

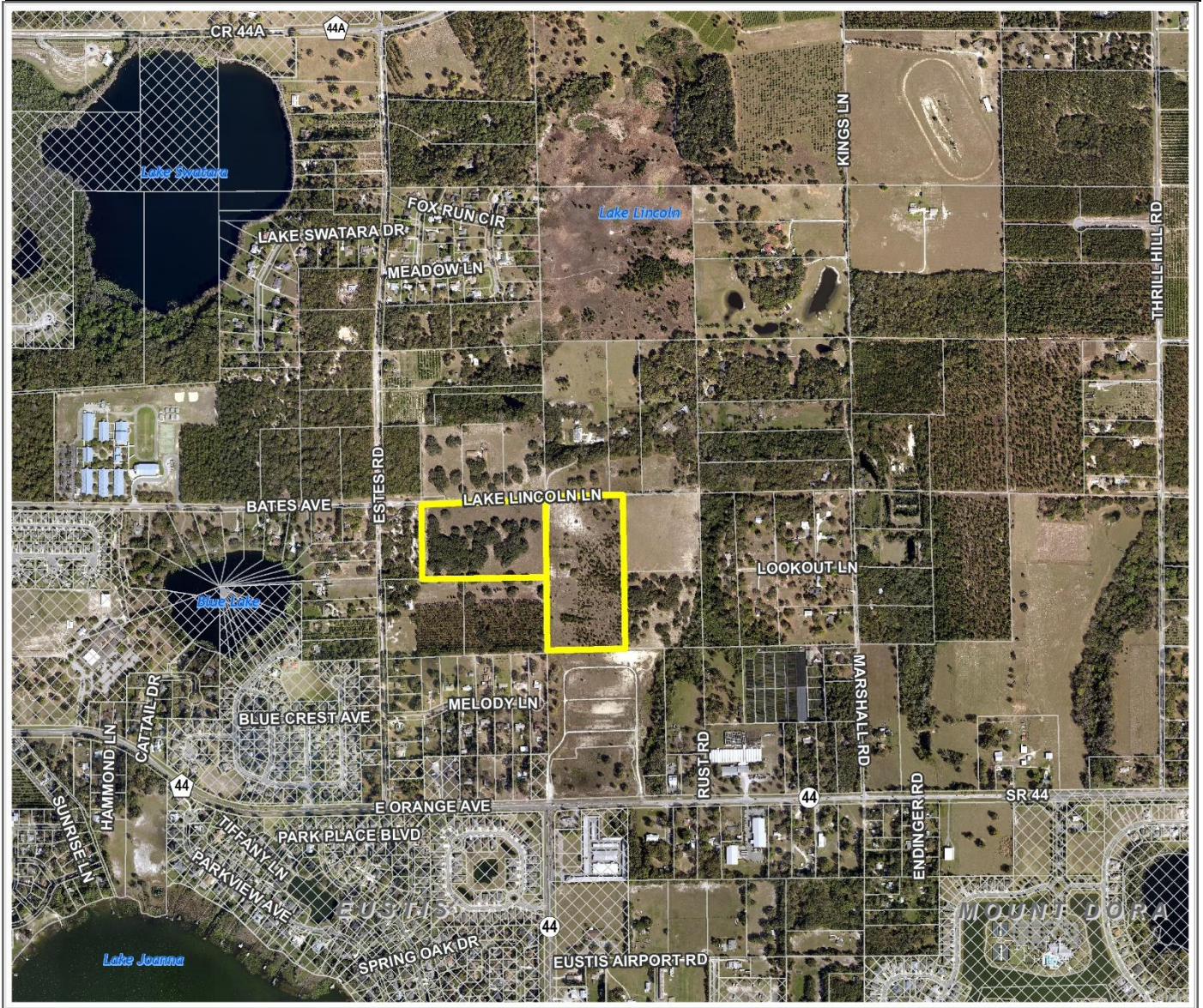
**LAKE COUNTY OFFICE OF PLANNING AND ZONING
FUTURE LAND USE AMENDMENT STAFF REPORT**

**Planning and Zoning Board
September 5, 2018**



**Board of County Commissioners
September 25, 2018 (Transmittal)**

FLU-18-12-4 Charlie Johnson Future Land Use	Commissioner District 4 Campione	Agenda Item # 1
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Requested Action: Amend the Future Land Use Map (FLUM) on approximately 35 acres, located on the south side of Lake Lincoln Lane, east of Estes, Road in the Eustis area from the Rural Transition Future Land Use Category, which allows a maximum density of two (2) dwelling units per one (1) net buildable acre, to the Urban Low Density Future Land Use Category, which allows a maximum density of four (4) dwelling units per net buildable acre.

