

# **UMATILLA CITY COUNCIL MEETING AS LAND PLANNING AGENCY**

**August 16, 2022, 5:45 PM**

**Umatilla Council Chambers 1 S. Central Avenue, Umatilla, FL 32784**

***Masks are highly recommended and a limited supply will be available. Social distancing will be observed. Overflow seating in room behind Chambers.***

***Please silence your cell phones***

**Call to Order**

**Roll Call**

## **MINUTES FOR APPROVAL**

*1. Minutes dated July 19, 2022*

## **PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

*2. Consideration to Amend the Land Use Designation of 7.9 +/- Acres of Land located South of Rose Street and West of Skyline Drive (SSCPA)*

## **PUBLIC COMMENT**

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

Please write your name and address on the paper provided on the podium. Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board 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.

## **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 the Board 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.

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

**CITY COUNCIL AS LAND PLANNING AGENCY  
JULY 19, 2022 5:45 P.M.  
UMATILLA CITY COUNCIL CHAMBERS, 1 S. CENTRAL AVENUE, UMATILLA**

Vice Mayor Creech 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 Kevin Stone; City Manager Scott Blankenship; City Clerk Gwen Johns; Library Director Amy Stultz; Land Planner Sherie Lindh.

**NOT PRESENT:** Aaron Mercer, Director of Development and Public Services

**PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

1. Annexation of 7.11± Acres of Land Generally Located North of Cassady Street and West of Skyline Drive, Ordinance No. 2022-105
2. Amending the Land use Designation of 7.11± Acres of Land Generally Located North of Cassady Street and West of Skyline Drive, Ordinance No. 2022-106
3. Reclassifying of 7.11± Acres of Land Generally Located North of Cassady Street and West of Skyline Drive, Ordinance No. 2022-107

Mr. Stone stated the three topics will come up on the City Council meeting immediately following the LPA meeting. He swore in Ms. Lindh to give testimony and as such, same will be treated as competent substantial evidence at the City Council meeting. If additional members of the public are in attendance for City Council, her testimony may be repeated.

Mr. Stone recommended testimony of Ms. Lindh and anyone in the audience be solicited during the LPA process.

Sherie Lindh, Land Planning Group, provided the Paul and Diane Redlich Annexation, Small Scale Comprehensive Plan Amendment and Rezoning. She provided an overview of the proposed annexation of 7.11± acres. The amendment is being requested from Agricultural zoning to Agricultural Residential zoning. The amendment is consistent with the City's land use policies. An environmental assessment is being recommended for the site.

Staff recommends the LPA give an approval recommendation to the City Council.

Mr. Stone asked if any parties were present representing the site. Paul and Diane Redlich, applicants, were available and given the opportunity to make a presentation to City Council. Mr. Redlich asked what impact the wetland mentioned would have on building. Ms. Lindh said the wetland line appears to be adjacent to the lakeshore. He also asked about the recommended environmental study for gopher tortoises and/or skinks.

**MOTION by Mr. Nichols to recommend approval of all three ordinances (2022-105, 2022-106 and 2022-107) to City Council;  
Mr. Butler SECONDED the motion;  
Motion carried by a unanimous voice vote.**

Mr. Stone noted the intent of the approval this evening was to recommend approval to the City Council.

**ADJOURNMENT**

**The Meeting was adjourned at approximately 6:01 p.m.**

\_\_\_\_\_  
**Chris Creech  
Vice Mayor**

ATTEST: \_\_\_\_\_  
**Gwen Johns, MMC  
City Clerk**

**CITY OF UMATILLA  
AGENDA ITEM STAFF REPORT**

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**DATE:** August 9, 2022

**MEETING DATE:** August 16, 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

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**BACKGROUND SUMMARY:**

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
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**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:**

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**OUNCIL ACTION:**

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

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	AZ and County Rural Residential (R-1)	Transportation/Aviation and Urban Low Density (4 units/acre)
<b>South</b>	Lake Umatilla	
<b>East</b>	R-3 and County Rural Residential (R-1)	SF Low Density (3 units/acre) and County Rural Transition (1 unit/5acres)
<b>West</b>	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
<b>TOTAL GROSS TRIPS (PROPOSED)</b>			76	8	5	3

\* 11<sup>th</sup> 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
<b>TOTAL GROSS TRIPS (EXISTING)</b>			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
<b>TOTAL NET TRIPS (PROPOSED – EXISTING)</b>	-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**

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**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

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
 Kent Adcock, Mayor  
 City of Umatilla, Florida

ATTEST:

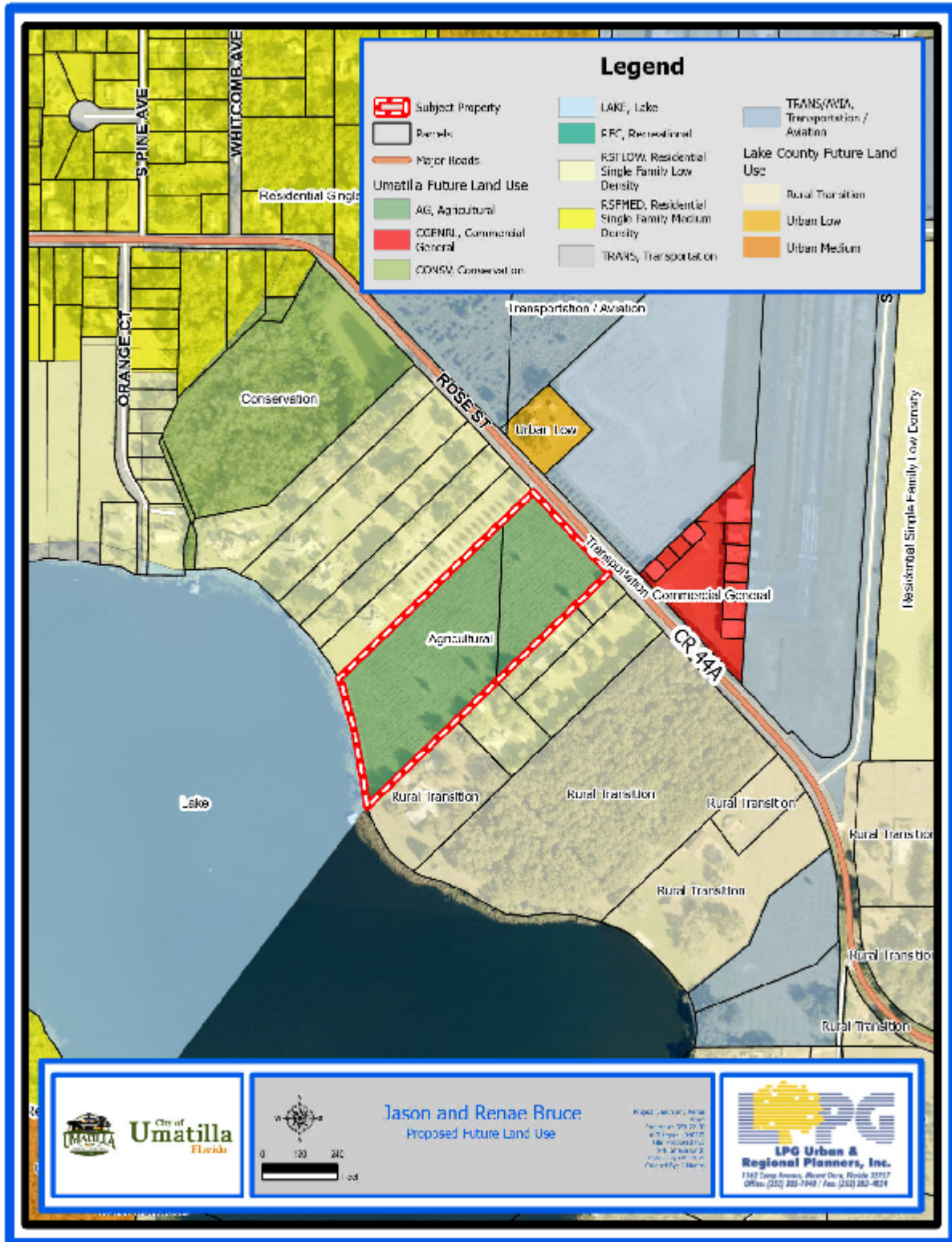
Approved as to Form:

\_\_\_\_\_  
 Gwen Johns, MMC  
 City Clerk

\_\_\_\_\_  
 Kevin Stone  
 City Attorney

Passed First Reading \_\_\_\_\_  
 Passed Second Reading \_\_\_\_\_  
 (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.