

UMATILLA CITY COUNCIL MEETING

September 6, 2022, 6:00 PM or as soon thereafter as possible Council Chambers, 1 S. Central Avenue, Umatilla, Florida

Pledge of Allegiance and Prayer

Please silence your electronic devices

CALL TO ORDER ROLL CALL

AGENDA REVIEW

MINUTES REVIEW

1. *City Council Budget Workshop Minutes dated August 16, 2022*
2. *Land Planning Agency Minutes dated August 16, 2022*
3. *City Council Meeting Minutes dated August 16, 2022*

MAYOR'S MESSAGE

PUBLIC COMMENT

At this point in the meeting, the Umatilla City Council will hear questions, comments and concerns from the public.

Please write your name and address on the paper provided at the podium. Zoning or code enforcement matters which may be coming before the Council at a later date should not be discussed until such time as they come before the Council in a public hearing. Comments, questions, and concerns from the public regarding items listed on this agenda shall be received at the time the Board addresses such items during this meeting. Public comments are generally limited to three minutes.

PRESENTATIONS

4. *Presentation to Greg Hawthorne, a Local Hero*

CONSENT AGENDA

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

5. *Final Reading of Ordinance No. 2022-108, Annexation of 2.6 +/- Acres of Land generally located south of Rose street and west of Skyline Drive.*
6. *Final Reading of Ordinance No. 2022-109, Amending the Land Use Designation of 7.9 +/-Acres of Land generally located south of Rose street and west of Skyline Drive. (SSCPA)*
7. *Final Reading of Ordinance No. 2022-110 Reclassifying 7.9 +/-Acres of Land generally located south of Rose street and west of Skyline Drive. (SSCPA)*
8. *Resolution No. 2022-24, Transferring the Jurisdiction of Golden Gem Road*

NEW BUSINESS

9. *Trunk or Treat – Julie Rogers, Umatilla Chamber of Commerce, Presenting*

REPORTS

City Attorney
City Council
Staff Members

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352)669-3125. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution 2014-43. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at this meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.

The City of Umatilla is an equal opportunity provider and employer.

**MINUTES, UMATILLA CITY COUNCIL
BUDGET WORKSHOP
AUGUST 16, 2022 AT 5:00 P.M.
COUNCIL CHAMBERS, 1 S CENTRAL AVENUE, UMATILLA FLORIDA**

Mayor Adcock led the Pledge of Allegiance and gave an Invocation.

The meeting was called to order at 5:00 p.m.

PRESENT: Kent Adcock, Mayor; Chris Creech, Vice Mayor; Council Members Kaye Adams, John Nichols, Brian Butler; City Manager Scott Blankenship; City Attorney W. Grant Watson; Finance Director Regina Frazier; Director of Development and Public Services Aaron Mercer; Police Chief Adam Bolton; City Clerk Gwen Johns; Assistant to the City Manager Misti Lambert; Amy Stultz, Library Director

NEW BUSINESS

1. Budget Discussion led by Regina Frazier, Finance Director

Regina Frazier, Finance Administration Director, stated the budget is balanced using the current millage rate of 7.5 mills.

Ms. Frazier stated the proposed budget maintains reserves near recommended level. It also includes funding for minimum wage and compression salary increases, fuel cost increases, insurance and maintenance and merit salary increases of 0-5%.

The City Council has the option every year to change the millage rate. Ms. Frazier stated the following options and explained the projected implication of each option.

- 1) Current level 7.1089 = \$60,645 General Fund plus \$16,977 CRA
- 2) Rolled back 6.7943 = \$109,427 General Fund plus \$30,634 CRA
- 3) Rate per 0.1 mill = \$15,506 General Fund plus \$4,341 CRA

Options:

- 1) Maintain the current millage of 7.1089 (reduces reserves by \$109,537)
- 2) Keep the TRIM advertised rate of 7.50 (reserves at \$889,689)
- 3) Reduce by an amount between 7.1089 and 7.50 (\$15,506 per 0.1 mill)

Ms. Frazier explained the CRA budget process and how CRA funds are managed. She also explained how CRA funds may be used.

Ms. Frazier stated the following projects are included in the projected budget:

- 1) Continued Street Paving outside of CRA
- 2) Parking Improvements
- 3) Grant matching funds for police vehicles

The capital projects that are not included but may be covered with other funding opportunities include the following:

- 1) Grant matching funds for fire vehicle (will cover with current year surplus, if available at year end)
- 2) Phillips infrastructure (estimated cost \$1.5 million) – there may be an opportunity to cover these costs with proceeds from sale of property or an SRF loan
- 3) Water-Sewer Infrastructure grant matching funds

The USDA funding was not granted for fire vehicles this year. The USDA will be rolling the application into their next year.

Mr. Blankenship asked if there is fund balance from the ARPA funding, not already committed to Engineering Design services. Ms. Frazier a portion of the ARPA funds is still available. She added there is also additional infrastructure fund balance in the current budget that may be allocated to other uses.

Mr. Blankenship believes the City could maintain the current millage rate and use some funding from Reserves, while maintaining an appropriate reserve balance. He also noted five years ago, unrestricted reserves were just over \$400k, today that fund is over \$700k.

With regard to increased Property and Casualty policy costs, Vice Mayor Creech asked the age of that policy and when the last time is the City shopped prices for P&C. Mr. Blankenship said he battles with PRM about every year but they base everything on replacement value.

Ms. Frazier said she has included ongoing increases in this budget. When making estimates, Ms. Frazier is conservative. Therefore, extra fund balances may be left over after completion of the annual audit process.

Vice Mayor Creech would like to know the cost associated with getting all employees up to the \$15 per hour minimum wage. Mayor Adcock agreed. Ms. Frazier said Public Works has been an ongoing challenge. By the end of this budget year, ninety-nine percent of those employees will be above \$15.00 per hour.

Council Member Nichols expressed concern about future compression issues and salary funding. He said now might be the time to look two or three years into the future.

Mayor Adcock asked if the Lake Economic Area Partnership funding is include in the budget. Mr. Blankenship said no but based on census, it would be approximately \$1 per resident. Mr. Blankenship questions the net effect of challenging the census.

Ms. Frazier said tentative budget hearing will be held at the first meeting in September. No decision is necessary this evening.

Mr. Blankenship stated staff will bring definitive answers as to what is committed out of the ARPA funds as well as numbers pertaining to bringing all employees up to minimum wage.

ADJOURNMENT

There being no further items for discussion, the meeting was adjourned at 5:47 p.m.

Kent Adcock, Mayor

Gwen Johns, MMC
City Clerk

**CITY COUNCIL AS LAND PLANNING AGENCY
AUGUST 16, 2022 5:45 P.M.
UMATILLA CITY COUNCIL CHAMBERS, 1 S. CENTRAL AVENUE, UMATILLA**

Mayor Adcock called the meeting to order at 5:45 p.m.

PRESENT: LPA Agency Board Members Kent Adcock; Chris Creech; Brian Butler; Katherine Adams, John Nichols; Police Chief Adam Bolton; Finance Director Regina Frazier; City Attorney Grant Watson; City Manager Scott Blankenship; City Clerk Gwen Johns; Library Director Amy Stultz; Aaron Mercer, Director of Development and Public Services; Land Planner Sherie Lindh; Misti Lambert, Assistant to the City Manager

APPROVAL OF MINUTES

1. Approval of LPA Minutes dated July 19, 2022

**MOTION by Mr. Nichols to approve minutes dated July 19, 2022;
SECOND by Mr. Creech;
Motion APPROVED by a unanimous voice vote.**

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

1. Amending the Land use Designation of 7.9± Acres of Land Generally Located South of Rose Street and West of Skyline Drive, Ordinance No. 2022-109

Sherie Lindh, Land Planning Group, was sworn in by City Attorney Grant Watson. Scott Blankenship, Sherie Lindh and Aaron Mercer were sworn in.

Ms. Lindh provided an overview the request for Land Use Designation, which is a Small-Scale Comprehensive Plan Amendment (SSCPA).

Ms. Lindh pointed out location of the site falls within the airport overlay zone, and according to the City's Land Development Regulations, further limits density to 1 unit per 2 acres.

**MOTION by Mr. Nichols to recommend approval of ordinance 2022-109 to City Council;
SECOND by Mr. Creech;
Motion carried by a unanimous voice vote.**

ADJOURNMENT

The Meeting was adjourned at approximately 5:58 pm.

