



UMATILLA CITY COUNCIL MEETING

December 5, 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

MINUTES REVIEW

1. Approval of Meeting Minutes
 - November 21, 2023 Land Planning Agency Minutes
 - November 21, 2023 Regular City Council Minutes

PRESENTATIONS

PUBLIC COMMENT

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

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

CONSENT AGENDA

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

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

NEW BUSINESS

5. Forestar Real Estate Group, LLC., Utility Wastewater Impact Fee Agreement

REPORTS

6. Staff Reports

ADJOURNMENT

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

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

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



UMATILLA LAND PLANNING AGENCY MEETING

November 21, 2023 at 6:00 PM

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

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND INVOCATION

Having been duly advertised as required by law, Mayor Adcock led the pledge of allegiance, the invocation and called the Land Planning Agency Meeting to order at 6:02 P.M. in the Umatilla City Council Chambers.

ROLL CALL

MEMBERS PRESENT

Kent Adcock, Mayor
Chris Creech, Vice-Mayor
Katherine Adams, Council Member
John Nichols, Council Member
Brian Butler, Council Member

Not Present

Vaughan Nilson, Public Works Director
Regina Frazier, Finance Director
Adam Bolton, Chief of Police

ALSO PRESENT

Scott Blankenship, City Manager
Jessica Burnham, City Clerk
Kevin Stone, City Attorney
Aaron Mercer, Development and Public Services Director
Amy Stultz, Library Director
Misti Lambert, Assistant to the City Manager

AGENDA REVIEW

PUBLIC COMMENT

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

* The following items 1-3 were heard together

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

Attorney Stone read Ordinance 2023-19 by title only.

Ordinance No. 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.

Attorney Stone read Ordinance 2023-20 by title only.

Ordinance No. 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

Attorney Stone read Ordinance 2023-21 by title only.

Ordinance No. 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.

Aaron Mercer, Development and Public Services Director, provided an overview of the agenda items and stated that 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 a 5.92 acre lot, a 5.99 acre lot and a 6.06 acre lot.

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

MOTION BY COUNCIL MEMBER NICHOLS TO RECOMMEND APPROVAL TO CITY COUNCIL OF FIRST READING OF ORDINANCE NO. 2023-19, RLW REALTY, LLC & KRK EQUITY, LLC ANNEXATION; SECONDED BY VICE MAYOR CREECH. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER NICHOLS TO RECOMMEND APPROVAL TO CITY COUNCIL OF FIRST READING OF ORDINANCE NO. 2023-20, RLOW REALTY, LLC & KRK EQUITY, LLC SMALL-SCALE COMP PLAN AMENDMENT: SECONDED BY COUNCIL MEMBER BUTLER. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER NICHOLS TO RECOMMEND APPROVAL TO CITY COUNCIL OF FIRST READING OF ORDINANCE NO. 2023-21, RLW REALTY, LLC & KRK EQUITY, LLC REZONING:: SECONDED BY VICE MAYOR CREECH. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

DISCUSSION ITEMS

ADJOURNMENT

With no further business for discussion, the meeting adjourned at approximately 6:17 p.m.

Kent Adcock, Mayor

Jessica Burnham
City Clerk, FCRM



UMATILLA CITY COUNCIL MEETING

November 21, 2023 at 6:00 PM

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

MINUTES

CALL TO ORDER

Having been duly advertised as required by law, Mayor Adcock called the Regular City Council Meeting to order at 6:18 p.m. in the Umatilla City Council Chambers.

ROLL CALL

MEMBERS PRESENT

Kent Adcock, Mayor
Chris Creech, Vice-Mayor
Katherine Adams, Council Member
John Nichols, Council Member
Brian Butler, Council Member

Not Present

Vaughan Nilson, Public Works Director
Regina Frazier, Finance Director
Adam Bolton, Chief of Police

ALSO PRESENT

Scott Blankenship, City Manager
Jessica Burnham, City Clerk
Kevin Stone, City Attorney
Aaron Mercer, Development and Public Services Director
Amy Stultz, Library Director
Misti Lambert, Assistant to the City Manager

AGENDA REVIEW

MOTION BY VICE MAYOR CREECH TO APPROVE THE AGENDA; SECONDED BY COUNCIL MEMBER BUTLER. MOTION WAS APPROVED BY UNANIMOUS VOICE VOTE.

MINUTES REVIEW

1. Approval of City Council Minutes
 - November 7, 2023 Land Planning Agency Minutes
 - November 7, 2023 Regular City Council Minutes

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE MINUTES DATED NOVEMBER

7, 2023; SECONDED BY COUNCIL MEMBER ADAMS. MOTION APPROVED BY UNANIMOUS VOICE VOTE.

PRESENTATIONS

PUBLIC COMMENT

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

CONSENT AGENDA

- 2. City of Umatilla temporary access and construction yard permit

MOTION BY VICE MAYOR CREECH TO APPROVE CONSENT AGENDA; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY UNANIMOUS VOICE VOTE.

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

**The following items 3-5 were heard together*

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

Attorney Stone read Ordinance 2023-19 by title only.

Ordinance No. 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.

Attorney Stone read Ordinance 2023-20 by title only.

Ordinance No. 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

Attorney Stone read Ordinance 2023-21 by title only.

Ordinance No. 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.

Attorney Stone swore in the witness providing testimony for these agenda items and reminded council that the testimony for the Land Planning Agency would be carried forward to this meeting.

