



UMATILLA LAND PLANNING AGENCY MEETING

November 21, 2023 at 6:00 PM

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

AGENDA

Please silence your electronic devices

PLEDGE OF ALLEGIANCE AND INVOCATION

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

PUBLIC COMMENT

At this point in the meeting, the Land Planning Agency (LPA) will hear questions, comments and concerns from the public. Please write your name and address on the paper provided at the podium. Zoning matters which may be coming before the LPA at a later date should not be discussed until such time as they come before the LPA in a public hearing. Comments, questions, and concerns from the public regarding items listed on this agenda shall be received at the time the LPA addresses such items during this meeting. Public comments are generally limited to three minutes.

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

1. First Reading of Ordinance No. 2023-19, RLW Realty, LLC & KRK Equity, LLC Annexation
2. First Reading of Ordinance No. 2023-20, RLW Realty, LLC & KRK Equity, LLC Small-Scale Comp Plan Amendment
3. First Reading of Ordinance No. 2023-21, RLW Realty, LLC & KRK Equity, LLC Rezoning

DISCUSSION ITEMS

ADJOURNMENT

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

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



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: November 17, 2023

MEETING DATE: November 21, 2023

SUBJECT: First Reading of Ordinance No. 2023-19, RLW Realty, LLC & KRK Equity, LLC Annexation

BACKGROUND SUMMARY:

The owner is seeking annexation of a 19.50 acre site. If approved, the owner is seeking minor subdivision, creating three (3) lots consisting of a 5.92-acre lot, a 5.99-acre lot and a 6.06-acre lot. The subject property is located adjacent to the city limits along the souther and eastern property boundaries; therefore, the property is eligible for annexation.

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2023-19, RLW Realty, LLC & KRK Equity, LLC Annexation

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report RLW Realty Ord No. 2023-19
 2. Location Map
 3. Ordinance No. 2023-19, RLW Realty, LLC & KRK Equity, LLC Annexation
 4. Ordinance No. 2023-19 Business Impact Estimates
-

CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC
ANNEXATION, SSCPA, REZONING AND MINOR SUBDIVISION
(ORDINANCES 2023-19, 2023-20 AND 2023-21)

Owner: RLW Realty, LLC and KRK Equity, LLC

Applicant: Logan Wilson

General Location: West of Charles Osborne Road and North of CR 450

Number of Acres: 19.50 ± acres

Existing Zoning: County Agriculture

Existing Land Use: Lake County Urban Medium Density (7 units/net acre)

Proposed Zoning: Agriculture Residential (AR-1)

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

Date: October 9, 2023

Description of Project

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 19.50-acre site. If approved, the owner is seeking minor subdivision creating three (3) lots consisting of 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

	Surrounding Zoning	Surrounding Land Use
North	County A	Lake County Urban Medium Density (7 units/acre)
South	City R-3	City SFLD (3 units/acre)
East	City R-3	City SFLD (3 units/acre)
West	County A	Lake County Urban Medium Density

Assessment

Annexation

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

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) to City Single Family Medium Density (5 units/acre) on 19.50 ± acres. The existing adjacent County Land Use is Urban Medium Density and the adjacent land use within the city limits is Single Family Low Density (3 units/acre). The proposed Single Family Medium Density category allows up to 5 units/acre which would serve as a transition of densities. The proposed land use is compatible with adjacent lands and promotes orderly compact growth (FLU Policy 1-1.10.2).

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 137 residential units and under the proposed land use the maximum development potential is 98 residential units which is a reduction of 39 units.

The data and analysis indicates that there is a need for additional residential lands to meet the projected population through the planning year 2035. The addition of 19.50 acres would assist in meeting this need.

The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

Policy 1-1.1.1: Adequate Residential Land Area.

The Future Land Use Map shall designate sufficient land area for residential land uses according to a pattern that promotes neighborhood cohesiveness and identity, and that enables efficient provision of public facilities and services. A minimum of acres shall be allocated for residential land uses on the Future Land Use Map. Residential acreage allocated on the Future Land Use Map shall be sufficient to attract development to the City rather than outside the City limits.

Policy 1-1.1.7: Availability of Facilities to Support Residential Land Uses.

Residential densities shall be compatible with available public facilities and their capacity to serve development. Residential areas designated on the Future Land Use Map shall be allocated according to a pattern that promotes efficiency in the provision of public facilities and services, and furthers the conservation of natural resources. Public facilities shall be required to be in place concurrent within the impacts of new residential development as specified in Concurrency Management System.

Policy 1-2.1.1: Land Use Designations, and Maximum Intensity and Density.

3. Single-Family Medium Density - 5 dwelling units/acre. Development shall be limited to single-family residential.

Policy 1-1.10.1: Land Use Allocation.

The City shall designate land use on the Future Land Use Map to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data Inventory & Analysis). The City shall allocate a reasonable amount of land above identified needs to avoid economic impacts, which a controlled supply of land places on land values and market potential.

Policy 1-1.10.2: Promote Orderly, Compact Growth.

Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service. Land shall not be designated for growth and development if abundant undeveloped land is

already present within developed areas served by facilities and services.

Policy 1-2.2.6: Single-Family Medium Density Residential Development.

Development in the Single-Family Medium Density Residential category shall be limited to detached single-family dwelling units. Densities cannot exceed 5 dwelling units/acre. Mobile homes, multi-family, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

Traffic Impact Analysis –

The proposed amendment would decrease the daily trips (-368 trips) as outlined below based on maximum development potential. Charles Osborne Road is classified as a local roadway (under the jurisdiction of Lake County) with an adopted Level of Service (LOS) of D. CR 450 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	98 Units	210	924	92	58	34
TOTAL GROSS TRIPS (PROPOSED)			924	92	58	34

* 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	137 Units	210	1,292	129	81	48
TOTAL GROSS TRIPS (EXISTING)			1,292	129	81	48

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)	-37	-23	-14

School Impact Analysis – The amendment will decrease school age children by 12 students.

Existing County Land Use Residential Units: 137 SF units

Proposed Development Residential Units: 98 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	0.100
Middle School	0.072
Elementary School	0.140
Total	0.312

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	137	0.140	19	0	0.145	0	19
MIDDLE	137	0.072	10	0	0.059	0	10
HIGH	137	0.100	14	0	0.064	0	14
GRAND TOTAL							43

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	98	0.140	14	0	0.145	0	14
MIDDLE	98	0.072	7	0	0.059	0	7
HIGH	98	0.100	10	0	0.064	0	10
GRAND TOTAL							31

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 .733 MGD (SJRWMD CUP 2646-6). The City has a current available capacity of 0.029 MGD (includes Hatfield Family Trust amendment) for concurrency purposes 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 cause a deficiency.

Chapter 9, Section 2(c) of the LDRs outlines the standards to be met for concurrency. Item 2 indicates that the necessary facilities and services are in place at the time a development permit is issued, or a development permit is issued subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the development are anticipated to occur. It should be noted that the City is in the process of increasing the consumptive use permit capacity and is scheduled within 2023.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla's Utility Service area. The city has an existing agreement with the City of Eustis for wastewater (Resolution 2018-46). The agreement allows for a maximum of 300,000 gallons per day (0.3 MGD) and the current usage is 129,000 gallons per day (0.129 MGD) with a remaining capacity of 171,000 gallons per day (0.171 MGD). The proposed amendment would not cause a deficiency in the City's Level of Service standards and the city would have 150,000 gallons per day (0.150 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population at buildout is 216 (2.2 pph x 98 units) and the estimated solid waste is 1,080 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

An environmental analysis will be required prior to development per Chapter 9. Preliminary review indicates that the subject site contains soils conducive to gopher tortoises and sand skinks.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Agriculture (A) to Agriculture Residential (AR-1). The AR-1 category allows for 1 unit per 1 acre. The rezoning to AR-1 is compatible with the adjacent zonings of Agriculture and R-3. Review of the trip analysis indicates that the zoning would increase the daily trips; however, it is considered de minimis.

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	20	210	189	19	12	7
TOTAL GROSS TRIPS (PROPOSED)			189	19	12	7

* 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	4	210	38	4	3	1
TOTAL GROSS TRIPS (EXISTING)			38	4	3	1

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)	15	9	6

A water analysis was conducted based on the rezoning (Table 3). Based on the rezoning using a maximum development potential (20 units) indicates that there is sufficient capacity to serve potential development.

