

## **ORDINANCE NO. 22-36**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, 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; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Eustis City Commission adopted revised Land Development Regulations under Ordinance 09-33 on July 16, 2009, amended by Ordinance 15-13 on October 1, 2015, Ordinance 16-18 on April 7, 2016, Ordinance 16-13 on May 19, 2016, Ordinance 16-31 on December 15, 2016, Ordinance 17-17 on November 2, 2017, Ordinance 19-12 on June 6, 2019, Ordinance 19-22 on August 1, 2019, and Ordinances 20-44, 20-45, 20-46 on November 19, 2020, Ordinance Number 21-09 on June 17, 2021, and Ordinance Number 21-23 on September 8, 2021, Ordinance 21-40 on December 16, 2021, Ordinance 22-04 on February 17, 2022, Ordinance 22-17 on June 16, 2022; and

**WHEREAS**, the City Commission finds it necessary to periodically revise and update the Land Development Regulations; and

**WHEREAS**, the City Commission finds the proposed revisions are necessary to provide for consistency with the Comprehensive Plan, and clarify the City Commission's legislative intent; and

**WHEREAS**, the Local Planning Agency reviewed the proposed revisions to the Land Development Regulations and finds them to be consistent with the Comprehensive Plan.

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

### **SECTION 1.**

That the City of Eustis Land Development Regulations are hereby amended as shown in the redline/strike through below:

- A. Chapter 109 Land Use Districts and Design District Overlays
  - a. Section 109-2.2 Districts Enumerated is amended to add the Rural Residential Transitional Land Use District and the intent of the Land Use District
  - b. Section 109-3 Land Use District Development Intensity is amended to reflect densities and intensities assigned to the Rural Residential Transitional Land Use District
  - c. Section 109.4 Use Regulations Table adding the Rural Residential Transitional District to the table and assigning uses

- d. Section 109.4 Use Regulations Table is also amended to clarify which districts are Permitted (P) to conduct Agricultural Use, removing agricultural use as a Conditional Use from incompatible land use districts

**B. Chapter 110 Development Standards**

- a. Section 110-4.0. Homestead Lot adding language as footnote reference to newly created Section 110-5.17 for alternate setbacks for agricultural accessory structures
- b. Section 110-4.1. Estate Lot adding language as footnote reference to newly created Section 110-5.17 for alternate setbacks for agricultural accessory structures
- c. Section 110-4.2. House Lot adding language as footnote reference to newly created Section 110-5.17 for alternate setbacks for agricultural accessory structures
- d. Adding Section 110-5.17 providing for standards for agricultural / livestock structures and storage of agricultural machinery.

**SECTION 2.**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3.**

That it is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations in the City of Eustis Code of Ordinances and that the sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

**SECTION 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.

**SECTION 5.**

That this Ordinance shall become effective upon passing.

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 13<sup>th</sup> day of December, 2022.

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

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of November, 2022, by Christine Halloran, City Clerk, who is personally known to me.

\_\_\_\_\_  
Notary Public- State of Florida  
My Commission Expires:  
Notary Serial No.:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 22-36 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk