

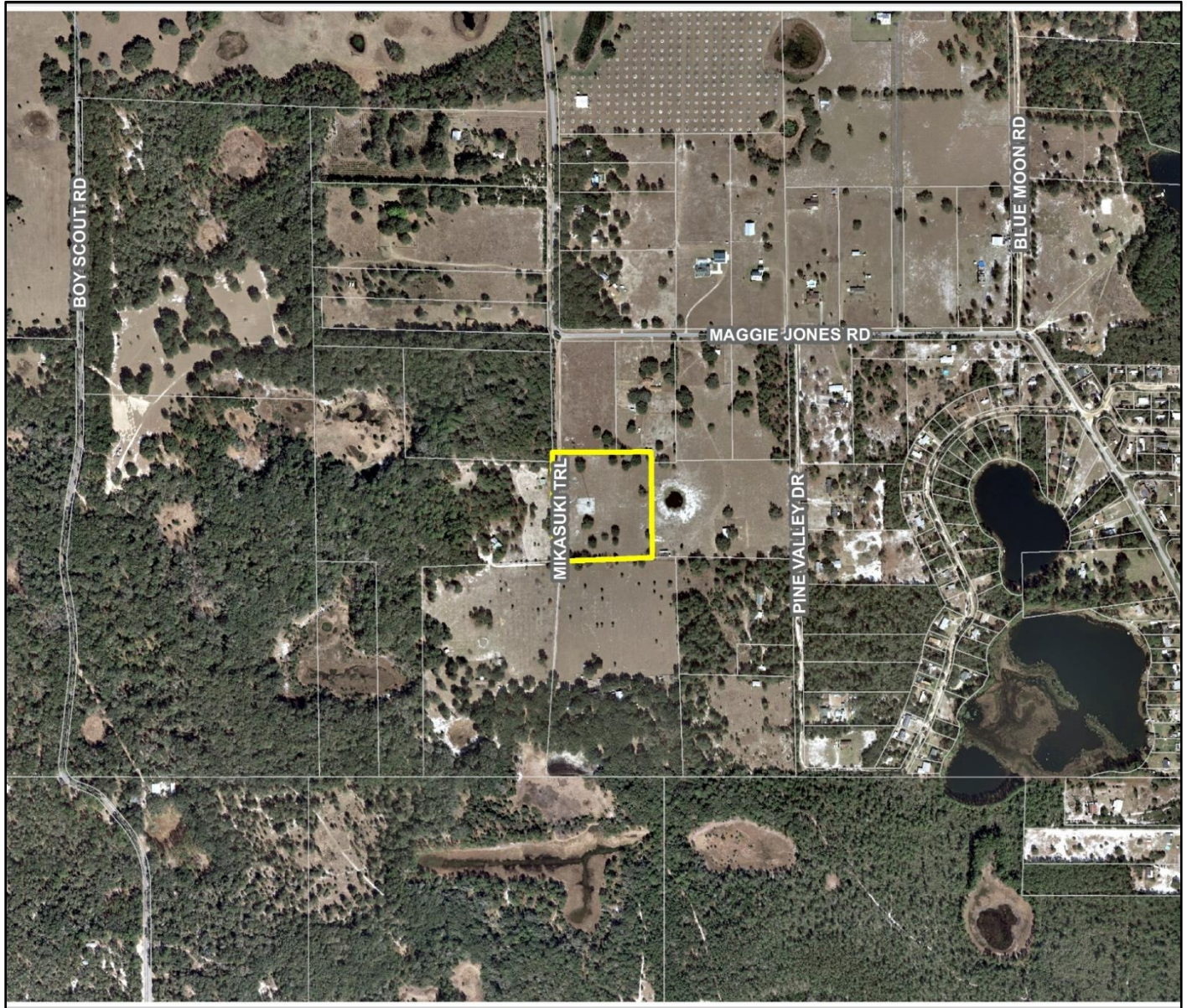
LAKE COUNTY PLANNING AND ZONING DIVISION  
FUTURE LAND USE AMENDMENT STAFF REPORT

Planning and Zoning Board  
August 2, 2017



Board of County Commissioners  
August 22, 2017

FLU-17-07-5 USA FAA Property	Commissioner District 5 Blake	Agenda Item #6
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**Requested Action:** Amend the Future Land Use Map (FLUM) on approximately 7.79 acres, located east of Mikasuki Trail and south of Maggie Jones Road in the Eustis area from the Conservation Future Land Use Category (FLUC) to the Rural FLUC.

