



# City of Eustis

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TO: City of Eustis Local Planning Agency

FROM: Tom Carrino, City Manager

DATE: December 1, 2022

RE: Consideration of Ordinance Number 22-24 – Comprehensive Plan Map Amendment

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## **Introduction:**

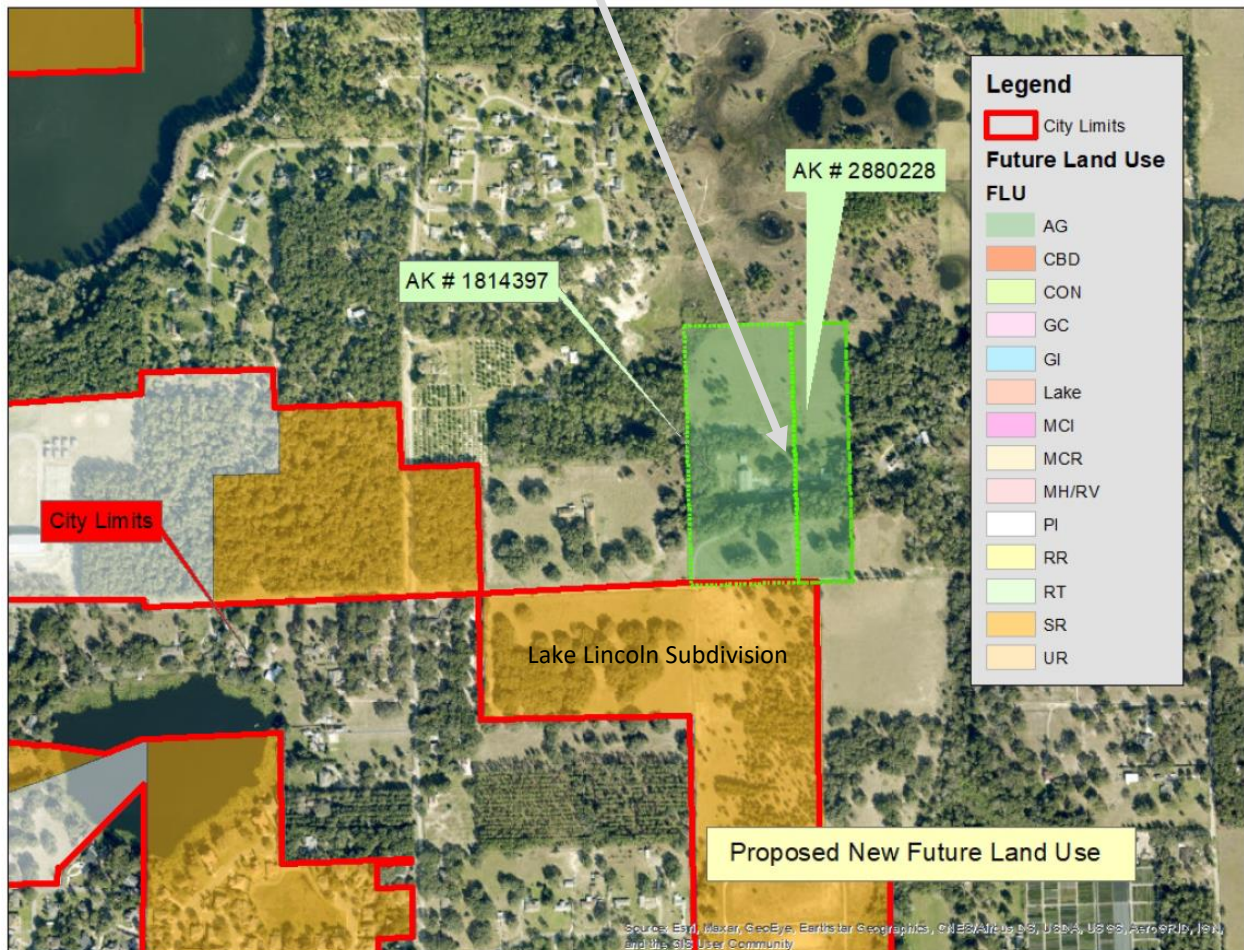
This is a consideration of the Future Land Use Map designation assignment associated with a voluntary annexation (Ordinance Number 22-23) of approximately 24.55 acres located on the north side of Lake Lincoln Lane at 19621 Lake Lincoln Lane (Alternate Key Numbers 1814367 and 2880228).

Provided the annexation of the subject property is approved, Ordinance Number 22-24 would change the future land use designation from Rural Transition in Lake County to **Agriculture (AG) in the City of Eustis**, and Ordinance Number 22-25 would assign the subject property **a design district designation of Rural Neighborhood**. If Ordinance Number 22-23 is denied, then there can be no consideration of Ordinance Numbers 22-24 and 22-25.

## **Background:**

The property owners (TLC OB Properties, LLC Attention to Andrew Orosz) have requested Voluntary Annexation through Major Stacy, P.E. with Avian Engineering as their applicant agent. The properties consist of approximately 24.55 acres, and are located within the Eustis Joint Planning Area. The properties are currently improved pastures for hay, ornamental nursery, homesite, and wetland. *Source: Lake County Property Appraisers' Office Property Record Card Data.*

The properties are contiguous to the City on its southern boundary along Lake Lincoln Lane. The property would be consistent with Florida Statutes regarding contiguity, as the adjacency across Lake Lincoln Lane covers most of the property frontage on Lake Lincoln Lane. The properties are currently designated with a Rural Transition land use in unincorporated Lake County. Approval of Ordinance Number 22-24 would change the land use designation to Agriculture (AG) in the City of Eustis.



