



MINUTES

Local Planning Agency Meeting

5:00 PM – Tuesday, December 13, 2022 – City Hall

CALL TO ORDER: 5:00 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Mr. Willie Hawkins, Vice Chair Emily Lee, Ms. Karen LeHeup-Smith, Ms. Nan Cobb and Chairman Michael Holland

1. APPROVAL OF MINUTES

1.1 November 17, 2022, Local Planning Agency Meeting

A motion was made to approve the Minutes as submitted. Motion made by Mr. Hawkins, Seconded by Vice Chair Lee.

Voting Yea: Mr. Hawkins, Vice Chair Lee, Ms. LeHeup-Smith, Ms. Cobb and Chairman Holland

2. CONSIDERATION WITH DISCUSSION, PUBLIC HEARINGS AND RECOMMENDATION

2.1 Ordinance Number 22-35: Amendment to the City of Eustis Comprehensive Plan creating a Rural Residential Transitional Land Use District in The Future Land Use Element and removing Map 19 (JPA Boundary) and references

Mike Lane, Development Services Director, reviewed Ordinance 22-35 and confirmed the ordinance would be sent to the State after transmittal to and approval by the Commission.

Board members requested highlights of Ordinance 22-35 for the members of the public in attendance.

Mr. Lane stated at the September 22, 2022 Regular City Commission Meeting Gunster Law Firm recommended to the Commission the removal of Map #19 and determined that its removal would not jeopardize the Joint Planning Agreement (JPA) between the City and Lake County. He stated that the proposed comprehensive plan amendment does include some adjustments to the language in the comp. plan regarding the joint planning area. He cited language on Page 18 of the document regarding the purpose of the joint planning area agreement or its successor. He noted the chart in the comprehensive plan is also recommended for amendment regarding the addition of the new future land use designation, reviewed the criteria for the Rural Residential Transitional (RRT) designation and explained how it would be applied. He indicated that it is the Land Development Code that actually controls those, not the comprehensive plan.

Tom Carrino, City Attorney, explained that staff did meet with County staff regarding the proposed new district. He indicated the results of that meeting will be considered under the next item on the agenda. He stated the changes to the comprehensive plan have mainly stayed the same. What is being proposed overall is removal of Map #19 and

setting the basics of the RRT with more detail being included in the Land Development Regulations.

Mayor Holland opened discussion to the public at 5:09 p.m.

Leslie Campione, County Commissioner, commented on the removal of Map Number 19 and detailed her opposition to that removal. She stated the City's land use descriptions are contained in Map #19, commented on how it may have been developed and stated the language is the same as the County's. She commented on the 1987 JPA and indicated the eastern boundary at Thrill Hill Road stating it would now dictate the appropriate transition between the urban core and the unincorporated rural areas. She stated her opinion that anything east of Thrill Hill Road would be in the County's rural protection area and that the only way for that area to develop would be a conservation design type project at 1:1 with 50% open space. She commented on the use of three dwelling units per acre and how that compares to rural. She cited the City's comprehensive plan language regarding the Wekiva Springs overlay protection and stated it is not also in the Land Development Regulations so she questioned how the City is going to protect the property in the Wekiva Springs Protection Area. She suggested that, if the City is intent on certain properties to be annexed, then they consider doing a site specific ISBA to address the specific attributes of those properties and how to protect specific issues. She indicated she knows the City is considering certain properties because she has had conversations with property owners who have been approached by developers. She stated that, if the City intends to go beyond Thrill Hill Road into the rural protection area and, if they are going to the three units per acre, then it is not consistent with the comprehensive plan and the language regarding protecting the Wekiva Springs protection area. She emphasized that conservation design includes real open space with a wildlife corridor not just a buffer.

Ms. Cobb questioned where the JPA ends and then stated that she has not been contacted by any developer regarding that area and the other Board members concurred.

Ms. LeHeup-Smith asked if Map #19 is in the County Comprehensive Plan.

Ms. Campione confirmed that Map #19 is not in the County's comprehensive plan. She explained that the 1987 JPA has a map attached which shows the boundaries. She stated they have a future land use map that shows the densities in the County. She indicated that the County would defer to the City's map. She suggested that the City and County could develop a new map together.

Mr. Hawkins asked if what she is requesting that the City keep the new designation up to Thrill Hill and limit what is done past that.

Ms. Campione indicated their desire that to keep the new designation up to Thrill Hill and not increase the density beyond that. She indicated they could possibly do an interlocal agreement regarding the area beyond that.

Discussion was held regarding the creation of the new land use district, how it came about and use of Thrill Hill Road as a boundary. It was noted that much of Eustis is in the Wekiva River basin and the need to protect the area.

Mr. Carrino explained the Gunster Law Firm had recommended the removal of Map #19 due to it creating confusion and inconsistencies within the comprehensive plan. They indicated that Map #19 has been a static map in the comp plan. Both the County and the City have updated the comp plan but Map #19 has not been updated. He added

that Gunster actually stated the map should be removed. He cited the ability for the City to work cooperatively with the County to look at land uses in the area and for properties currently in the County. He stated his opinion that Map #19 was never the answer and should be removed. He indicated they could also do some long-range planning with the County.

Mr. Hawkins asked if the long-range planning would be to Thrill Hill or beyond.

Mr. Carrino responded they could do both. He indicated that Thrill Hill Rd. is the boundary to the current JPA. He added that statutorily the City may annex beyond that boundary. He expressed support for working with the County cooperatively to determine what land uses are appropriate for that area.

Chairman Holland opened the public hearing at 5:29 p.m. He reminded the audience that each speaker is limited to three minutes and asked that they be respectful.