Kent Adcock
Mayor

ATTEST: _____
Gwen Johns, MMC
City Clerk

UMATILLA CITY COUNCIL MEETING
August 16, 2022 at 6:00 PM
Council Chambers, 1 S. Central Avenue, Umatilla, Florida

Mayor Kent Adcock called the meeting to order.

Mayor Adcock led the Pledge of Allegiance and gave an Invocation.

The meeting was called to order at 6:00 p.m.

PRESENT: Mayor Kent Adcock; Vice Mayor Chris Creech; Council Members Bryan Butler; John Nichols; Aaron Mercer, Director of Development and Public Services; City Attorney Kevin Stone; Police Chief Adam Bolton; Gwen Johns, City Clerk; Amy Stultz, Library Director; Misti Lambert, Assistant to the City Manager

AGENDA REVIEW

MOTION by Council Member Nichols to approve the agenda as presented;
SECOND by Vice Mayor Creech;
Motion APPROVED by unanimous vote.

MINUTES REVIEW

1. Approval of City Council Meeting minutes dated August 2, 2022

MOTION by Vice Mayor Creech to approve the August 2, 2022 minutes as presented;
SECOND by Council Member Butler;
Motion APPROVED by unanimous vote.

PUBLIC COMMENT

There were none.

PRESENTATIONS

3. Certificate of Scholarship to Miss Emma Ethington

Mayor Adcock presented a Certificate recognizing Miss Emma Ethington as the 2022 Umatilla High School Scholarship recipient.

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

4. First Reading of Ordinance No. 2022-108, Annexation of 2.6 +/- Acres of Land Generally Located South of Rose Street and West of Skyline Drive

W. Grant Watson, City Attorney, read Ordinance No. 2022-108 by title only.

ORDINANCE NO. 2022-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 2.6 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF ROSE STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Watson explained the quasi-judicial proceeding.

Mr. Watson, City Attorney, swore in Sherie Lindh and Aaron Mercer.

Sherie Lindh, Land Planning Group, presented information pertaining to Ordinance No. 2022-108.

There were no public comments.

MOTION by Council Member Butler to APPROVE the first reading of Ordinance No. 2022-108;

**SECOND by Vice Mayor Creech;
Motion APPROVED by a roll call vote.**

Mayor Adcock	YES	Council Member Adams	YES
Vice Mayor Creech	YES	Council Member Butler	YES
Council Member Nichols	YES		

4. Final Reading of Ordinance No. 2022-109, Amending the Future Land Use Map for 7.9± Acres of Land Generally Located South of Rose Street and West of Skyline Drive

Mr. Watson, City Attorney, read Ordinance No. 2022-109 by title only.

ORDINANCE NO. 2022-109

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(c); AMENDING THE LAND USE DESIGNATION OF 7.9 ± ACRES OF LAND DESIGNATED LAKE COUNTY SINGLE FAMILY LOW DENSITY TO AGRICULTURE IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY JASON AND RENAE BRUCE LOCATED SOUTH OF ROSE STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Sherie Lindh, Land Planning Group, stated no additional information. Ms. Lindh requested testimony previously submitted be carried forward for the record.

There were no public comments.

MOTION by Council Member Nichols to approve the first reading of Ordinance No. 2022-109;

**SECOND by Council Member Adams;
Motion APPROVED by a roll call vote.**

Mayor Adcock	YES	Council Member Adams	YES
Vice Mayor Creech	YES	Council Member Butler	YES
Council Member Nichols	YES		

5. Final Reading of Ordinance No. 2022-110, Rezoning for 7.9± Acres of Land Generally Located South of Rose Street and West of Skyline Drive

Mr. Watson, City Attorney, read Ordinance No. 2022-110 by title only.

ORDINANCE NO. 2022-110

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(c); AMENDING THE LAND USE DESIGNATION OF 7.9 ± ACRES OF LAND ZONED LAKE COUNTY RURAL RESIDENTIAL (R-1) AND CITY SINGLE FAMILY LOW DENSITY (R-3) TO THE DESIGNATION OF CITY AGRICULTURE RESIDENTIAL (AR-1) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY JASON AND RENAE BRUCE LOCATED SOUTH OF ROSE STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA

STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Sherie Lindh, Land Planning Group, stated no additional information. Ms. Lindh stated the previous testimony will carry forward for this item. She offered information with regard to further clarifying the airport overlay zone.

There were no public comments.

The Hearing was closed and the City Council moved into deliberation.

MOTION by Vice Mayor Creech to approve the first reading of Ordinance No. 2022-110; SECOND by Council Member Butler; Motion APPROVED by a roll call vote.

Mayor Adcock	YES	Council Member Adams	YES
Vice Mayor Creech	YES	Council Member Butler	YES
Council Member Nichols	YES		

NEW BUSINESS

6. Airport Ground lease for Right Rudder, LLC, Todd Faden

Mr. Blankenship stated this will be the third land lease within the airport property. This is one property to the left of Mr. Vossberg's lease. Nothing has changed from the previous lease in terms of cost structure per square foot.

MOTION by Council Member Nichols to approve; Motion SECONDED by Vice Mayor Creech; Unanimous voice vote.

7. GAI Contract for Services in the Amount of \$90,000

Mr. Blankenship said the City Council previously put out a bid for construction of the general terminal. The initial budget was approximately \$1.2 million and the City was stuck without funding for the project. The contractor had agreed to split their work from infrastructure. Tonight, Matt Humphrey and Dan Nichols from GAI are present to answer questions.

Mr. Dan Nichols explained the process with regard to grant funding and the contractor has agreed to split the project in order to get started on the project. Mayor Adcock said this presupposes the second million will come in the future year.

MOTION by Council Member Butler to approve item 8 (GSB); SECONDED by Council Member Nichols; Unanimous voice vote

8. GSB Contract Award, Phase I in the Amount of \$843,078

Mr. Blankenship noted this is the infrastructure part of the project.

MOTION by Vice Mayor Creech to approve; SECONDED by Council Member Nichols Unanimous voice vote.

REPORTS

City Attorney – Mr. Watson thanked the City Council for allowing him to be in attendance this evening.

City Manager – Nothing additional to report.

Council Member Nichols – nothing additional to report.

Council Member Adams – at the FLC Conference this week, broadband internet was discussed. Lake County is supposedly in on getting broadband. She said perhaps the City of Umatilla would be interested in taking advantage of the partnership if available. Mr. Blankenship has not heard anything, but he will find out and bring information back to City Council.

Council Member Adams clarified emergency management vehicles are covered under the City's insurance at all times.

Vice Mayor Creech – nothing additional to report.

Council Member Butler – nothing additional to report.

Mr. Blankenship said a local resident has made a request to recognize the Spruce Creek pilots who fly in Umatilla. He suggested a Proclamation to recognize the Spruce Creek pilots. They will be flying in for the next young eagles event. Mayor Adcock asked if Council Member Nichols would be willing to present the Proclamation and he said yes.

Mayor Adcock has received a request pertaining to the Women's Hall of Fame nomination opportunity. September 16th is the deadline to submit the name of anyone who would like to make a nomination.

Chief Adam Bolton – nothing additional to report.

Ms. Frazier – nothing additional to report.

Mr. Mercer stated with regard to the sewer line with Eustis project, the contractor working for the City of Umatilla submitted a work order in March for the VFPs and they were supposed to be delivered this month. Those pumps will be delayed another 35 weeks. The City's engineer along with Barney's is trying to look into other brands that may be adequate alternative options. Mr. Mercer will provide updates as he obtains additional information. This is going to cause some significant delay. The project itself is over 90% complete.

Amy Stultz will be participating in the Southside Health Fair in response to a request for participation from the City.

ADJOURNMENT

With no further business for discussion, meeting adjourned at approximately 6:28 p.m.

