

UMATILLA CITY COUNCIL MEETING AS LAND PLANNING AGENCY

December 6, 2022, 6:00 P.M.

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

Pledge of Allegiance and Prayer

Please silence your cell phones

Call to Order

Roll Call

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

- 1. First Reading Ordinance No. 2022-116 Industrial Park PUD Rezoning*
- 2. First Reading Ordinance No. 2022-112, Coral Bay Annexation*
- 3. First Reading Ordinance No. 2022-113, Coral Bay Small Scale Comp Plan Amendment*
- 4. First Reading Ordinance No. 2022-114, Coral Bay Rezoning*

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 OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: November 28, 2022

MEETING DATE: December 6, 2022

SUBJECT: City of Umatilla – Ordinance 2022-116

ISSUE: Rezoning from Public Facility to Industrial PUD

BACKGROUND SUMMARY: The City is requesting a rezoning of approximately 45.52 acres of property from Public Facility District to Industrial Planned Unit Development to create a 4-lot industrial park. The existing site is utilized for the City’s wastewater infiltration ponds and spray field. The existing use of the property will no longer be needed due to the City’s agreement with the City of Eustis regarding wastewater. The subject site is located within an area of existing industrial and proposed industrial development. In an effort to assist in the long-term economic opportunities for its citizens and utilize the subject site at its highest and best use, the city is proposing to convert the site to an industrial park. The general location is the west of Golden Gem Drive, north of Lake Fern Road.

The proposed rezoning request is consistent with the adjacent properties to the south and portions of property to the east. A 25’ perimeter buffer is proposed which will mitigate the residential land use and agricultural land uses.

The proposed development agreement adds further mitigation by limiting the hours of operation of noise generating activities with all manufacturing activities being conducted indoors.

A waiver to the parking requirements for manufacturing is being requested for Parcel 4 (Phillips parcel) from 1 space per 600 square feet (250 spaces) and 1 space per 200 square feet for office to a total of 100 spaces. There are 60 employees per shift which allows for 1 space per employee plus 24 spaces for the office (1 space per 200 square feet) and 16 additional parking spaces to accommodate shift changes.

STAFF RECOMMENDATIONS: Approval

FISCAL IMPACTS: N/A

COUNCIL ACTION:

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

Reviewed by City Engineer **Yes** **No** **vN/A**

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

SMALL SCALE COMP PLAN AMENDMENT AND REZONING

Owner: City of Umatilla

Applicant: Green Consulting Group, Inc.; Timothy Green

Number of Acres: 42.52 ± acres

General Location: North of Lake Fern Road and West of Golden Gem Drive

Existing Zoning: Public Facilities District (PFD)

Proposed Zoning: Industrial Planned Unit Development

Existing Land Use: Utilities

Proposed Land Use: Industrial

Date: November 29, 2022

Description of Project

The applicant is proposing a small-scale comprehensive map amendment to Industrial and a rezoning to Industrial Planned Unit Development to create a 4-lot industrial park. The existing site is utilized for the City’s wastewater filtering ponds and spray field. The existing use of the property will no longer be needed due to the City’s agreement with the City of Eustis regarding wastewater. The subject site is located within an area of existing industrial and proposed industrial development. In an effort to assist in the long-term economic opportunities for its citizens and utilize the subject site at it’s highest and best use the city is proposing to convert the site to an industrial park.

	Surrounding Zoning	Surrounding Land Use
North	PFD and UR-5	Multi-family and SF medium density
South	PFD and Industrial	Utilities, Industrial
East	MHRP, PUD, PFD	Mobile home high density, Industrial, Utilities
West	AG	Lake County Rural Transition

Assessment

Comprehensive Plan Amendment

Industrial Needs Analysis

The comprehensive plan data and analysis indicates that there is a need of an additional 113 acres of industrial to meet the projected 2035 demand. The addition of 42.52 acres would assist the city in meeting this need.

The proposed comprehensive plan amendment is from Utilities to Industrial (75% ISR). The proposed amendment is consistent with the following policies (among others):

- FLU 1-2.1.1 – Land Use Designations
- FLU 1-2.9.1 – Industrial Designation
- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 1,487,138 SF based on a 75% ISR and under the proposed land use there is no change as the maximum ISR remains the same.

The proposed amendment would decrease the daily trips as outlined below based on maximum development potential. Lake Ferns Road is a local roadway 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
Industrial Park	1,487,138 SF	130	5,011	595	125	470
TOTAL GROSS TRIPS (PROPOSED)			5,011	595	125	470

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Utilities	1,487,138 SF	170	19,688	3375	675	2700
TOTAL GROSS TRIPS (EXISTING)			19,688	3,375	675	2,700

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)	-2,780	-550	-2,230

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 .199 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 .182 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 0.097 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 0.08 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 2,175 pounds of solid waste per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

An environmental analysis was conducted on the entire site by Ray & Associates. There are wetlands located within the northwestern and northern property boundary (3.54 ± acres) and the site is partially located within the 100-year flood plain. The proposed concept plan provides a 25' upland buffer adjacent to the wetlands consistent with the LDRs. The assessment did not reveal any evidence of protected species. Should protected species occur, appropriate regulatory permits will be required prior to development.

Rezoning

The proposed rezoning to Industrial Planned Unit Development is consistent with the adjacent properties to the south and portions of property to the east. A 25' enhanced and a 20' perimeter landscape buffers are proposed which will mitigate adjacent land uses. The proposed development agreement adds further mitigation by limiting the hours of operation of noise generating activities with all manufacturing activities being conducted indoors.

A waiver to the parking requirements for manufacturing is being requested for Parcel 4 (Phillips parcel) from 1 space per 600 square feet to 1 space per 1500 square feet for manufacturing. Parking for warehouse and office will meet code requirements. Total required parking per code is 192 spaces and the applicant is proposing 100 spaces. The justification for the request is there are approximately 100 total employees; however, there are two (2) shifts consisting of 60 employees and 40 employees. The proposed parking allows for 1 space per employee to accommodate shift changes.

A traffic impact analysis was submitted for Parcel 4 (Phillips parcel). Results of the analysis indicate that roadway segments and intersections are projected to operate at an adequate LOS at project build out. The analysis does recommend that a “No Thru Trucks” sign be placed on Devault Street.

Conceptual Plan

The conceptual plan indicates 4 lots within the industrial park. Three of the parcels are 4.96 ± acres and the 4th parcel is 22.69 ± acres. Enhanced landscaping buffers of 25’ (3’ berm, 5 canopy trees, 4 understory trees, 2’ high hedge, 15% groundcover other than turf per 100’ linear feet) are proposed adjacent to Golden Gem Drive and adjacent to the mobile home park. A 20’ landscape buffer is proposed adjacent to the remaining property perimeter. A 25’ upland buffer is proposed adjacent to wetlands. Setbacks adjacent to Golden Gem Drive and Lake Fern Drive are 25’.

Main access to the site is from Lake Ferns Road and a proposed 50’ internal roadway. It is anticipated that the Lake Ferns Road and internal roadway will take approximately one (1) year to construct. In the interim, access to Parcel 4 will be from Golden Gem Drive with a temporary truck access.

The conceptual plan meets the minimum requirements of Chapter 6, Section 2(k)(8)(A).

Recommendation

Comprehensive Plan Amendment

Industrial land uses are located to the east and south of 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 1-2.1.1 – Land Use Designations
- FLU 1-2.9.1 – Industrial Designation
- FLU 1-1.10.1 – Land Use Allocation
- FLU 1-1.10.2 – Promote Orderly Growth

Rezoning

The proposed rezoning is compatible with the area and to mitigate the agricultural and residential land uses appropriate buffers will be placed along with limiting the hours of operation for noise generating activities and all activities being conducted indoors.

Conceptual Plan

The conceptual site plan meets the minimum requirements of Chapter 6, Section 2(k)(8)(A).

Table 1 – Water Analysis

Ordinance #	Acres	Existing City Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						.199**
		Utility (75% ISR)		1,487,138 SF	.039	
*2022-	45.52		Industrial (75% ISR)	1,487,138 SF	.039	0.16

* SSCPA Ordinance No

** Includes Church of God amendment

Estimated water demand for Utilities and Industrial based on 850 gallons per day per acre per PF Policy 4-1.10.1

Table 2 – Wastewater Analysis

Ordinance #	Acres	Existing City Land Use	Proposed City Land Use	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity						0.097**
		Utility (75% ISR)		1,487,138 SF	.039	
*2022	45.52		Industrial (75% ISR)	1,487,138 SF	.039	0.058

* SSCPA Ordinance No

Includes Church of God amendment

Estimated wastewater demand for Institutional based on 850 gallons per day per acre

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2022-116

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 42.52 ± ACRES OF LAND ZONED PUBLIC FACILITIES DISTRICT TO THE DESIGNATION OF INDUSTRIAL PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CITY OF UMATILLA LOCATED NORTH OF LAKE FERN ROAD AND WEST OF GOLDEN GEM DRIVE; APPROVING A MASTER DEVELOPER'S AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, AND THE LAKE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

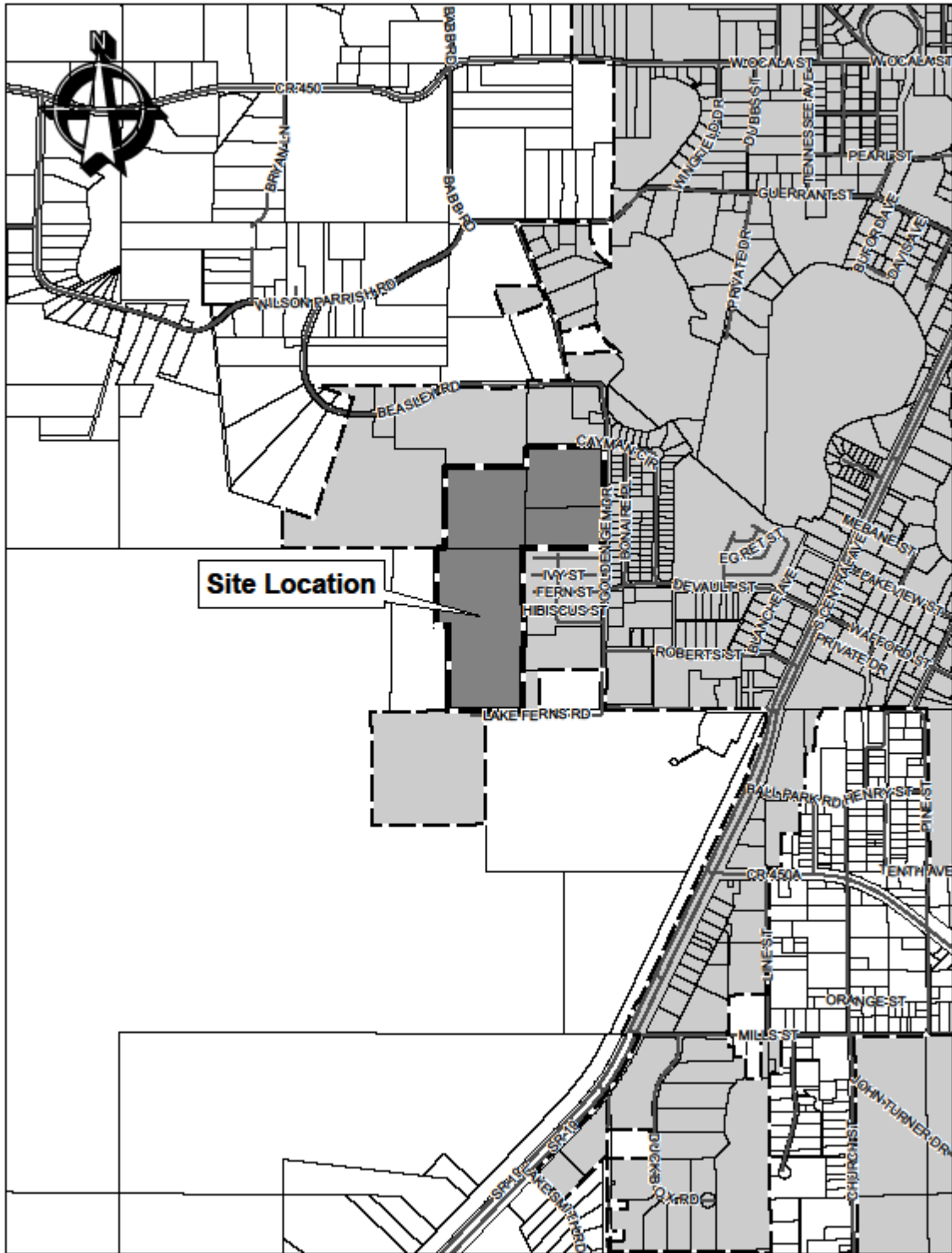
The proposed Ordinances will be considered at the following public meetings:

Umatilla City Council Meeting on December 6, 2022 at 6:00 p.m.

Umatilla City Council Meeting on December 20, 2022 at 6:00 p.m.

All meetings will be held at the Council Chambers, 1 S. Central Avenue, Umatilla, Florida. The proposed Ordinances and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 669-3125.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinance. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).



ORDINANCE 2022-116

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 42.52 ± ACRES OF LAND ZONED PUBLIC FACILITIES DISTRICT TO THE DESIGNATION OF INDUSTRIAL PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CITY OF UMATILLA LOCATED NORTH OF LAKE FERN ROAD AND WEST OF GOLDEN GEM DRIVE; APPROVING A MASTER DEVELOPER'S AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, AND THE LAKE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from the City of Umatilla to rezone approximately 42.52 acres of land from Public Facilities District (PFD) to Industrial Planned Unit Development (IPUD);

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

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

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

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

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

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated as IPUD, Industrial Planned Unit Development, as defined in the Umatilla Land Development Regulations. 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: Exhibit "A"

Alternate Key # 3785106

Section 2: Zoning Classification.

That the property shall be designated as IPUD, Industrial Planned Unit Development District, in accordance with Chapter 6, Section 2(k) of the Land Development Regulations of the City of Umatilla, Florida. The property rezoned pursuant to this section shall be subject to the Umatilla Land Development Regulations pertaining properties within the Planned Unit Development District and shall be developed according to the Master Developer's Agreement attached hereto as Exhibit "C".

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

Section 4: 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 5: 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 6: Effective Date.

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 _____ day of _____, 2022.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

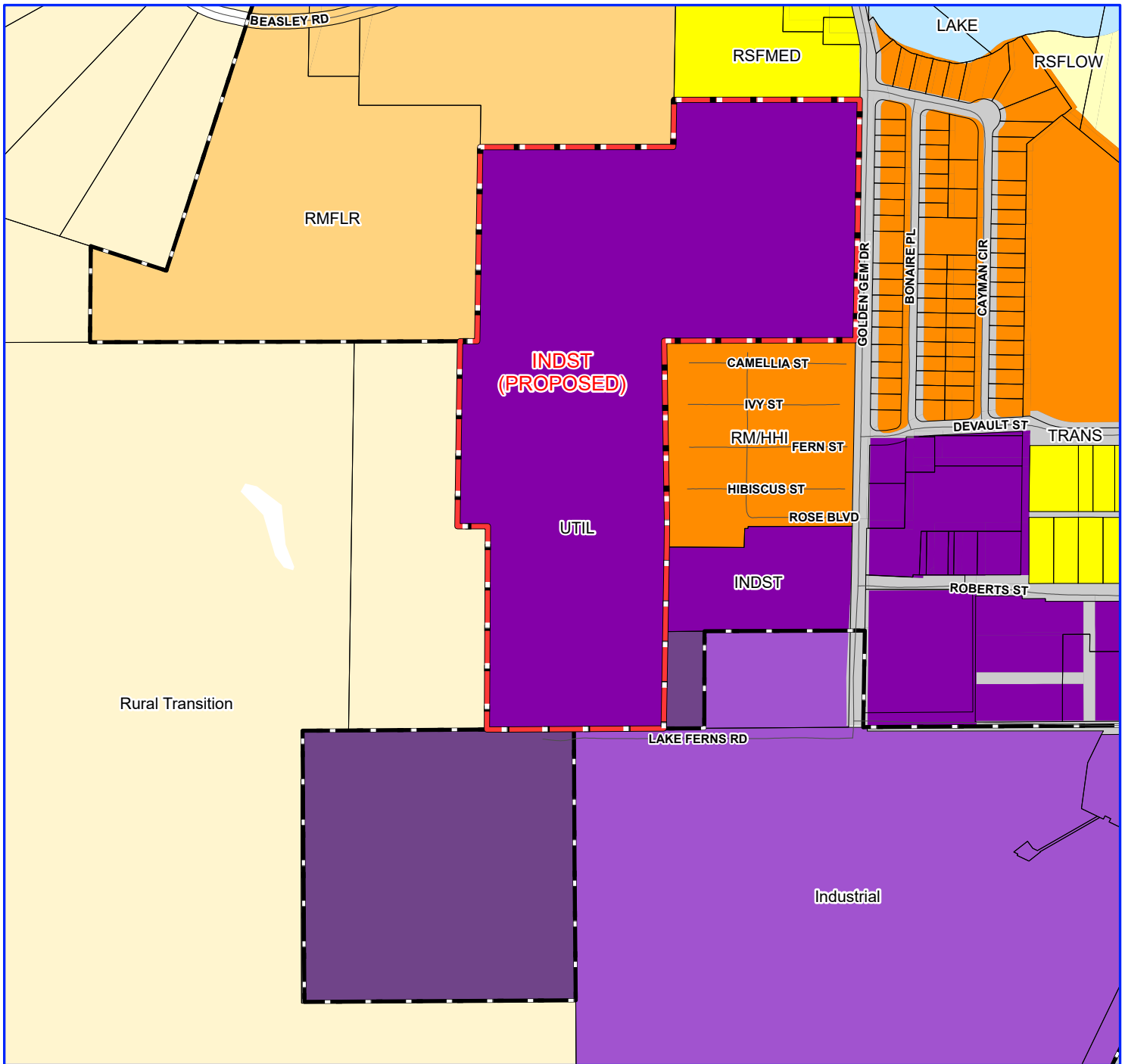
EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1:

A part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 18 South, Range 26 East, Lake County, Florida, described as follows: Commence at the Southwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 14; run thence North $89^{\circ}47'05''$ East along the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 53.0 feet to the Point of Beginning of this description; from said Point of Beginning, run North $00^{\circ}16'20''$ East parallel with the West line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 700.00 feet; thence South $89^{\circ}47'05''$ West, 53.00 feet to a point on the West line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North $00^{\circ}16'20''$ East along said West line 630.34 feet to the Northwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North $89^{\circ}51'06''$ East along the North line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 639.41 feet; thence South $00^{\circ}40'54''$ East, 997.16 feet; thence South $00^{\circ}28'02''$ West, 332.43 feet to a point on the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence South $89^{\circ}47'05''$ West along said South line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 601.88 feet to the Point of Beginning. Subject to all easements, rights of way and restrictions of record, if any.

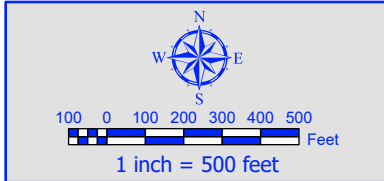
Parcel 2:

The East 59.0 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 18 South, Range 26 East, Lake County, Florida. Less the South 700.0 feet thereof. Subject to all easements, rights of way and restrictions of record, if any.



Legend

Site Boundary	City of Umatilla Future Land Use	RM/HHI, Mobile Home HD
Lake County Future Land Use	RSFLOW, Residential Single Family Low Density	INDST, Industrial
Industrial	RSFMED, Residential Single Family Medium Density	UTIL, Utility
Rural Transition	RMFLR, Residential Multi-Family Low Rise	LAKE, Lake
		TRANS, Transportation



City of Umatilla
City Industrial Park
 Lake County, Florida
 Proposed Future Land Use Map

Project: 399-22-06
 File: Proposed FLU
 Name: City Industrial Park
 PM: Sherie Lindh
 Date: September 12, 2022
 Created By: J.Wilson

LPG Urban & Regional Planners, Inc.
 1162 Camp Avenue, Mount Dora, Florida 32757
 Office: (352) 385-1940 / Fax: (352) 383-4824

MASTER DEVELOPER'S AGREEMENT

This Developer's Agreement (the "Agreement") is made this ____ day of _____, 2022, by and between the **CITY OF UMATILLA, a Florida municipal corporation** ("City"), whose address is 1 South Central Avenue, Umatilla, Florida 32784, and **City of Umatilla** ("Owner"), whose address is 1 South Central Avenue, Umatilla, Florida, 32784, hereinafter referred to collectively as the "Parties."

RECITALS

1. The Owner desires to rezone approximately 42.52+ acres of property within the City of Umatilla, described and depicted as set forth on Exhibit "A" attached to and incorporated in this Agreement (hereafter referred to as the "Property").
2. The Property is currently located within the City of Umatilla and is currently zoned "Public Facilities District (PFD)" with a future land use designation on the City of Umatilla Future Land Use Map of "Utility."
3. Owner has filed applications for a small scale comprehensive plan amendment to designate the future land use of the Property to be industrial with a corresponding change in the future land use map and a rezoning of the Property to Industrial Planned Unit Development (PUD).
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Umatilla has determined that the comprehensive plan amendment and rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property and have further offered to adhere to certain development standards outlined herein.
7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Conditions Precedent. Owner has filed an application for a small-scale comprehensive plan amendment and rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any Party unless and until: a) the City duly adopts the Agreement and adopts an ordinance amending the comprehensive future land use map and rezoning the Property. The parties hereto understand and acknowledge that the City is in no way bound to amend the future land use map or rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning and comprehensive plan map amendment. However, if the City denies the application for rezoning or the comprehensive plan map amendment, this Agreement shall be void and shall be of no further force and effect.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with

the "Conceptual Site Plan" prepared by Green Consulting Group, Inc., dated November 29, 2022, and attached as **Exhibit "B"** (the "Plan"). All development shall be consistent with City's "Planned Unit Development" (PUD) zoning district as it currently exists and subject to City approval.

Section 4. Permitted Uses. Permitted Uses of the Property are as follows:

- a. Artisan/Craftsman Shop.
- b. Appliance/Electronic repair shops.
- c. Agriculturally related industry.
- d. Auction Houses.
- e. Boat repair and sales.
- f. Commercial/Industrial Equipment and supplies.
- g. Commercial/Industrial service.
- h. Construction Contractor's Yard and Storage where incidental to the primary use.
- i. Distribution Center.
- j. Equipment Rental.
- k. Furniture and appliance stores.
- l. Health/Exercise Clubs.
- m. Laboratory/Research and Development
- n. Manufacturing: Fabrication
- o. Manufacturing: Processing
- p. Mini-warehouses.
- q. Motor Vehicle Sales.
- r. Motor Vehicle Service and Repair Facility.
- s. Motor Vehicle and Boat Storage Facility.
- t. Motor Vehicle Body Repair Facility
- u. Motor Vehicle Towing and Impoundment.
- v. Offices.
- w. Retail Home Building Materials.
- x. Retail Sales and Services
- y. Transportation Service.
- z. Trucking Terminal.
- aa. Veterinary Clinic/Kennels.
- bb. Warehousing.
- cc. Wholesalers and Distributors.
- dd. Xerographic and Offset printing.
- ee. Temporary modular office uses shall be allowed during construction.
- ff. Owners/caretakers residence incorporated into building use.
- gg. Other Uses require permission of the City Council.

All work proposed to be conducted indoors. Noise generating activities shall be conducted between the hours of 7 am to 3 am. Shipping of materials will take place between the hours of 7 am to 7 pm.

Section 5. Development Standards. Development Standards for the Property shall be as follows:

- a. Maximum Impervious Surface Ratio (ISR) - Seventy-five Percent (75%).
- b. Maximum Floor Area Ratio (FAR) will not exceed 1:1
- c. Minimum Setback requirements shall be:
 - Front: Road Right of Way - Twenty-five feet (25')
 - Side: Road Right of Way - Twenty-five feet (25')
 - Another Lot - Ten feet (10'),
 - Rear: Road Right of Way - Twenty-five feet (25')
 - Another Lot - Ten feet (10')Required landscape buffers shall supersede the minimum setbacks permitted by this section.
Accessories Setback: All accessory structures shall be located no closer to the property line than ten feet (10').

- d. Maximum building height shall be limited to fifty feet (50').
- e. Parking: The Applicant will be required to meet the parking requirements of the Umatilla Land Development Code for the proposed uses with the exception of parking requirements for manufacturing of Parcel 1 known as the Phillips parcel. Parking for the Phillips parcel shall be based 1 space per 1500 square feet for manufacturing. Parking for warehouse and office space shall meet Land Development Code.

Section 6. Site Access and Transportation Improvements. Vehicular access to the project site shall be provided by one access on Lake Fern Road.

- a. The Permittee shall provide all necessary improvements within and adjacent to the development as required by Lake County and City of Umatilla.
- b. All roads within the development shall have a fifty foot (50') right of way and shall be designed and constructed by the developer as a twenty-four foot (24') wide road, with a ribbon curb and swale. The structural design of the pavement of the roads shall meet or exceed the City of Umatilla's requirements, as the type of traffic anticipated will require a heavier road section.
- d. All roads or related transportation improvements associated with the Development will be privately owned and maintained. The City of Umatilla will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity (the "Property Owners' Association") that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- e. A traffic/transportation study shall be submitted prior to preliminary subdivision or site plan approval for review and determination of any necessary access or off-site improvements if required by the Florida Department of Transportation, Lake County or the City of Umatilla. Additional traffic impact analysis may be required during development as determined by the City of Umatilla, Lake County or the Florida Department of Transportation. Said improvements will be the responsibility of the Permittee.
- f. The Property shall be fully vested from Transportation Concurrency pursuant to compliance with this Section 6.

Section 7. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way.

Section 8. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City when the City makes such water and sewer services sufficient to service all uses of the Property available to the Property. The rates to be charged by City for Utilities to the Property shall be those rates and charges made by the City to its customers which are from time to time approved by the City Council or by any other governmental regulatory body from time to time having jurisdiction over such matters. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's eventual point of connection at the edge of the Property. All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction. Although it is the Owner's intent to connect to the City's Utilities when they become available, Owner shall be allowed to place and utilize septic tanks and install dry lines prior to the date that the City's Utilities become available to the Property.

Section 9. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, including water, wastewater, police, and fire impact fees. The amount to be paid shall be the adopted impact fee rate schedule at the time of building permit is issued.

Owner agrees to pay all other impact fees and any impact fees adopted after the execution of this Agreement as building permits are issued. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued. Prepayment of utility impact fees and acceptance by City of such fees shall reserve capacity. No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner agrees and understands that no capacity has been reserved and that Owner assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of preliminary plat and City is willing to allocate such capacity to Owner, Owner shall enter into a reservation agreement and any other utility agreements or easements related to the Property as requested by City from time to time.

Section 10. Easements. Owner shall provide the City such public easements or right of way in form acceptable to the City Attorney, as the City deems necessary for utility services, including but not limited to sewer, water, and drainage.

Section 11. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall, at its sole expense, install underground irrigation systems on all common areas of the Property, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner agrees to comply with all existing applicable City of Umatilla Land Development Regulations pertaining to tree removal and replacement, subject to limitations or modifications by Florida Statute.

Section 12. Stormwater Management. Owner agrees to provide at Owner's expense a stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 13. Other Municipal Facilities/Services. The City hereby agrees to provide, either directly or through its franchisees or third party providers, police and fire protection, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other commercial property owners within the City.

Section 14. Signage. All signs shall be in compliance with all applicable regulations contained within the City of Umatilla's Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations.

Section 15. Environmental Considerations. The Owner agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 16. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 17. Due Diligence. The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner from time to time in accordance with the City's applicable policies for the provision of said services.

Section 18. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law. This is a non-statutory development agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 - 163.3243, *Florida Statutes*.

Section 19. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 20. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 21. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 22. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 23. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Umatilla P.O. Box 2286 Umatilla, FL 32784-2286 352-669-3125 Telephone
Copy to:	Mayor City of Umatilla P.O. Box 2286 Umatilla, Florida 32784-2286 352-669-3125 Telephone Kevin Stone Stone & Gerken, P.A. 4850 N. Highway 19A Mount Dora, FL 32757 352-357-0330 Telephone
As to Owner:	City Manager City of Umatilla P.O. Box 2286 Umatilla, FL 32784-2286 352-669-3125 Telephone
Copy to:	Kevin Stone Stone & Gerken, P.A. 4850 N. Highway 19A Mount Dora, FL 32757 352-357-0330 Telephone

Section 24. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 25. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner and shall terminate twenty (20) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing.

Section 26. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 27. Severability. If any part of this Developer’s Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Developer’s Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Developer’s Agreement is declared severable.