Owner: Charlie Johnson Builders, Inc. (the "Owner")

Applicant: Greg Beliveau (the "Applicant")

- Site Location & Information -

Size	Approximately 33.5 net acres
Location	South side of Lake Lincoln Lane, east of Estes Road
Alternate Key	2567236 & 1123542
Current Future Land Use	Rural Transition
Proposed Future Land Use	Urban Low Density
Zoning District	Agriculture (A)
Joint Planning Area/ ISBA	N/A
Overlay Districts	Wekiva Study Area

- Land Use Table -

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural Transition	Agriculture (A)	SFR	3 SFR on four separate lots
South	Urban Low Density	Medium Suburban Residential District (R-4)	Vacant	Infrastructure for residential Development (roads, drainage & utilities)
East	Rural Transition	A	Vacant	Wooded Lot
West	Rural Transition	A	SFR	

- Summary of Staff Recommendation -

Staff recommends **APPROVAL**, to amend the Future Land Use Map on two parcels containing approximately 35 acres from Rural Transition Future Land Use Category (FLUC) to Urban Low Density FLUC to allow the development of a residential subdivision consisting of 114 lots.

Planning and Zoning Board:

Summary Analysis

The subject properties, consisting of approximately 33.5 net acres, are located on the south side of Lake Lincoln Lane, east of Estes Road in the Eustis area. The properties are currently vacant and have a Rural Transition Future Land Use Category (FLUC) which allows for several density options, ranging from one (1) dwelling unit per five (5) net buildable acres, to one (1) dwelling unit per three (3) net buildable acres, to one (1) dwelling unit per one (1) net buildable acre, to two (2) dwelling units per one (1) net acre utilizing a Planned Unit Development and providing that up to fifty (50) percent of the net buildable area of the entire PUD site be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument. Staff is currently working on having the fourth density option removed from the Comp Plan.

The applicant is proposing to amend the Future Land Use Map by changing the FLUC from Rural Transition to Urban Low Density. The Urban Low Density FLUC allows a maximum density of four (4) dwelling units per net buildable acre. The Urban Low Density FLUC would allow development up to 140 single-family dwelling units on the subject properties. In conjunction with the future land use amendment, the Applicant has submitted an application to rezone from Agriculture (A) to a Planned Unit Development (PUD) district in order to develop the property as a residential subdivision. A conceptual design for the road layout of the subdivision was submitted with the application as shown in Exhibit A. The rezoning application will not be heard by the Planning and Zoning Board or the Board of County Commissioners until the adoption hearing of the Comprehensive Plan (Comp Plan) request, which is tentatively scheduled for December 2018.

The Urban Low Density FLUC allows a maximum of four (4) dwelling units per net buildable acre. Comp Plan Policy I-1.1.3 Direct Orderly, Compact Growth and Comp Plan Goal I-1 Purpose of the Future Land Use Element requires Lake County to provide orderly land use patterns and to ensure compatibility between densities and intensities of development by providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas and to direct growth and development to urban areas where public facilities and services are presently in place or planned.

The property located to the south has an Urban Low Density FLUC and is zoned Medium Suburban Residential District (R-4). The properties east, west, and north of the subject properties are designated as Rural Transition and each property has an Agriculture (A) zoning district. The request to change the FLUC from Rural Transition to Urban Low density is compatible with the existing land uses and would provide an appropriate transition between each of the properties.

Comp Plan Policy I-1.3.2, Urban Low Density Future Land Use Category, states that the Urban Low Density FLUC must be located on, or in proximity to, collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. The subject properties front on Lake Lincoln Lane which is classified as a local road and are in proximity to Estes Road that intersects Lake Lincoln Lane and is classified as an Urban Collector.

The amendment would result in an orderly and logical development pattern, as required by Goal I-1 and Policy I-1.1.3 and provide a balanced source of residential development alternatives that adequately serve the residential development market in the greater Eustis area. Future economic growth and development is expected in the region in conjunction with State and Regional Transportation improvements that are currently underway and currently developed.