Kent Adcock, Mayor

Gwen Johns, MMC
City Clerk



PROCLAMATION

CITY OF UMATILLA, FLORIDA

WHEREAS, the City Council of the City of Umatilla wishes to recognize Greg Hawthorne as a Umatilla Hero; and

WHEREAS, on August 19, 2022, Umatilla Police Department responded to a house fire on Lakeview Street; and

WHEREAS, Upon responding to the house fire on Lakeview Street, flames were seen coming from the roof and sides of the home, making it dangerous to enter the structure; and

WHEREAS, Mr. Greg Hawthorne, a local citizen, had entered the structure prior to emergency personnel arrival to ascertain if anyone was left in the burning residence, and;

WHEREAS, Mr. Hawthorne is deserving of this special recognition because he called 911, and then acted appropriately. Mr. Hawthorne attempted to contact the homeowners prior to entering the structure. He could hear animals inside the house and gained entry to save the family pets; and

WHEREAS, Mr. Hawthorne showed a tremendous amount of community spirit and took personal risk to ensure that people he had never met were safe from the fire. His actions saved the lives of the family's animals and provided valuable information to the responding firefighters, allowing them to better tailor their response to the situation.

NOW, THEREFORE, I, Kent Adcock, Mayor of the City of Umatilla, do hereby recognize the heroic efforts of Mr. Greg Hawthorne, a resident of Umatilla, who put his life on the line to assist emergency personnel and to save a family's beloved pets from their burning home. The City of Umatilla is fortunate to have residents who care about each other and are willing to take action when necessary. Mr. Hawthorne, on behalf of the City Council and the citizens of the City of Umatilla, I extend heartfelt appreciation to you for the heroic efforts you put forth in a very dangerous situation.

Signed this 6th day of September, 2022, by

Kent Adcock, Mayor of the
City of Umatilla

**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: August 22, 2022 **MEETING DATE:** September 6, 2022

SUBJECT: Ordinance No. 2022 – 108 (Annexation)
Ordinance No. 2022 – 109 (Small Scale Comp Plan Amend)
Ordinance No. 2022 – 110 (Rezoning)

ISSUE: Bruce Annexation – Rezoning – Future Land Use Map Designation

BACKGROUND SUMMARY:

On August 16, 2022, the City Council approved Ordinance No. 2022-108 upon first reading. This ordinance is now being presented for final reading and adoption.

The applicant is proposing annexation of 2.6 + acres, small-scale comprehensive map amendment to Agriculture for the entire site, which is 7.9 acres and a rezoning to Agriculture Residential (AR) for the entire 7.9 acres. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

Annexation

This site is considered infill development, is within the City’s ISBA Boundary, and contiguous to the City limits on three sides, thus eligible for annexation.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition. For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units. The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
 - FLU 1-1.10.2 – Promote Orderly Growth
 - FLU 1-2.1.1 – Land Use Designations
-

STAFF RECOMMENDATIONS: Approval

Annexation

The site is eligible for annexation and is considered infill development. **Staff recommends approval.**

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. **Staff recommends approval.**

FISCAL IMPACTS:

OUNCIL ACTION:

Reviewed by City Attorney **Yes** **No** **N/A**

CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.

ANNEXATION, SMALL SCALE COMP PLAN AMENDMENT AND REZONING

Owner: Jason and Renae Bruce

Number of Acres: 7.9 ± acres

General Location: Southside of Rose Street and west of Skyline Drive

Existing Zoning: Lake County Rural Residential (RR) and City R-3

Proposed Zoning: Agriculture Residential (AR)

Existing Land Use: Urban Low (4 units/acre) and City SF Low Density (3 units/acre)

Proposed Land Use: Agriculture (1 unit/acre)

Date: July 5, 2022

Description of Project

The applicant is proposing annexation of 2.6 ± acres, small-scale comprehensive map amendment to Agriculture for the entire site and a rezoning to Agriculture Residential (AR) for the entire site. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

	Surrounding Zoning	Surrounding Land Use
North	AZ and County Rural Residential (R-1)	Transportation/Aviation and Urban Low Density (4 units/acre)
South	Lake Umatilla	
East	R-3 and County Rural Residential (R-1)	SF Low Density (3 units/acre) and County Rural Transition (1 unit/5acres)
West	Agriculture Residential (AR-1)	SF Low Density (3 units/acre)

Assessment

Annexation

The subject 2.6 ± acre site is adjacent to the city limits on the north, south, east, and west boundaries and is therefore eligible for annexation.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition.

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units.

The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	8 units	210	76	8	5	3
TOTAL GROSS TRIPS (PROPOSED)			76	8	5	3

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	26 units	210	245	26	16	10
TOTAL GROSS TRIPS (EXISTING)			245	26	16	10

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-18	-11	-7

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations

FLU 1-2.8.1 – Agriculture Designation

Potable Water Analysis

The subject site is within the City of Umatilla’s Utility Service Area. The City currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.290 MGD and the permitted consumptive use permit capacity is .653 MGD. The City has a current available capacity of .197 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 1). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of .196 MGD.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla’s Utility Service area. The City currently owns, operates, and maintains a central sanitary sewer system. The permitted plant capacity is 0.300 MGD and the current available capacity is 0.096 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 2). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.095 MGD.

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. It is estimated that the proposed land use will produce 90 pounds of solid waste per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

Review of soils data indicates that the site appears to contain soils associated with gopher tortoises. Review of topographic maps indicates that the site is also within the sand skink consultation area. Review of available data indicates that there are wetlands located along the shoreline of Lake Umatilla and the site is partially located within the 100-year flood area. Prior to development, it is recommended that an environmental assessment be conducted. Should protected species occur, appropriate regulatory permits will be required prior to development.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Recommendation

Annexation

The site is eligible for annexation and is considered infill development. Staff recommends approval.

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

FLU 1-1.10.1 – Land Use Allocation

FLU 1-1.10.2 – Promote Orderly Growth

FLU 1-2.1.1 – Land Use Designations

FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. Staff recommends approval.

Table 1 – Water Analysis

Ordinance #	Acres	Existing Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						.197
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units	.002	
	5.3	City SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units		
*2022-	7.9	26 Units	Agriculture	8 Units	.002	0.195

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gdpdc

Table 2 – Wastewater Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.096
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units		
	5.3	SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units	.001	
*2022	7.9	26 Units		8 Units	.001	0.095

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated wastewater demand based on PF Policy 4-1.2.1 of LOS of 100 gpdpc

Affidavit of Publication
NORTH LAKE OUTPOST
Serving North Lake County Florida
Located in Umatilla, Lake County, Florida
STATE OF FLORIDA,
COUNTY OF LAKE

Before the undersigned authority personally appeared
Matt A. Newby



who on oath says that he or she is Publisher of the
North Lake Outpost, a weekly newspaper published
at 131 North Central Avenue, Umatilla, in Lake
County, Florida; that the attached copy of
advertisement, being a legal notice in the matter of

NOTICE OF PUBLIC HEARING,
ORDINANCE 2022-108, ORDINANCE 2022-109,
ORDINANCE 2022-110,

was published in said newspaper in the issue of:

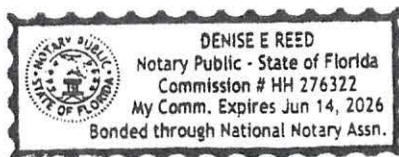
7-21-22 and 7-28-22,

Affiant further says that the said publication is a
newspaper Published at 131 North Central Avenue,
Umatilla, in said Lake County, Florida, and that the
said newspaper has heretofore been continuously
published in said Lake County, Florida each week
and has been entered as periodicals matter at the post
office in Umatilla, in said Lake County, Florida, for a
period of one year next preceding the first publication
of the attached copy of advertisement; and affiant
further says that he or she has neither paid nor
promised any person, firm or corporation any
discount, rebate, commission or refund for the
purpose of securing this advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 28th day of
JULY 2022.


Notary Public

Denise E Reed
Print Name



ORDINANCE 2022-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 2.6 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF ROSE STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted for annexation for approximately 2.6 acres of land generally located south of Rose Street and west of Skyline Drive (the “Property”) by Jason and Ranae Bruce as Owner;

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and may be annexed by the City of Umatilla.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, Florida, as follows:

Section 1.

The following described property consisting of approximately 2.6 acres of land generally located south of Rose Street and west Skyline Drive, is hereby incorporated into and made part of the City of Umatilla Florida. The property is more particularly described and depicted as set forth on Exhibit “A” and as depicted on the map attached hereto as Exhibit “B” and incorporated herein by reference.

LEGAL DESCRIPTION: See Exhibit “A”

Alternate Key # 1105188

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Secretary of State of Florida within seven (7) days after its passage on second and final reading.