IN WITNESS WHEREOF, the parties have set their hands and seals this ____ day of _____, 2022.

WITNESSES:

CITY OF UMATILLA, FLORIDA

Printed Name: _____

By: _____
Kent Adcock, Mayor

Printed Name: _____

ATTEST:

Jessica Burnham
City Clerk

City of Umatilla, Florida

Printed Name: _____

By: _____
Printed Name: _____
As its: _____

Printed Name: _____

**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: August 9, 2022

MEETING DATE: August 16, 2022

SUBJECT: Ordinance No. 2022 – 112 (Annexation)
Ordinance No. 2022 – 113 (Small Scale Comp Plan Amend)
Ordinance No. 2022 – 114 (Rezoning)

ISSUE: Turtle Cove Annexation – Rezoning – Future Land Use Map Designation

BACKGROUND SUMMARY: The owner is seeking annexation, small scale comp plan amendment and rezoning for a 16-lot single family subdivision with a proposed minimum lot size of 8,700 SF and a proposed density of 2.4 units/acre. The average lot size is 10,868 SF and the minimum lot width is 65'. The applicant has submitted a conceptual plan.

Annexation: The subject property is located adjacent to the city limits along the southern property boundary; therefore, the property is eligible for annexation

Rezoning: The applicant is requesting that the site be rezoned from Lake County Agriculture to City Single Family Medium Density Residential (R-5).

Conceptual Plan: The proposed plan indicates a 16-lot subdivision (proposed density is 2.4 units/acre) with a minimum lot size of 8,700 SF, an average lot size of 10,868 SF, and a minimum lot width of 70' which exceeds the minimum criteria of the R-5 District. A 15' perimeter landscape buffer is proposed. A 6' decorative white vinyl fence is proposed within the landscape buffers adjacent to the north (Peru Road), southeast (adjacent to cemetery) and western property boundary (adjacent to Maxwell Road). The proposed 15' buffers meet the requirements of Chapter 15.

The applicant is advised that proposed homes will need to meet the requirements of Chapter 6, Section 4 (Residential Design Standards).

The conceptual plan denotes a proposed minimum living area of 1,200 SF which exceeds the R-5 zoning district minimum required living area of 1,000 SF.

The plan identifies 1.82 acres of open space (25.8%) which does not include the WRAs.

A tot lot/playground is proposed within the southern open space area.

Comprehensive Plan Amendment: The applicant is requesting a map amendment from Lake County Urban Low Density (4 units/acre) to Single Family Residential Medium Density (5 units/acre) on 7.05 + acres. The existing Lake County Urban Low Density land use designation was established with the intention of annexation into the City.

The land use pattern within the city limits is characteristic of a mix of uses within urban core areas and include multi-family, single family medium density, commercial, institutional and utilities. For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 28 single family residential units and under the proposed land use the maximum development is 35 single family residential units. The amendment increases the residential units by 7.

STAFF RECOMMENDATIONS: Approval

Annexation: The subject property is located adjacent to the city limits along the southern property boundary; therefore, the property is eligible for annexation.

Small Scale Comprehensive Plan Map Amendment: The proposed map amendment will not degrade the Level of Service (LOS) of public facilities and is consistent with the policies (among others) as outlined below:

FLU Policy 1-1.10.1 – Land Use Allocation

FLU Policy 1-1.10.2 – Promote Orderly Compact Growth

FLU Policy 1-2.1.1 – Land Use Designations

Rezoning: The subject site is in close proximity to employment and retail centers that would support the proposed R-5 zoning. The proposed rezoning is compatible with adjacent properties, is within walking distance to commercial shopping, and is in close proximity to a major roadway (SR 19). Transit (Lake Xpress) bus service is available along SR 19, approximately ¾ mile from the subject site.

Conceptual Plan: The conceptual plan meets the minimum technical requirements.

FISCAL IMPACTS:

COUNCIL 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, SSCPA AND REZONING

Owner/Applicant: Coral Bay Development, LLC – Brent Howells

Engineer: Civil Engineering Solutions, Inc. – David Clutts, P.E.

General Location: West of Maxwell Road and south of Peru Road

Number of Acres: 7.05 ± acres

Existing Zoning: County Agriculture

Existing Land Use: Lake County Urban Low Density (4 units/acre)

Proposed Zoning: Single Family Medium Density Residential (R-5).

Proposed Land Use: Single Family Medium Density (5 units/acre)

Date: November 28, 2022

Description of Project

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 16-lot single family subdivision with a proposed minimum lot size of 8,700 SF and a proposed density of 2.4 units/acre. The average lot size is 10,868 SF and the minimum lot width is 65'. The applicant has submitted a conceptual plan.

	Surrounding Zoning	Surrounding Land Use
North	County A	Lake County Urban Low Density (4 units/acre)
South	PFD	Institutional (Glendale Cemetery)
East	County A*	Urban Low Density (4 units/acre) *
West	County A	Urban Low Density (4 units/acre)

*An application has been submitted to the City to annex the adjacent property to the east with an amendment to SFMD and a rezoning to PUD

Assessment

Annexation

The subject property is located adjacent to the city limits along the southern property boundary; therefore, the property is eligible for annexation.

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting a map amendment from Lake County Urban Low Density (4 units/acre) to Single Family Residential Medium Density (5 units/acre) on 7.05 ± acres. The existing Lake County Urban Low Density land use designation was established with the intention of annexation into the City.

The land use pattern within the city limits is characteristic of a mix of uses within urban core areas and include multi-family, single family medium density, commercial, institutional and utilities.

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 28 single family residential units and under the proposed land use the maximum development is 35 single family residential units. The amendment increases the residential units by 7.

School Impact Analysis – The amendment will increase school age children by 1 student. The proposed amendment will not cause a deficiency in school facilities.

Existing County Land Use Residential Units: 28 SF units

Proposed Development Residential Units: 35 SF units

The anticipated number of students generated by the existing land use is shown in Table 1.

**TABLE 1
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

Lake County Student Generation Rates	
Single Family	
Type	Student Multipliers per Dwelling Unit
High School	0.114
Middle School	0.079
Elementary School	0.157
Total	0.350

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	28	0.157	4	0	0.143	0	4
MIDDLE	28	0.079	2	0	0.063	0	4
HIGH	28	0.114	3	0	0.077	0	3
GRAND TOTAL							11

The anticipated number of students generated by the proposed land use is shown in Table 2.

**TABLE 2
STUDENTS GENERATED BASED ON PROPOSED DEVELOPMENT**

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	35	0.157	5	0	0.143	0	5
MIDDLE	35	0.079	3	0	0.063	0	3
HIGH	35	0.114	4	0	0.077	0	4
GRAND TOTAL							12

Traffic Impact Analysis –

The proposed amendment would increase the daily trips as outlined below based on maximum development potential; however, the increase is considered de minimis (7 additional PM peak hour trips). Maxwell Road is classified as a local 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	35 units	210	330	33	21	12
TOTAL GROSS TRIPS (PROPOSED)			330	33	21	12

* 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	28 units	210	264	26	16	10
TOTAL GROSS TRIPS (EXISTING)			264	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)	7	5	2

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 .199 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 0.187 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 0.097 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 0.089 MGD.

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population is 80 (35 units x 2.29 pph) and the estimated solid waste is 400 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

An environmental assessment was conducted by Stillwater Environmental, Inc. Results of the survey indicated that there are no wetlands onsite, evidence of gopher tortoises and the potential for other protected species which utilize their burrows. A sand skink survey was conducted and results of the survey indicate that sand skinks do not occupy the site. Prior to development, regulatory permits will need to be secured to relocate the gopher tortoises.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Agriculture to City Single Family Medium Density Residential (R-5).

Conceptual Plan

The proposed plan indicates a 16-lot subdivision (proposed density is 2.4 units/acre) with a minimum lot size of 8,700 SF, an average lot size of 10,868 SF, and a minimum lot width of 70' which exceeds the minimum criteria of the R-5 District. A 15' perimeter landscape buffer is proposed. A 6' decorative white vinyl fence is proposed within the landscape buffers adjacent to the north (Peru Road), southeast (adjacent to cemetery) and western property boundary (adjacent to Maxwell Road). The proposed 15' buffers meet the requirements of Chapter 15.

The applicant is advised that proposed homes will need to meet the requirements of Chapter 6, Section 4 (Residential Design Standards).

The conceptual plan denotes a proposed minimum living area of 1,200 SF which exceeds the R-5 zoning district minimum required living area of 1,000 SF.

The plan identifies 1.82 acres of open space (25.8%) which does not include the WRAs.

A tot lot/playground is proposed within the southern open space area.

Recommendation

Annexation

The subject property is located adjacent to the city limits along the southern property boundary; therefore, the property is eligible for annexation.

Small Scale Comprehensive Plan Map Amendment

The proposed map amendment will not degrade the Level of Service (LOS) of public facilities and is consistent with the policies (among others) as outlined below:

FLU Policy 1-1.10.1 – Land Use Allocation

FLU Policy 1-1.10.2 – Promote Orderly Compact Growth

FLU Policy 1-2.1.1 – Land Use Designations

Rezoning

The subject site is in close proximity to employment and retail centers that would support the proposed R-5 zoning. The proposed rezoning is compatible with adjacent properties, is within walking distance to commercial shopping, and is in close proximity to a major roadway (SR 19). Transit (Lake Xpress) bus service is available along SR 19, approximately ¾ mile from the subject site.

Conceptual Plan

The conceptual plan meets the minimum technical requirements.

Table 1 – Water 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						0.199*
		Urban Low Density (4 units/acre) 28 units	SFRMD (5 units/acre)	35 units		0.012
**2022-	7.02	28 units		35 units		0.187

* Includes Church of God Amendment

** SSCPA Ordinance No

Projected population – 80 (35 x 2.29 pph)

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

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						0.097*
		Urban Low Density (4 units/acre)	SFRMD (5 units/acre)	35 units	.008	.008
**2022	7.02	28 units	35 units			0.089

* Includes Church of God Amendment

** SSCPA Ordinance No

Projected population – 80 (35 x 2.29 pph)

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

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2022-112

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 7.02 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD; 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.

ORDINANCE 2022-113

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 7.02 ± ACRES OF LAND DESIGNATED LAKE COUNTY URBAN LOW TO SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CORAL BAY DEVELOPMENT & INVESTMENT, LLC LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD ; 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.

ORDINANCE 2022-114

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 7.02 ± ACRES OF LAND ZONED LAKE COUNTY AGRICULTURE (A) TO THE DESIGNATION OF SINGLE FAMILY MEDIUM RESIDENTIAL DISTRICT (R-5) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CORAL BAY DEVELOPMENT & INVESTMENT, LLC LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, AND THE LAKE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:

Local Planning Agency Meeting on December 6, 2022 at 6:00 p.m.

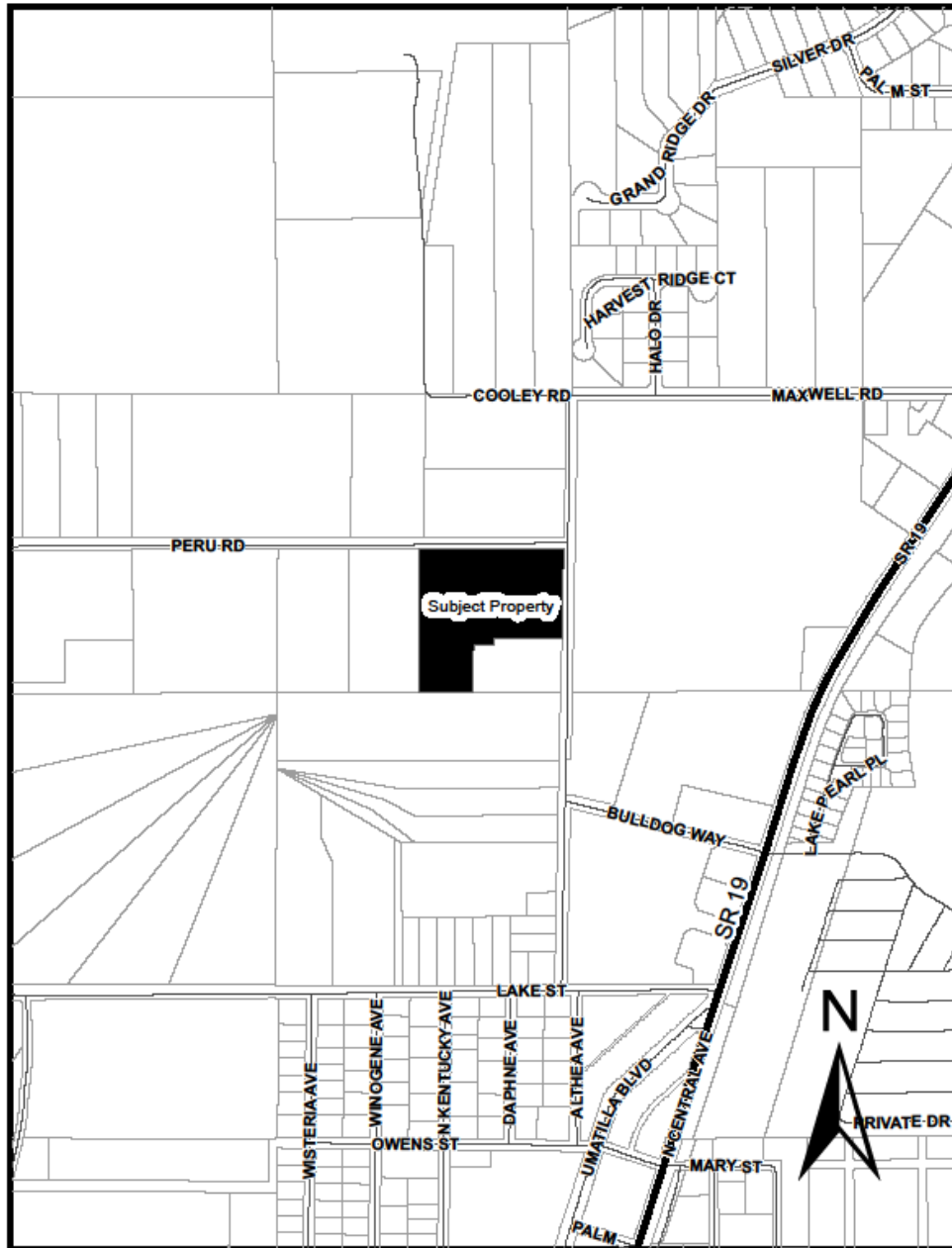
Umatilla City Council Meeting on December 6, 2022 Immediately following the Local Planning Agency Meeting

Umatilla City Council Meeting on January 3, 2023 at 6:00 p.m.

All meetings will be held at the Council Chambers, 1 S. Central Avenue, Umatilla, Florida. The proposed Ordinances and metes and bounds legal description of the property may be inspected by the public between

the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 669-3125.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinance. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).



ORDINANCE 2022-112

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 7.02 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD; 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 of approximately 7.02 acres of land generally located south of Peru Road and west of Maxwell Road (the "Property") by Coral Bay Development & Investment, LLC 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 7.02 acres of land generally located south of Peru Road and west of Maxwell Road, 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 # 1122457

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. The City Council is exercising discretion to accept the Owner's application for annexation of the property described in this Ordinance, and does so in reliance on the agreement of the Owner to

develop the property in accordance with the Conceptual Site Plan, including all standards and features depicted thereon, attached hereto as Exhibit "C"; provided, however, that in all circumstances development shall be undertaken in accordance with the City Comprehensive Plan and land development regulations. The Owner hereby agrees to the conditions set forth herein, which shall run with the land and be binding upon the Owner's successors and assigns.

Section 6. 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 7: 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 8.

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 _____ day of _____, 2022.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham
City Clerk

Kevin Stone
City Attorney

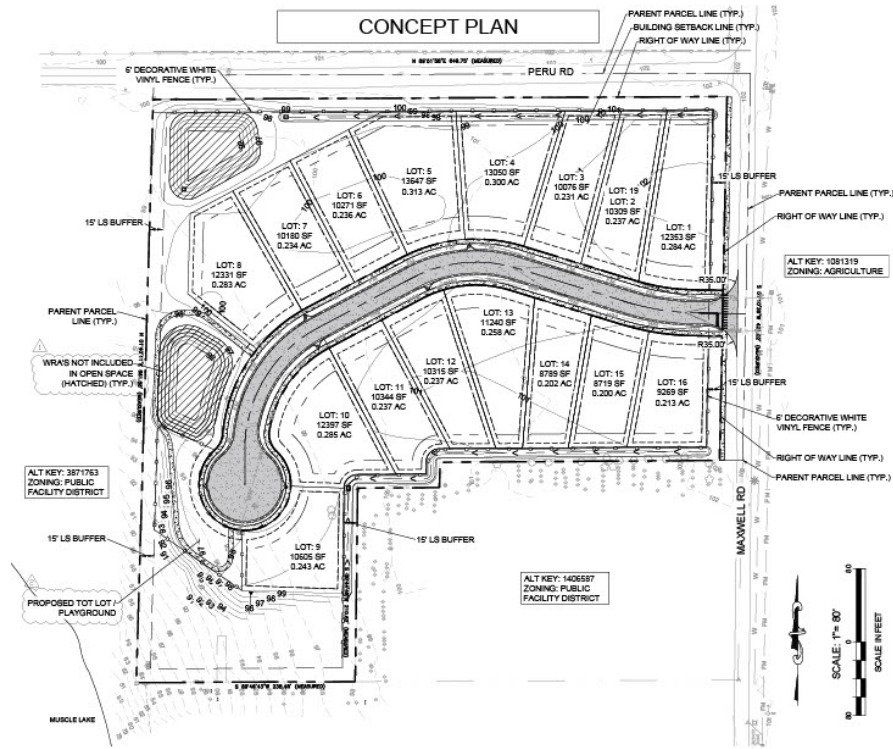
Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"

BEGIN 239.5 FEET NORTH OF THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN WEST 329.6 FEET, SOUTH 27.5 FEET, WEST 89 FEET, SOUTH 212 FEET, WEST 241.4 FEET, NORTH 660 FEET, EAST 660 FEET, SOUTH 420.5 FEET TO THE POINT OF BEGINNING.

EXHIBIT 'B'





LEGAL DESCRIPTION:

BEING 206.5 FEET NORTH OF THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 30 EAST, ALCO COUNTY, FLORIDA AND BEING WEST 328.8 FEET, SOUTH 27.3 FEET, WEST 89 FEET, SOUTH 23.2 FEET, WEST 24.6 FEET, NORTH 680 FEET, EAST 400 FEET, SOUTH 400 FEET TO THE POINT OF BEGINNING.

- GENERAL NOTES:**
1. SITE INFORMATION
 - 1.1. ALTERNATE KEY TO EXIST
 - 1.2. SEE AREA FOR ACTIVITIES UNMENTIONED OTHERWISE
 - 1.3. PROJECT AREA 7.85 AC
 - 1.4. OPEN SPACE
 - 1.4.1. MINIMUM OPEN SPACE REQUIRED: 28% (7.85 AC)
 - 1.4.2. PROPOSED OPEN SPACE (28%): 2.20 AC (PROPOSED WEAKEWELL INCLUDED)
 2. ZONING RECOMMENDATIONS: A-5
 - 2.1. MINIMUM LOT AREA BASED ON 1.0 DENSITY PER ACRE DENSITY: 8094 SF (23 AC)
 - 2.2. MIN. MINIMUM LOT AREA: 10000 SF
 - 2.3. PROPOSED MINIMUM LOT AREA: 7000 SF
 - 2.4. MINIMUM LOT WIDTH: 80'
 - 2.5. MAXIMUM BUILDING HEIGHT: 18 FT
 - 2.6. MINIMUM LOT COVERAGE: 10%
 - 2.7. MAXIMUM LOT COVERAGE: 30%
 3. PROPOSED NET TRAFFIC & LAND USE (10)
 - 3.1. PROPOSED RESIDENTIAL UNITS @ 1.0 DENSITY PER ACRE: 100 UNITS
 - 3.2. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.3. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.4. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.5. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.6. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.7. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.8. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.9. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 - 3.10. PROPOSED TRAFFIC: 100 VEHICLES PER HOUR
 4. UTILITY PROVIDERS
 - 4.1. FUTURE POWER: CITY OF UNIMATLA
 - 4.2. FUTURE PROTECTION: CITY OF UNIMATLA
 - 4.3. FUTURE WATER: CITY OF UNIMATLA
 - 4.4. FUTURE WASTE: CITY OF UNIMATLA
 - 4.5. FUTURE GAS: CITY OF UNIMATLA
 - 4.6. FUTURE TELEPHONE: CITY OF UNIMATLA
 - 4.7. FUTURE CABLE: CITY OF UNIMATLA
 - 4.8. FUTURE FIBER: CITY OF UNIMATLA
 - 4.9. FUTURE SATELLITE: CITY OF UNIMATLA
 - 4.10. FUTURE OTHER: CITY OF UNIMATLA
 5. PER FROM RATE MAP: 10/20/2018 (DATED: 12/20/2012)
 - 5.1. THIS SITE DOES NOT LAY WITHIN THE FLOOD ZONE
 - 5.2. STREET LIGHTING SHALL BE PROVIDED
 6. DESIGN (SEE SHEET CP.1.0)
 - 6.1. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.2. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.3. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.4. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.5. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.6. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.7. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.8. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.9. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 - 6.10. SIGNAGE SHALL BE CONSTRUCTED ALONG WITH NEIGHBORHOOD CONSTRUCTION
 7. SECURITY (CONSTRUCTION)
 - 7.1. PROVIDED BY AMERICAN VETERAN SURVIVORS COMPANY, LLC (DATED: OCTOBER 28, 2021)