– 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 FLUM amendment is consistent with the Comprehensive Plan as noted in the analysis above and as provided below. Comp Plan Policy I-7.13.5, Standards of Review for Amending the Future Land Use Map states that a FLUM amendment resulting in an increase in residential density must be in the most appropriate location with respect to the efficient use of public facilities and services for the increase in density, and with respect to all other policies of this Comprehensive Plan. The subject properties are located within the Eustis Joint Planning Area (JPA). The City of Eustis has indicated that they are able to provide water and sewer services to the properties.

The property's location within the Eustis Utility Service Boundary makes the proposal consistent with Comp Plan Policy I-1.1.3, which requires the County to direct growth and development to urban areas where public facilities and services are presently in place or planned. The subject properties are also part of the Wekiva Study Area, as established by Comp Plan Policy I-3.4 Wekiva Study Area. Comp Plan Policy I-3.4.5 Development Design Standards states that new development shall protect natural resources, including but not limited to aquifer recharge, karst features, native vegetation, habitat, and wildlife. New development shall also implement conservation design standards as identified in this policy and shall connect to central water and sewer facilities where development has a density equal to or greater than one (1) dwelling unit per net buildable acre.

Comp Plan Policy I-1.4.5 Rural Transition Future Land Use Category states that the Rural Transition FLUC is intended to address "edge" conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. The proposed amendment results in the Urban FLU series directly abutting the Rural Transition FLUC. There are numerous instances on the FLUM where the Urban Low and Rural Transition serve as a buffer. Comp Plan Policy I-7.13.5 Standards of Review for Amending the Future Land Use Map requires Lake County to ensure that any proposed Future Land Use Map amendment to the Urban Future Land Use Series from the Rural Future Land Use Series is contiguous to existing urban development in the Urban Future Land Use Series so as to discourage urban sprawl.

The proposed amendment will result in additional land being added to the Urban Future Land Use series that is contiguous to the existing Urban Future Land Use Series. The intent of this section of the code is to discourage urban sprawl and

create a final area of transition between the rural area and existing urban development. 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*.

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

The proposed amendment is consistent with Comp Plan Goal I-1 and Policy I-3.4 where there is an existing development pattern in the immediate area and the proposed amendment would be logical as the parcels to the south are designated as Urban Low Density which allows a maximum density of four (4) dwelling units per net buildable acre. Additionally, the parcels to the south are zoned Medium Suburban Residential District (R-4) that also allows a maximum density of four (4) dwelling units per acre pursuant to Lake County Land Development Regulation (LDR) Section 3.02.06 *Density, Impervious Surface, Floor Area and Height Requirements*.

As previously stated, the Applicant has submitted a rezoning application in conjunction with the land use amendment to rezone the properties from Agriculture (A) to a Planned Unit Development (PUD) district. Pursuant to LDR Section 4.03.01 Purpose and Intent, a PUD is established in an effort to allow a diversification of uses, structures and open space in a manner compatible with both the surrounding, existing and approved development of land surrounding the abutting the PUD site, provide a means for land to be used more effectively and for utilization of smaller networks of utilities and roads and provide for the reasonable protection of designated species of plants and animals.

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

The proposed amendment will change the future land use category on the properties to Urban Low Density to allow the development of a residential subdivision. The proposed amendment is consistent with the existing surrounding land uses and Future Land Use Categories. The property located directly to the south of the subject properties is designated as an Urban Low Density Future Land Use Category and is zoned Medium Suburban Residential District (R-4).

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

Future economic growth and development in the region is expected to increase and continue based upon State and Regional Transportation improvements that are currently under way and being developed. During the last 7 years, only small amounts of new residential lots were added to the existing inventory. That inventory has been essentially diminished and new products should be added to maintain an appropriate balance of available and desirable single family lots.

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:

Public Works

Access to the proposed development site is through Lake Lincoln Lane which is a non-county maintained road and has a non-exclusive easement deed for road and road related utility and drainage purposes. The Developer shall be required to make improvements to meet county road design standards. Offsite road improvements may be required at the intersection of Estes Road, Bates Avenue and Lake Lincoln Lane.

Transportation

A traffic analysis prepared by Griffey Engineering, Inc. was submitted for analysis by the applicant. This study shows the impacts to the surrounding roadway network and intersections was conducted according to the adopted methodology. The traffic analysis concluded that the existing roadway system, along with the programmed road improvements and addition of currently need traffic signals will be adequate to handle the future traffic plus the additional traffic that would be generated by this Comprehensive Plan map amendment. A Tier 3 Traffic Study is required with the PUD rezoning.

