



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearings: Planning & Zoning Board (PZB): April 29, 2020  
Board of County Commissioners (BCC): May 19, 2020

Case No. and Project Name: RZ-20-07-5, LCBCC Umatilla CFD Rezoning

Applicant: Lake County Office of Public Safety

Owner: Lake County Board of County Commissioners

Requested Action: Rezoning property from Community Commercial District (C-2) and Urban Residential District (R-6) to Community Facility District (CFD) to accommodate fire station related improvements.

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Janie Barrón, Senior Planner

PZB Recommendation:

### Subject Property Information

Size: 0.57 +/- Acres

Location: North of Umatilla Place and west of State Road 19, in the Umatilla area.

Alternate Key No.: 1428491 and 1637520

Future Land Use Category: Urban Low Density

Existing Zoning District: Community Commercial District (C-2) and Urban Residential District (R-6)

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area/ISBA: N/A

Overlay Districts: N/A

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Community Commercial (C-2)	Street and Auto Sales Use	First Street, Adjoining Auto Sales Use
South	Urban Low Density	Urban Residential (R-6) and Community Commercial (C-2)	Street and Residential	Umatilla Place, Single-Family Dwellings Units
East	Conservation and Urban Low Density	Community Facility District (CFD) and Community Commercial (C-2)	Fire Station and Residential	Fire Station, Adjacent to Single-Family Dwelling Units
West	Urban Low Density	Urban Residential (R-6)	Former ACL Rail Road and Residential	Former ACL Rail Road Right-of-Way, Adjoining Single-Family Dwelling Units

**– Summary of Analysis –**

The application seeks to rezone two properties which are identified as Alternate Key #s 1637520 and 1428491 (the “subject property”) to Community Facility District (CFD), to accommodate improvements related to the fire station which is already located on the neighboring parcel identified as Alternate Key #1428459 (Attachment A). The parcel identified as Alternate Key #1428549 where the existing fire station is located is already zoned CFD. The subject property is zoned Community Commercial District (C-2) and Urban Residential District (R-6) and is part of the Urban Low Density Future Land Use Category (FLUC). The subject property is developed with single-family dwelling unit (Attachment B). However, the existing residence will be demolished prior to the fire station improvements.

The request is consistent with all applicable provisions of the Code and elements of the Comprehensive Plan.

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

The request and use are consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which establishes lands that benefit the public and general welfare.

The request is consistent with LDR Section 3.01.02, *Classification of Uses*, which defines Public Safety Service as a governmental or public agency, or an entity owned or operated by a governmental or public agency, for the health, safety, or general welfare of the residents of Lake County, Florida. Typical uses within this classification include law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.

The request is consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows community facility uses within the CFD zoning district.

**B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;**

The request is consistent with Goal I-1, *Purpose of the Future Land Use Element*, which provides efficient allocation of public facilities and provides protection to the health, safety and welfare of the public.

The request is consistent with Objective VI-1.6, *Coordination of Level of Service Standards and Provision of Public Facilities and Services*, which requires the County to provide adequate public facilities consistent with levels of service standards.

The request is consistent with Policy I-1.3.2, *Urban Low Density Future Land Use Category*, which allows public order and safety uses. A public order and safety use is defined as “A benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. This includes but is not limited to law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.”

The request is consistent with Comprehensive Plan Policy I-1.5, *Public Benefit Future Land Use Series*, which establishes lands that benefit the public and general welfare. The subject parcel will be developed as a community facility use, which will benefit the general welfare of the community.

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

Fire stations are establishments primarily for the benefit and service of the community in which it is located consistent with the FLUC, which allows public order and safety uses. Additionally, the amendment is consistent with Land Development Regulations (LDR) Section 3.01.03, which allows community facility uses within the CFD zoning district.

**D. Whether there have been changed conditions that justify a rezoning;**

The request is consistent with all applicable elements of the Comprehensive Plan, and with Land Development Regulations (LDR) Section 3.01.03, which allows community facility uses within the CFD zoning district. The subject parcel is designed with an Urban Low Density FLUC, which allows for public order and safety.

- E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning 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;**

Water and Sewer

The subject property is currently serviced by a well and septic. However, any future redevelopment shall connect to central potable water and central sewer when such services become available, in accordance with the Comprehensive Plan and LDR, as amended.