TABLE OF SHEETS

CP1.0 CONCEPTUAL SITE PLAN
CP2.0 SITE PLAN INFORMATION

AMERICAN VETERAN SURVIVORS COMPANY, LLC
 CIVIL ENGINEERING & SURVEYING
 10000 W. UNIVERSITY BLVD., SUITE 100
 TAMPA, FL 33613
 PHONE: (813) 971-1111
 FAX: (813) 971-1112
 WWW: AVSCOMM.COM

TURTLE COVE
 CONCEPT PLAN
 UNIMATLA, FL, ORDA

DESIGNED BY: [NAME]
 CHECKED BY: [NAME]

FILE NUMBER: [NUMBER]
 ISSUE DATE: [DATE]
 SHEET SIZE: [SIZE]

CONCEPTUAL SITE PLAN
 SHEET NUMBER
 CP1.0

ORDINANCE 2022-113

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 7.02 ± ACRES OF LAND DESIGNATED LAKE COUNTY URBAN LOW TO SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CORAL BAY DEVELOPMENT & INVESTMENT, LLC LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD ; 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 Coral Bay Development & Investment, LLC as owner, 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 to City Residential Single Family Medium Density 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 to Single Family Medium Density as 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, and as defined in the Umatilla Comprehensive Plan.

LEGAL DESCRIPTION: See Exhibit “A”

Alternate Key # 1122457

- 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:

 Jessica Burnham
 City Clerk

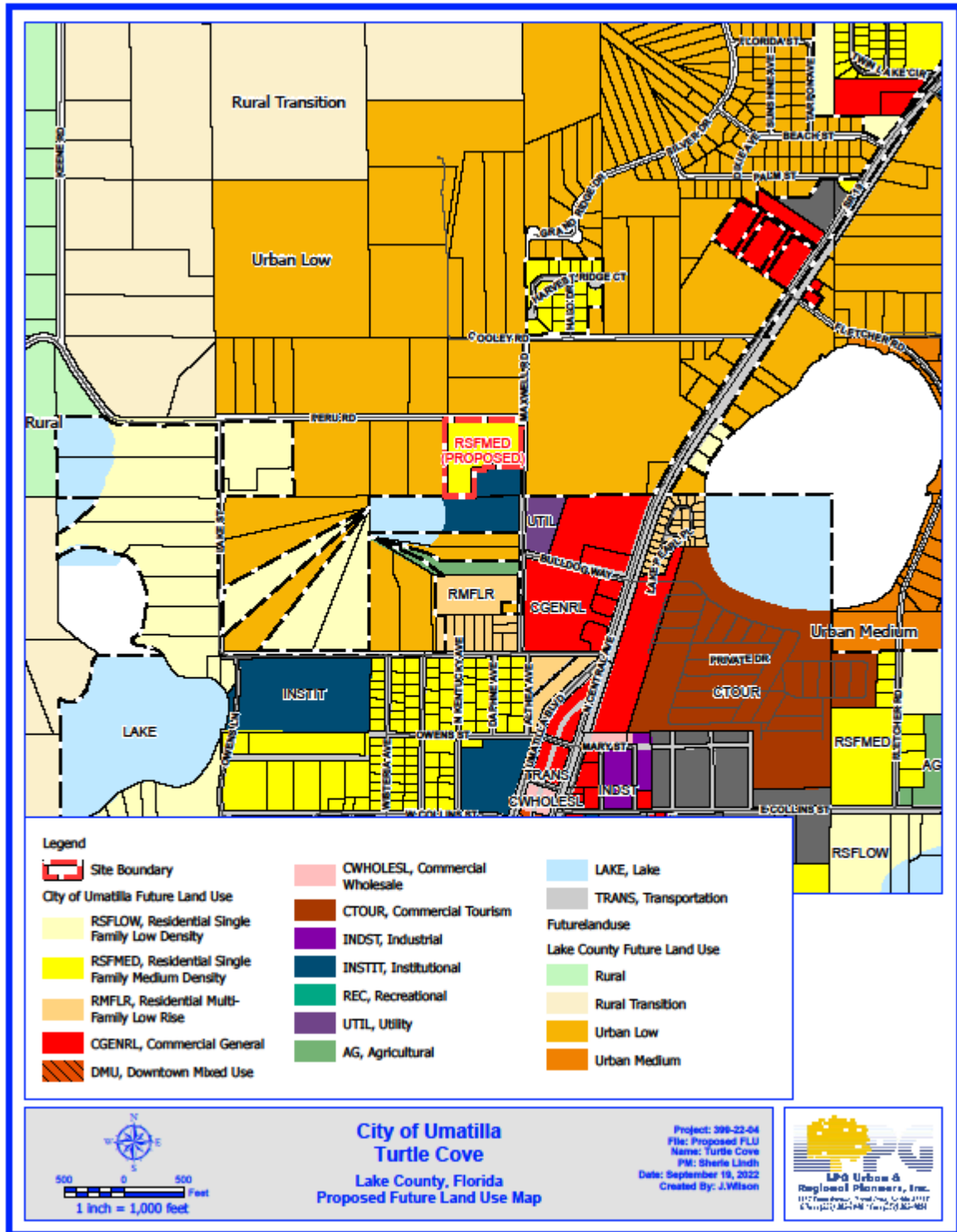
 Kevin Stone
 City Attorney

Passed First Reading _____
 Passed Second Reading _____
 (SEAL)

EXHIBIT "A"

BEGIN 239.5 FEET NORTH OF THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN WEST 329.6 FEET, SOUTH 27.5 FEET, WEST 89 FEET, SOUTH 212 FEET, WEST 241.4 FEET, NORTH 660 FEET, EAST 660 FEET, SOUTH 420.5 FEET TO THE POINT OF BEGINNING.

EXHIBIT 'B'



ORDINANCE 2022-114

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 7.02 ± ACRES OF LAND ZONED LAKE COUNTY AGRICULTURE (A) TO THE DESIGNATION OF SINGLE FAMILY MEDIUM RESIDENTIAL DISTRICT (R-5) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY CORAL BAY DEVELOPMENT & INVESTMENT, LLC LOCATED SOUTH OF PERU ROAD AND WEST OF MAXWELL ROAD; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, AND THE LAKE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Coral Bay Development & Investment, LLC as Owner, to rezone approximately 7.02 acres of land from Lake County Agriculture (A) to City Single Family Medium Residential District (R-5);

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

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

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

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

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

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated as R-5, Single Family Medium Density Residential District, as defined in the Umatilla Land Development Regulations. 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: Exhibit "A"

Alternate Key # 1122457

Section 2: Zoning Classification.

That the property shall be designated as R-5, Single Family Medium Density Residential District, in accordance with Chapter 6, Section 2(d) of the Land Development Regulations of the City of Umatilla, Florida.

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

Section 4: 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 5: 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 6: Effective Date.

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 _____ day of _____, 2022.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"

BEGIN 239.5 FEET NORTH OF THE SE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN WEST 329.6 FEET, SOUTH 27.5 FEET, WEST 89 FEET, SOUTH 212 FEET, WEST 241.4 FEET, NORTH 660 FEET, EAST 660 FEET, SOUTH 420.5 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

