



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: October 3, 2024

RE: Explanation of Ordinances for Annexation of Parcel with Alternate Key Number 1443270:

Ordinance Number 24-35 – Voluntary Annexation

Ordinance Number 24-36 – Comprehensive Plan Amendment

Ordinance Number 24-37 – Design District Assignment

## **FIRST READING**

Ordinance Numbers 24-35: Voluntary Annexation of Parcel located at 2505 E. Orange Avenue with Alternate Key Number 1443270

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### **Introduction:**

Ordinance Number 24-35 provides for the voluntary annexation of approximately .34 acres located at 2505 E. Orange Avenue. Provided the City Commission approves annexation of the subject property, Ordinance Number 24-36 would change the future land use designation from Urban Medium in Lake County to Residential/Office Transitional (RT) in the City of Eustis, and Ordinance Number 24-37 would assign the subject property a design district designation of Suburban Corridor. If the City Commission denies Ordinance Number 24-35, then there can be no consideration of Ordinance Numbers 24-36 and 24-37.

### **Background:**

1. The site contains approximately .34 acres located at 2505 E. Orange Avenue and is within the Eustis Joint Planning Area. The majority of the site is vacant; one single-family structure exists onsite. The Lake County Property Appraiser has classified the property as 1 story commercial office.
2. The site is contiguous to the City on all boundaries.
3. The site has a Lake County land use designation of Urban Medium, but approval of Ordinance Number 24-36 would change the land use designation to Residential/Office Transitional in the City of Eustis.
4. The property has a currently vacant commercial office structure and associated parking on site.
5. The commercial office building and parking area are accessed directly from E Orange Avenue.
6. The County Zoning for the property is Residential Professional. Lake County Residential Professional Zoning allows for office and professional services. The last

office and professional services businesses occupying the building appear to have been between May 2019 and August 2022.

### **Applicant's Request**

The applicant, George Trenfield, submitted an application for annexation and assignment of a Eustis future land use designation and design district.

The current Lake County the land use designation is Urban Medium and the zoning designation is Residential Professional. The Lake County zoning and land use designations allow for multi-family up to 7 du/acre, professional services and limited commercial. The property owner has requested the Residential Office Transitional (RT) land use designation within the City of Eustis. The RT land use provides for multi-family up to 12 du/acre and professional offices and services; most commercial uses require a conditional use approval by City Commission. The requested RT designation is consistent with the land use designation of adjacent properties.

### **Analysis of Annexation Request (Ord. Number 24-35)**

1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

***The subject property is located within the Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested RT future land use designation.***

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

***The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; it is contiguous to the City limits on all boundaries; and the owner petitioned for annexation.***

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

***The department published notice of this annexation in the Daily Commercial in accordance with the requirements on September 23, 2024 and September 30, 2024.***

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

***The subject property is already an enclave; annexation of the property closes the enclave.***

5. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

***The department notified the Lake County Board of County Commissioners on September 13, 2024.***

**Analysis of Comprehensive Plan/Future Land Use Request (Ord. Number 24-36)**

In Accordance with Florida Statutes Chapter 163.3177.9.:

*Discourage Urban Sprawl:*

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. 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:

Review of Indicators

1. Low Intensity Development:

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 requested RT future land use designation will provide for office development of medium density/intensity up to 1.0 FAR. And/or multi-family up to 12 du/acre.***

2. Urban Development in Rural Areas:

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 requested designation in this geographic area will provide for development of a suburban nature within 1.25-miles of the City's urban core. The property is a mostly vacant enclave surrounded by urban development.***

3. Strip or Isolated Development:

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 requested future land use does not designate urban development in a radial, strip, isolated, or ribbon pattern emanating from existing urban development. The site is located approximately 1.25 miles from the City's downtown core. The property is already developed for office uses and fronts on a minor arterial roadway (Orange Avenue) in an area where surrounding properties have RT, Suburban Residential (SR), and Urban Medium (County) future land use designations. The proposed designation is consistent with the character of the surrounding area.***

4. Natural Resources Protection:

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.