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

MOTION BY COUNCIL MEMBER BUTLER TO APPROVE FIRST READING OF ORDINANCE NO. 2023-19, RLW REALTY, LLC & KRK EQUITY, LLC ANNEXATION; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE FIRST READING OF ORDINANCE NO. 2023-20, RLW REALTY, LLC & KRK EQUITY, LLC SMALL-SCALE COMP PLAN AMENDMENT; SECONDED BY COUNCIL MEMBER ADAMS. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER BUTLER TO APPROVE FIRST READING OF ORDINANCE NO. 2023-21, RLW REALTY, LLC & KRK EQUITY, LLC REZONING; SECONDED BY COUNCIL NICHOLS. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

**The following items 6-8 were heard together*

6. Final Reading of Ordinance No. 2023-22, RLW Realty, LLC & KRK Equity, LLC Annexation
7. Final Reading of Ordinance No. 2023-23, RLW Realty, LLC & KRK Equity, LLC Small-Scale Comp Plan Amendment
8. Final Reading of Ordinance No. 2023-24, RLW Realty, LLC & KRK Equity, LLC Rezoning

Attorney Stone read Ordinance 2023-22 by title only.

Ordinance No. 2023-22

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 AND SECTION 171.203, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 9.62 ± ACRES OF LAND GENERALLY LOCATED EAST 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.

Attorney Stone read Ordinance 2023-23 by title only.

Ordinance No. 2023-23

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 9.62 ± 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 EAST 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.

Attorney Stone read Ordinance 2023-24 by title only.

Ordinance No. 2023-24

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 9.62 ± 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 EAST 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.

Attorney Stone swore in the witness providing testimony for these agenda items and reminded council that the testimony from the meeting held on November 7, 2023, would be carried forward to this meeting.

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE FINAL READING OF ORDINANCE NO. 2023-22, RLW REALTY, LLC & KRK EQUITY, LLC ANNEXATION; SECONDED BY COUNCIL MEMBER BUTLER. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE FINAL READING OF ORDINANCE NO. 2023-23, RLW REALTY, LLC & KRK EQUITY, LLC SMALL SCALE COMP PLAN AMENDMENT; SECONDED BY VICE MAYOR CREECH. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER BUTLER TO APPROVE FINAL READING OF ORDINANCE NO. 2023-24, RLW REALTY, LLC & KRK EQUITY, LLC REZONING; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY ROLL CALL VOTE.

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

****The following items 9-11 were heard together***

- 9. Final Reading of Ordinance No. 2023-25, Umatilla Colonial LLC & RLW Realty Annexation
- 10. Final Reading of Ordinance No. 2023-26, Umatilla Colonial LLC & RLW Realty Small-Scale Comp Plan Amendment
- 11. Final Reading of Ordinance No. 2023-27, Umatilla Colonial LLC & RLW Realty Rezoning

Attorney Stone read Ordinance No. 2023-25 by title only.

Ordinance No. 2023-25

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 5.19 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF CASSADY STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Stone read Ordinance No. 2023-26 by title only.

Ordinance No. 2023-26

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 5.19 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY URBAN LOW DENSITY TO CITY SINGLE FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY UMATILLA COLONIAL, LLC AND RLW REALTY, LLC LOCATED SOUTH OF CASSADY STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Stone read Ordinance No. 2023-27 by title only.

Ordinance No. 2023-27

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 5.19 ± ACRES OF LAND ZONED LAKE COUNTY AGRICULTURE (AG) TO THE DESIGNATION OF AGRICULTURE RESIDENTIAL (AR) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY UMATILLA COLONIAL, LLC AND RLW REALTY, LLC LOCATED SOUTH OF CASSADY STREET AND WEST OF SKYLINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Stone swore in the witness providing testimony for these agenda items and reminded council that the testimony from the November 7, 2023, meetings would be carried forward to this meeting.

Mayor Adcock opened public comment

No one spoke

Mayor Adcock closed public comment

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE FINAL READING OF ORDINANCE 2023-25, UMATILLA COLONIAL LLC & RLW REALTY ANNEXATION; SECONDED BY VICE MAYOR CREECH. MOTION WAS APPROVED BY A ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER BUTLER TO APPROVE FINAL READING OF ORDINANCE 2023-26, UMATILLA COLONIAL LLC & RLW REALTY SMALL SCALE COMP PLAN AMENDMENT; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY A ROLL CALL VOTE.

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

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE FINAL READING OF ORDINANCE 2023-27, UMATILLA COLONIAL LLC & RLW REALTY REZONING; SECONDED BY VICE MAYOR CREECH. MOTION WAS APPROVED BY A ROLL CALL VOTE.

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

12. Resolution No. 2023-27, Dispatch Services

City Attorney Stone provided council with an overview of the Resolution and mentioned the proposed resolution and the five-city letter addressing the Board of County Commissioners about the funding of the Sheriff’s dispatch service. As the City Council has been advised, Sheriff Peyton Grinnell is requiring municipalities that use his dispatch service to pay \$12 per capita each year. Failure to pay results in the city being dropped from the service.

Florida's law, specifically subsection 125.01(6) of the Florida Statutes, provides a remedy for a municipality if the county engages in such a prohibited funding scheme. The first step is to approve a resolution in the form attached. The resolution puts the BCC on notice that a county service like the Sheriff’s dispatch is being funded improperly. The BCC then has 90 days to respond, either taking action to remedy the prohibited funding scheme or rejecting the petition and stating why the funding scheme is legally permissible.