Water and Sewer

The site is located within the City of Eustis Utility Service Area and the city has indicated that they will provide water and sewer services to the property. Policy IX-3.1.1, Regional Wastewater Service Criteria, requires development within the Urban Future Land Use Series to be connected to a regional sewer system, defined as a central sewer system with a capacity of 500,000 gallons per day or greater. Policy IX-3.1.2, Mandatory Sewer Connection, requires development to connect to public sanitary sewer, when available. When a public sanitary sewer system is not available, the policy requires a new development exceeding a density of one unit per net acre to provide a regional/sub-regional sanitary sewer system. Policy IX-3.1.5, Provisions of Central Sewer Services Inside of Designated Urban Areas, also requires connection to central sewer services consistent with the mandatory connection policy, but where connection to a municipal system is not feasible, independent utility providers or public-private partnerships may be considered to provide regional central sewer services on properties designated with a Future Land Use Category within the Urban Future Land Use Series. Prior to development, the development shall meet the requirements listed in the policies noted above.

Schools

A review provided by the Lake County School Board indicates there are three schools that service the area, Eustis Elementary School (98% capacity), Eustis Middle School (74% capacity), and Eustis High School (80% capacity). Based on the proposed amendment, the Lake County School District anticipates the generation of forty-six (46) students to the Lake County School system and that, at this time, the District has adequate school facilities in the Eustis area to serve the students anticipated to be generated by the proposed residential subdivision. However, this review is not a reservation of capacity. The applicant is responsible for obtaining school concurrency prior to final plat.

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. The proposed amendment will have no impact on any public facility.

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.

Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #27) is located approximately 1.1 miles from the site. This station is an advanced life support station and is staffed with a full-time paramedic. The response time is five (5) minutes or less.

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

Based on Pre-Consultation Sand Skink Biological Assessment and Environmental Site Assessment prepared by Ray and Associated Planning and Environmental, there is no indication this amendment will result in a significant impact on the natural environment. Any future development order will require the submittal of an Environmental Assessment and shall meet all Comprehensive Plan and Land Development Regulation 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 the amendment would have an adverse impact on property values.

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 a logical extension of the existing development patterns that are occurring in the area. The subject site is not located in a rural area and is already adjacent to Urban Low and Rural Transition Future Land Use Categories. The property is adjacent to a Lake County Public school site and is in close proximity of the City of Eustis.

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

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

FINDINGS OF FACT: Staff has reviewed the application for this comprehensive plan amendment request and found:

1. The proposed Comprehensive Plan amendment is consistent with Comp Plan Policy I-1.1.3 Direct Orderly, Compact Growth and Comp Plan Goal I-1 Purpose of the Future Land Use Element that requires Lake County to provide orderly land use patterns and to ensure compatibility between densities and intensities of development by providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas and to direct growth and development to urban areas where public facilities and services are presently in place or planned.
2. The proposed Comprehensive Plan amendment is consistent with Comp Plan Policy I-7.13.5, Standards of Review for Amending the Future Land Use Map which states that a FLUM amendment resulting in an increase in residential density must be in the most appropriate location with respect to the efficient use of public facilities and services for the increase in density, and with respect to all other policies of this Comprehensive Plan.
3. The proposed Comprehensive Plan amendment is consistent with Comp Plan Policy I-1.3.2, Urban Low Density Future Land Use Category that states the Urban Low Density FLUC must be located on, or in proximity to, collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.
4. The proposed Comprehensive Plan amendment is consistent with Comp Plan Policy I-3.4.5 Development Design Standards which states new development shall protect natural resources, including but not limited to aquifer recharge, karst features, native vegetation, habitat, and wildlife. New development shall also implement conservation design standards as identified in this policy and shall connect to central water and sewer facilities where development has a density equal to or greater than one (1) dwelling unit per net buildable acre.
5. The proposed Comprehensive Plan amendment is consistent with Comp Plan Policy I-7.13.5 Standards of Review for Amending the Future Land Use Map that requires Lake County to ensure that any proposed Future Land Use Map amendment to the Urban Future Land Use Series from the Rural Future Land Use Series is contiguous to existing urban development in the Urban Future Land Use Series so as to discourage urban sprawl.
6. The proposed amendment would not be in conflict with the Land Development Regulations. The parcels to the south are designated as Urban Low Density which allows a maximum density of four (4) dwelling units per net buildable acre and is zoned Medium Suburban Residential District (R-4) that also allows a maximum density of four (4) dwelling units per acre pursuant to Lake County Land Development Regulation (LDR) Section 3.02.06 Density, Impervious Surface, Floor Area and Height Requirements.