***The property has already been developed for office professional use. However, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should conditions at the time of and further development or redevelopment, warrant such protection.***

5. Agricultural Area Protection:

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 site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland and has no unique soils.***

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

***This indicator does not apply. City water and wastewater services are available to the site along East Orange***

***Avenue and Cricket Hollow Lane. Adequate capacity is available to serve future development consistent with the requested RT future land use designation.***

7. Cost Effectiveness and Efficiency of Public Facilities:

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 future development consistent with the requested RT future land use designation. The City provides these services to other properties in the area, so efficiency will improve.***

8. Separation of Urban and Rural:

Fails to provide a clear separation between rural and urban uses.

***This indicator does not apply. The property is an undeveloped enclave; surrounded by suburban uses. Development of this property fills in a major gap in the transition between urban and rural.***

9. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

***This indicator does not apply. The property is completely surrounded by suburban development. This is infill development.***

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

***This indicator does not apply. By virtue of the requested RT future land use designation, mixed uses will be permitted and encouraged.***

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

***This indicator does not apply. The Land Development Regulations include provisions to provide adequate accessibility and linkages between related uses.***

**Development Services will ensure compliance with these standards at time of site plan review.**

12. Open Space:

Results in the loss of significant amounts of functional open space.

***This indicator does not apply. The property has a developed commercial office and parking facilities on premise.***

13. Urban Sprawl:

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:

a. Direction of Growth:

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.

***The site is located approximately 1.25 miles from the City's downtown core; fronts on a minor arterial roadway and is located in a geographic area where surrounding properties already have been approved for suburban development. The Comprehensive Plan and the Land Development Regulations include standards for protection of environmentally sensitive lands that would apply should conditions at time of development warrant such protection.***

b. Efficient and Cost-Effective Services:

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

***City water and wastewater services are available to the site along Orange Avenue and Cricket Hollow Lane.***

c. Walkable and Connected Communities:

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.

***The RT future land use designation, coupled with a Suburban Corridor design district, provides for housing choices, including single and multi-family residential dwellings up to a maximum density of 12 dwelling units per acre. A mix of uses, including***

**residential, civic, and office (maximum intensity of 1.0-floor area ratio), would be permitted. Commercial uses are only possible with a conditional use approval by the City Commission. The Land Development Regulations include pedestrian network standards and block structure to ensure compact development.**

- d. Water and Energy Conservation:  
Promotes conservation of water and energy.

**Future redevelopment of the property may include water and energy conservation measures; however, those details are not available at this time.**

- e. Agricultural Preservation:  
Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

**Not applicable; this site does not support active agricultural or silvicultural activities.**

- f. Open Space:  
Preserves open space and natural lands and provides for public open space and recreation needs.

**The site is currently developed. However, the Land Development Regulations (LDRs) require that all development include dedicated open space consistent with the LDR and Comprehensive Plan requirements. New residential subdivisions incorporate park area within the subdivision for the residents of the development. On redevelopment of the site the open space issue will need to be addressed.**

- g. Balance of Land Uses:  
Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

**Mixed-use development in this area of the City could provide convenient commercial and professional services to serve the current and future residents of Eustis.**

- h. Urban Form Densities and Intensities:  
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.***

**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.

*Major Categories of Plan Policies:*

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. 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.

a. Emergency Services Analysis:

***The subject property is located approximately 1.25 miles from the downtown core. Eustis and County emergency services already provide emergency response to other properties in the area. Additionally, fire service is approximately 2 miles from the subject property. Any development consistent with the RT future land use designation would have no significant impact on the operations of Eustis emergency services.***

b. Parks & Recreation:

***The current development existing on the property has no impact on Parks & Recreation.***

c. Potable Water & Sanitary Sewer:

***Water and sewer are available to the subject property. The current use of the property will not place additional burdens on available capacity.***



d. Schools:

***The proposed change will not negatively impact schools. See attached Lake County Public Schools Growth Impact Report.***

e. Solid Waste:

***The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.***

f. Stormwater:

***The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.***

g. Transportation Network Analysis:

***The assignment of the Residential Office Transitional matched the surrounding land uses and the existing Lake County Land Use for intensity. The property is currently developed as a commercial office and will continue as such. This will not add additional capacity constraints associated with the assignment of the Residential Office Transitional land use.***