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE RESOLUTION NO. 2023-27, DISPATCH SERVICES; SECONDED BY COUNCIL MEMBER BUTLER. MOTION WAS APPROVED BY UNANIMOUS VOICE VOTE.

NEW BUSINESS

REPORTS

13. Staff Reports

City Manager Blankenship had no report

City Attorney Stone had no report

Ms. Lambert spoke about the upcoming Christmas parade.

Mr. Mercer provided an update to a recent grant that the city applied for.

Ms. Stultz spoke about an event that was going on at the library.

Council Member Nichols asked Mr. Blankenship to speak about the recent ribbon-cutting event that took place at the airport. Mr. Blankenship provided council with an overview of the event that took place.

Council Member Adams thanked Ms. Lambert for all her hard work on the event.

Council Member Butler thanked the staff for all their hard work.

Vice Mayor Creech had no report

Mayor Adcock had no report.

ADJOURNMENT

With no further business for discussion, the meeting adjourned at approximately 6:53 p.m.

Kent Adcock, Mayor

Jessica Burnham
City Clerk, FCRM



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: November 30, 2023

MEETING DATE: December 5, 2023

SUBJECT: Final 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 Final 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

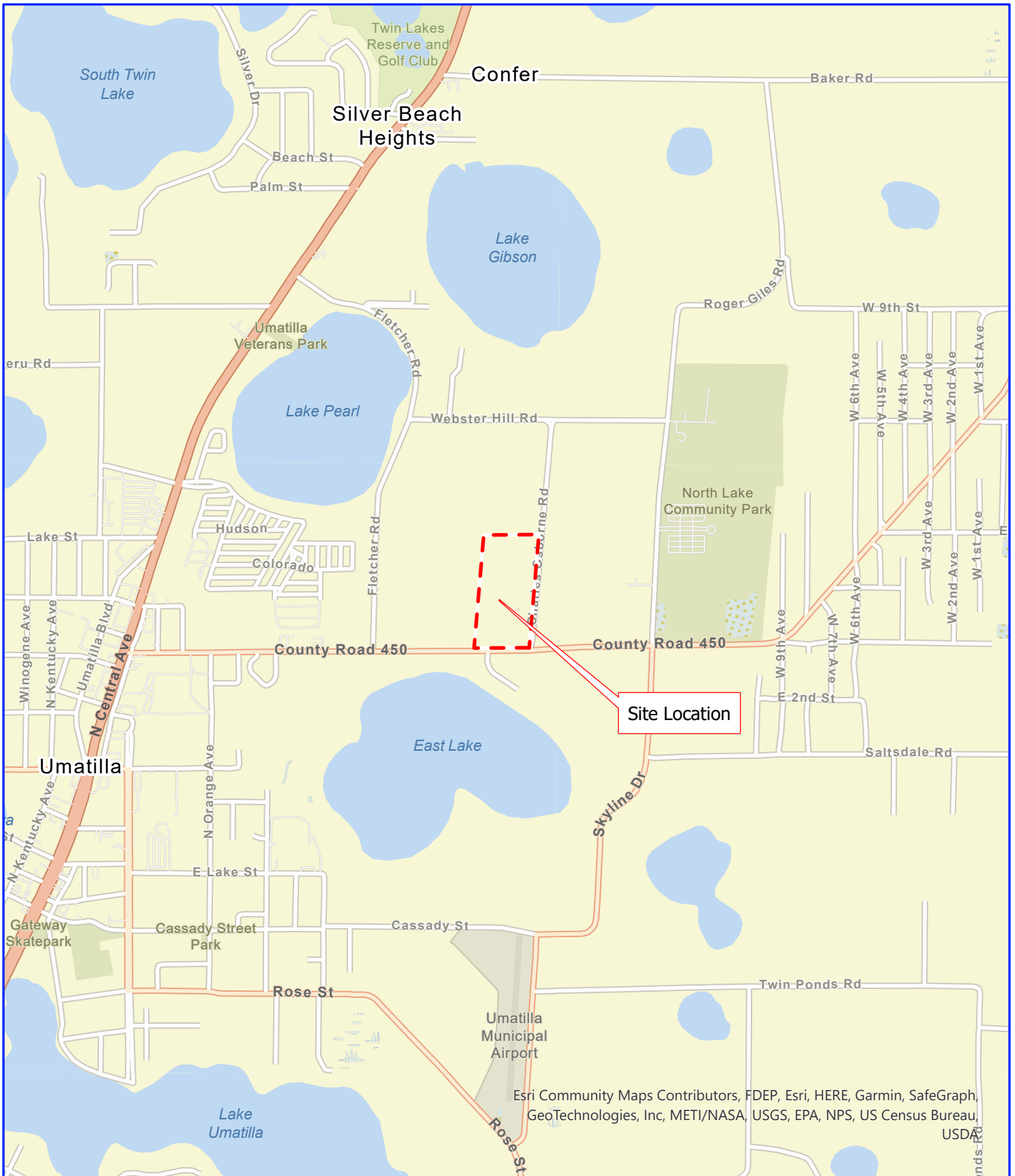
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

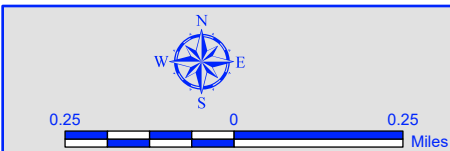
Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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



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:

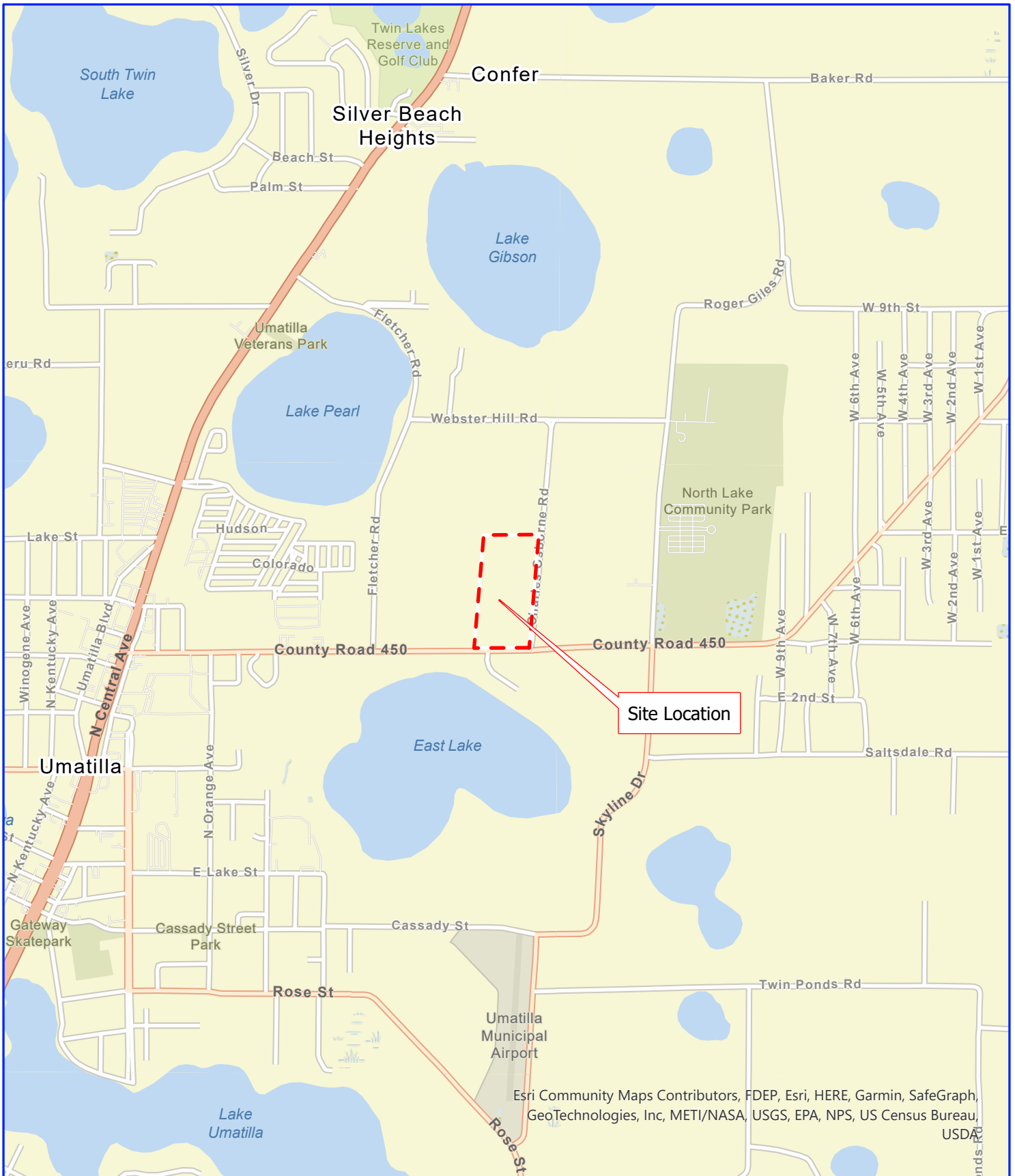
Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

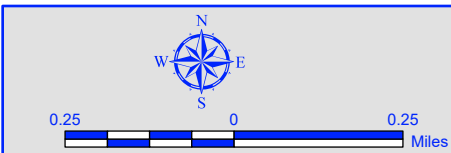
Passed First Reading _____
Passed Second Reading _____
(SEAL)

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



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



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
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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 30, 2023

MEETING DATE: December 5, 2023

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

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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
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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

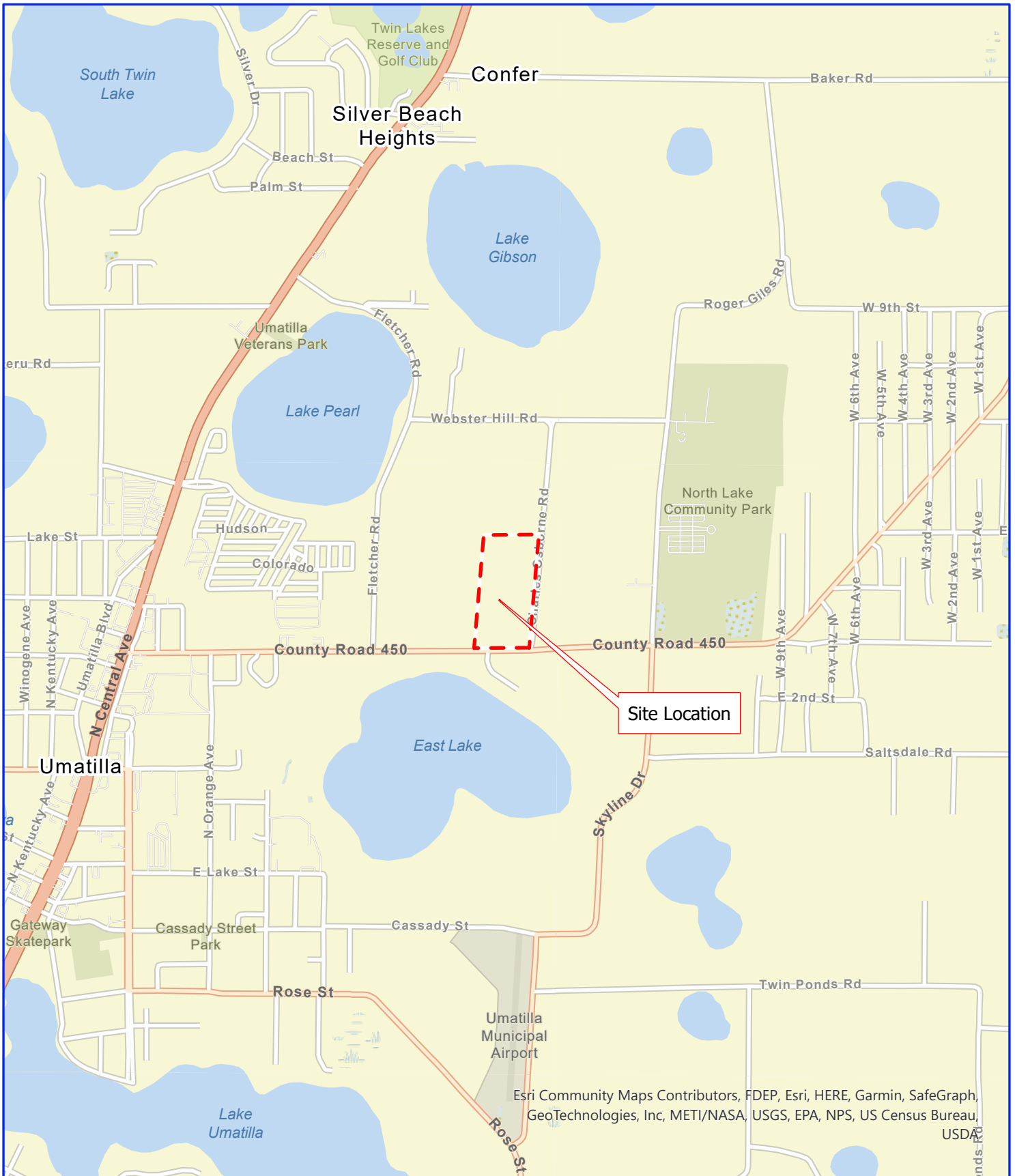
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

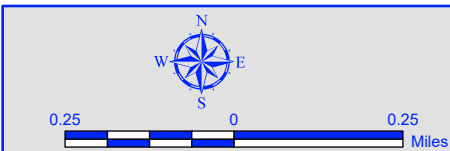
Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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



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 2023-20

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:

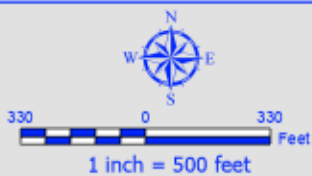
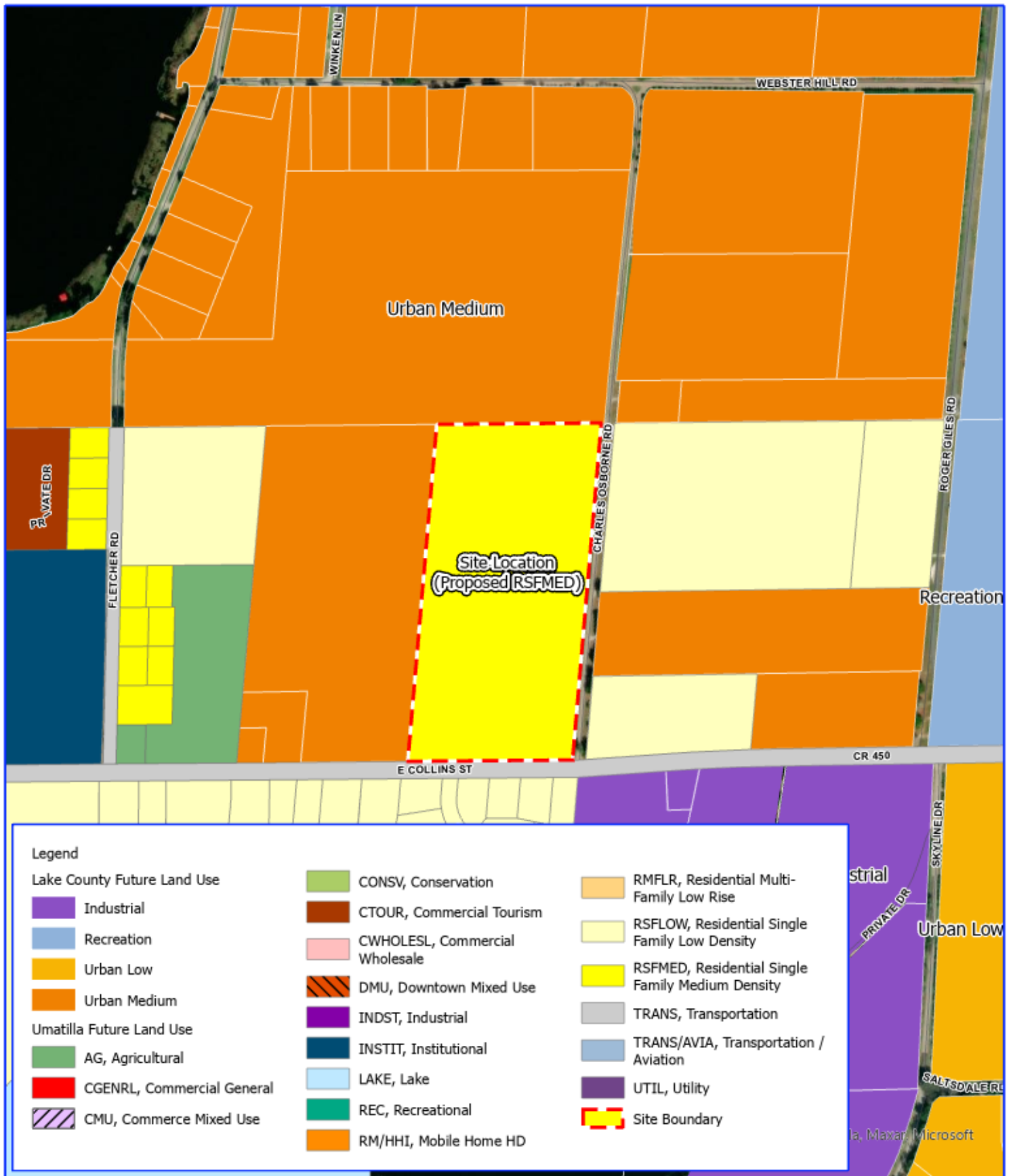
Approved as to Form:

 Jessica Burnham, FCRM
 City Clerk

 Kevin Stone
 City Attorney

Passed First Reading _____
 Passed Second Reading _____
 (SEAL)

EXHIBIT A



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 30, 2023

MEETING DATE: December 5, 2023

SUBJECT: Final 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 Final 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
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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

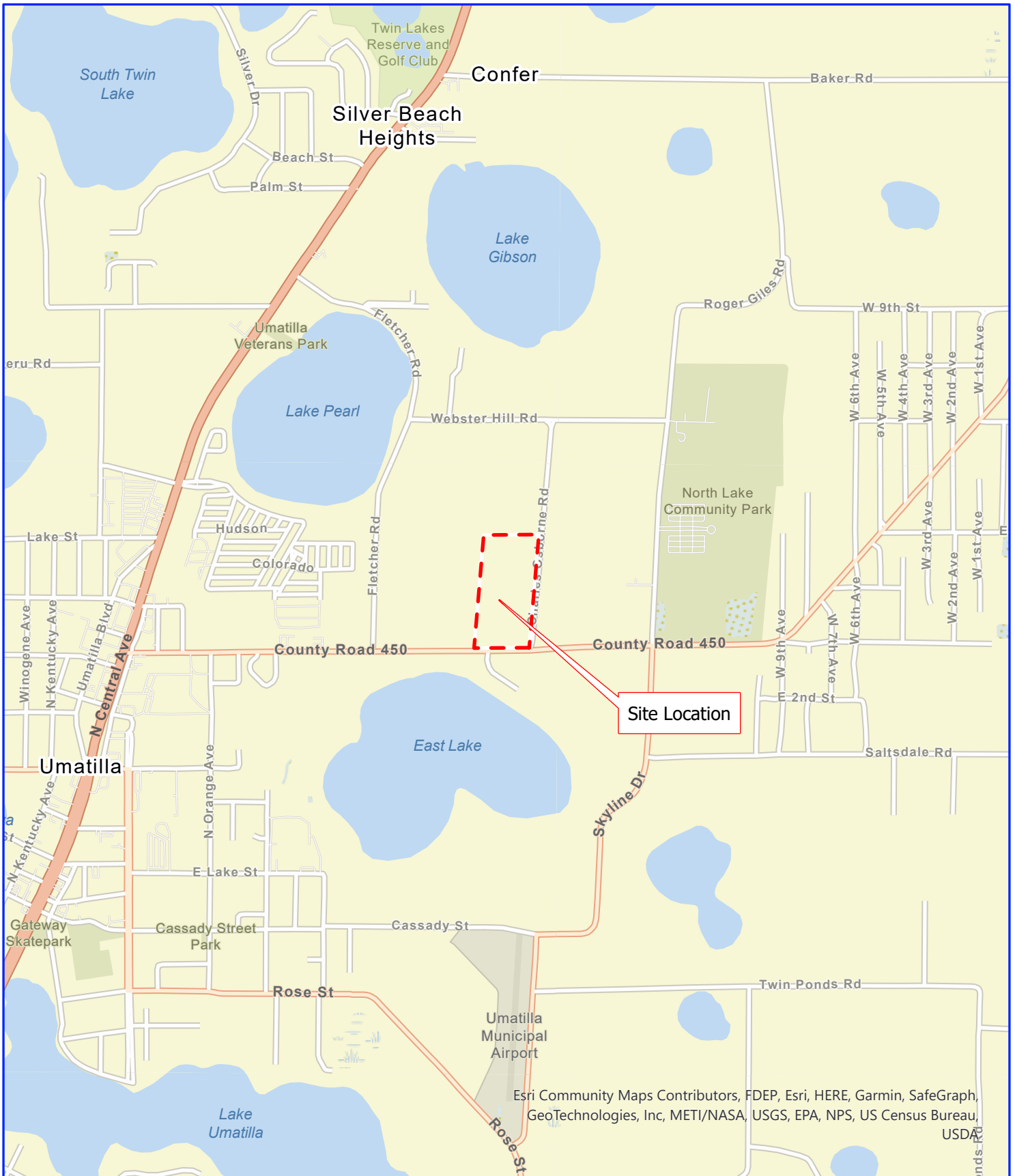
Estimated population - 98 units x 2.2pph = 216

Table 3 – Water Analysis Based on Zoning

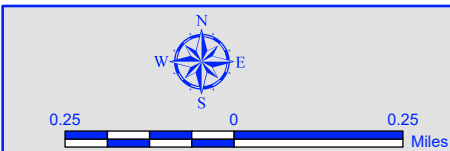
Ordinance #	Acres	Proposed City Zoning	Maximum Development	Water Demand (gross) (mgpd)	Capacity or Deficit (mgpd)
City of Umatilla Current Capacity					0.295
RLW Realty	19.50	Agriculture Residential (1 unit/acre)	20 Units	0.006	0.006
Total	19.50	20 Units			0.289

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

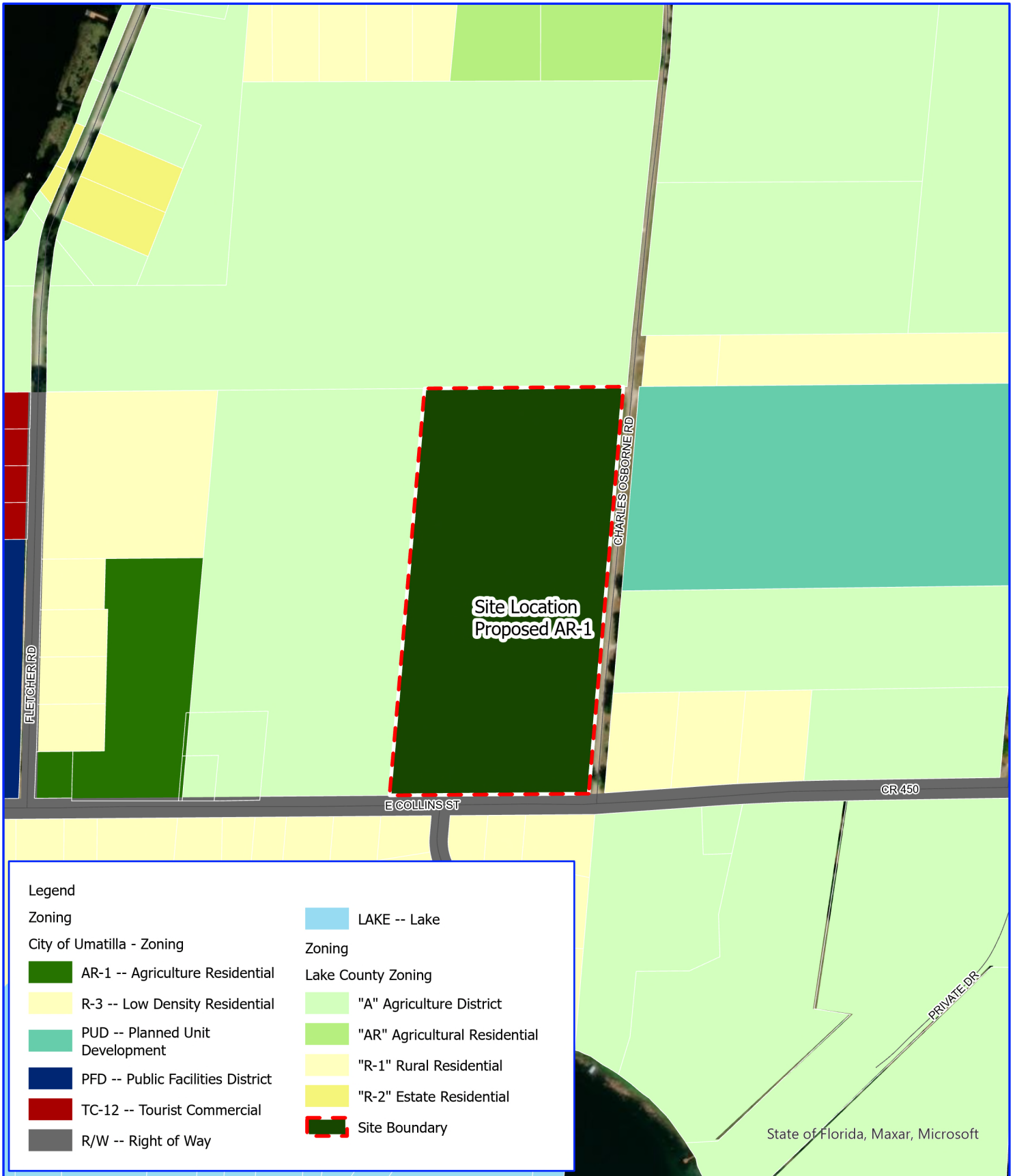


RLW Realty LLC

**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





Legend

Zoning

City of Umatilla - Zoning

- AR-1 -- Agriculture Residential
- R-3 -- Low Density Residential
- PUD -- Planned Unit Development
- PFD -- Public Facilities District
- TC-12 -- Tourist Commercial
- R/W -- Right of Way

LAKE -- Lake

Zoning

Lake County Zoning

- "A" Agriculture District
- "AR" Agricultural Residential
- "R-1" Rural Residential
- "R-2" Estate Residential
- Site Boundary