Office of Public Safety

Lake County Fire Rescue Station #20 is located less than five-hundred (500) feet of the subject property at 37711 State Road 19, Umatilla, and will provide advanced life support should an emergency situation on the property demand this service. Fire protection water supply and emergency access will be addressed during the preliminary plat review process, should the rezoning request be approved by the Board.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

Transportation Concurrency

The request is not anticipated to adversely impact the roadways standard Level of Service (LOS).

- F. Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;**

Should the rezoning be approved, all sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Land Development Regulations (LDR) and Comprehensive Plan. An environmental assessment dated within 6 months of the site plan application submission date to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. Any required State permitting or mitigation will be required before development can commence.

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

There is no information within the application that specifies impacts on property values.

- H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area. The fire station was constructed in 1987, is located on parcel identified by Alternate Key #1428459 and the request is to facilitate improvements to the existing fire station.

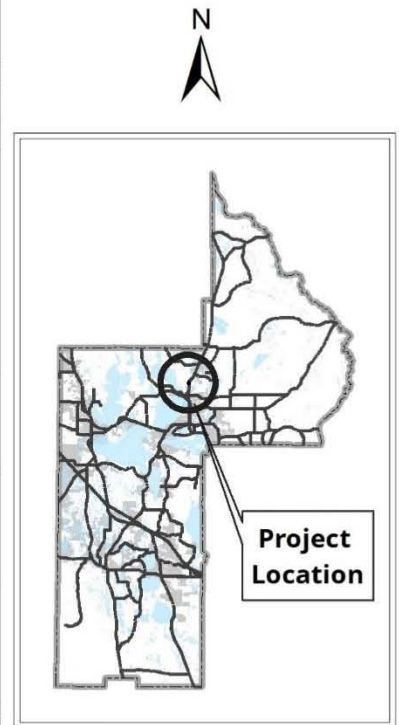
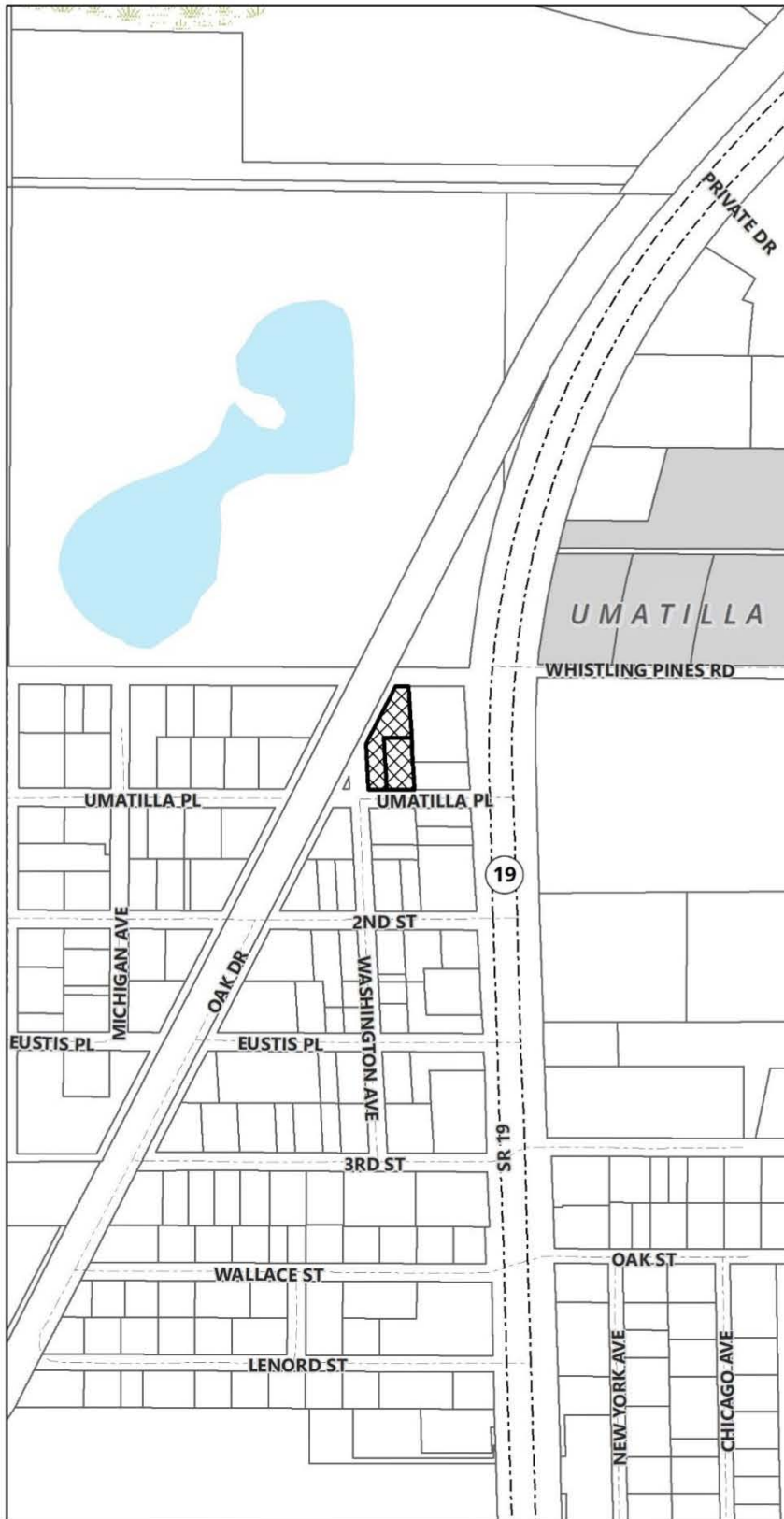
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