2. **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.

a. Ground water recharge areas:

***The subject property is located in an effective recharge area; 6 inches per year. However, the site is already developed.***

b. 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 redevelopment, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.***

c. Flood zones:

***The subject property is not located in a flood zone, nor is it adjacent to other properties that lie substantially within a flood zone. This is due to the steepness of the property in relation to the lake.***

d. Soil and topography:

***Onsite soils include Lake Sand series. The soils are well drained to excessively drained. The water table is at a depth of more than 120 inches. Land ranges from nearly level to steep. According to Lake County's online***

***Topography Map, the site elevations range from 155 ft to 110 above mean sea level. Any future development type and foundations will be dependent on/determined by soil borings conducted as part of the project design process.***

**3. 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 current Lake County zoning designation of the subject property is Residential Professional and the land use designation is Urban Medium. The property owner has requested the Residential Office (RT) land use designation within the City of Eustis. The evaluation below supports the requested designation.***

a. Review of Surrounding Properties

***The Eustis land use designation to the north, northwest and northeast is Suburban Residential (SR) with a maximum density of 5 dwelling units per acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.***

***The Eustis land use designations to the west and east are Residential Office Transitional. The RT Future Land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.***

***The County land use designation to the south is Urban Medium. This designation provides for a range of residential development up to 7 du/acre in addition to limited commercial and office uses. It is located on or in close proximity to major collectors and arterial roadways.***

Source: Lake County GIS Zoning & FLU Codes – 5/15/14

b. Comparison of Lake County Development Conditions

***The existing Lake County future land use designation of the parcel is Urban Medium, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Medium is a maximum of 7 dwelling units per acre and intensity of 0.35 to 0.50 floor area ratio.***

***The proposed City of Eustis future land use designation of the parcel is Residential Office Transitional (RT), applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for***

**establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility. Residential densities in RT may not exceed 12 dwelling units per acre (subject to compatibility requirements based on adjacent densities) and the maximum intensity is 1.0 FAR.**

c. *Proposed Residential Land Uses.*

**The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.**

d. *Proposed Non-Residential Land Uses.*

**The City shall generally not permit new commercial or industrial uses to be located adjacent to existing or planned residentially designated areas without sufficient mitigation.**

4. 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. The LOS on Orange Avenue can accommodate even the maximum development scenario on this parcel.**

5. 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.**

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:

a. *Consistent with Comprehensive Plan:*

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 5, A through D.**

b. *In Conflict with Land Development Regulations:*

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. At the time of development there will be further review for compliance.**

c. *Inconsistent with Surrounding Uses:*

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

***The RT future land use designation is consistent with other land use designations along the CR 44 corridor because it is intended to provide for residential development combined with office development that has a character and scale that promotes compatibility with adjacent or nearby residential uses. See also Review of Surrounding Properties under item 5.C. above, which outlines the Orange Avenue designations and demonstrates that the RT future land use designation is consistent with other properties on this corridor.***

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

***The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water and wastewater. These changed conditions warrant a change in the land use designation.***

e. *Demand on Public Facilities:*

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 and wastewater services are available to the site along Orange Avenue. Adequate capacity is available to serve future development consistent with the requested RT future land use designation. Orange Avenue has sufficient capacity to serve a mixed-use development on this site. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve. See attached Lake County Public Schools Growth Impact Report, which indicates the change will not negatively impact schools.***

f. *Impact on Environment:*

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

***The site is already developed with professional office building and associated parking area.***

g. *Orderly Development Pattern:*

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.

***Future land use designations of properties within the City limits fronting on Orange Avenue include Residential Office Transitional, Mixed Commercial Residential, General Commercial and Suburban Residential. Lake County properties are designated Urban Low and Urban Medium.***

***The requested RT future land use designation, coupled with a Suburban Corridor design district designation, provides for a consistent development transect along CR 44.***

*h. Public Interest and Intent of Regulations:*

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 RT future land use designation for the subject parcel will provide for orderly growth and development. This designation would advance the public interest by providing housing options and commercial services, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.***

*i. Other Matters:*

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.

