.

*This is an infill redevelopment, which will maximize existing infrastructure.*

- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

*Not applicable; the site is located in the suburban core where there is no agriculture.*

- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.

*Not applicable; the site is completely covered with suburban development and does provide some open space.*

- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

*The parcel is part of an existing developed area in an established suburban core.*

- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

*Not applicable; the site is completely developed.*

- 4. Analysis of Comprehensive Plan/Future Land Use Request in Accordance with Comprehensive Plan Future Land Use Element Appendix: All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

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:

***Based upon the remarks within A through E, this development meets the policies of the Comprehensive Plan.***

- 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.

Emergency Services Analysis: *The subject property is located approximately 2.8 miles from a fire station with paramedical services. This parcel is in an existing developed area and already receives City services.*

Parks & Recreation: *The existing property provides no on-site recreation facilities.*

Potable Water & Sanitary Sewer: *This property is already connected to the City's water system and is included in any capacity analysis for the City.*

Schools: *The proposed change will not negatively affect schools. While the proposed density of 12 dwelling units per acre exceeds the existing maximum density of 5 du/ac, the existing development onsite has a density of 7 du/ac.*

Solid Waste: *The City contracts with Waste Management for hauling of solid waste. The company already services this development and will continue to provide curbside pickup.*

Stormwater: *The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. The existing development appears to have been designed prior to these standards and does not provide stormwater abatement.*

Transportation Network Analysis: *(Institute of Traffic Engineers Trip Generation Manual, 7<sup>th</sup> Edition). The existing use is 7 duplexes on 1.99 acres. The proposed use will be 14 single family residences on 1.99 acres. The single-family use will have no impact on peak hour trips or the average daily trips.*

- 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. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

Ground water recharge areas: *The property is part of an existing developed area, and is not considered a prime groundwater recharge area.*

Historical or archaeological sites: *The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future development, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.*

Flood zones: *The subject property does not have any flood zones.*

Soil and topography: *The property is classified as having mostly Tavares sand, 0 to 5 percent slopes soil. The Tavares series consist of very deep, moderately well drained soils that formed in sandy marine deposits. Mean annual temperature is about 72 degrees F, and the mean annual precipitation is about 55 inches. As the site is currently developed with no soil issues, it can be assumed that issues related to soils may be minimal.*

- 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.

*The property owner has requested the Urban Residential land use designation within the City of Eustis. The following table illustrates the maximum development potential under the proposed FLU and the existing FLU.*

<i>FLU</i>	<i>AC</i>	<i>Density/FAR</i>	<i>Max. Potential</i>	<i>Proposed/Existing</i>	<i>Actual Density</i>
<i>UR</i>	<i>1.99</i>	<i>12 du/ac</i>	<i>23 du</i>	<i>14 du</i>	<i>7</i>

*The table above indicates the maximum development potential of the site under the City future land uses but does not account for stormwater, landscaping and access requirements. The actual density of the rental units is a little more than the allowable limit under the current land use designation (7 du/ac vs. 5 du/ac). The proposed density of 12 du/acre is greater than the existing density; however, there is no redevelopment other than converting the duplexes into individual townhomes or condominiums.*

- 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.

*The proposed land use designation is consistent with the Transportation Element. This is an existing parcel already incorporated into the transportation system.*

- E Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

*Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth and*

*redevelopment consistent with this development, so both supply and capacity are available.*

5. Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 18-17) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

- (1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

*The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.*

- (2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

*The proposed amendment is not in conflict with the Land Development Regulations. The proposed development will make the site conforming.*

- (3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

*The proposed amendment will make the density of the site more conforming than the existing future land use. However, it will make the mobile homes non-conforming with the proposed future land use. Mobile homes are not permitted in the Urban Residential land use district. Future redevelopment will remove the mobile homes, which will eliminate the non-conformity.*

- (4) Whether there have been changed conditions that justify an amendment.

*The proposed redevelopment of the site is the changed condition. Redevelopment of the property is consistent with the City's Strategic Plan, Comprehensive Plan and Redevelopment Plan.*

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

*City water is available to the site. Adequate capacity is available to serve future development consistent with the requested UR future land use designation. The City provides these services to this and other properties in the area.*

- (6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

*There are no impacts on the natural environment.*



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

*The parcel is surrounded by developed properties. This parcel is considered a redevelopment project, which will result in orderly and logical development.*

- (8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

*The purpose and intent of the Land Development Regulations is as follows:*

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and life style”

*The proposed UR future land use designation for the subject parcels will provide for orderly growth and development. This designation would advance the public interest by bringing the site into conformance with the land development regulations (LDRs) and protect the natural resources, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.*

- (9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

*All matters have been addressed.*

## 6. Applicable Policies and Codes

### **Urban Residential (UR)**

This land use designation has a maximum density of 12 du/acre. The UR allowable uses include single family with accessory units and multi-family dwellings.

### **Alternatives:**

1. Approve Ordinance Number 24-18.
2. Deny Ordinance Number 24-18.

### **Discussion of Alternatives:**

1. Alternative 1 approves the ordinance.

#### **Advantages:**

- The land use designation is consistent with the proposed use of the property and the character of the surrounding area.

- The action is consistent with the goals, objectives, and policies of the Comprehensive Plan.

Disadvantages:

- The designation would make the duplexes non-conforming uses.

2. Alternative 2 denies the ordinance

Advantages:

- The duplexes will remain conforming.

Disadvantages:

- The existing density of the units would remain nonconforming.
- Redevelopment of the site would be delayed or prevented.

**Community Input**

The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted.

**Budget / Staff Impact:**

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

**Prepared By:** Mike Lane, AICP, Development Services Director