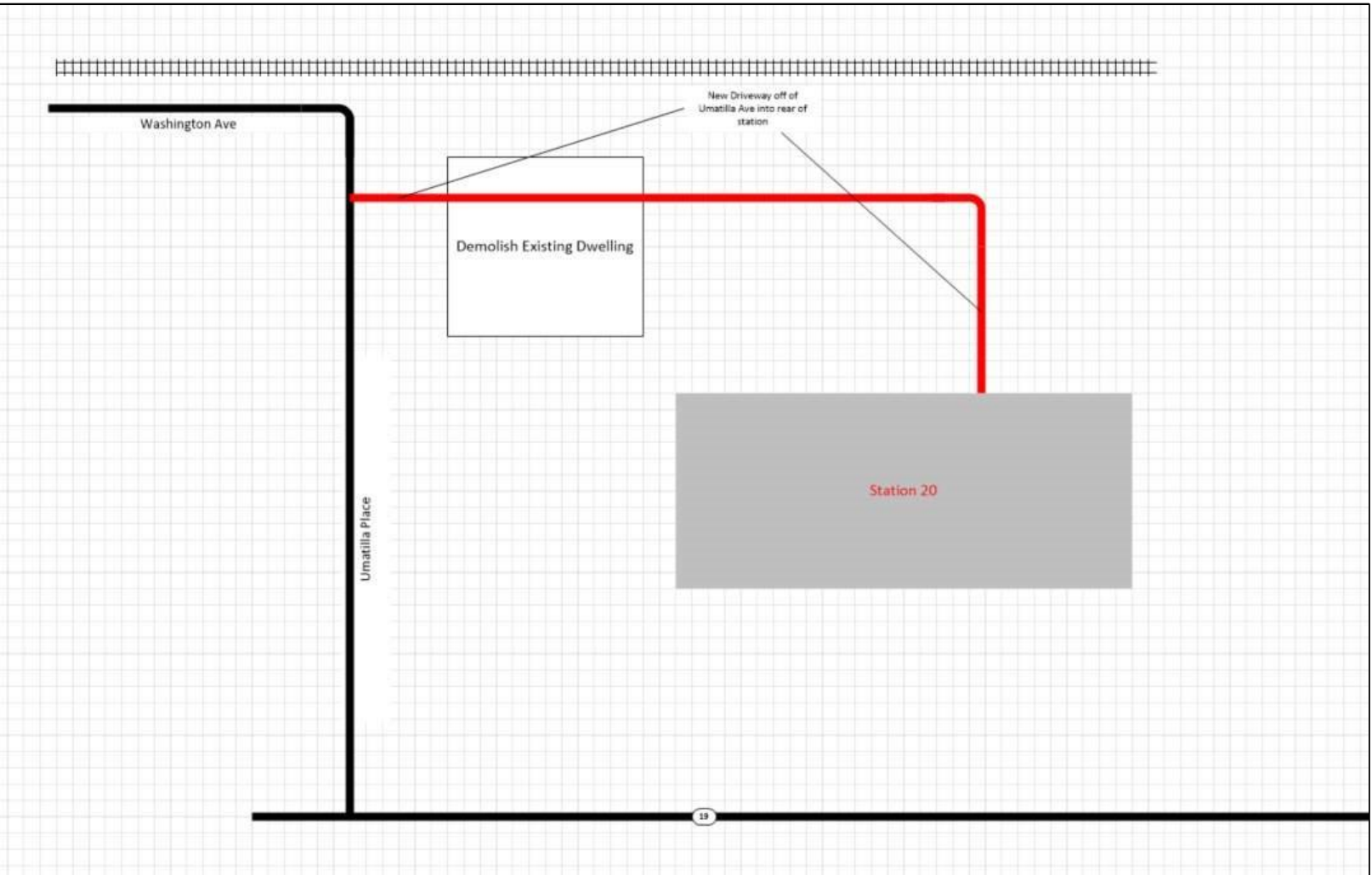
- J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A.