Minor Subdivision

Should the annexation, small scale comprehensive plan amendment and rezoning be approved, the applicant is also requesting a minor subdivision which would allow the creation of three (3) lots; a 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

Chapter 9, Section 5(b)(4) allows for minor subdivisions provided that meet all of the following criteria:

- An overall tract in single ownership is divided into no more than 3 lots
- No new streets are proposed or required
- No dedication of right of way, drainage areas, conversation areas or other publicly maintained property is proposed or required
- All proposed lots meet or exceed the dimensional requirements of the Code
- The proposed division is not part of an overall tract previously approved as a minor subdivision
- Flag lots are prohibited.

No dedication of right of way or other publicly maintained property is proposed or required. The proposed minor subdivision is not part of any tract previously approved as a minor subdivision. The proposed minor subdivision exceeds the minimum lot standards of the AR zoning district which are a minimum of one (1) acre with 100' of frontage on the roadway.

Recommendation**Annexation**

The subject property is located adjacent to the city limits along the southern and eastern property boundaries; therefore, the property is eligible for annexation. Staff recommends approval.

SSCPA

The proposed amendment to Single Family Medium Density (5 units/acre) is consistent with the comprehensive plan as previously outlined. Water concurrency can be met subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the subject development are anticipated to occur. It should be noted that the city is in the process of renewing the Consumptive Use Permit. Staff recommends approval.

Rezoning

The proposed rezoning of Agriculture Residential (AR-1) is consistent with the comprehensive plan and land development regulations as previously outlined. Concurrency review based on the proposed zoning indicates that there is sufficient water capacity to serve the proposed development (Table 3). Staff recommends approval.

Minor Subdivision

The proposed minor subdivision meets the requirements as outlined in Chapter 9, Section 5(b)(4).

The proposed minor subdivision exceeds the minimum requirements of the AR-1 district. Charles Osborne Road is a publicly maintained clay road under the jurisdiction of Lake County. Lake County Public Works has indicated that they have no issues with the proposed minor subdivision. Additional right of way may be required at a later date. Staff recommends approval.

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						0.029 *
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	.032	- 0.003
Total	19.50	137 Units	98 Units			-0.003

*Includes Hatfield Family Trust Amendment

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

98 units x 2.2pph = 216

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						0.171*
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	0.021	0.021
	19.50	137 Units	98 Units			0.15

*Includes Hatfield Family Trust Amendment

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

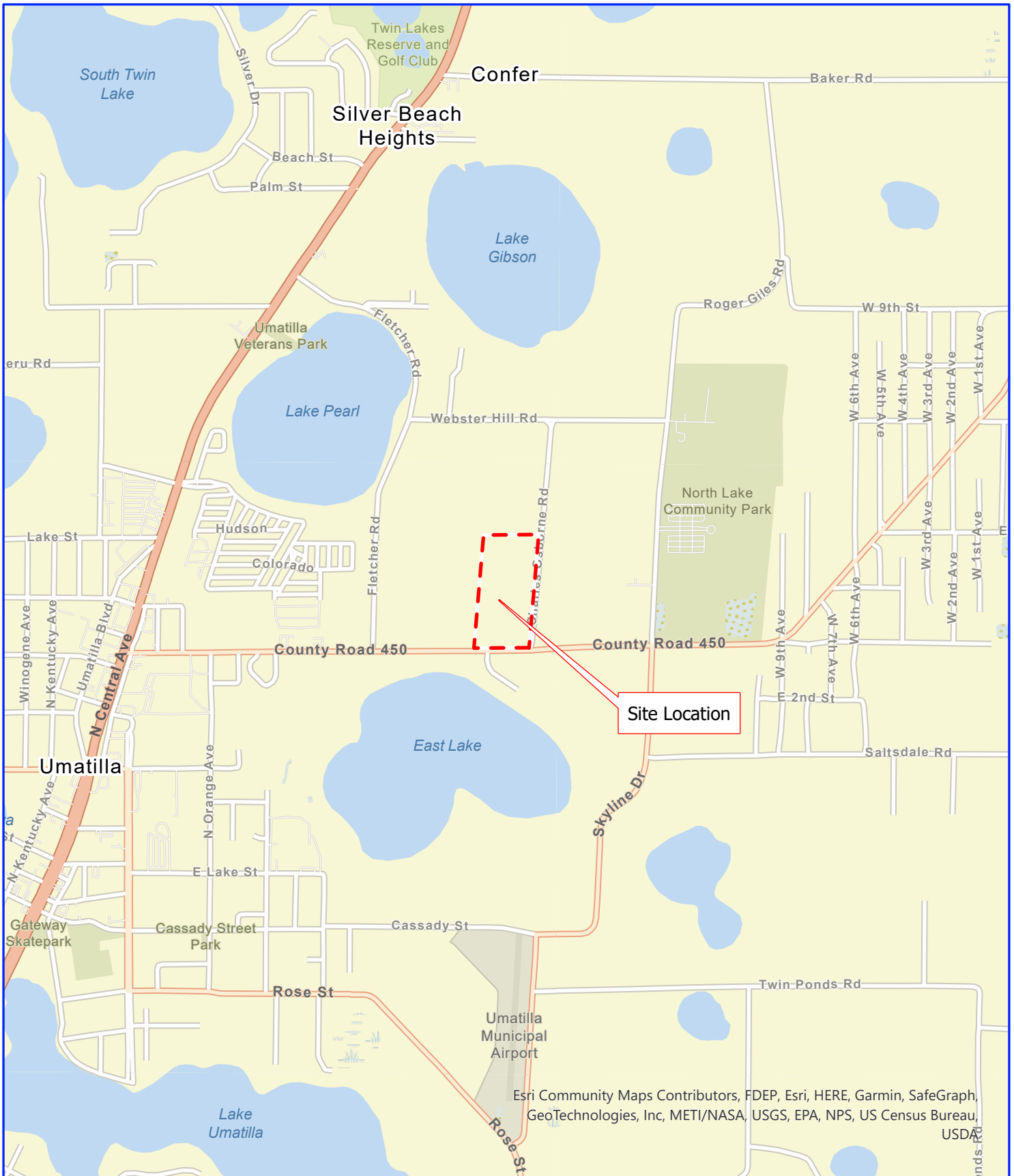
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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

20 units x 2.2pph = 44



Esri Community Maps Contributors, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



0.25 0 0.25 Miles

RLW Realty LLC

**Lake County, Florida
Location Map**

Project: 399/07/22
File: Aerial
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh



ORDINANCE 2023-19

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 19.50 ± ACRES OF LAND GENERALLY LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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 19.50 acres of land generally located west of Charles Osborne Road and north of CR 450 (the "Property") by Logan Wilson, as applicant on behalf of RLW Realty, LLC and KRK Equity, 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 19.50 acres of land generally located west of Charles Osborne Road and north of CR 450, 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 # 1412706

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

Section 3.

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

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

Section 5. Utilities. The property is located within the City's Chapter 180, Florida Statutes, Utility District. The owner hereby agrees that the City shall be the sole provider of water and wastewater

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

Section 6: Scrivener's Errors.

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

Section 7.