Based on these findings of fact, staff recommends **APPROVAL** to amend the Future Land Use Map on two parcels containing approximately 35 acres from Rural Transition FLUC to Urban Low Density FLUC to allow the development of a residential subdivision consisting of 114 lots.

Case Manager: Ken Johnson, Senior Planner

WRITTEN COMMENTS FILED:

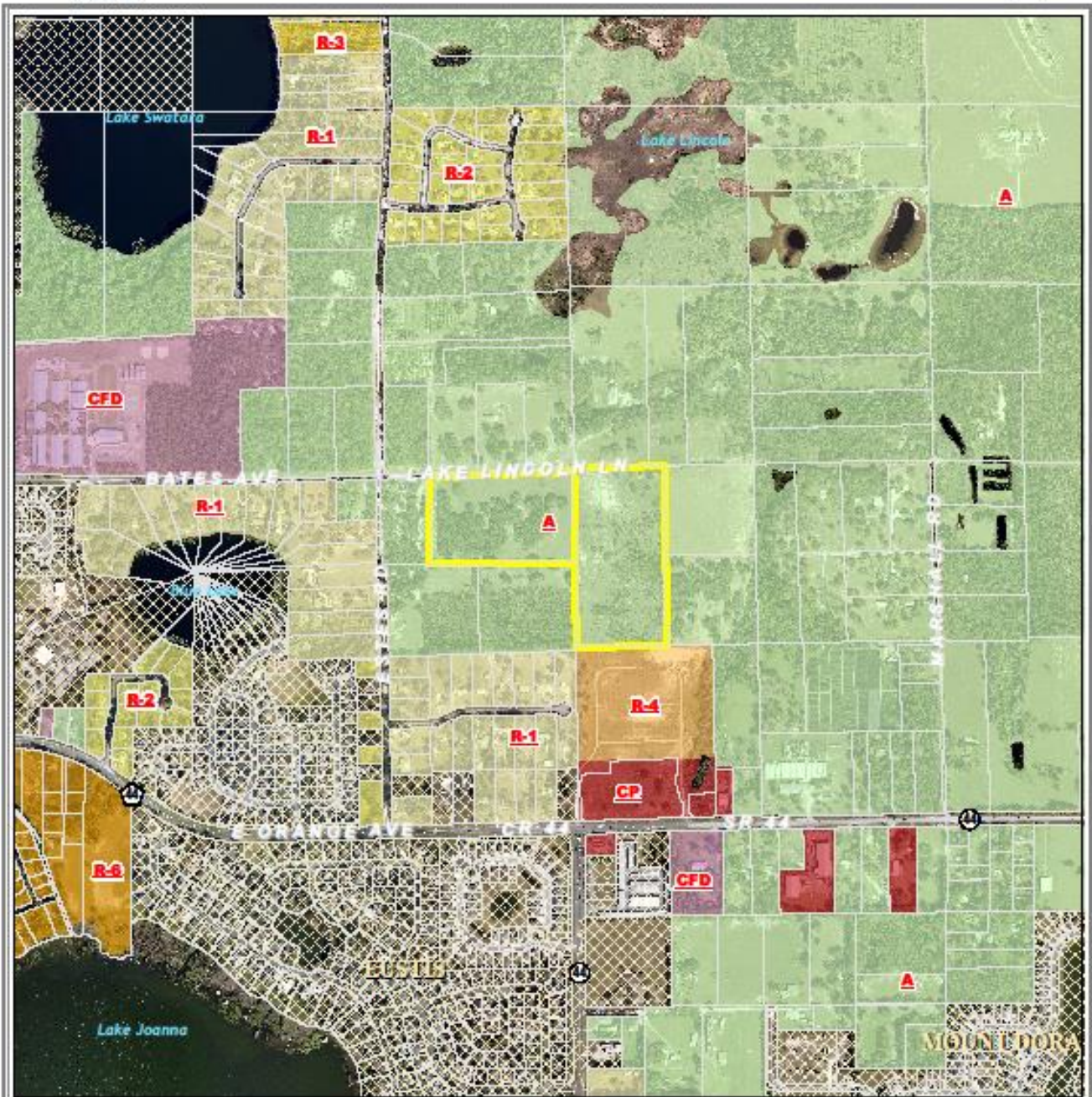
Support: -0-

Questions: -0-

Opposition: -1-



CURRENT ZONING



ZONING LEGEND

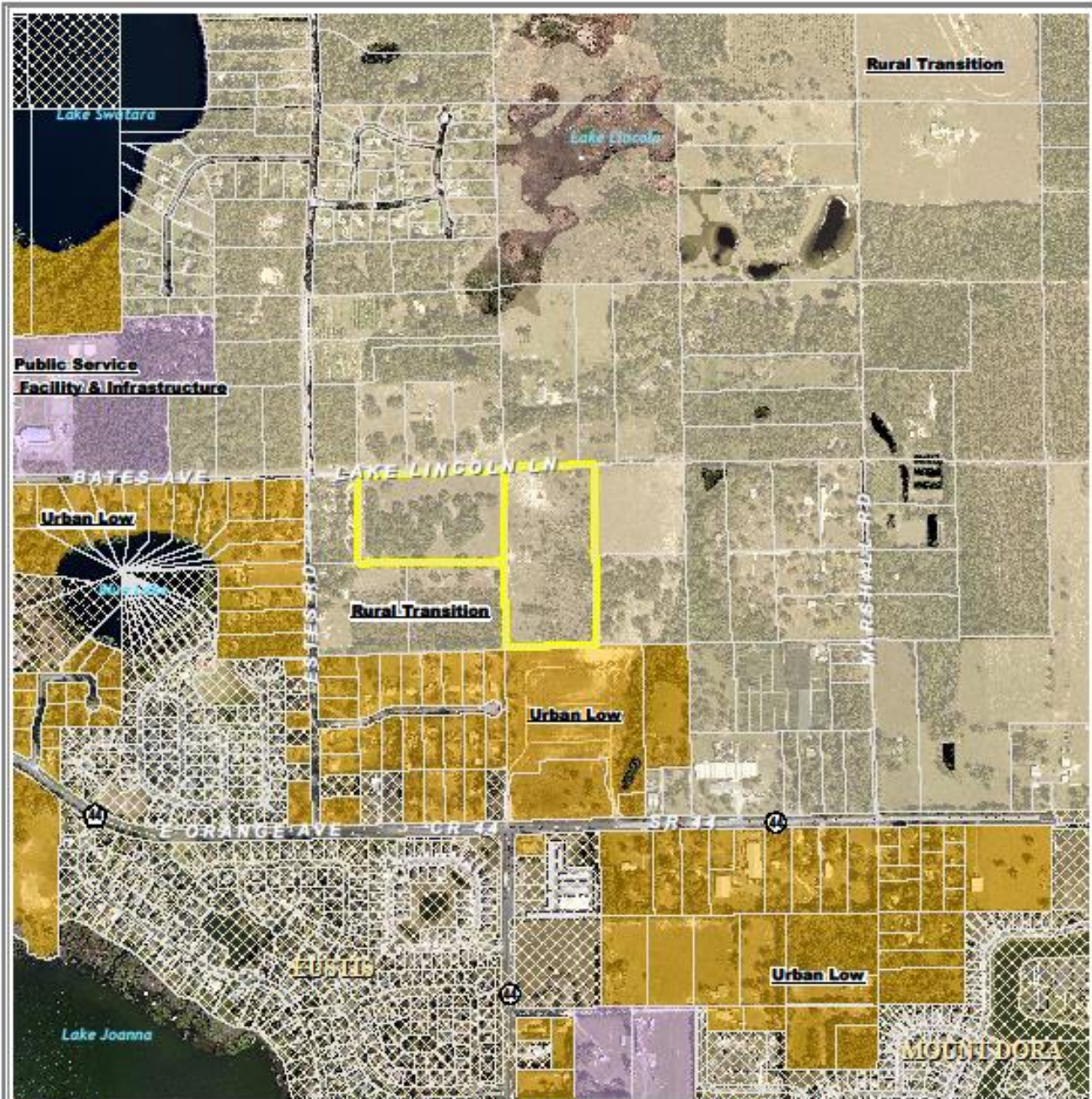
A	RA	R-2	R-4	R-7	RMRP	RV	C-2	LM	MP	PUD
AR	R-1	R-3	R-6	RP	RM	C-1	CP	HM	CFD	