# Map of Subject Property



# Attachment A, Fire Station Proposed Related Improvements.





**ORDINANCE #2020-XX**  
**Lake County Board of County Commissioners**  
**RZ-20-07-5**

1 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE**  
2 **LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

3 **WHEREAS**, Lake County Office of Public Safety (the "Applicant") submitted a rezoning  
4 application on behalf of the Lake County Board of County Commissioners ("the Owner") to rezone  
5 approximately 0.57 +/- acres from Community Commercial District (C-2) and Urban Residential District  
6 (R-6) to Community Facility District (CFD) to accommodate fire station related improvements; and

7 **WHEREAS**, the subject property consists of 0.57 +/- acres located at 16201 Umatilla Place,  
8 Umatilla in Section 26, Township 18 South, Range 26 East, consisting of Alternate Key Numbers  
9 1428491 and 1637520 and more particularly described below:

10 Lots 12 to 19, Block 1, Subdivision A of Eustis Park, according to the map or plat thereof as  
11 recorded in Plat Book 8, Page 13, Public Records of Lake County, Florida.

12 **WHEREAS**, the property subject to the request is located within the Urban Low Density Future  
13 Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map  
14 (FLUM); and

15 **WHEREAS**, the Lake County Planning and Zoning Board did review Petition RZ-20-07-5 on the  
16 29th day of April, 2020, after giving notice of the hearing on the petition for change in zoning, including  
17 notice that the petition would be presented to Board of County Commissioners of Lake County, Florida,  
18 on the 19th day of May, 2020; and

19 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations  
20 of the Lake County Planning and Zoning Board, the staff report and any comments, favorable or  
21 unfavorable from the public and surrounding property owners at a public hearing duly advertised; and

22 **WHEREAS**, upon review, certain terms pertaining to the development of the above described  
23 property has been duly approved.

24 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
25 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as  
26 they pertain to the property described herein, subject to the following terms:

27 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to  
28 designate the property described above as Community Facility District (CFD) zoning in  
29 accordance with this Ordinance.

30 **A. Land Uses.**

31 1. Uses of the site described above shall allow the following:

32 a. Fire Station and other essential public emergency services.

33 Accessory uses may be approved by the County Manager or designee. Any other use  
34 of the property will require approval of an amendment to this Ordinance by the Board of  
35 County Commissioners.