Section 3.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendment to include the property annexed in the City Comprehensive Plan.

Section 5. Utilities. The property is located within the City’s Chapter 180, Florida Statutes, Utility District. The owner hereby agrees that the City shall be the sole provider of water and wastewater services to the property subject to this Ordinance when such services become available subject to the rules and regulations established by State and Federal regulatory agencies, and applicable City ordinances, policies, and procedures. For the purposes of this Section 5, ‘available’ shall mean when the City’s potable water system comes within 300’ of the private water system or any of the central lines of such private system and when the City’s wastewater system comes within 1,000’ of the private treatment system or any central lines of such private system. Distances shall be measured as a curb line distance within the right of way or the centerline distance within an easement. The owner further agrees that when the City provides notice that such utilities are available; the owner shall connect to the applicable system within 12 months of the date of the City’s written notice.

Section 6: Scrivener’s Errors.

Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7.

This Ordinance shall become effective immediately upon passage by the City Council of the City of Umatilla.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this 6th day of September, 2022.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Gwen Johns, MMC
City Clerk

Kevin Stone
City Attorney

(SEAL)

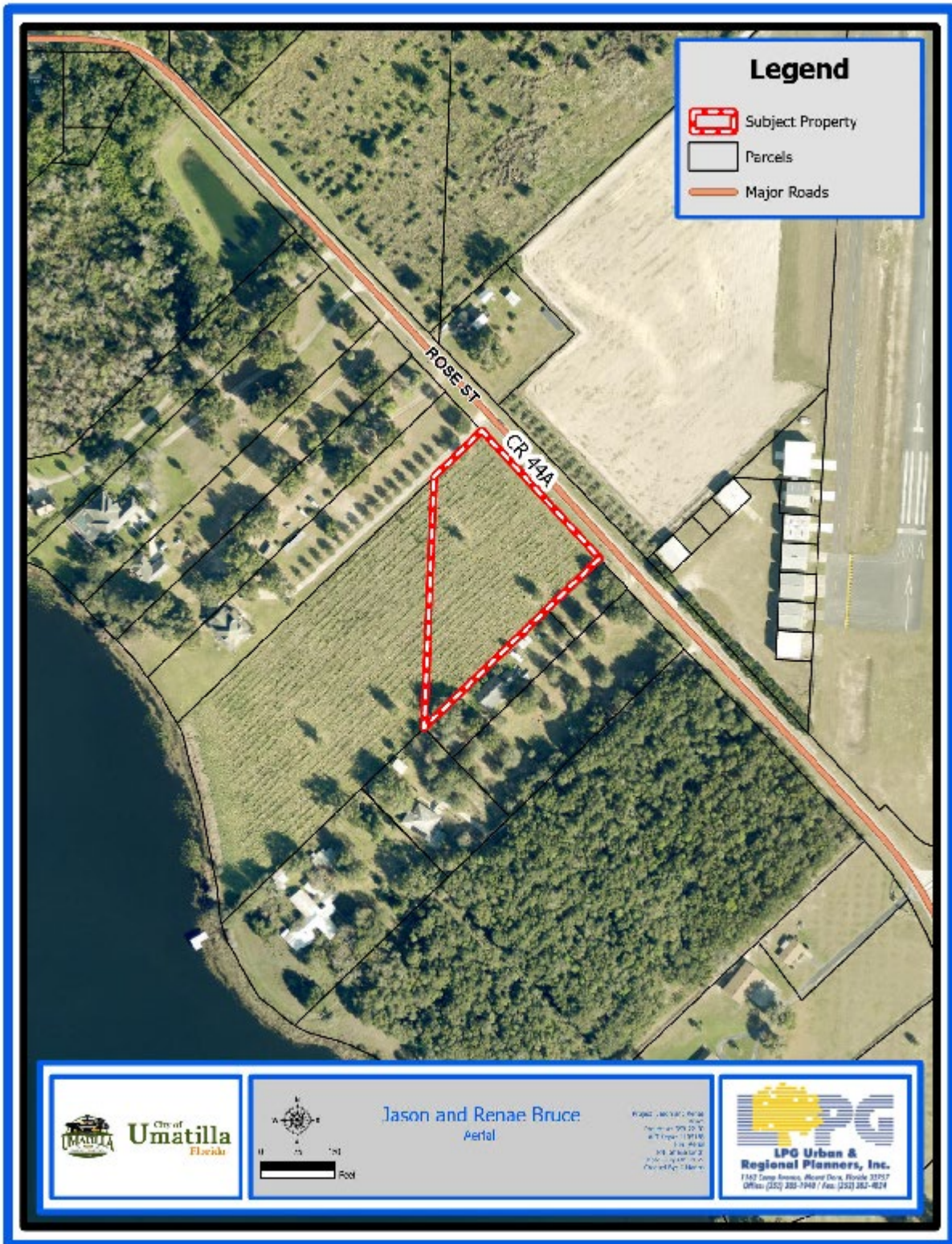
Passed First Reading 08/16/22
Passed Second Reading 09/06/22

EXHIBIT "A"

Lot 19, outside the City Limits of Umatilla, Less the Westerly 195.05 feet thereof, WHITCOMB'S SUBDIVISION, as per plat thereof recorded in Plat Book 1, Page 74, Public Records of Lake County, Florida.

Less and Except: from the above lands any portion lying within the lands conveyed to the State of Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book 333, Page 465, Public Records of Lake County, Florida.

EXHIBIT "B"



**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: August 16, 2022 **MEETING DATE:** September 6, 2022

SUBJECT: Ordinance No. 2022 – 108 (Annexation)
Ordinance No. 2022 – 109 (Small Scale Comp Plan Amend)
Ordinance No. 2022 – 110 (Rezoning)

ISSUE: Bruce Annexation – Rezoning – Future Land Use Map Designation

BACKGROUND SUMMARY:

On August 16, 2022, the City Council approved Ordinance No. 2022-109 upon first reading. This ordinance is now being presented for final reading and adoption.

The applicant is proposing annexation of 2.6 + acres, small-scale comprehensive map amendment to Agriculture for the entire site, which is 7.9 acres and a rezoning to Agriculture Residential (AR) for the entire 7.9 acres. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

Annexation

This site is considered infill development, is within the City’s ISBA Boundary, and contiguous to the City limits on three sides, thus eligible for annexation.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition. For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units. The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
 - FLU 1-1.10.2 – Promote Orderly Growth
 - FLU 1-2.1.1 – Land Use Designations
-

STAFF RECOMMENDATIONS: Approval

Annexation

The site is eligible for annexation and is considered infill development. **Staff recommends approval.**

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. **Staff recommends approval.**

FISCAL IMPACTS:

COUNCIL ACTION:

Reviewed by City Attorney **Yes** **No** **N/A**

CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.

ANNEXATION, SMALL SCALE COMP PLAN AMENDMENT AND REZONING

Owner: Jason and Renae Bruce

Number of Acres: 7.9 ± acres

General Location: Southside of Rose Street and west of Skyline Drive

Existing Zoning: Lake County Rural Residential (RR) and City R-3

Proposed Zoning: Agriculture Residential (AR)

Existing Land Use: Urban Low (4 units/acre) and City SF Low Density (3 units/acre)

Proposed Land Use: Agriculture (1 unit/acre)

Date: July 5, 2022

Description of Project

The applicant is proposing annexation of 2.6 ± acres, small-scale comprehensive map amendment to Agriculture for the entire site and a rezoning to Agriculture Residential (AR) for the entire site. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

	Surrounding Zoning	Surrounding Land Use
North	AZ and County Rural Residential (R-1)	Transportation/Aviation and Urban Low Density (4 units/acre)
South	Lake Umatilla	
East	R-3 and County Rural Residential (R-1)	SF Low Density (3 units/acre) and County Rural Transition (1 unit/5acres)
West	Agriculture Residential (AR-1)	SF Low Density (3 units/acre)

Assessment

Annexation

The subject 2.6 ± acre site is adjacent to the city limits on the north, south, east, and west boundaries and is therefore eligible for annexation.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition.

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units.