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

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

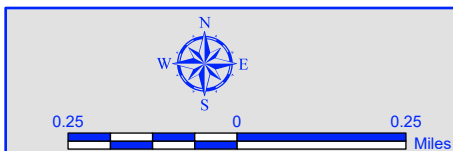
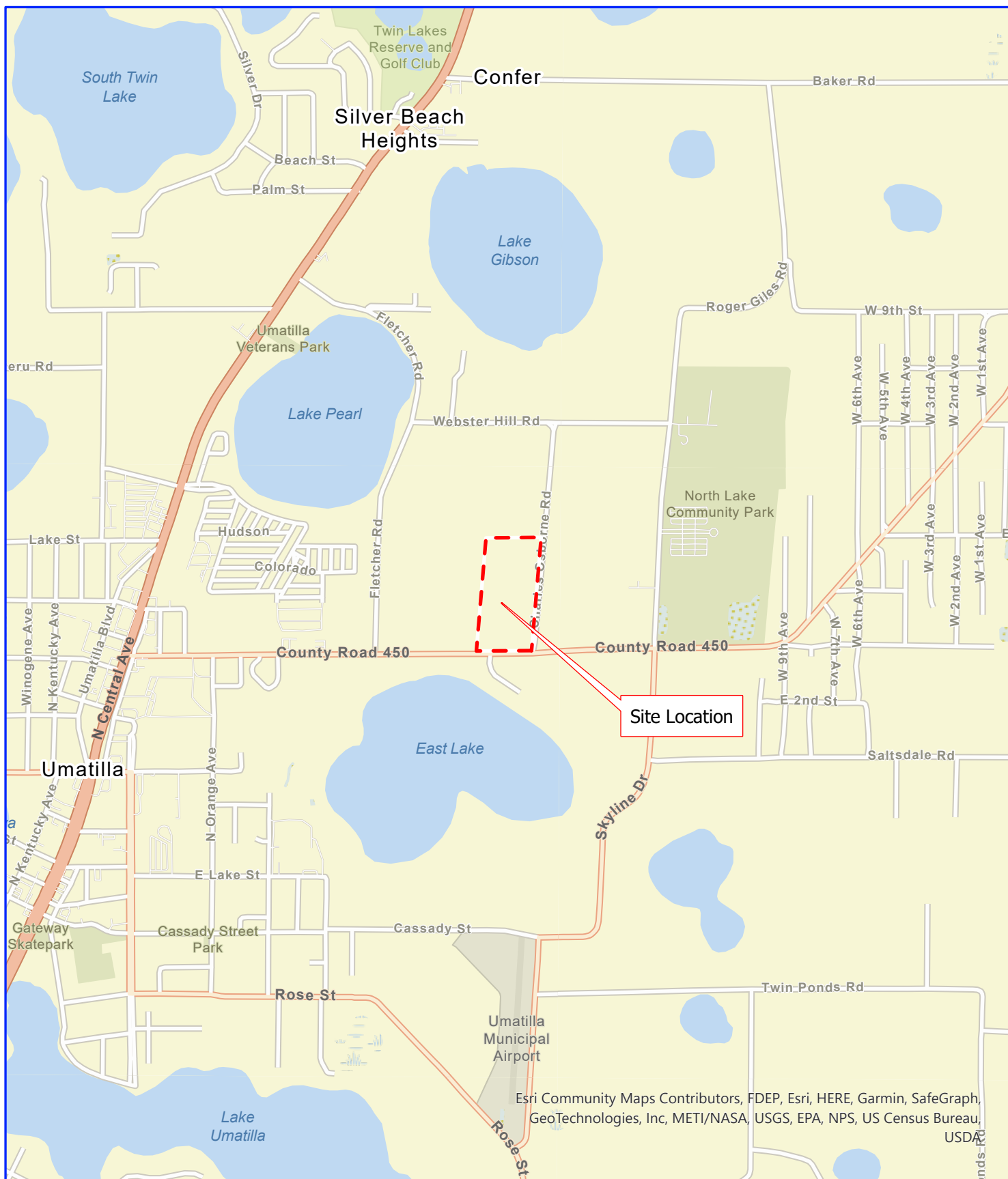
Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 7, Township 18 South, Range 27 East,
LESS road rights of way along the Southerly and Easterly boundaries thereof, lying and being in
Lake County, Florida



RLW Realty LLC

**Lake County, Florida
Location Map**

Project: 399/07/22
File: Aerial
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh





Business Impact Estimate Exemption

Ordinance 2023-19 – RLW Realty, LLC and KRK Equity, LLC Annexation

Summary of Ordinance:

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 19.50 ± ACRES OF LAND GENERALLY LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:

¹ See Section 166.041(4)(c), Florida Statutes.

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: November 17, 2023

MEETING DATE: November 21, 2023

SUBJECT: First Reading of Ordinance No. 2023-20, RLW Realty, LLC & KRK Equity, LLC Small-Scale Comp Plan Amendment

BACKGROUND SUMMARY:

The applicant is requesting an amendment to the City's Comprehensive Plan, from Lake County Urban Medium Density (7 units/net acre) to City Single Family Medium Density (5 units/acre) on 9.62 + acres. The existing adjacent County Land Use is Urban Medium Density. The proposed Single Family Medium Density category allows up to 5 units/acre which would serve as a transition of densities. The proposed land use is compatible with adjacent lands and promotes orderly compact growth (FLU Policy 1-1.10.2).

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2023-20, RLW Realty, LLC & KRK Equity, LLC Small-Scale Comp Plan Amendment

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report RLW Realty Ord No. 2023-20
 2. Location Map
 3. Proposed Future Land Use Map
 4. Ordinance No. 2023-20, RLW Realty, LLC & KRK Equity, LLC Small-Scale Comp Plan Amendment
 5. Ordinance No 2023-20 Business Impact Estimates
-

CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC
ANNEXATION, SSCPA, REZONING AND MINOR SUBDIVISION
(ORDINANCES 2023-19, 2023-20 AND 2023-21)

Owner: RLW Realty, LLC and KRK Equity, LLC

Applicant: Logan Wilson

General Location: West of Charles Osborne Road and North of CR 450

Number of Acres: 19.50 ± acres

Existing Zoning: County Agriculture

Existing Land Use: Lake County Urban Medium Density (7 units/net acre)

Proposed Zoning: Agriculture Residential (AR-1)

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

Date: October 9, 2023

Description of Project

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 19.50-acre site. If approved, the owner is seeking minor subdivision creating three (3) lots consisting of 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

	Surrounding Zoning	Surrounding Land Use
North	County A	Lake County Urban Medium Density (7 units/acre)
South	City R-3	City SFLD (3 units/acre)
East	City R-3	City SFLD (3 units/acre)
West	County A	Lake County Urban Medium Density

Assessment

Annexation

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

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) to City Single Family Medium Density (5 units/acre) on 19.50 ± acres. The existing adjacent County Land Use is Urban Medium Density and the adjacent land use within the city limits is Single Family Low Density (3 units/acre). The proposed Single Family Medium Density category allows up to 5 units/acre which would serve as a transition of densities. The proposed land use is compatible with adjacent lands and promotes orderly compact growth (FLU Policy 1-1.10.2).

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 137 residential units and under the proposed land use the maximum development potential is 98 residential units which is a reduction of 39 units.

The data and analysis indicates that there is a need for additional residential lands to meet the projected population through the planning year 2035. The addition of 19.50 acres would assist in meeting this need.

The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

Policy 1-1.1.1: Adequate Residential Land Area.

The Future Land Use Map shall designate sufficient land area for residential land uses according to a pattern that promotes neighborhood cohesiveness and identity, and that enables efficient provision of public facilities and services. A minimum of acres shall be allocated for residential land uses on the Future Land Use Map. Residential acreage allocated on the Future Land Use Map shall be sufficient to attract development to the City rather than outside the City limits.

Policy 1-1.1.7: Availability of Facilities to Support Residential Land Uses.

Residential densities shall be compatible with available public facilities and their capacity to serve development. Residential areas designated on the Future Land Use Map shall be allocated according to a pattern that promotes efficiency in the provision of public facilities and services, and furthers the conservation of natural resources. Public facilities shall be required to be in place concurrent within the impacts of new residential development as specified in Concurrency Management System.

Policy 1-2.1.1: Land Use Designations, and Maximum Intensity and Density.

3. Single-Family Medium Density - 5 dwelling units/acre. Development shall be limited to single-family residential.

Policy 1-1.10.1: Land Use Allocation.

The City shall designate land use on the Future Land Use Map to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data Inventory & Analysis). The City shall allocate a reasonable amount of land above identified needs to avoid economic impacts, which a controlled supply of land places on land values and market potential.

Policy 1-1.10.2: Promote Orderly, Compact Growth.

Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service. Land shall not be designated for growth and development if abundant undeveloped land is

already present within developed areas served by facilities and services.

Policy 1-2.2.6: Single-Family Medium Density Residential Development.

Development in the Single-Family Medium Density Residential category shall be limited to detached single-family dwelling units. Densities cannot exceed 5 dwelling units/acre. Mobile homes, multi-family, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

Traffic Impact Analysis –

The proposed amendment would decrease the daily trips (-368 trips) as outlined below based on maximum development potential. Charles Osborne Road is classified as a local roadway (under the jurisdiction of Lake County) with an adopted Level of Service (LOS) of D. CR 450 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	98 Units	210	924	92	58	34
TOTAL GROSS TRIPS (PROPOSED)			924	92	58	34

* 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	137 Units	210	1,292	129	81	48
TOTAL GROSS TRIPS (EXISTING)			1,292	129	81	48

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)	-37	-23	-14

School Impact Analysis – The amendment will decrease school age children by 12 students.

Existing County Land Use Residential Units: 137 SF units

Proposed Development Residential Units: 98 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	0.100
Middle School	0.072
Elementary School	0.140
Total	0.312

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	137	0.140	19	0	0.145	0	19
MIDDLE	137	0.072	10	0	0.059	0	10
HIGH	137	0.100	14	0	0.064	0	14
GRAND TOTAL							43

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	98	0.140	14	0	0.145	0	14
MIDDLE	98	0.072	7	0	0.059	0	7
HIGH	98	0.100	10	0	0.064	0	10
GRAND TOTAL							31

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 .733 MGD (SJRWMD CUP 2646-6). The City has a current available capacity of 0.029 MGD (includes Hatfield Family Trust amendment) for concurrency purposes 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 cause a deficiency.

Chapter 9, Section 2(c) of the LDRs outlines the standards to be met for concurrency. Item 2 indicates that the necessary facilities and services are in place at the time a development permit is issued, or a development permit is issued subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the development are anticipated to occur. It should be noted that the City is in the process of increasing the consumptive use permit capacity and is scheduled within 2023.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla's Utility Service area. The city has an existing agreement with the City of Eustis for wastewater (Resolution 2018-46). The agreement allows for a maximum of 300,000 gallons per day (0.3 MGD) and the current usage is 129,000 gallons per day (0.129 MGD) with a remaining capacity of 171,000 gallons per day (0.171 MGD). The proposed amendment would not cause a deficiency in the City's Level of Service standards and the city would have 150,000 gallons per day (0.150 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population at buildout is 216 (2.2 pph x 98 units) and the estimated solid waste is 1,080 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

An environmental analysis will be required prior to development per Chapter 9. Preliminary review indicates that the subject site contains soils conducive to gopher tortoises and sand skinks.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Agriculture (A) to Agriculture Residential (AR-1). The AR-1 category allows for 1 unit per 1 acre. The rezoning to AR-1 is compatible with the adjacent zonings of Agriculture and R-3. Review of the trip analysis indicates that the zoning would increase the daily trips; however, it is considered de minimis.

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	20	210	189	19	12	7
TOTAL GROSS TRIPS (PROPOSED)			189	19	12	7

* 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	4	210	38	4	3	1
TOTAL GROSS TRIPS (EXISTING)			38	4	3	1

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)	15	9	6

A water analysis was conducted based on the rezoning (Table 3). Based on the rezoning using a maximum development potential (20 units) indicates that there is sufficient capacity to serve potential development.

Minor Subdivision

Should the annexation, small scale comprehensive plan amendment and rezoning be approved, the applicant is also requesting a minor subdivision which would allow the creation of three (3) lots; a 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

Chapter 9, Section 5(b)(4) allows for minor subdivisions provided that meet all of the following criteria:

- An overall tract in single ownership is divided into no more than 3 lots
- No new streets are proposed or required
- No dedication of right of way, drainage areas, conversation areas or other publicly maintained property is proposed or required
- All proposed lots meet or exceed the dimensional requirements of the Code
- The proposed division is not part of an overall tract previously approved as a minor subdivision
- Flag lots are prohibited.

No dedication of right of way or other publicly maintained property is proposed or required. The proposed minor subdivision is not part of any tract previously approved as a minor subdivision. The proposed minor subdivision exceeds the minimum lot standards of the AR zoning district which are a minimum of one (1) acre with 100' of frontage on the roadway.

Recommendation**Annexation**

The subject property is located adjacent to the city limits along the southern and eastern property boundaries; therefore, the property is eligible for annexation. Staff recommends approval.

SSCPA

The proposed amendment to Single Family Medium Density (5 units/acre) is consistent with the comprehensive plan as previously outlined. Water concurrency can be met subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the subject development are anticipated to occur. It should be noted that the city is in the process of renewing the Consumptive Use Permit. Staff recommends approval.

Rezoning

The proposed rezoning of Agriculture Residential (AR-1) is consistent with the comprehensive plan and land development regulations as previously outlined. Concurrency review based on the proposed zoning indicates that there is sufficient water capacity to serve the proposed development (Table 3). Staff recommends approval.

Minor Subdivision

The proposed minor subdivision meets the requirements as outlined in Chapter 9, Section 5(b)(4).

The proposed minor subdivision exceeds the minimum requirements of the AR-1 district. Charles Osborne Road is a publicly maintained clay road under the jurisdiction of Lake County. Lake County Public Works has indicated that they have no issues with the proposed minor subdivision. Additional right of way may be required at a later date. Staff recommends approval.

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						0.029 *
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	.032	- 0.003
Total	19.50	137 Units	98 Units			-0.003

*Includes Hatfield Family Trust Amendment

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

98 units x 2.2pph = 216

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						0.171*
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	0.021	0.021
	19.50	137 Units	98 Units			0.15

*Includes Hatfield Family Trust Amendment

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

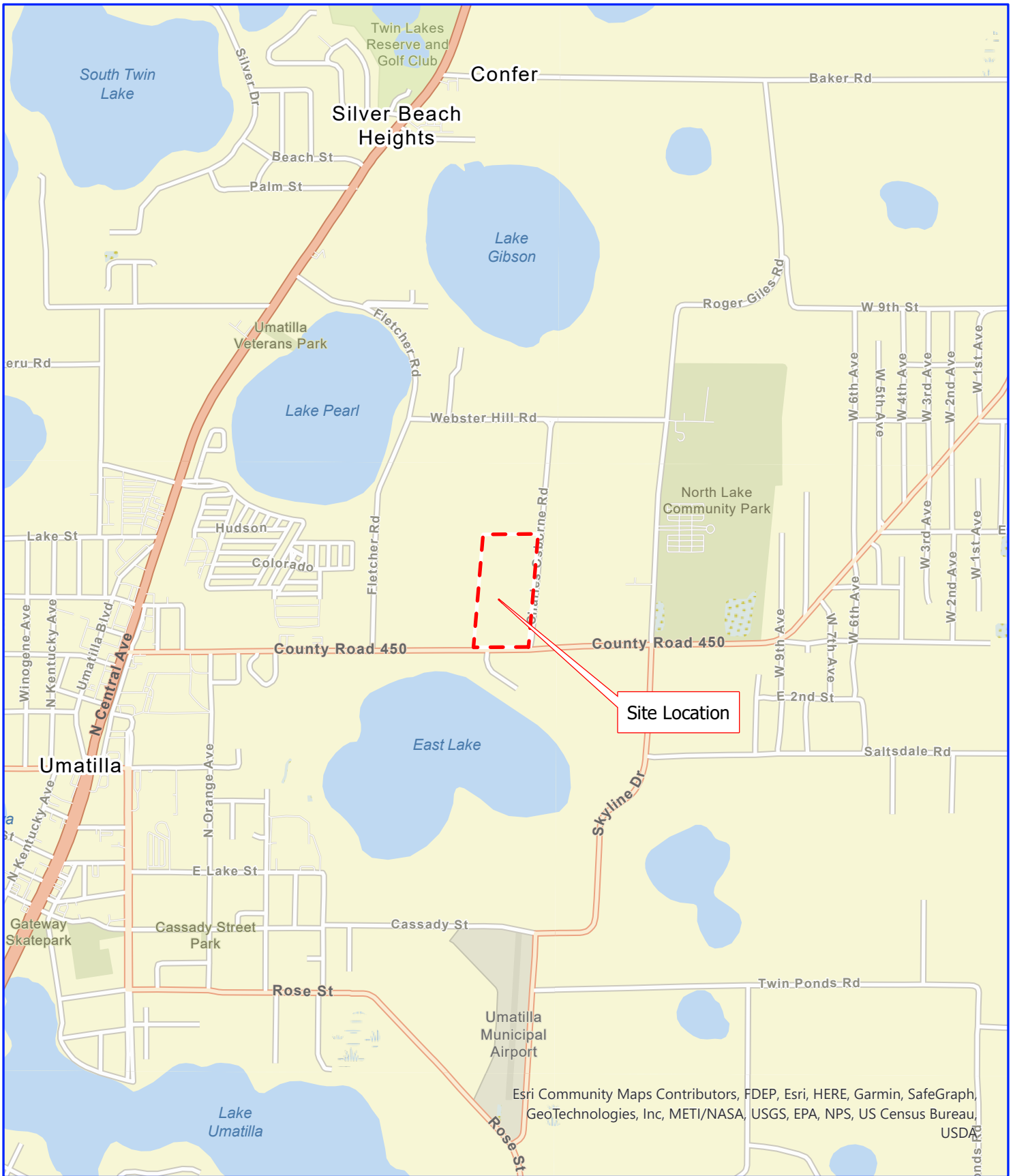
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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

20 units x 2.2pph = 44



Esri Community Maps Contributors, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



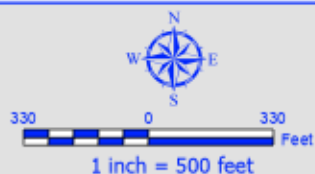
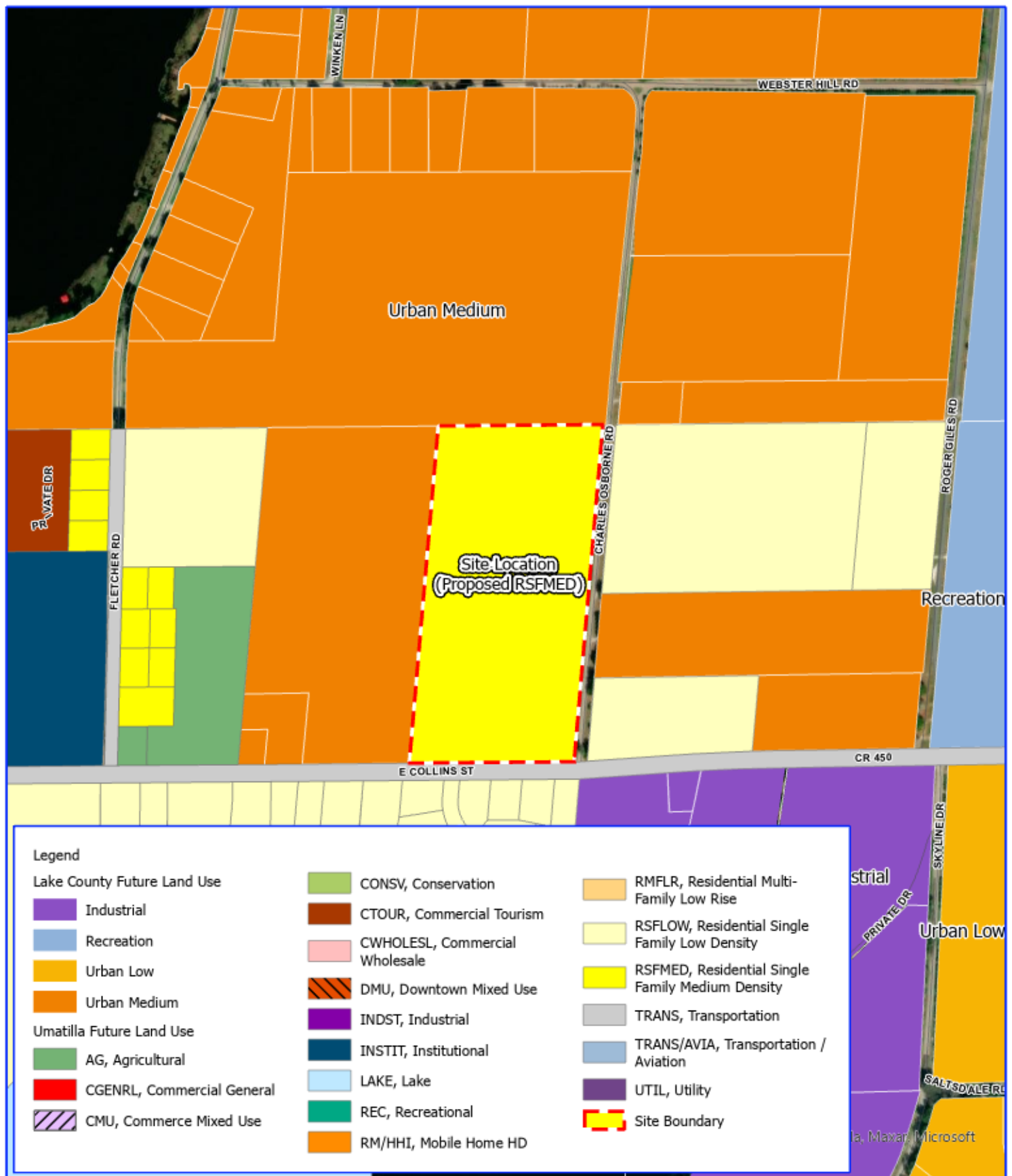
0.25 0 0.25 Miles

RLW Realty LLC

**Lake County, Florida
Location Map**

Project: 399/07/22
File: Aerial
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh





RLW Realty LLC

Lake County, Florida
Proposed Future Land Use Map

Project: 399/23/08
File: FLU
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh



ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(b); AMENDING THE LAND USE DESIGNATION OF 19.50 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY URBAN MEDIUM DENSITY TO CITY SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW REALTY, LLC AND KRK EQUITY, LLC LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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 Logan Wilson as applicant on behalf of RLW Realty, LLC and KRK Equity, 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 Medium Density to City of Umatilla 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 Medium Density to City of Umatilla Single Family Medium Density 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 # 1412706

- 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 _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

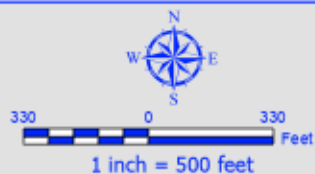
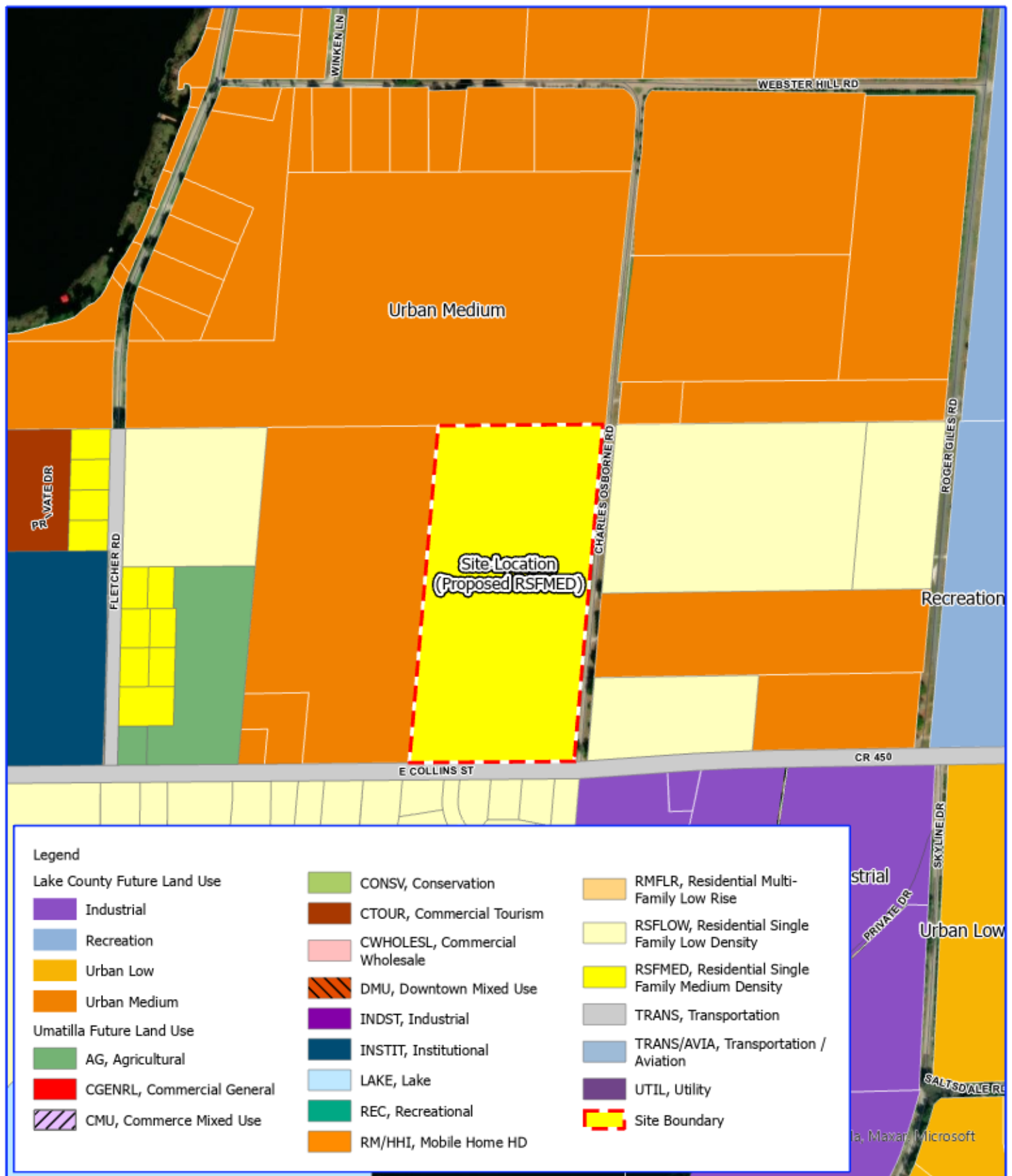
ATTEST:

Approved as to Form:

Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)



RLW Realty LLC

Lake County, Florida
Proposed Future Land Use Map

Project: 399/23/08
File: FLU
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh



EXHIBIT "B"
LEGAL DESCRIPTION

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 7, Township 18 South, Range 27 East, LESS road rights of way along the Southerly and Easterly boundaries thereof, lying and being in Lake County, Florida.



Business Impact Estimate Exemption

Ordinance 2023-20 – RLW Realty, LLC and KRK Equity, LLC Land Use Designation

Summary of Ordinance:

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3187(1)(b); AMENDING THE LAND USE DESIGNATION OF 19.50 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY URBAN MEDIUM DENSITY TO CITY SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW REALTY, LLC AND KRK EQUITY, LLC LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;

¹ See Section 166.041(4)(c), Florida Statutes.

- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: November 17, 2023

MEETING DATE: November 21, 2023

SUBJECT: First Reading of Ordinance No. 2023-21, RLW Realty, LLC & KRK Equity, LLC Rezoning

BACKGROUND SUMMARY:

The applicant is requesting that the site be rezoned from Lake County Agriculture (A) to City Agriculture Residential (AR-1). The AR-1 category allows for 1 unit per 1 acre. The rezoning to AR-1 is compatible with the adjacent zonings of Agriculture and R-3.

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2023-21, RLW Realty, LLC & KRK Equity, LLC Rezoning

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report RLW Realty Ord No. 2023-21
 2. Location Map
 3. Proposed Zoning Map
 4. Ordinance No. 2023-21, RLW Realty, LLC & KRK Equity, LLC Rezoning
 5. Ordinance No. 2023-21 Business Impact Estimates
-

CITY OF UMATILLA
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC
ANNEXATION, SSCPA, REZONING AND MINOR SUBDIVISION
(ORDINANCES 2023-19, 2023-20 AND 2023-21)

Owner: RLW Realty, LLC and KRK Equity, LLC

Applicant: Logan Wilson

General Location: West of Charles Osborne Road and North of CR 450

Number of Acres: 19.50 ± acres

Existing Zoning: County Agriculture

Existing Land Use: Lake County Urban Medium Density (7 units/net acre)

Proposed Zoning: Agriculture Residential (AR-1)

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

Date: October 9, 2023

Description of Project

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 19.50-acre site. If approved, the owner is seeking minor subdivision creating three (3) lots consisting of 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

	Surrounding Zoning	Surrounding Land Use
North	County A	Lake County Urban Medium Density (7 units/acre)
South	City R-3	City SFLD (3 units/acre)
East	City R-3	City SFLD (3 units/acre)
West	County A	Lake County Urban Medium Density

Assessment

Annexation

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

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) to City Single Family Medium Density (5 units/acre) on 19.50 ± acres. The existing adjacent County Land Use is Urban Medium Density and the adjacent land use within the city limits is Single Family Low Density (3 units/acre). The proposed Single Family Medium Density category allows up to 5 units/acre which would serve as a transition of densities. The proposed land use is compatible with adjacent lands and promotes orderly compact growth (FLU Policy 1-1.10.2).

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum development potential is 137 residential units and under the proposed land use the maximum development potential is 98 residential units which is a reduction of 39 units.

The data and analysis indicates that there is a need for additional residential lands to meet the projected population through the planning year 2035. The addition of 19.50 acres would assist in meeting this need.

The proposed amendment is consistent with the comprehensive plan and meets the following policies (among others):

Policy 1-1.1.1: Adequate Residential Land Area.

The Future Land Use Map shall designate sufficient land area for residential land uses according to a pattern that promotes neighborhood cohesiveness and identity, and that enables efficient provision of public facilities and services. A minimum of acres shall be allocated for residential land uses on the Future Land Use Map. Residential acreage allocated on the Future Land Use Map shall be sufficient to attract development to the City rather than outside the City limits.

Policy 1-1.1.7: Availability of Facilities to Support Residential Land Uses.

Residential densities shall be compatible with available public facilities and their capacity to serve development. Residential areas designated on the Future Land Use Map shall be allocated according to a pattern that promotes efficiency in the provision of public facilities and services, and furthers the conservation of natural resources. Public facilities shall be required to be in place concurrent within the impacts of new residential development as specified in Concurrency Management System.

Policy 1-2.1.1: Land Use Designations, and Maximum Intensity and Density.

3. Single-Family Medium Density - 5 dwelling units/acre. Development shall be limited to single-family residential.

Policy 1-1.10.1: Land Use Allocation.

The City shall designate land use on the Future Land Use Map to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data Inventory & Analysis). The City shall allocate a reasonable amount of land above identified needs to avoid economic impacts, which a controlled supply of land places on land values and market potential.

Policy 1-1.10.2: Promote Orderly, Compact Growth.

Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service. Land shall not be designated for growth and development if abundant undeveloped land is

already present within developed areas served by facilities and services.

Policy 1-2.2.6: Single-Family Medium Density Residential Development.

Development in the Single-Family Medium Density Residential category shall be limited to detached single-family dwelling units. Densities cannot exceed 5 dwelling units/acre. Mobile homes, multi-family, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

Traffic Impact Analysis –

The proposed amendment would decrease the daily trips (-368 trips) as outlined below based on maximum development potential. Charles Osborne Road is classified as a local roadway (under the jurisdiction of Lake County) with an adopted Level of Service (LOS) of D. CR 450 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	98 Units	210	924	92	58	34
TOTAL GROSS TRIPS (PROPOSED)			924	92	58	34

* 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	137 Units	210	1,292	129	81	48
TOTAL GROSS TRIPS (EXISTING)			1,292	129	81	48

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)	-37	-23	-14

School Impact Analysis – The amendment will decrease school age children by 12 students.

Existing County Land Use Residential Units: 137 SF units

Proposed Development Residential Units: 98 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	0.100
Middle School	0.072
Elementary School	0.140
Total	0.312

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	137	0.140	19	0	0.145	0	19
MIDDLE	137	0.072	10	0	0.059	0	10
HIGH	137	0.100	14	0	0.064	0	14
GRAND TOTAL							43

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	98	0.140	14	0	0.145	0	14
MIDDLE	98	0.072	7	0	0.059	0	7
HIGH	98	0.100	10	0	0.064	0	10
GRAND TOTAL							31

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 .733 MGD (SJRWMD CUP 2646-6). The City has a current available capacity of 0.029 MGD (includes Hatfield Family Trust amendment) for concurrency purposes 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 cause a deficiency.

Chapter 9, Section 2(c) of the LDRs outlines the standards to be met for concurrency. Item 2 indicates that the necessary facilities and services are in place at the time a development permit is issued, or a development permit is issued subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the development are anticipated to occur. It should be noted that the City is in the process of increasing the consumptive use permit capacity and is scheduled within 2023.

Sanitary Sewer Analysis

The subject site is within the City of Umatilla's Utility Service area. The city has an existing agreement with the City of Eustis for wastewater (Resolution 2018-46). The agreement allows for a maximum of 300,000 gallons per day (0.3 MGD) and the current usage is 129,000 gallons per day (0.129 MGD) with a remaining capacity of 171,000 gallons per day (0.171 MGD). The proposed amendment would not cause a deficiency in the City's Level of Service standards and the city would have 150,000 gallons per day (0.150 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population at buildout is 216 (2.2 pph x 98 units) and the estimated solid waste is 1,080 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

An environmental analysis will be required prior to development per Chapter 9. Preliminary review indicates that the subject site contains soils conducive to gopher tortoises and sand skinks.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Agriculture (A) to Agriculture Residential (AR-1). The AR-1 category allows for 1 unit per 1 acre. The rezoning to AR-1 is compatible with the adjacent zonings of Agriculture and R-3. Review of the trip analysis indicates that the zoning would increase the daily trips; however, it is considered de minimis.

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	20	210	189	19	12	7
TOTAL GROSS TRIPS (PROPOSED)			189	19	12	7

* 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	4	210	38	4	3	1
TOTAL GROSS TRIPS (EXISTING)			38	4	3	1

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)	15	9	6

A water analysis was conducted based on the rezoning (Table 3). Based on the rezoning using a maximum development potential (20 units) indicates that there is sufficient capacity to serve potential development.

Minor Subdivision

Should the annexation, small scale comprehensive plan amendment and rezoning be approved, the applicant is also requesting a minor subdivision which would allow the creation of three (3) lots; a 5.92-acre lot, 5.99-acre lot and 6.06-acre lot.

Chapter 9, Section 5(b)(4) allows for minor subdivisions provided that meet all of the following criteria:

- An overall tract in single ownership is divided into no more than 3 lots
- No new streets are proposed or required
- No dedication of right of way, drainage areas, conversation areas or other publicly maintained property is proposed or required
- All proposed lots meet or exceed the dimensional requirements of the Code
- The proposed division is not part of an overall tract previously approved as a minor subdivision
- Flag lots are prohibited.

No dedication of right of way or other publicly maintained property is proposed or required. The proposed minor subdivision is not part of any tract previously approved as a minor subdivision. The proposed minor subdivision exceeds the minimum lot standards of the AR zoning district which are a minimum of one (1) acre with 100' of frontage on the roadway.

Recommendation**Annexation**

The subject property is located adjacent to the city limits along the southern and eastern property boundaries; therefore, the property is eligible for annexation. Staff recommends approval.

SSCPA

The proposed amendment to Single Family Medium Density (5 units/acre) is consistent with the comprehensive plan as previously outlined. Water concurrency can be met subject to the condition that the necessary facilities and services will be in place by a specified date when the impacts of the subject development are anticipated to occur. It should be noted that the city is in the process of renewing the Consumptive Use Permit. Staff recommends approval.

Rezoning

The proposed rezoning of Agriculture Residential (AR-1) is consistent with the comprehensive plan and land development regulations as previously outlined. Concurrency review based on the proposed zoning indicates that there is sufficient water capacity to serve the proposed development (Table 3). Staff recommends approval.

Minor Subdivision

The proposed minor subdivision meets the requirements as outlined in Chapter 9, Section 5(b)(4).

The proposed minor subdivision exceeds the minimum requirements of the AR-1 district. Charles Osborne Road is a publicly maintained clay road under the jurisdiction of Lake County. Lake County Public Works has indicated that they have no issues with the proposed minor subdivision. Additional right of way may be required at a later date. Staff recommends approval.

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						0.029 *
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	.032	- 0.003
Total	19.50	137 Units	98 Units			-0.003

*Includes Hatfield Family Trust Amendment

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

98 units x 2.2pph = 216

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						0.171*
RLW Realty	19.50	Urban Medium Density (7 units/net acre)	Single Family Medium Density (5 units/acre)	98 Units	0.021	0.021
	19.50	137 Units	98 Units			0.15

*Includes Hatfield Family Trust Amendment

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

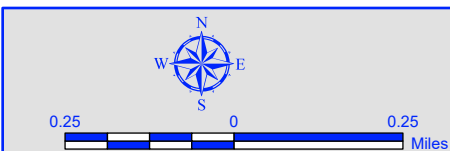
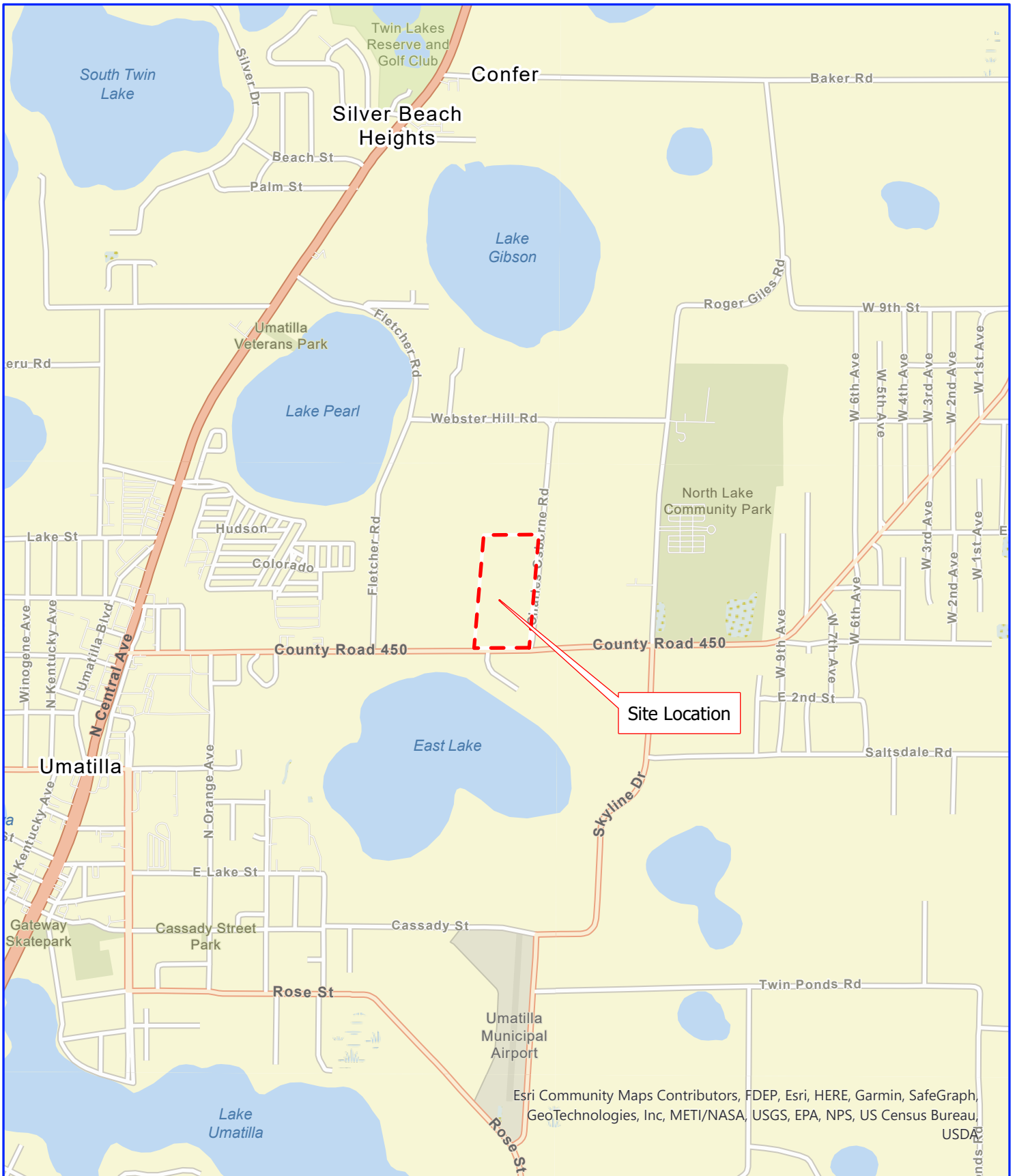
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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