**Owner:** United States of America, C/O Federal Aviation Administration (FAA)

**Applicant:** Lake County Planning and Zoning Division

**- Site Location & Information -**

<b>Size</b>	Approximately 7.79 acres
<b>Location</b>	East of Mikasuki Trail and south of Maggie Jones Road in the Eustis area
<b>Alternate Key No.</b>	3454626
<b>Future Land Use</b>	Conservation
<b>Zoning District</b>	Agriculture (A)
<b>Proposed Land Use</b>	Rural
<b>Joint Planning Area/ ISBA</b>	N/A
<b>Overlay Districts</b>	N/A

**- Land Use Table -**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	Rural	Agriculture (A)	Vacant agricultural land	N/A
<b>South</b>	Rural	Agriculture (A)	Manufactured home	N/A
<b>East</b>	Rural	Agriculture (A)	Agricultural homesite	N/A
<b>West</b>	Rural	Agriculture (A)	Agricultural homesite	N/A

**- Summary of Staff Determination -**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of the request to amend the Future Land Use Category on approximately 7.79 acres from the Conservation FLUC to the Rural FLUC.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**- Summary of Analysis -**

The subject property, identified by Alternate Key (AK) number 3454626, consists of approximately 7.79 acres and is located east of Mikasuki Trail and south of Maggie Jones Road in the Eustis area. The property is currently zoned Agriculture (A) and is located within the Conservation Future Land Use Category (FLUC). The property is owned by the United States of America, care of the Federal Aviation Administration (FAA). Aerial photography from current and prior years indicates a tower once existed on the property, but is no longer located on the property. It has been indicated to County Staff that the federal government is interested in selling the property. The Conservation FLUC limits the use of the property to resource-based passive recreation. With the adoption of the 2030 Comprehensive Plan, the subject property was designated as part of the Conservation Future Land Use Category (FLUC). Per Policy I-1.5.1 *Conservation Future Land Use Category*, the Conservation FLUC is for “property managed for the permanent protection of natural resources, including but not limited to open water bodies, wildlife habitat, wetlands, and aquifer recharge. The Conservation Future Land Use Category may include privately owned property only if such land is protected in perpetuity by conservation easement held by a public agency or private non-profit conservation entity.” The property is currently publically owned; however, there are no known conservation easements affecting the property. Single family residences are not a permitted use within the Conservation FLUC. The Rural FLUC will broaden the allowable list of permitted uses on the property to include single-family homes on large lots and agricultural pursuits. The surrounding properties all have future land use classifications of Rural.

The Rural FLUC 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.

The existing Agriculture zoning of the property allows a maximum density of one (1) dwelling unit per five (5) net acres; therefore, if the FLUC of the property is changed from Conservation to Rural, the property can be developed with no more than one (1) dwelling unit. A Rural FLUC is consistent with the Agriculture zoning of the property and with the future land use classifications of the surrounding properties.

Based upon the above analysis, Staff is recommends approval of the request to amend the future land use designation of the property from the Conservation FLUC to the Rural FLUC.

**- Analysis -**

LDR Section 14.02.03 (Standards for Review)

**A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.**

The proposed map amendment is consistent with the Comprehensive Plan as noted in the analysis above. There is an existing rural development pattern in the immediate area, and the proposed amendment would be logical as all surrounding properties are designated with a Rural FLUC. This is promoted and encouraged within Goal I-1 of the Comprehensive Plan.

**B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.**

The proposed amendment is not in conflict with any provisions of the Comprehensive Plan, and will be consistent with the existing Agriculture (A) zoning of the property which allows a maximum density of one (1) dwelling unit per five (5) net acres.