The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	8 units	210	76	8	5	3
TOTAL GROSS TRIPS (PROPOSED)			76	8	5	3

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	26 units	210	245	26	16	10
TOTAL GROSS TRIPS (EXISTING)			245	26	16	10

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-18	-11	-7

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations

FLU 1-2.8.1 – Agriculture Designation

Potable Water Analysis

The subject site is within the City of Umatilla’s Utility Service Area. The City currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.290 MGD and the permitted consumptive use permit capacity is .653 MGD. The City has a current available capacity of .197 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 1). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of .196 MGD.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla’s Utility Service area. The City currently owns, operates, and maintains a central sanitary sewer system. The permitted plant capacity is 0.300 MGD and the current available capacity is 0.096 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 2). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.095 MGD.

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. It is estimated that the proposed land use will produce 90 pounds of solid waste per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

Review of soils data indicates that the site appears to contain soils associated with gopher tortoises. Review of topographic maps indicates that the site is also within the sand skink consultation area. Review of available data indicates that there are wetlands located along the shoreline of Lake Umatilla and the site is partially located within the 100-year flood area. Prior to development, it is recommended that an environmental assessment be conducted. Should protected species occur, appropriate regulatory permits will be required prior to development.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Recommendation

Annexation

The site is eligible for annexation and is considered infill development. Staff recommends approval.

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. Staff recommends approval.

Table 1 – Water Analysis

Ordinance #	Acres	Existing Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						.197
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units	.002	
	5.3	City SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units		
*2022-	7.9	26 Units	Agriculture	8 Units	.002	0.195

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gdpdc

Table 2 – Wastewater Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.096
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units		
	5.3	SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units	.001	
*2022	7.9	26 Units		8 Units	.001	0.095

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated wastewater demand based on PF Policy 4-1.2.1 of LOS of 100 gpdpc

Affidavit of Publication
NORTH LAKE OUTPOST
Serving North Lake County Florida
Located in Umatilla, Lake County, Florida
STATE OF FLORIDA,
COUNTY OF LAKE

Before the undersigned authority personally appeared
Matt A. Newby



who on oath says that he or she is Publisher of the
North Lake Outpost, a weekly newspaper published
at 131 North Central Avenue, Umatilla, in Lake
County, Florida; that the attached copy of
advertisement, being a legal notice in the matter of

NOTICE OF PUBLIC HEARING,
ORDINANCE 2022-108, ORDINANCE 2022-109,
ORDINANCE 2022-110,

was published in said newspaper in the issue of:

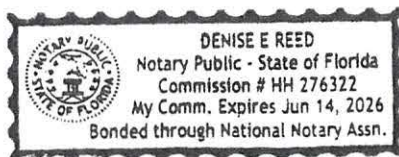
7-21-22 and 7-28-22,

Affiant further says that the said publication is a
newspaper Published at 131 North Central Avenue,
Umatilla, in said Lake County, Florida, and that the
said newspaper has heretofore been continuously
published in said Lake County, Florida each week
and has been entered as periodicals matter at the post
office in Umatilla, in said Lake County, Florida, for a
period of one year next preceding the first publication
of the attached copy of advertisement; and affiant
further says that he or she has neither paid nor
promised any person, firm or corporation any
discount, rebate, commission or refund for the
purpose of securing this advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 28th day of
JULY 2022.


Notary Public

Denise E Reed
Print Name



ORDINANCE 2022-109

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(c); AMENDING THE LAND USE DESIGNATION OF 7.9 ± ACRES OF LAND DESIGNATED LAKE COUNTY URBAN LOW DENSITY AND CITY SINGLE FAMILY LOW DENSITY TO AGRICULTURE IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY JASON AND RENAE BRUCE LOCATED SOUTH OF ROSE STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Jason and Renae Bruce, as owners, requesting that real property within the city limits of the City of Umatilla be assigned a land use designation from Lake County Urban Low Density and City Single Family Low Density to Agriculture under the Comprehensive Plan for the City of Umatilla;

WHEREAS, the amendment would facilitate residential development and is in compliance with the policies of the City’s comprehensive plan; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency for the City of Umatilla have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Council of the City of Umatilla.

WHEREAS, the City Council reviewed said petition, the recommendations of the Land Planning Agency, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF UMATILLA, FLORIDA, AS FOLLOWS:

Section 1: Purpose and Intent.

That the land use classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated from Lake County Urban Low Density and City Single Family Low Density to Agriculture as depicted on the map attached hereto as Exhibit “A”, and as defined in the Umatilla Comprehensive Plan.

LEGAL DESCRIPTION: See Exhibit “B”

Alternate Key # 1105188 AND 1040272

- A. That a copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Umatilla as a matter of permanent record of the City, and that matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.
- B. That the City Manager, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Umatilla.

Section 2: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: Scrivener’s Errors.

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 5: Effective Date.

This Ordinance shall become effective 31 days after its adoption by the City Council. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this 6th day of September, 2022.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Gwen Johns, MMC
City Clerk

Kevin Stone
City Attorney

Passed First Reading 08/26/22
Passed Second Reading 09/06/22

(seal)

EXHIBIT "A"

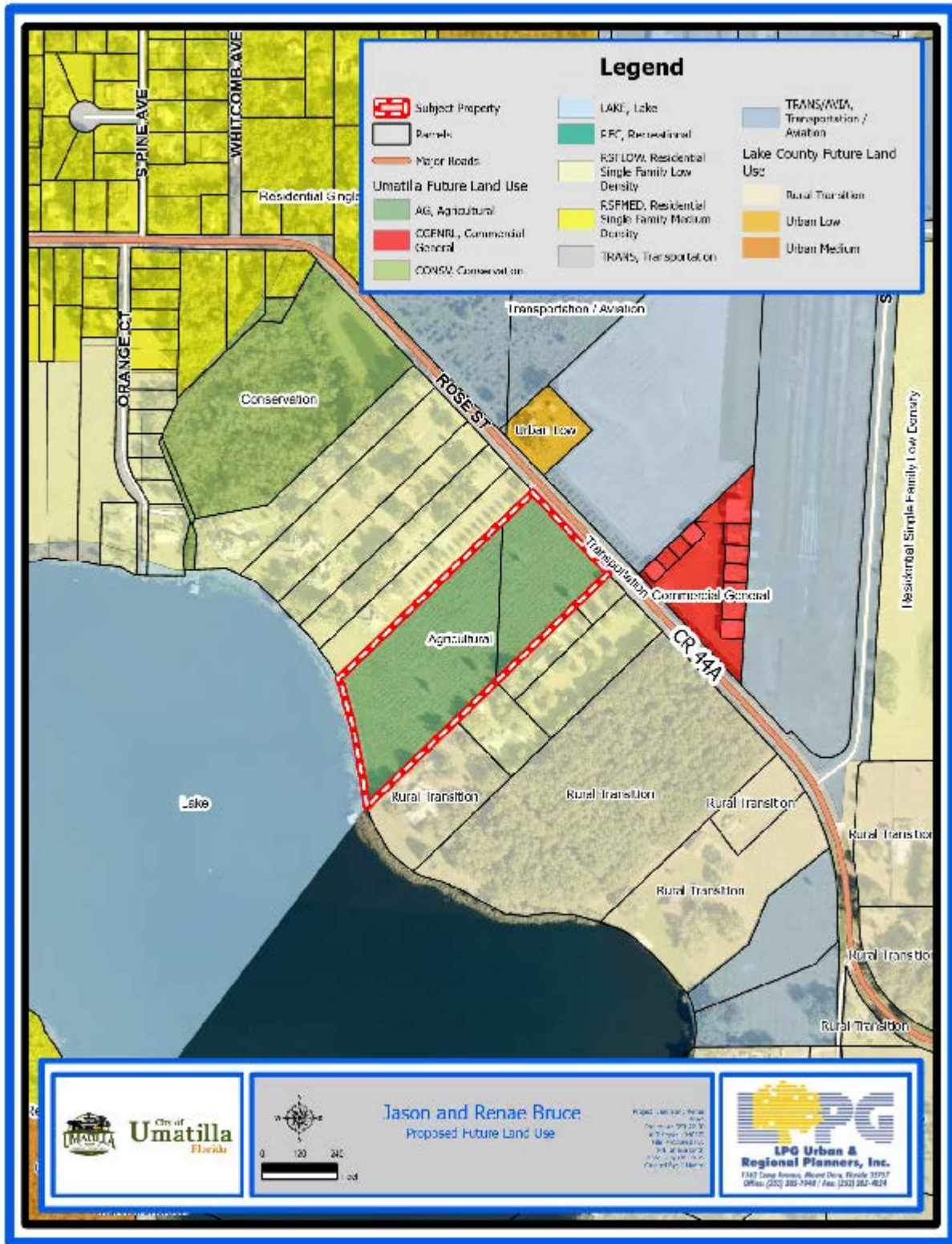


EXHIBIT "B"

LEGAL DESCRIPTION

From the NW corner of Lot 19, WHITCOMB'S SUBDIVISION, as per plat thereof as recorded in Plat Book 1, Page 74, Public Records of Lake County, Florida, run South 43°15'05" East 195.05 feet, thence South 46°30'45" West to the East boundary line of Government Lot 3 of Section 18, Township 18 South, Range 27 East for Point of Beginning. Thence run South 46°30'45" West to the lake shore; thence Southeasterly along the lake shore to the Southeast corner of Lot 19; thence North along the lot line to a point South of the Point of Beginning; thence North to the Point of Beginning. Less land lying Outside of the City Limits of Umatilla.

Less and Except: from the above lands any portion lying within the lands conveyed to the State of Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book 333, Page 465, Public Records of Lake County, Florida.

TOGETHER WITH:

Lot 19, outside the City Limits of Umatilla, Less the Westerly 195.05 feet thereof, WHITCOMB'S SUBDIVISION, as per plat thereof recorded in Plat Book 1, Page 74, Public Records of Lake County, Florida.

Less and Except: from the above lands any portion lying within the lands conveyed to the State of Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book 333, Page 465, Public Records of Lake County, Florida.

ALSO KNOWN AS:

Lot 19, WHITCOMB'S SUBDIVISION, as per plat thereof recorded in Plat Book 1, Page 74, Public Records of Lake County, Florida, less and except the Westerly 195.05 feet thereof.

Less and Except: from the above lands any portion lying within the lands conveyed to the State of Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book 333, Page 465, Public Records of Lake County, Florida.

**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: August 16, 2022 **MEETING DATE:** September 6, 2022

SUBJECT: Ordinance No. 2022 – 108 (Annexation)
Ordinance No. 2022 – 109 (Small Scale Comp Plan Amend)
Ordinance No. 2022 – 110 (Rezoning)

ISSUE: Bruce Annexation – Rezoning – Future Land Use Map Designation

BACKGROUND SUMMARY:

On August 16, 2022, the City Council approved Ordinance No. 2022-110 upon first reading. This ordinance is now being presented for final reading and adoption.

The applicant is proposing annexation of 2.6 + acres, small-scale comprehensive map amendment to Agriculture for the entire site, which is 7.9 acres and a rezoning to Agriculture Residential (AR) for the entire 7.9 acres. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

Annexation

This site is considered infill development, is within the City’s ISBA Boundary, and contiguous to the City limits on three sides, thus eligible for annexation.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition. For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units. The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
 - FLU 1-1.10.2 – Promote Orderly Growth
 - FLU 1-2.1.1 – Land Use Designations
-

STAFF RECOMMENDATIONS: Approval

Annexation

The site is eligible for annexation and is considered infill development. **Staff recommends approval.**

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. **Staff recommends approval.**

FISCAL IMPACTS:

OUNCIL ACTION:

Reviewed by City Attorney **Yes** **No** **N/A**

**CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.**

ANNEXATION, SMALL SCALE COMP PLAN AMENDMENT AND REZONING

Owner: Jason and Renae Bruce

Number of Acres: 7.9 ± acres

General Location: Southside of Rose Street and west of Skyline Drive

Existing Zoning: Lake County Rural Residential (RR) and City R-3

Proposed Zoning: Agriculture Residential (AR)

Existing Land Use: Urban Low (4 units/acre) and City SF Low Density (3 units/acre)

Proposed Land Use: Agriculture (1 unit/acre)

Date: July 5, 2022

Description of Project

The applicant is proposing annexation of 2.6 ± acres, small-scale comprehensive map amendment to Agriculture for the entire site and a rezoning to Agriculture Residential (AR) for the entire site. The subject site currently is in timber and has an agriculture exemption. The applicant intends to construct a residence.

	Surrounding Zoning	Surrounding Land Use
North	AZ and County Rural Residential (R-1)	Transportation/Aviation and Urban Low Density (4 units/acre)
South	Lake Umatilla	
East	R-3 and County Rural Residential (R-1)	SF Low Density (3 units/acre) and County Rural Transition (1 unit/5acres)
West	Agriculture Residential (AR-1)	SF Low Density (3 units/acre)

Assessment

Annexation

The subject 2.6 ± acre site is adjacent to the city limits on the north, south, east, and west boundaries and is therefore eligible for annexation.

Comprehensive Plan Amendment

The proposed comprehensive plan amendment from Lake County Urban Low Density (4 units/acre) and City Low Density (3 units/acre) to City Agriculture (1 unit/acre) is considered compatible with the adjacent land uses of Transportation/Aviation, SF low density and County Rural Transition.

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 26 single family residential units and under the proposed land use the maximum development is 8 single family residential units.

The amendment reduces the potential residential units by 18 and reduces potential school age children by 6.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Rose Street (CR 44A) is classified as a collector roadway under the jurisdiction of Lake County with an adopted Level of Service (LOS) of D. The amendment would not degrade the LOS.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	8 units	210	76	8	5	3
TOTAL GROSS TRIPS (PROPOSED)			76	8	5	3

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	26 units	210	245	26	16	10
TOTAL GROSS TRIPS (EXISTING)			245	26	16	10

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-18	-11	-7

The proposed amendment is consistent with the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations

FLU 1-2.8.1 – Agriculture Designation

Potable Water Analysis

The subject site is within the City of Umatilla’s Utility Service Area. The City currently owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.290 MGD and the permitted consumptive use permit capacity is .653 MGD. The City has a current available capacity of .197 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 1). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of .196 MGD.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla’s Utility Service area. The City currently owns, operates, and maintains a central sanitary sewer system. The permitted plant capacity is 0.300 MGD and the current available capacity is 0.096 MGD and an analysis was conducted of the proposed amendment based on maximum intensity land use and the City’s Level of Service (LOS) standards (Table 2). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.095 MGD.

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. It is estimated that the proposed land use will produce 90 pounds of solid waste per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

Review of soils data indicates that the site appears to contain soils associated with gopher tortoises. Review of topographic maps indicates that the site is also within the sand skink consultation area. Review of available data indicates that there are wetlands located along the shoreline of Lake Umatilla and the site is partially located within the 100-year flood area. Prior to development, it is recommended that an environmental assessment be conducted. Should protected species occur, appropriate regulatory permits will be required prior to development.

Rezoning

The proposed rezoning to AR-1 allows for 1 unit per 1 acre; however, the subject site is located within the Airport Overlay Zone which reduces the potential density to 1 unit per 2 acres or 4 units per Chapter 5, Section 7(c). The applicant indicated that they would like to construct a home.

Recommendation

Annexation

The site is eligible for annexation and is considered infill development. Staff recommends approval.

Comprehensive Plan Amendment

Low density residential development and Institutional type land uses are located adjacent to the subject site; therefore, the request is compatible with the area. The proposed amendment will not degrade the adopted Level of Service (LOS) for public facilities. The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth
- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.8.1 – Agriculture Designation

Staff recommends approval.

Rezoning

Agriculture Residential is compatible with the area and is the lowest density zoning district of the city which is consistent with the Airport Overlay District. Staff recommends approval.

Table 1 – Water Analysis

Ordinance #	Acres	Existing Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						.197
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units	.002	
	5.3	City SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units		
*2022-	7.9	26 Units	Agriculture	8 Units	.002	0.195

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gdpdc

Table 2 – Wastewater Analysis

Ordinance #	Acres	Existing County Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.096
	2.6	Urban Low Density (4 units/acre) 10 units	Agriculture (1 unit/acre)	3 units		
	5.3	SF Low Density (3 units/acre) 16 units	Agriculture (1 unit/acre)	5 units	.001	
*2022	7.9	26 Units		8 Units	.001	0.095

* SSCPA Ordinance No

Projected population – 18 (8 x 2.2 pph)

Estimated wastewater demand based on PF Policy 4-1.2.1 of LOS of 100 gpdpc

Affidavit of Publication
NORTH LAKE OUTPOST
Serving North Lake County Florida
Located in Umatilla, Lake County, Florida
STATE OF FLORIDA,
COUNTY OF LAKE

Before the undersigned authority personally appeared
Matt A. Newby



who on oath says that he or she is Publisher of the
North Lake Outpost, a weekly newspaper published
at 131 North Central Avenue, Umatilla, in Lake
County, Florida; that the attached copy of
advertisement, being a legal notice in the matter of

NOTICE OF PUBLIC HEARING,
ORDINANCE 2022-108, ORDINANCE 2022-109,
ORDINANCE 2022-110,

was published in said newspaper in the issue of:

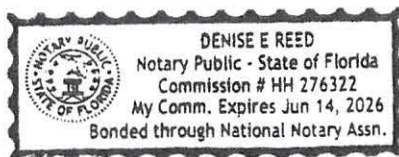
7-21-22 and 7-28-22,

Affiant further says that the said publication is a
newspaper Published at 131 North Central Avenue,
Umatilla, in said Lake County, Florida, and that the
said newspaper has heretofore been continuously
published in said Lake County, Florida each week
and has been entered as periodicals matter at the post
office in Umatilla, in said Lake County, Florida, for a
period of one year next preceding the first publication
of the attached copy of advertisement; and affiant
further says that he or she has neither paid nor
promised any person, firm or corporation any
discount, rebate, commission or refund for the
purpose of securing this advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this 28th day of
JULY 2022.


Notary Public

Denise E Reed
Print Name



1
2
3 **ORDINANCE 2022-110**

4 **AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA,**
5 **RECLASSIFYING 7.9 ± ACRES OF LAND ZONED LAKE COUNTY RURAL RESIDENTIAL**
6 **(R-1) AND CITY SINGLE FAMILY LOW DENSITY (R-3) TO THE DESIGNATION OF CITY**
7 **AGRICULTURE RESIDENTIAL (AR-1) FOR THE HEREAFTER DESCRIBED PROPERTY**
8 **OWNED BY JASON AND RANAE BRUCE LOCATED SOUTH OF ROSE STREET AND WEST**
9 **OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED**
10 **COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT**
11 **COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE**
12 **OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

13 **WHEREAS,** a petition has been submitted by Bruce and Ranae Bruce, Owners, to rezone
14 approximately 7.9 acres of land from Lake County Rural Residential (R-1) and City Single Family Low
15 Density (R-3) to City Agriculture Residential (AR-1);

16
17 **WHEREAS,** the Petition bears the signature of all required parties; and

18
19 **WHEREAS,** the required notice of the proposed rezoning has been properly published;

20
21 **WHEREAS,** the City Council reviewed said petition, the recommendations of staff report and any
22 comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing
23 duly advertised;

24
25 **WHEREAS,** upon review, certain terms pertaining to the development of the above-described
26 property have been duly approved, and

27
28 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Umatilla, Florida,
29 as follows:

30
31 **Section 1: Purpose and Intent.**

32 That the zoning classification of the following described property, being situated in the City of Umatilla,
33 Florida, shall hereafter be designated as Agriculture Residential (AR-1) as defined in the Umatilla Land
34 Development Regulations and as depicted on the map attached hereto as Exhibit "A" and incorporated
35 herein by reference.

36
37 **LEGAL DESCRIPTION:** See Exhibit "B"

38
39 **Alternate Key # 1105188 AND 1040272**

40
41 **Section 2: Zoning Classification.**

42 That the property shall be designated as AR-1, Agriculture Residential, in accordance with Chapter 6,
43 Section 2(a) of the Land Development Regulations of the City of Umatilla, Florida.

44
45 **Section 3:** The City Manager, or designee, is hereby directed to amend, alter, and implement the
46 official zoning map of the City of Umatilla, Florida, to include said designation consistent with this
47 Ordinance.

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52 **Section 4: Severability.**

53 If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void,
54 unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall
55 remain in full force and effect.

56
57 **Section 5: Scrivener's Errors.**

58 Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting,
59 by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal
60 description.

61
62 **Section 6: Effective Date.**

63 This Ordinance shall become effective immediately upon passage by the City Council of the City of
64 Umatilla.

68 **PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake County,
69 Florida, this 16th day of September, 2022.

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73 _____
74 Kent Adcock, Mayor
75 City of Umatilla, Florida

76

77 ATTEST:

Approved as to Form:

78
79

80 _____
81 Gwen Johns, MMC
82 City Clerk

Kevin Stone
City Attorney

83
84

Passed First Reading 08.16.22
Passed Second Reading 09.06.22

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87 (SEAL)

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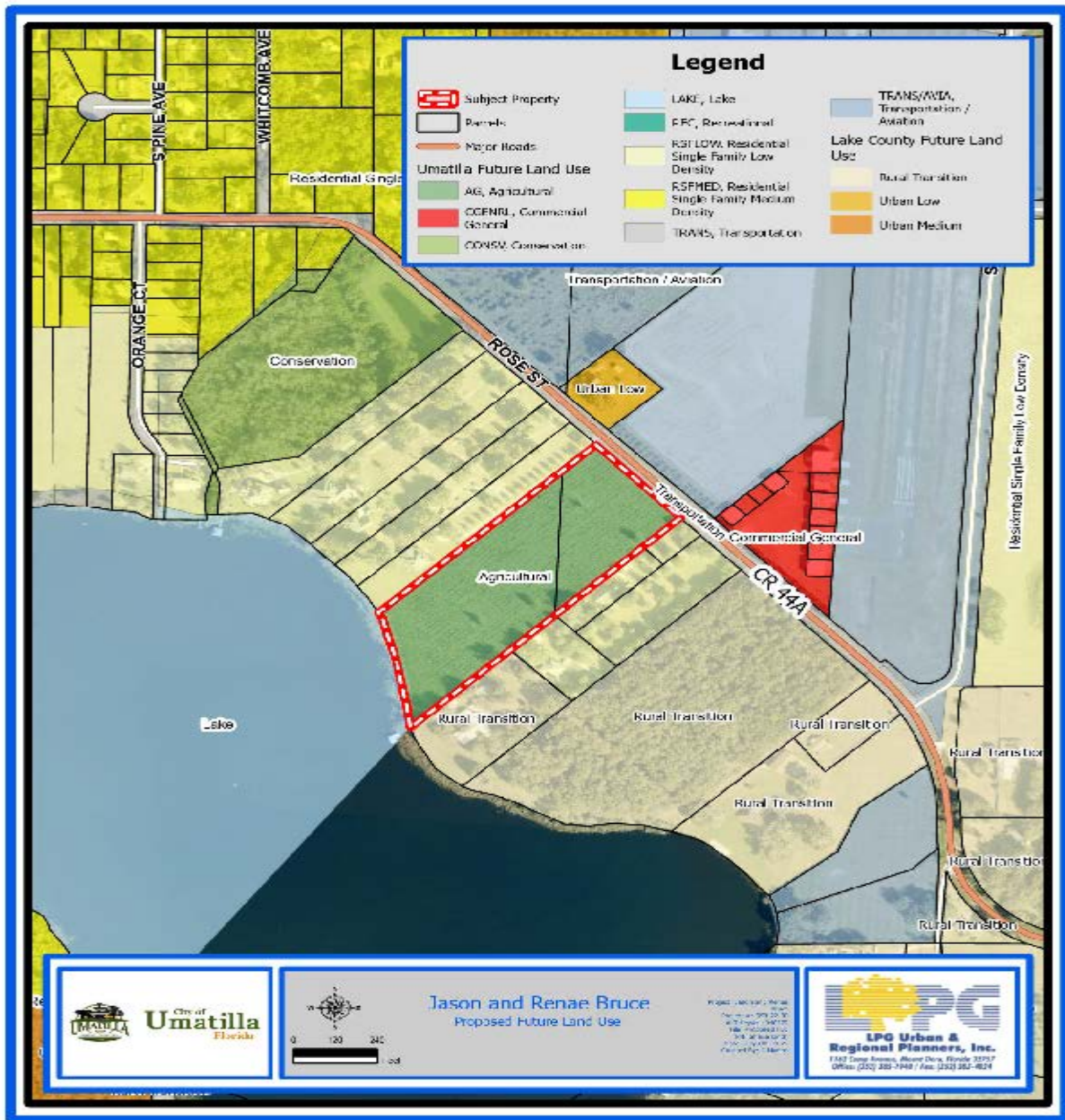
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EXHIBIT "A"

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EXHIBIT "B"
LEGAL DESCRIPTION

122 From the NW corner of Lot 19, WHITCOMB'S SUBDIVISION, as per plat thereof as recorded in Plat Book 1,
123 Page 74, Public Records of Lake County, Florida, run South 43°15'05" East 195.05 feet, thence South
124 46°30'45" West to the East boundary line of Government Lot 3 of Section 18, Township 18 South, Range 27
125 East for Point of Beginning. Thence run South 46°30'45" West to the lake shore; thence Southeasterly
126 along the lake shore to the Southeast corner of Lot 19; thence North along the lot line to a point South of the
127 Point of Beginning; thence North to the Point of Beginning. Less land lying Outside of the City Limits of
128 Umatilla.