- 1                   **B. Open Space, Impervious Surface Ratio, and Building Height.** Open space,  
2                   impervious surface ratio, and building height shall be in accordance with the  
3                   Comprehensive Plan, and Land Development Regulations (LDR), as amended.
- 4                   **C. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- 5                   **D. Parking Requirements.** Off-street parking must be provided in accordance with the  
6                   LDR, as amended.
- 7                   **E. Environmental Requirements.**
- 8                   1. An environmental assessment dated within six (6) months of the development  
9                   application submittal date must specify the presence of vegetation, soils, threatened  
10                  and endangered species that may exist on the site. Any State permitting or mitigation  
11                  will be required before development can commence to ensure compliance with the  
12                  Comprehensive Plan and LDR, as amended.
- 13                  **F. Noise.** Noise assessment shall be in accordance with the LDR, as amended.
- 14                  **G. Stormwater Management.** The stormwater management system must be designed in  
15                  accordance with all applicable Lake County and St. Johns River Water Management  
16                  District requirements, as amended.
- 17                  **H. Transportation Improvements.** All access management shall be in accordance with  
18                  the Comprehensive Plan and LDR, as amended.
- 19                  **I. Lighting.** Exterior lighting must be in accordance with the LDR, as amended and  
20                  consistent with Dark-Sky Principles.
- 21                  **J. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening shall  
22                  be in accordance with the LDR, as amended.
- 23                  **K. Floodplain Management.** The Developer will be responsible for any flood studies  
24                  required for developing the site and to comply with Federal Emergency Management  
25                  Agency (FEMA) regulations, the Comprehensive Plan, and the LDR, as amended. Any  
26                  development within the floodplain as identified on the FEMA maps will require  
27                  compensating storage.
- 28                  **L. Utilities.** The development shall be serviced by well and septic tank consistent with the  
29                  Florida Department of Health Regulations, as amended. However, any future  
30                  redevelopment shall connect to central potable water and central sewer when services  
31                  become available, in accordance with the Comprehensive Plan and LDR, as amended.
- 32                  **M. Signage.** All signage must be in accordance with the LDR, as amended.
- 33                  **N. Concurrency Management Requirements.** Any development must comply with the  
34                  Lake County Concurrency Management System, as amended.
- 35                  **O. Development Review and Approval.** Prior to the issuance of any permits, the Applicant  
36                  shall be required to submit a development application for review and approval in  
37                  accordance with the Comprehensive Plan and LDR, as amended.
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- 1 **Section 2. Conditions.**
- 2       **A.** After establishment of the facilities as provided in this Ordinance, the property may only
- 3       be used for the purposes identified in this Ordinance. Any other proposed use must be
- 4       specifically authorized by the Lake County Board of County Commissioners.
- 5       **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
- 6       improve, move, convert, or demolish any building structure, add other uses, or alter the
- 7       land in any manner within the boundaries of the above described land without first
- 8       obtaining the necessary approvals in accordance with the Lake County Code, as
- 9       amended, and obtaining the permits required from the other appropriate governmental
- 10      agencies.
- 11      **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the
- 12      land, and the terms, conditions, and provisions of this Ordinance will be binding upon the
- 13      present Owners and any successor, and will be subject to each and every condition set
- 14      out in this Ordinance.
- 15      **D.** The transfer of ownership or lease of any or all of the property described in this
- 16      Ordinance must include in the transfer or lease agreement, a provision that the purchaser
- 17      or lessee is made good and aware of the conditions established by this Ordinance and
- 18      agrees to be bound by these conditions. The purchaser or lessee may request a change
- 19      from the existing plans and conditions by following the procedures contained in the LDR,
- 20      as amended.
- 21      **E.** Action by the Lake County Code Enforcement Special Master. The Lake County Code
- 22      Enforcement Special Master will have authority to enforce the terms and conditions set
- 23      forth in this Ordinance and to recommend that the ordinance be revoked.
- 24 **Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
- 25      or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the
- 26      validity of the remaining portions of this Ordinance.
- 27 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
- 28      Ordinance to the Secretary of State for the State of Florida in accordance with Section
- 29      125.66, Florida Statutes.

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1 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**  
2 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
3 **FILED** with the Secretary of State \_\_\_\_\_, 2020.  
4 **EFFECTIVE** \_\_\_\_\_, 2020.

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9 **BOARD OF COUNTY COMMISSIONERS**  
10 **LAKE COUNTY, FLORIDA**

11 \_\_\_\_\_  
12 **LESLIE CAMPIONE, CHAIRMAN**  
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17 **ATTEST:**  
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21 **GARY J. COONEY, CLERK OF THE**  
22 **BOARD OF COUNTY COMMISSIONERS**  
23 **LAKE COUNTY, FLORIDA**  
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28 **APPROVED AS TO FORM AND LEGALITY:**  
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31 \_\_\_\_\_  
32 **MELANIE MARSH, COUNTY ATTORNEY**