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

The proposed amendment to change the FLUC to Rural is consistent with the existing uses on the property and with the future land uses of the surrounding properties, which is Rural.

**D. Whether there have been changed conditions that justify an amendment.**

There is no justification for a Conservation FLUC remaining on the property. The property owner has expressed interest in utilizing the property for future residential uses. A Rural future land use classification will make the property more attractive to potential buyers.

**E. 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.**

Goal I-1, Purpose of the Future Land Use Element, establishes the goals of the Future Land Use Element, one of which is to provide for the efficient allocation of public facilities and services concurrent with the impacts of development and in compliance with adopted level of services.

Transportation

Staff is not requiring a Traffic Study at this time because the proposed map amendment will have de minimis impacts on transportation demands. The Rural FLUC will allow only one single-family dwelling unit at a maximum.

### Schools

The proposed map amendment will have de minimis impacts on schools. Although the proposed Rural FLUC has a maximum density of one (1) dwelling units per five (5) net acres the property cannot be developed at a density greater than one (1) dwelling unit per five (5) net acres in accordance with the existing Agriculture zoning of the property.

### Parks

Per Comprehensive Plan Policy VII-1.4.3 *Level of Service*, the adopted level of service is four (4) acres of park land (developed or undeveloped) per 1000 people in unincorporated Lake County. There are currently 3,800 acres of park lands in unincorporated Lake County and there are roughly 300,000 people, leaving plenty of capacity for the proposed increase in density.

### Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #13) is located approximately 2.21 miles from the site.

### Water and Sewer

The property is currently undeveloped and does not have water and sewer services available. The property is located within the Rural FLUC. Utilities are not required for development and the property can be developed with well and septic. Therefore the proposed map amendment has no impacts on public facilities.

### Solid Waste

The County's adopted level of service for solid waste is one (1) day a week garbage pickup and one (1) day a week recycling pickup. The five-year capital improvement schedule for solid waste shows that with existing landfill cells and additional land available and permitted through an FDEP Environmental Resource Permit, there is disposal capacity through 2030.

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

Any new development will be required to meet all Comprehensive Plan and Land Development Regulations requirements to protect the environment.

**G. Whether, and the extent to which, the proposed amendment would affect the property values in the area.**

There is no indication that there will be any adverse effects on the property values should this future land use map amendment be adopted.

**H. 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.**

The proposed amendment is consistent with the future land use classifications of the surrounding properties as they all have Rural future land use classifications. The amendment will result in an orderly and logical development pattern, as required by Goal I-1, and Policy I-1.1.3, *Direct Orderly, Compact Growth*.

**I. Whether the proposed amendment would be consistent with or advance the public interest, and is in harmony with the purpose and interest of these regulations.**

The amendment is consistent with the interest of the public and these regulations.

