

ORDINANCE NUMBER 22-35

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 A RURAL RESIDENTIAL TRANSITIONAL LAND USE DISTRICT IN THE FUTURE LAND USE ELEMENT; PROVIDING FOR REMOVAL OF MAP #19 AND REFERENCES; 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, the City of Eustis advertised and held public hearings in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the City of Eustis Commission, at a workshop discussion on October 3, 2022, relating to assignment of Land Uses as the City Annexes properties within the eastern portion of the JPA, requested City Staff to create a “transitional” land use with densities between Suburban Residential and the Rural Residential; and

WHEREAS, the City of Eustis City Commission, at a workshop discussion on October 3, 2022, relating to MAP #19 of the City of Eustis Comprehensive Plan, directed City Staff to prepare amendment to remove the Map #19 and references, and

WHEREAS, the City of Eustis Local Planning Agency recommended approval of the Comprehensive Plan amendment at a public hearing on November 17, 2022, and

WHEREAS, the City Commission held public hearings on November 17, 2022 and January 5, 2022, 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 Comprehensive 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, to add a Future Land Use Category:

- a. Amend Future Land Use Element, Exhibit A;
 - b. Amend Future Land Use Element to remove MAP #19 references and the map itself from the map series, Exhibit A
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 ____ day of _____ 2022.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