The following individuals addressed the Commission in opposition to the proposed amendment: 1) Cindy Newton; 2) Pat Duncan; and 3) Deborah Shelley.

There being no further public comment, the hearing was closed at 5:36 p.m.

A motion was made to transmit Ordinance Number 22-35 to the City Commission for consideration. Motion made by Ms. LeHeup-Smith, Seconded by Mr. Hawkins. The motion passed by the following vote:

Voting Yea: Mr. Hawkins, Vice Chair Lee, Ms. LeHeup-Smith

Voting Nay: Ms. Cobb, Chairman Holland

2.2 Ordinance Number 22-36: Amendment to the City of Eustis Land Development Regulations: Amending Chapter 109 Land Use Districts and Design District Overlays, Section 109-2.2 Districts Enumerated, 109-3 Land Use District Development Intensity 109.4 Use Regulations Table and Amending Chapter 110 Development Standards, Section 110-4.0. Homestead Lot, Sec. 110-4.1. Estate Lot; Sec., 110-4.2. House Lot and Adding Section 110-5.17

Mr. Lane noted an error in the introduction that alludes to the RRT shall permit existing agricultural uses to be permitted. He stated that in the original proposal they said "until the commercial or residential development occurs". He indicated that is still in the document; however, it should have been removed. He explained staff is recommending that the agricultural uses remain in the RRT and, even when development occurs, the agricultural uses may continue.

Mr. Lane reviewed discussion that had been held regarding a density of two units per acre, the process and buffering. He indicated that what is proposed in the RRT is that an individual can outright develop at two units per acre with 35% open space. Alternatively, they can use a Planned Unit Development overlay which would allow a minimum 15-foot buffer, with up to 25% open space and up to three units per acre. He indicated that would only be an option in areas not adjoining the communities that are part of the Wekiva River overlay type districts.

The Board asked about the outright buffer with Mr. Lane stating that the requirement without a PUD overlay would be a 50-foot buffer.

Mr. Carrino explained that, if a developer wants to develop by right and not use the PUD process, then they must have a minimum of 50-foot buffers surrounding the entire

property. However, if they use the PUD process, then they have to have an average of 50 feet so some portions may be less than 50 feet.

Mr. Lane then reviewed the changes to the use table which shows agricultural uses would be allowed within the RRT and the general agricultural uses would only be allowed within RR (Rural Residential), RRT and Agricultural. He added that multi-family was also removed from the RRT.

Ms. Campione noted that County staff was not in agreement with the proposed densities and were pushing for the 1 unit to 1 acre. She questioned the criteria or justification for allowing the higher densities with the PUD overlay noting that it would be in an environmentally sensitive area. She suggested it could be used to push a developer toward the matter of right if they use the conservation design and avoid the public hearing process. She also questioned if the buffers are just buffer or would it be functional open space. She cited the City's comprehensive plan and the required use of conservation easements and minimization of site disturbance. She questioned whether that has been implemented and recommended that it be incorporated into the City's Land Development Regulations.

Mr. Hawkins asked if there were any areas of agreement with the County staff with Mr. Lane indicating that the County asked City staff if the City would consider a 2:1 density not a 1:1. He explained they discussed net acreage versus growth acreage. He indicated that with the required 25% open space and infrastructure a developer would not be able to attain a three unit per acre density. He explained staff's intent with the proposal was to give a developer a PUD approach so they could have some options with the lot types. He indicated that with an outright development they would just be looking at homestead or estate size lots. He noted they did not include allowed lot types with the PUD overlay. He stated the only items discussed with the County were density and possibly lot types.

Mr. Hawkins expressed his hope that the meeting would have resulted in an actual meeting of the minds. He expressed concern with lack of discussion about how they can meet halfway.

Mr. Carrino reported that Al Latimer, Jeff Richardson and himself represented the City at the meeting with Bobby Howell and Mary Ellen Stern representing the County. He stated they discussed densities with them asking if the City could get closer to two units per acre rather than three. He stated that as a municipal service provider they have to meet certain densities in order to fund the infrastructure. He commented on the County emphasizing a PUD model and working with developers on a case by case basis. He indicated the County staff encouraged the City to utilize PUDs more as a model. He explained that what is proposed was intended to encourage the use of a PUD to allow the Commission, developer and staff to engage on site specific design. However, they also provided a more restrictive path forward if they don't want to use a PUD.

Mr. Carrino commented on the Board's desire to work cooperatively with the County while considering they are a municipality and they have to work within their constraints regarding their Land Development Regulations.

Mr. Hawkins expressed support for the use of PUDs.

Mr. Carrino asked the Board to consider how involved they want to be in the architecture and designs. He stated his opinion that the County has gotten into architectural design including facade treatments, rooflines and fencing styles. He stated the alternative is a broader PUD style.

Ms. Cobb noted the upcoming Commission retreat and cited the possibility of discussing this at that time. She added that the incoming Commissioner Gary Ashcraft would also need to be brought up to speed on the various issues. She noted she opposed Ordinance 22-35 and would vote against 22-36. She expressed support for discussing both at the retreat.

Chairman Holland opened the public hearing at 5:58 p.m.

The following individuals addressed the Commission regarding Ordinance Number 22-36: 1) Cindy Newton; and 2) Deborah Shelley, representing Friends of the Wekiva.

Chairman Holland closed the public hearing at 6:03 p.m.

No motion was made concerning the ordinance. Chairman Holland indicated it would be brought back at the January workshop.

3. ADJOURNMENT: 6:02 p.m.

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

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Chairman