**FINDINGS OF FACT:** Staff has reviewed the application for the proposed map amendment and found:

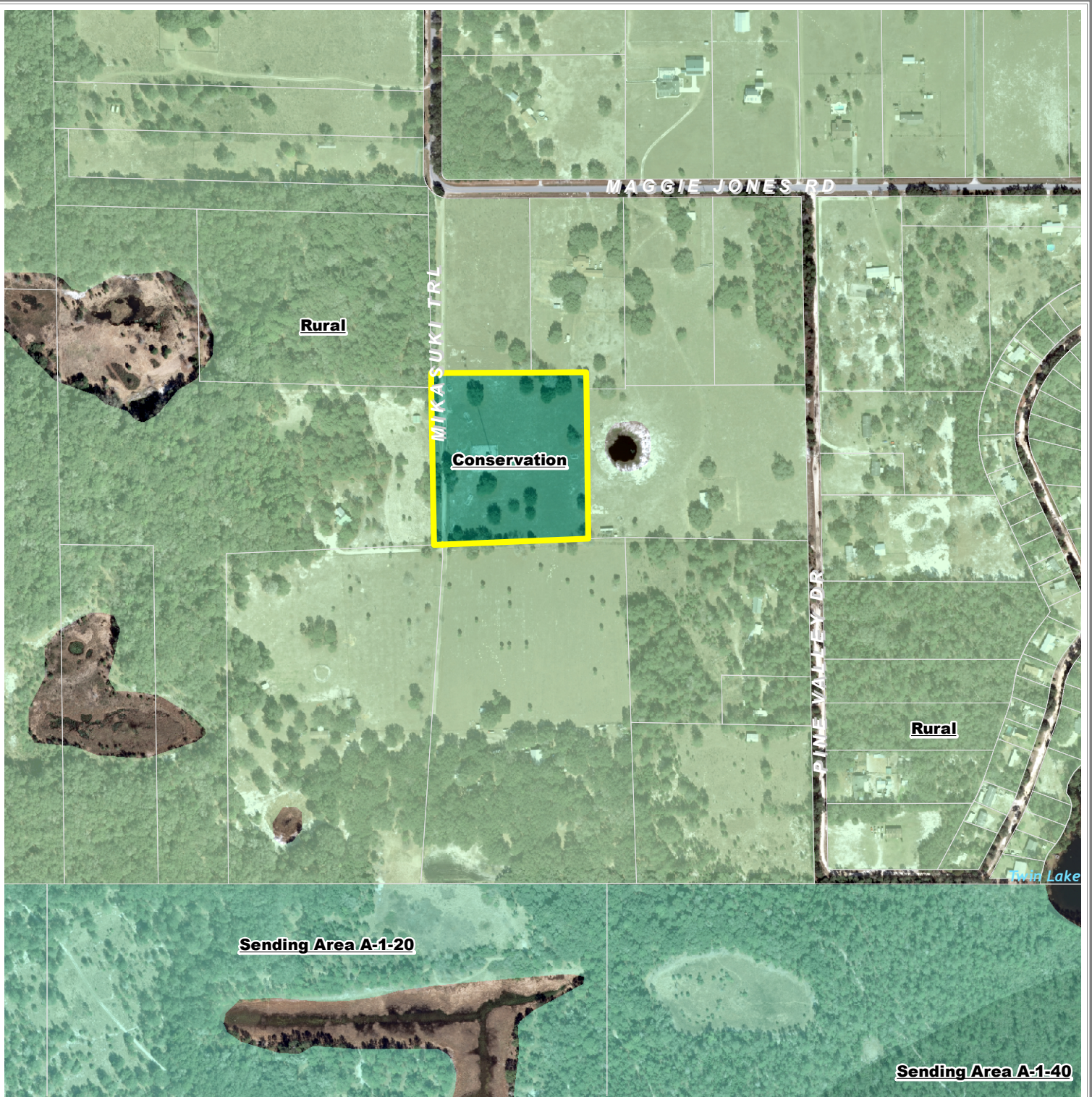
1. The application is consistent with CP Goal I-1, and Policy I-1.1.3, *Direct Orderly, Compact Growth*, which requires an orderly and logical development pattern between FLUC.

2. The proposed future land use map amendment is consistent with *Policy I-1.4.4 Rural Future Land Use Category*.

Based on these findings of fact, staff recommends **APPROVAL** of the request to amend the Future Land Use Category on approximately 7.79 acres from the Conservation FLUC to the Rural FLUC by amending the 2030 Future Land Use Map.

**Case Manager:** Bobby Howell, AICP, Senior Planner

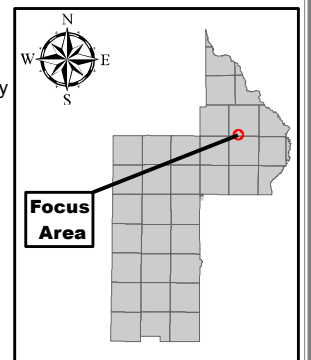
**WRITTEN COMMENTS FILED:**                      **Supportive: -0-**                      **Concern: -0-**                      **Opposition: -0-**