The Rural Transition future land use designation assigned by Lake County allows for base densities of 1 dwelling unit per 5 acres, with additional density incentives by utilizing the Lake County Rural Conservation Subdivision policies and regulations. The City of Eustis Agriculture future land use designation also allows for densities of 1 dwelling unit per 5 acres. The proposed future land use within the City of Eustis and the Lake County Rural Transition future land use are compatible.

***Development Services provided notice to the Lake County Board of County Commissioners via email (unofficial notice) on November 5, 2022, and via USPS Certified Mail (official notice) on November 7, 2022.***

**Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 22-24)**

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 densities requested equate to existing unincorporated densities.***

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 properties will not receive a change in density from the existing densities in Unincorporated Lake County, therefore no change is occurring.***

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. There is no change in allowable densities from the status in Unincorporated Lake County. 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.

***This indicator does not apply. The subject property is subject to floodplain and wetlands, however, the property is not proposed for development with the future land use change not increasing the allowable Unincorporated Lake County densities.***

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. The future land use designation assigned with the annexation allows for the continuation of agricultural use of the property. The densities to be assigned with the Agriculture (AG) land use are consistent with agricultural uses.***

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

***This indicator does not apply. City water is available to serve the property. Sanitary sewer lines may be available to serve the site, any on-site septic systems may continue to be utilized.***

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 existing and future development within the area.***

8. Separation of Urban and Rural:

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

***This indicator does not apply. The land use assigned to the properties is Agriculture.***

9. Infill and Redevelopment:

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

***This indicator does not apply.***

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

***This indicator does not apply.***

11. *Accessibility among Uses:*

Results in poor accessibility among linked or related land uses.

***This indicator does not apply.***

12. *Open Space:*

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

***This indicator does not apply. The site does not contain functional open space and is not connected to regionally important open space.***

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 action for the property is a continuation of existing uses.***

b. *Efficient and Cost-Effective Services:*

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

***Water service is already available. Sanitary sewer is available to the south.***

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.

***Not applicable as the properties are having their use altered.***

d. *Water and Energy Conservation:*

Promotes the conservation of water and energy.

***No Change from current uses on the property.***

e. *Agricultural Preservation:*

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Agricultural use of the property and homestead will continue with the annexation and assigned future land use.***

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

***This is not applicable. The site does not provide functional open space or natural areas.***

- 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.

***This does not apply. The proposed change is a continuation of existing agricultural uses.***

- 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 the 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:*

***Continuation of the use of the property for agriculture and homestead under the City's AG land use does not increase the impact on Emergency Services.***

b. *Parks & Recreation:*

**Not applicable**

c. *Potable Water & Sanitary Sewer:*

***Water is available to serve the subject property.***

***Sanitary sewer, to serve the properties, is available to the south of Lake Lincoln Lane, should the property choose to avail themselves of the service.***

d. *Schools:*

**No change**

e. *Solid Waste:*

**No change.**

f. *Stormwater:*

**No change**

g. *Transportation Network Analysis:*

**No Change**

**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 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. *Groundwater recharge areas:*

**No change**

b. *Historical or archaeological sites:*

**No Change**

c. *Flood zones:*

***The subject property is in a partial floodplain; however, the requested annexation, land use, and design district pose no change from the current use.***

d. *Soil and topography:*

***With this application for annexation, comprehensive plan land use assignment, and design district assignment, there is no change in the use of the property proposed.***

**3. Comprehensive Plan Review:**

Additional criteria and standards are also included in the Plan that describes 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.

*Existing Land Use According to the Lake County Comprehensive Plan:*

*"The Rural Transition Future Land Use Category is intended to address —edgell conditions where Rural Future Land Use Categories abut Urban Future Land Use*

*Categories. These edges represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques. This Future Land Use Category provides for residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural operations, civic uses compatible with a rural community, and Rural Support functions where appropriate...”*

*Proposed Land Use According to the Eustis Comprehensive Plan:*

*“Agricultural (AG)*

*This land use designation is designed to limit the premature spread of urban growth and conversion of productive agricultural lands until such time as urban growth is contiguous and agricultural activities can no longer be economically sustained.*

*General Range of Uses: Single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, row crops, and public and utility services and facilities.*

*Maximum Density: Residential densities in Agricultural may not exceed one dwelling unit per five net buildable acres...”*

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

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.

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

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.

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

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.***



- 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.***

- c. *Inconsistent with Surrounding Uses:*  
Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

***There is no proposed change in the use of the property.***

- 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. The actual use of the property is not proposed to change.***

- 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.

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

- f. *Impact on Environment:*  
Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

***The site contains no apparent natural resources and is not connected to significant open space.***

- 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.

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

- 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”

***There is no proposed change in the use of the property from its current use status in unincorporated Lake County and after annexation into the City of Eustis.***

*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.***

**Findings Summary:**

The proposed Future land Use proposed for the subject property is found to be consistent with the City of Eustis Comprehensive Plan and Land Development Regulations. The change of land use to the City of Eustis Agriculture (AG) designation, as associated with the voluntary annexation, is found to be consistent and equivalent to the current Lake County Future land Use designation.

**Recommended Action:**

Providing recommendations for LPA to accept and Transmit to City Commission, Ordinance Number 22-24

**Policy Implications:**

None

**Alternatives:**

1. Approval Transmittal of Ordinance Number 22-24 (Comp. Plan Amendment) to the City Commission
2. Deny transmittal of Ordinance Number 22-24 (Comp. Plan Amendment) to the City Commission.

**Budget/Staff Impact:**

None

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