20 units x 2.2pph = 44

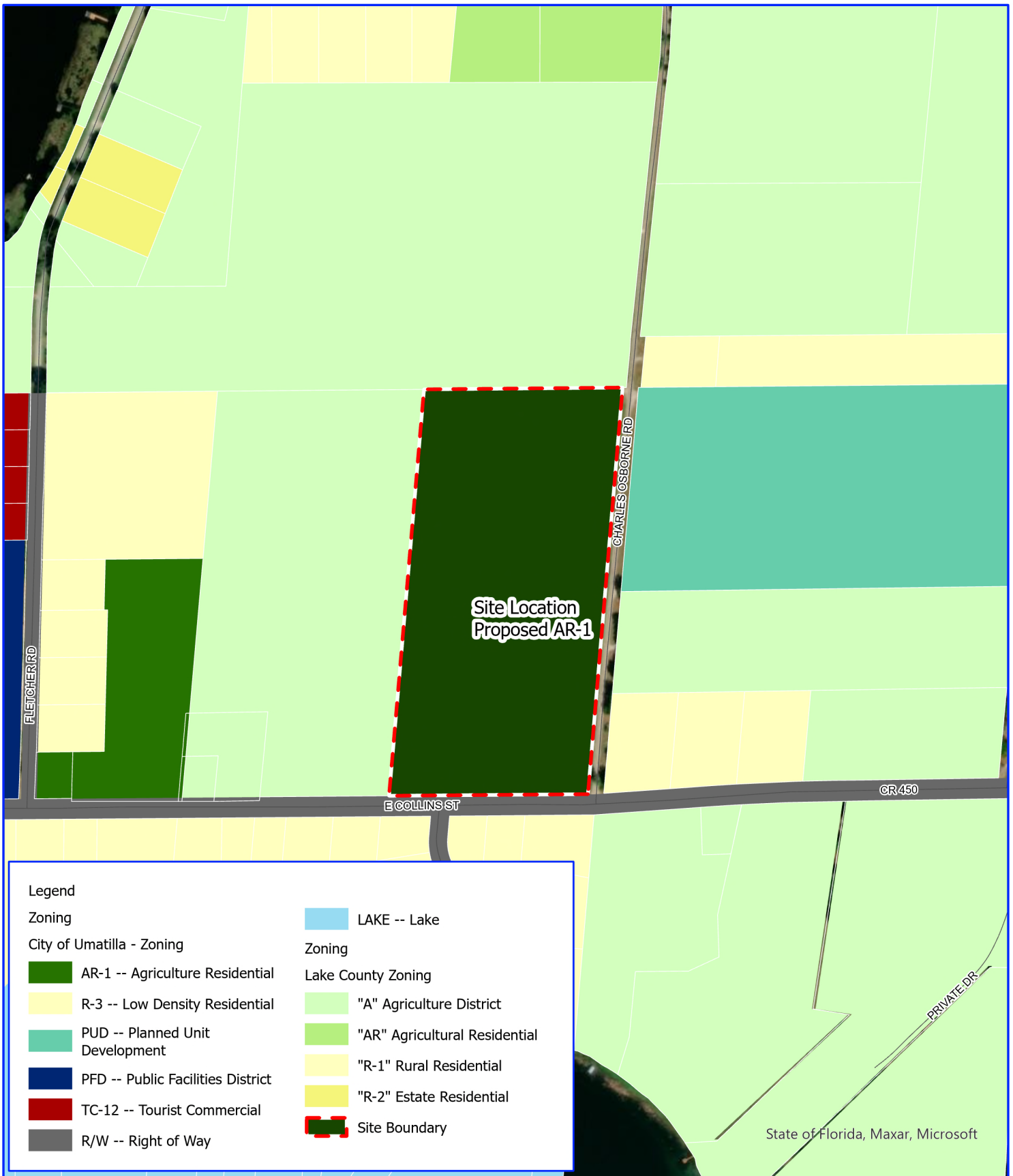


RLW Realty LLC

**Lake County, Florida
Location Map**

Project: 399/07/22
File: Aerial
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh





160 0 160 320 480 640 Feet

1 inch = 417 feet

RLW Realty LLC

Lake County, Florida

Zoning Map

Project: 399/22/07
 File: Zoning
 Name: RLW Realty LLC
 PM: Sherie L.
 Date: August 29, 2023
 Created By: T.Kalebaugh

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

ORDINANCE 2023-21

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 19.50 ± ACRES OF LAND ZONED LAKE COUNTY AGRICULTURE (AG) TO THE DESIGNATION OF AGRICULTURE RESIDENTIAL (AR) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW REALTY, LLC AND KRK EQUITY, LLC LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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 AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Logan Wilson as applicant on behalf of the Owner, RLW Realty, LLC and KRK Equity, LLC, to rezone approximately 19.50 acres of land from Lake County Agriculture (AG) to City of Umatilla Agriculture Residential (AR);

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 Agriculture Residential (AR) as defined in the Umatilla Land Development Regulations and as depicted on the map attached hereto as **Exhibit "A"** and incorporated herein by reference.

LEGAL DESCRIPTION: See **Exhibit "B"**.

Alternate Key # 1412706

Section 2: Zoning Classification.

That the property shall be designated as AR, Agriculture Residential, in accordance with Chapter 6, Section 2(a) 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 _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

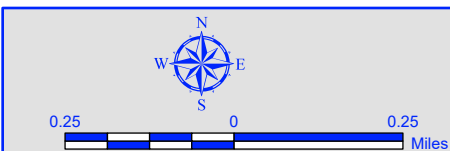
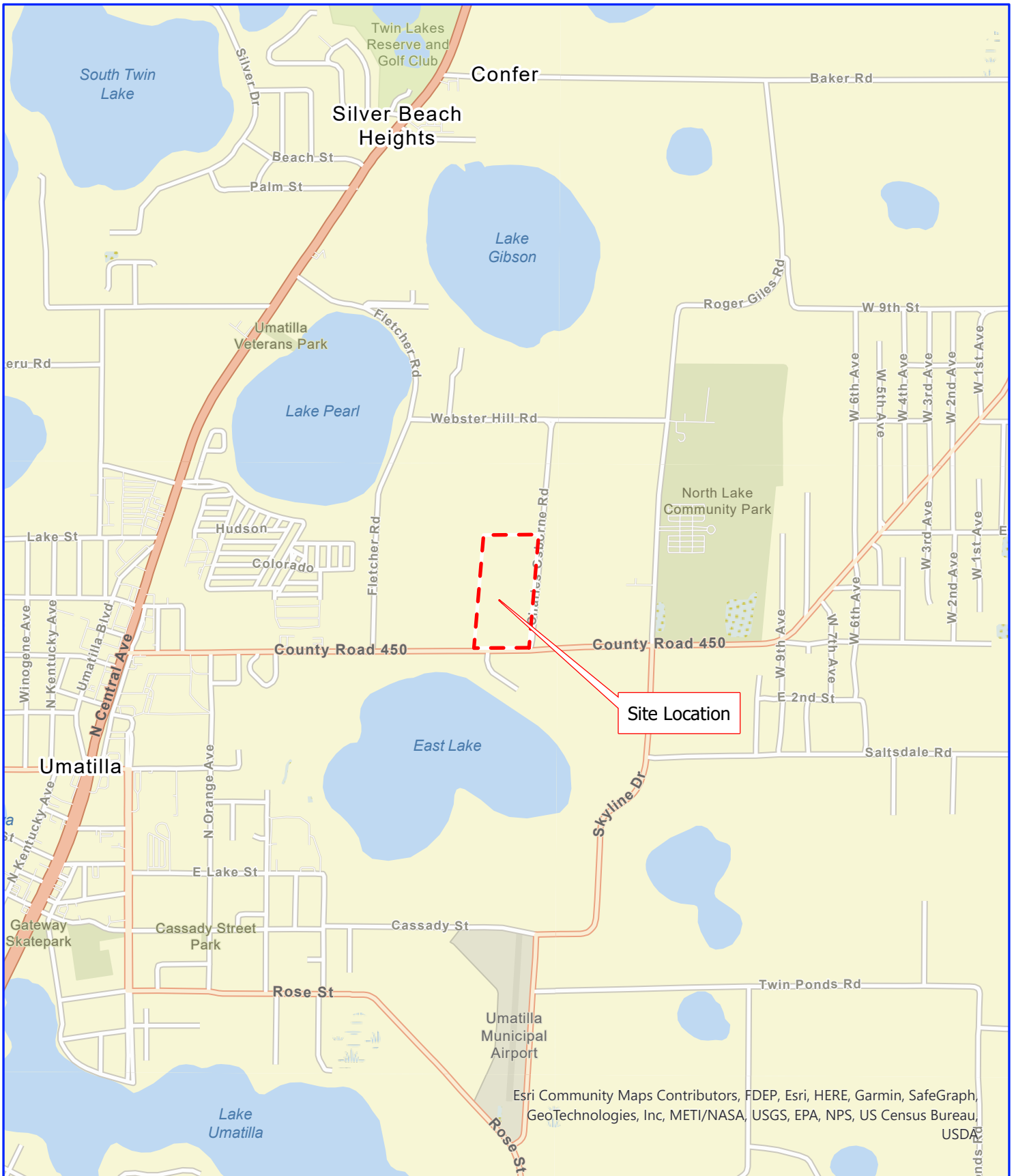
ATTEST:

Approved as to Form:

Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)



RLW Realty LLC

**Lake County, Florida
Location Map**

Project: 399/07/22
File: Aerial
Name: RLW Realty LLC
PM: Sherie L.
Date: August 29, 2023
Created By: T.Kalebaugh



EXHIBIT "B"

LEGAL DESCRIPTION

The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 7, Township 18 South, Range 27 East, LESS road rights of way along the Southerly and Easterly boundaries thereof, lying and being in Lake County, Florida.



Business Impact Estimate Exemption

Ordinance 2023-21 – RLW Realty, LLC and KRK Equity, LLC Rezoning

Summary of Ordinance:

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 19.50 ± ACRES OF LAND ZONED LAKE COUNTY AGRICULTURE (AG) TO THE DESIGNATION OF AGRICULTURE RESIDENTIAL (AR) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW REALTY, LLC AND KRK EQUITY, LLC LOCATED WEST OF CHARLES OSBORNE ROAD AND NORTH OF CR 450; 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 AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:

¹ See Section 166.041(4)(c), Florida Statutes.

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.