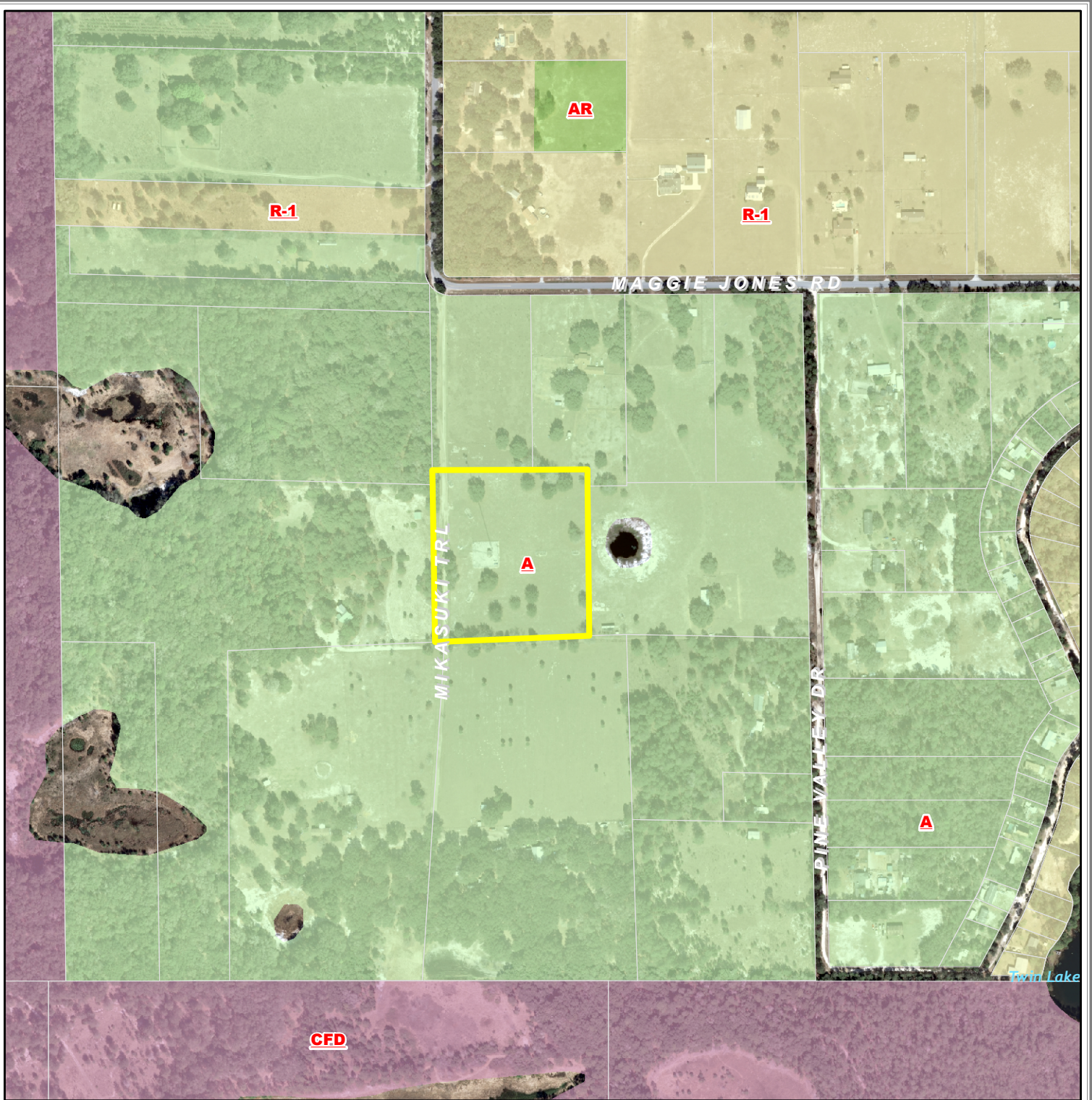


**FUTURE LAND USE LEGEND**

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|--------------------------------|--|--------------------------|----------------------|
| Bella Collina                  | Heavy Industrial                           | Recreation               | Summer Bay           |
| Cagan Crossings                | Mt Plymouth-Sorrento Main Street District  | Regional Commercial      | Urban Low Density    |
| Conservation                   | Mt Plymouth-Sorrento Neighborhood          | Rural                    | Urban Medium Density |
| Green Swamp Core Conservation  | Mt Plymouth-Sorrento Receiving Area        | Rural Transition         | Urban High Density   |
| Green Swamp Ridge              | Regional Office                            | Sending Area A-1-20      |                      |
| Green Swamp Rural              | Public Service Facility and Infrastructure | Sending Area A-1-40      |                      |
| Green Swamp Rural Conservation | Receiving Area A-1-20                      | South Lake Regional Park |                      |

**NAME: USA AVIATION ADMIN**  
**CASE NUMBER: FLU-17-07-5**  
**LOCATION (S-T-R): 32-17-28**  
**REQUEST: CONSERVATION TO RURAL**

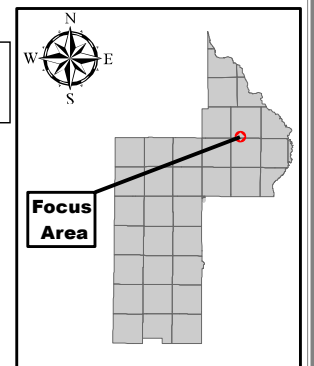




**ZONING LEGEND**

A	RA	R-2	R-4	R-7	RMRP	RV	C-2	LM	MP	PUD
AR	R-1	R-3	R-6	RP	RM	C-1	CP	HM	CFD	

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**REQUEST:** CONSERVATION TO RURAL



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**ORDINANCE 2017-XX  
FLU-17-07-5  
USA FAA Property**

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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP FROM CONSERVATION FUTURE LAND USE CATEGORY TO RURAL FUTURE LAND USE CATEGORY FOR PROPERTY LOCATED EAST OF MIKASUKI TRAIL AND SOUTH OF MAGGIE JONES ROAD IN THE EUSTIS AREA, IDENTIFIED WITH ALTERNATE KEY NUMBER 3454626, AS SHOWN IN EXHIBIT A; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

**WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County Commissioners of Lake County to "Prepare and enforce comprehensive plans for the development of the county"; and

**WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25<sup>th</sup> day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

**WHEREAS**, on the 23<sup>rd</sup> day of July, 2010, the State of Florida Department of Community Affairs, now known as the Community Planning and Development Division of the Florida Department of Economic Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

**WHEREAS**, on the 22<sup>nd</sup> day of September, 2011, the Lake County 2030 Comprehensive Plan became effective; and

**WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

**WHEREAS**, on the 2<sup>nd</sup> day of August, 2017, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

**WHEREAS**, on the 22<sup>nd</sup> day of August, 2017, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners; and



1           **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt  
2 the amendment to the Lake County Comprehensive Plan Future Land Use Map;

3           **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
4 Florida, that:

5       **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Future Land Use Map is  
6 hereby amended to change the Future Land Use Category from Conservation to Rural on property described  
7 in Exhibit A, attached hereto.

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9       **Section 2. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida Statutes,  
10 Section 163.3184(11).

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12       **Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or  
13 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of  
14 the remaining portions of this Ordinance.

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16       **Section 4. Effective Date.** The effective date of this plan amendment, if the amendment is not timely  
17 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan  
18 amendment package is complete.

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20 ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

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22 FILED with the Secretary of State \_\_\_\_\_, 2017.