***No other matters.***

**Analysis of Design District Request (Ord. Number 24-37):**

**Form-Based Code:**

The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

**1. Standard for Review:**

The Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

**a. Section 102-17(a) "...Section 109-3 Design Districts:**

identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent.”

***The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Corridor). The Suburban development pattern and intent, and the Suburban Corridor***

**definition, structure and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area. The City of Eustis Design District Map shows the E CR 44 right-of-way as a Suburban Corridor. The majority of properties within the City limits fronting on CR 44 between Sunrise Lane and Diedrich Street are Suburban Corridor. The annexation property is between these terminuses of the corridor.**

**b. Sec. 109-3.4. Suburban development pattern intent statements:**

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. **Nonresidential uses are primarily located on corridors**, districts and a mix of uses is prominent in centers. Each land use provides for pedestrian and bicycle connections.

Design districts

(4) Suburban corridor:

Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods.

Structure. The street system is designed to accommodate the density, intensity, and form of suburban development and provides functional connections that link neighborhoods to shopping areas.

Form. Predominately single-use areas that may include a mix of uses, retail, and residential.

***The Suburban development patterns statement above indicates that non-residential uses are primarily located on corridors. A Suburban Corridor designation follows the district pattern and intent outlined in the Land Development Regulations, and is consistent with the existing transect along Orange Avenue.***

**c. Section 102-17(a)**

The following guidelines must be followed when proposing the reassignment of design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

***The property south of the site, across Orange Avenue, lies in unincorporated Lake County and Lake County does not have design districts. Creating a condition where like designations face across streets is not applicable in this case because much of the adjacent land is not in the City limits. The Design District Map, however, designates this portion of Orange Avenue as Suburban Corridor. Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions. (Transect per LDRs Section 100, "The rural-urban transect describes the physical form and character of a place according to the density of its land use).***

***The requested Suburban Corridor designation would establish similar and compatible transect conditions. The majority of properties within the City limits fronting on CR 44 are Suburban Corridor and "suburban" is the appropriate transect condition between urban and rural.***

- d. *Consistent with Comprehensive Plan:*  
Whether the proposed amendment is consistent with all elements of the comprehensive plan.  
***The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.***
- e. *Consistent with Surrounding Uses:*  
Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.  
***The Suburban Corridor definition, structure and form are compatible with the existing uses and any proposed uses permitted under the Residential Office Transitional future land use designation.***
- f. *Changed Conditions:*  
Whether there have been changed conditions that justify amending the design district.  
***The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with full municipal services.***
- g. *Public Facilities.*  
Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.  
***This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.***
- h. *Impact to Environment:*  
Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.  
***The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not***

**result in additional impacts on the natural environment. Site plan review for any future development will include environmental review to assess impacts to flora, fauna and wetlands, and provide for protection of sensitive areas.**

*i. Property Values:*

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

***This request should not adversely affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.***

*j. Orderly Development Pattern:*

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

***The proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.***

*k. Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

***The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.***

*l. Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

***The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.***

## **Applicable Policies and Codes**

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the



governing body of said municipality that said property be annexed to the municipality.”

- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”
3. Land Development Regulations Section 109-5.5(b)(4):  
The Suburban Corridor Design District has “linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods.”
4. Land Development Regulations Section 109-2.6:  
*Residential/office transitional district (RT)*. This land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.
5. Land Development Regulations Section 115-3.2:  
Suburban residential compatibility.
  - (1) The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.
  - (3) Transitions within a design district and adjacent to another design district. Edge condition standards. When any suburban design district abuts an existing development, whether residential or commercial, the following shall occur:
    - a. The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).
    - b. Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements. If lot requirements exceed the minimum, a masonry wall and landscape shall be required or a street or alley may be sufficient in buffering. This determination shall be given during site plan review by the development services director.

**Recommended Action:**

Development Services recommends that the City Commission Approve Ordinance Numbers 24-35, 24-36 and 24-37.

**Policy Implications:**

None

**Alternatives:**

1. Vote to Approve Ordinance Number 24-35, 24-36 and 24-37.
2. Vote to Deny Ordinance Number 24-35, 24-36 and 24-37

**Budget/Staff Impact:**

None

**Prepared By:**

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