129
130 Less and Except: from the above lands any portion lying within the lands conveyed to the State of
131 Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book
132 333, Page 465, Public Records of Lake County, Florida.

133 TOGETHER WITH:

134
135
136 Lot 19, outside the City Limits of Umatilla, Less the Westerly 195.05 feet thereof, WHITCOMB'S
137 SUBDIVISION, as per plat thereof recorded in Plat Book 1, Page 74, Public Records of Lake County,
138 Florida.

139
140 Less and Except: from the above lands any portion lying within the lands conveyed to the State of
141 Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book
142 333, Page 465, Public Records of Lake County, Florida.
143
144 ALSO KNOWN AS:
145
146 Lot 19, WHITCOMB'S SUBDIVISION, as per plat thereof recorded in Plat Book 1, Page 74, Public
147 Records of Lake County, Florida, less and except the Westerly 195.05 feet thereof.
148
149 Less and Except: from the above lands any portion lying within the lands conveyed to the State of
150 Florida, for the use and benefit of the State Road Department of Florida, by Deed recorded in Deed Book
151 333, Page 465, Public Records of Lake County, Florida.
152
153
154

**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: August 31, 2022

MEETING DATE: September 6, 2022

SUBJECT: Golden Gem Drive – Transfer of Jurisdictional Rights

ISSUE: Resolution 2022-24 – Lake County to City of Umatilla

BACKGROUND SUMMARY:

This Resolution will transfer the jurisdictional rights of Golden Gem Drive from Lake County to the City of Umatilla. The transfer request was made several years ago and Lake County agreed to provide an asphalt overlay and repair a few drainage issues. The city staff has reviewed the proposed transfer along with the repairs and have concluded that Golden Gem Drive meets the City’s minimum design standards.

Staff recommends approval.

FISCAL IMPACTS:

COUNCIL ACTION:

Reviewed by City Attorney	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	√ N/A
Reviewed by City Engineer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	√ N/A

RESOLUTION 2022-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, LAKE COUNTY, FLORIDA, ESTABLISHING FINDINGS; APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS; ACCEPTING THE TRANSFER OF JURISDICTION OF GOLDEN GEM DRIVE FROM LAKE COUNTY PURSUANT TO SECTION 335.0415, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public road known as Golden Gem Drive (7563) (“Golden Gem Drive”) between South Central Avenue (State Road 19) and Wilson Parrish Road provides access for developed and developable properties within the municipal limits of the City and is used by City residents, property owners, and visitors; and

WHEREAS, the County has been responsible for operation and maintenance within the right-of-way of Golden Gem Drive since prior to June 10, 1995; and

WHEREAS, the City finds that it is in the public interest to accept jurisdiction and responsibility for operation and maintenance of Golden Gem Drive thus allowing the City to improve right-of-way access and safety for developed and developable properties; and

WHEREAS, the Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions by mutual agreement of the affected governmental entities; and

WHEREAS, pursuant to Section 163.01, Florida Statutes, the City and County may enter into an interlocal agreement to make the most efficient use of their powers by cooperating on a basis of mutual advantage that will accord best with geographic, economic, population, and other factors influencing the needs and development of the local community; and

WHEREAS, the County has proposed, and the City desires to accept, an Interlocal Agreement to Transfer Jurisdiction to accomplish a transfer of Golden Gem Drive in accordance with Section 335.0415 for the purposes set forth;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA:

SECTION 1. The foregoing recitals are incorporated herein by reference and made a part hereof.

SECTION 2. The City Council of the City of Umatilla, Florida hereby approves and authorizes execution of the attached Interlocal Agreement to Transfer Jurisdiction (Exhibit “A”), which is incorporated by this reference as though set forth in full.

SECTION 3. Subject to the due approval and execution of the Interlocal Agreement to Transfer Jurisdiction by the Lake County Board of County Commissioners, the City does hereby accept the responsibility for operation and maintenance of Golden Gem Drive and will perform

all obligations as set forth in such Interlocal Agreement, and the City right of way maintenance maps shall be updated accordingly.

SECTION 4. This Resolution shall become effective upon its passage.

PASSED AND ORDAINED this ___ day of _____, 2022, by the City Council of the City of Umatilla, Florida.

Kent Adcock, Mayor

ATTEST:

Gwen Johns, MMC, City Clerk

Approved as to form:

Kevin Stone, City Attorney

**INTERLOCAL AGREEMENT TO TRANSFER JURISDICTION
GOLDEN GEM DRIVE (7563)**

THIS INTERLOCAL AGREEMENT (“agreement”) is by and between Lake County, Florida, a political subdivision of the State of Florida (the “County”) and the City of Umatilla, Florida, a municipal corporation organized under the laws of the State of Florida, hereinafter the (“City”) regarding the jurisdiction transfer of Golden Gem Drive (7563).

WHEREAS, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

WHEREAS, Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions by mutual agreement of the affected governmental entities; and

WHEREAS, it is in both the County and City’s best interest to transfer the jurisdiction, operation, and maintenance responsibilities of Golden Gem Drive from the County to the City.

NOW, THEREFORE the County and the City agree as follows:

1. Recitals. The foregoing recitals are incorporated herein by reference.
2. County Obligations. In accordance with Section 335.0415, Florida Statutes, the County transfers to the City any and all ownership interests, operation, and maintenance responsibilities that the County has or may have had in and for Golden Gem Drive (7563) as identified in the Location Map attached hereto as **Exhibit A**, incorporated herein and effective on the date the last party hereto executes this agreement (“effective date”).
3. City Obligations. Upon the effective date, the City accepts any and all of the County’s ownership interests, operation, and maintenance responsibilities of Golden Gem Drive (7563) as identified in **Exhibit A** attached.
4. Amendment. Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by both the City and the County.
5. Notices.
 - A. All notices or other writings required to be given or made or sent in this agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

Interlocal Agreement to Transfer Jurisdiction – Golden Gem Drive (7563)

COUNTY

County Manager
P.O. Box 7800
Tavares, Florida 32778

CITY

City Manager
P.O. Box 2286
Umatilla, Florida 32784

cc: Public Works Operations Manager
P.O. Box 7800
Tavares, Florida 32778

B. All notices required, or which may be given hereunder, shall be considered properly given if (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices shall be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.

D. Parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, to the other party in a manner designated for the filing of notice hereunder.

6 Entire Agreement. This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.

7. Severability. If any provision of this agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

8. Effective Date. This agreement shall become effective upon the date the last party hereto executes it (“effective date”).

{Remainder of page intentionally left blank.}

Interlocal Agreement to Transfer Jurisdiction – Golden Gem Drive (7563)

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, and by the City of Umatilla, Florida, through its City Commission, signing by and through its Mayor.

ATTEST:

LAKE COUNTY, FLORIDA through its
BOARD OF COUNTY COMMISSIONERS

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

Sean M. Parks, Chairman

This _____ of _____, 2022.

Approved as to form and legality:

Melanie Marsh, County Attorney

Interlocal Agreement to Transfer Jurisdiction – Golden Gem Drive (7563)

CITY OF UMATILLA, FLORIDA

Kent Adcock, Mayor

This ____ day of _____, 2022.

ATTEST:

Gwen Johns, Interim City Clerk

Approved as to form and legality:

Kevin M. Stone, City Attorney

Interlocal Agreement to Transfer Jurisdiction – Golden Gem Drive (7563)

Exhibit A – Location Map
Golden Gem Dr (7563)