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25   BOARD OF COUNTY COMMISSIONERS  
26   LAKE COUNTY, FLORIDA

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31 Timothy I. Sullivan, Chairman

32 ATTEST:

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36 Neil Kelly, Clerk of the Board of  
37 County Commissioners, Lake County, Florida

38 Approved as to form and legality:

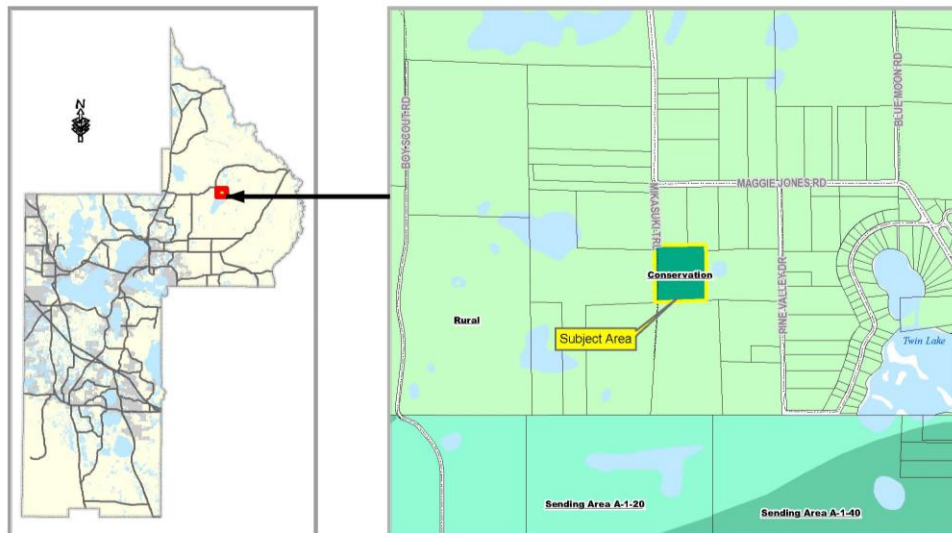
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42 Melanie Marsh, County Attorney

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**EXHIBIT A**  
**FLU-17-07-5**

That portion of the South East 1/4 of Section 32, Township 17 South, Range 28 East, Lake County, Florida, being more particularly described as follows: Commencing at the Northeast corner of aforesaid South East 1/4, run thence South 0°26'40" East, along the East line of said South East 1/4, a distance of 1139.25 feet; thence South 89°45'30" West, a distance of 658.26 feet, to that concrete monument called for in Official Records Book 208, page 720 of the Public Records of aforesaid Lake County; thence South 86°18'35" West, a distance of 132.43 feet, to the Point of Beginning; thence continue South 86°18'35" West, a distance of 550.22 feet, to the West line of the North East 1/4 of the South East 1/4 of aforesaid Section 32; thence North 02°01'52" West, along the West line of the North East 1/4 of the South East 1/4 of aforesaid Section 32, a distance of 619.62 feet; thence North 88°20'09" East, a distance of 550.00 feet; thence South 02°01'52" East, a distance of 600.17 feet, to the Point of Beginning; ALONG WITH the rights to and being subject to an easement for Ingress and Egress and Public Utilities, over, under and across a portion of aforesaid Section 32 being more particularly described as follows: Commence at the Northeast corner of the South East 1/4 of aforesaid Section 32, run thence South 02°26'40" East, along the East line of said South East 1/4, a distance of 1139.25 feet; thence South 89°45'30" West, a distance of 658.26 feet, to the concrete monument called for in Official Records Book 208, page 720 of the Public Records of aforesaid Lake County; thence South 86°18'35" West, a distance of 632.63 feet, to the Point of Beginning; thence South 86°18'35" West, a distance of 50.02 feet to the West line of the North East 1/4 of the South East 1/4 of aforesaid Section 32; thence North 02°01'52" West, along the West line of the North East 1/4 of the South East 1/4, a distance of 1173.23 feet to the Northwest corner of the North East 1/4 of the South East 1/4 of said Section 32; thence North 89°27'56" East, along the North line of the North East 1/4 of the South East 1/4 of aforesaid Section 32, a distance of 50.02 feet; thence South 02°01'52" East, parallel with the West line of the North East 1/4 of the South East 1/4 of aforesaid Section 32, a distance of 1170.48 feet to the Point of Beginning, ALONG WITH the rights to an easement for Ingress and Egress and Public Utilities, over, under and across that portion of the West 50.00 feet of the South East 1/4 of the North East 1/4 of aforesaid Section 32, lying Southerly of Maggie Jones Road.

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