NAME: CHARLIE JOHNSON BUILDERS
CASE NUMBER: FLU-18-12-4
LOCATION (S-T-R): 08-19-27
REQUEST: RURAL TRANSITION TO URBAN LOW



CURRENT FUTURE LAND USE



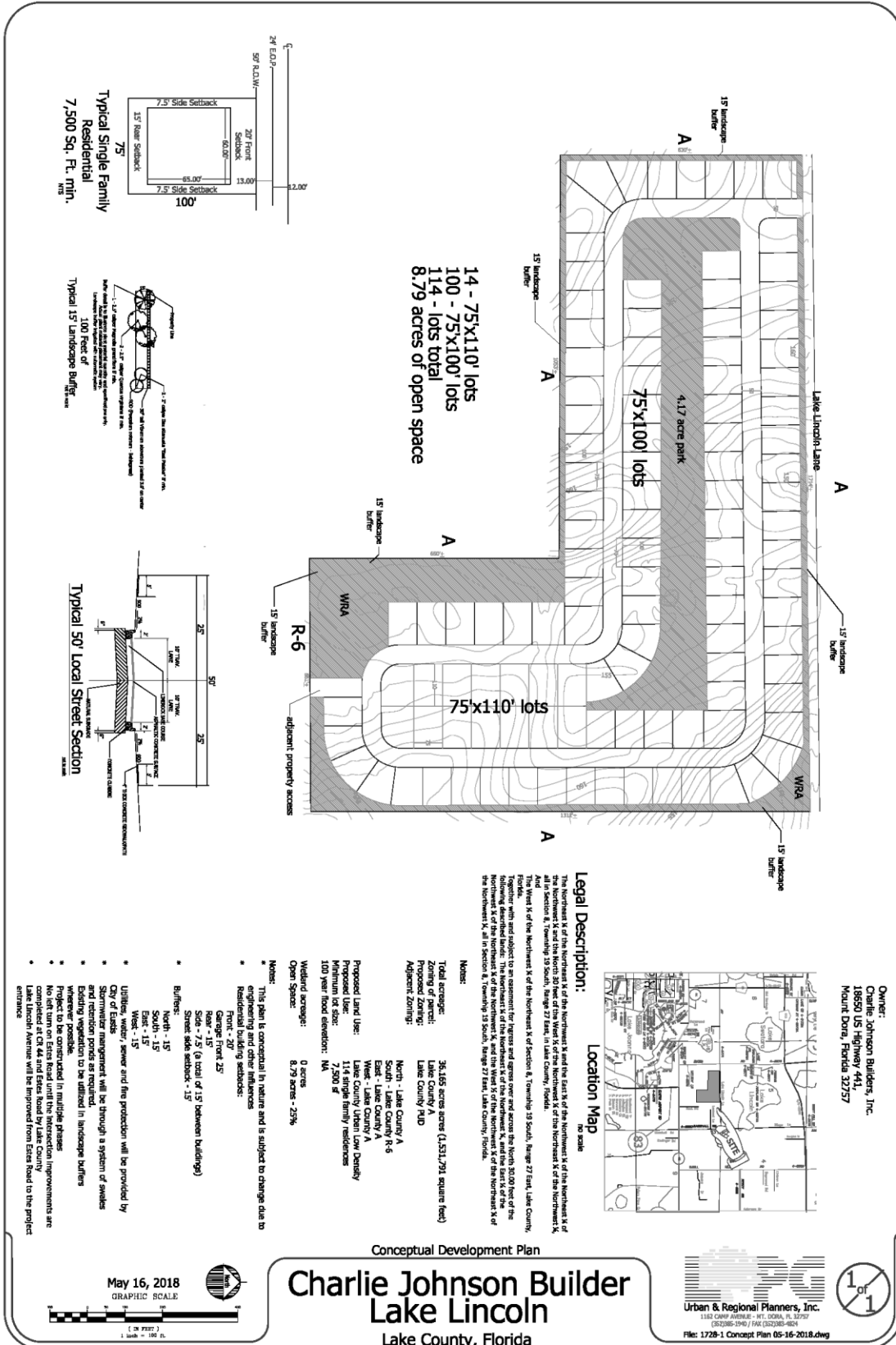
FUTURE LAND USE LEGEND

Bella Collina	Mt Plymouth-Sorrento Main Street District	Regional Commercial	Urban Low Density
Cagan Crossings	Mt Plymouth-Sorrento Neighborhood	Rural	Urban Medium Density
Conservation	Mt Plymouth-Sorrento Receiving Area	Rural Transition	Urban High Density
Green Swamp Core Conservation	Regional Office	Sending Area A-1-20	Wellness Way 1
Green Swamp Interlachen	Public Service Facility and Infrastructure	Sending Area A-1-40	Wellness Way 2
Green Swamp Ridge	Receiving Area A-1-20	South Lake Regional Park	Wellness Way 3
Green Swamp Rural	Recreation	Summer Bay	Wellness Way 4
Green Swamp Rural Conservation			Towncenter
Heavy Industrial			

NAME: CHARLIE JOHNSON BUILDERS
CASE NUMBER: FLU-18-12-4
LOCATION (S-T-R): 08-19-27
REQUEST: RURAL TRANSITION TO URBAN LOW



Exhibit A



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ORDINANCE 2018--XX
Charlie Johnson Builders Future Land Use Amendment
FLU-18-12-4

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP FROM RURAL TRANSITION FUTURE LAND USE CATEGORY TO URBAN LOW DENSITY FUTURE LAND USE CATEGORY FOR PROPERTY LOCATED ON THE SOUTH SIDE OF LAKE LINCOLN LANE, EAST OF ESTES ROAD, DESCRIBED WITH ALTERNATE KEY NUMBERS 2567236 AND 1123542, AS DESCRIBED IN EXHIBIT A; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

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 “[p]repare and enforce comprehensive plans for the development of the county”; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th 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 23rd 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 22nd 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 5th day of September 2018, 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 25th day of September 2018, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for approval to transmit to the state planning agency and other reviewing agencies; and

WHEREAS, on the XX day of XXXX 2018, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for adoption; and

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

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

1 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Future Land Use
2 Map is hereby amended to change the Future Land Use Category from Rural Transition to Urban Low Density
3 for the property described in Exhibit A, attached to this Ordinance.
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5 **Section 2. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,
6 Florida Statutes.
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8 **Section 3. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any
9 reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect
10 the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners' intent
11 to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of
12 this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts
13 had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
14 person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding
15 shall not affect the applicability thereof to any other person, property or circumstances.
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17 **Section 4. Effective Date.** The effective date of this plan amendment, if the amendment is not timely
18 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan
19 amendment package is complete. If timely challenged, this amendment shall become effective on the date
20 the state land planning agency or the Administration Commission enters a final order determining this
21 adopted amendment to be in compliance. No development orders, development permits, or land uses
22 dependent on this amendment may be issued or commence before it has become effective. If a final order
23 of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made
24 effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to
25 the state land planning agency.
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1 ENACTED this ____ day of _____, 2018.

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3 FILED with the Secretary of State _____, 2018.

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BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

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Timothy I. Sullivan, Chairman

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12 ATTEST:

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16 Gary J. Cooney, Clerk of the Board of
17 County Commissioners, Lake County, Florida

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21 Approved as to form and legality:

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25 Melanie Marsh, County Attorney

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Exhibit A
Legal Description.

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The Northeast ¼ of the Northeast ¼ of the Northwest ¼ and the East ½ of the Northwest ¼ of the Northeast ¼ of the Northwest ¼ and the North 30 feet of the West ½ of the Northwest ¼ of the Northeast ¼ of the Northwest ¼, all in Section 8, Township 19 South, Range 27 East, in Lake County, Florida.

And

The West ½ of the Northwest ¼ of the Northeast ¼ of Section 8, Township 19 South, Range 27 East, Lake County, Florida.

Together with and subject to an easement for ingress and egress over and across the North 30.00 feet of the following described lands: The Northeast ¼ of the Northeast ¼ of the Northwest ¼, and the East ½ of the Northwest ¼ of the Northeast ¼ of the Northwest ¼, and the West ½ of the Northwest ¼ of the Northeast ¼ of the Northwest ¼, all in Section 8, Township 19 South, Range 27 East, Lake County, Florida.