State of Florida, Maxar, Microsoft



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



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

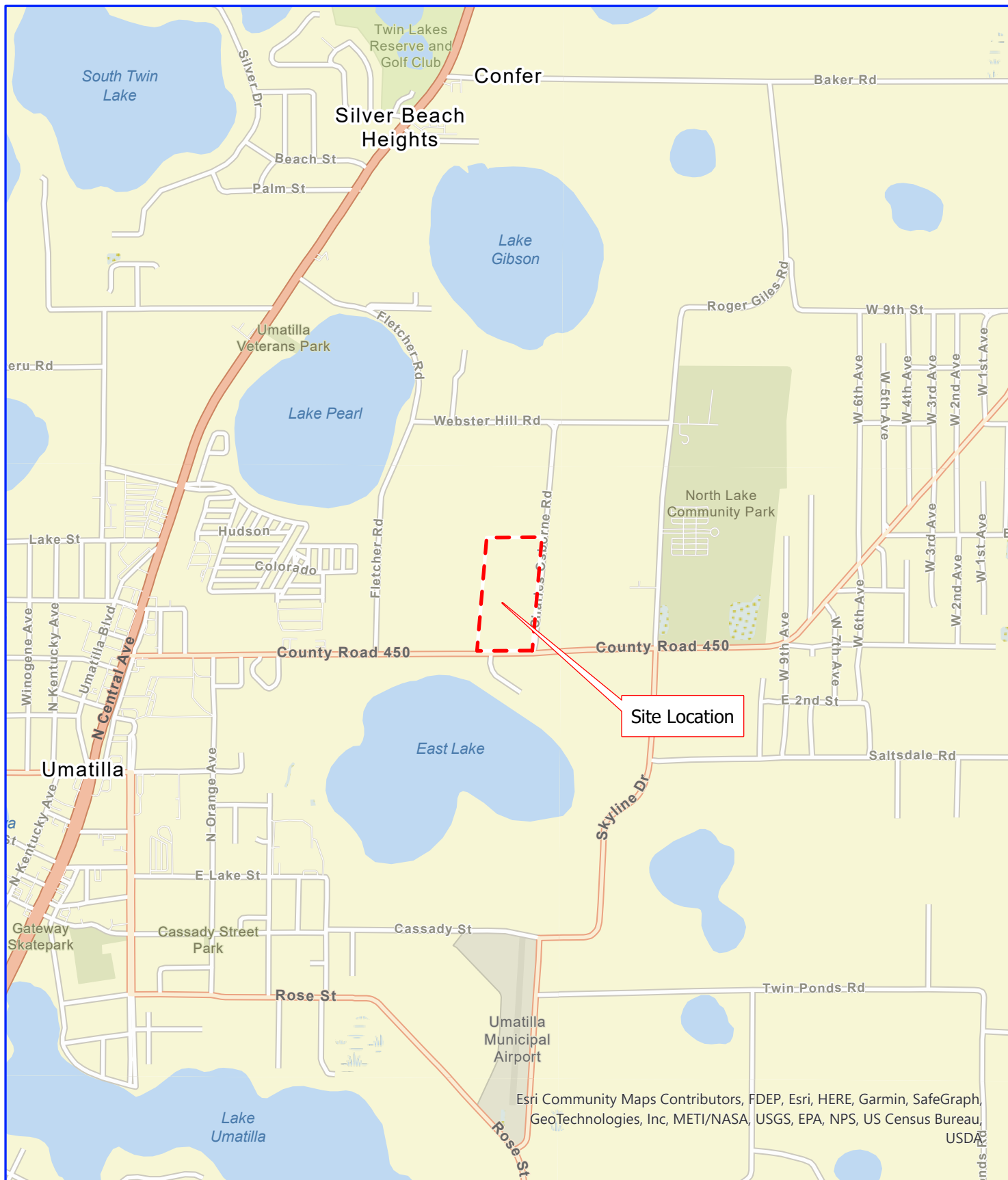
ATTEST:

Approved as to Form:

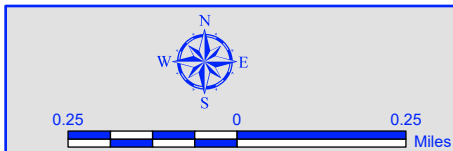
Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)



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



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 ½ of the Northeast ¼ of the Southwest ¼, 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.



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: November 29, 2023

MEETING DATE: December 5, 2023

SUBJECT: Forestar Real Estate Group, LLC., Utility Wastewater Impact Fee Agreement

BACKGROUND SUMMARY:

Forestar Real Estate Group, LLC, developer of Magnolia Pointe Subdivision, provided the city with utility upgrades that qualify for impact fee credits

The utility upgrades the City approved with the phase I construction include the upsizing of a 6-inch sewer force main to an 8-inch sewer force main (1,820 linear feet) and 12-inch sewer force main (1,180 linear feet) along with the installation of a 125 KW emergency generator.

The cost for these upgrades is \$215,585.73 and are designated as "collection/transmission" improvements. The collection/transmission component of the City's wastewater impact fee is \$1,465.03. Each residential permit would receive this credit prior to issuance. Phase I of Magnolia Point was approved for 249 lots. Based on this, Forestar Real Estate Group will receive a full credit on the first 147 building permits with the 148th permit receiving a partial credit.

The cost estimates for construction have been approved by Halff Engineering and the agreement has approved by the City Attorney.

RECOMMENDATIONS:

Approval of Forestar Real Estate Group, LLC, Utility Wastewater Impact Fee Agreement

FISCAL IMPACTS:

Net-zero cost to the City. Credits are offset by an increase in City assets.

ATTACHMENTS:

1. Utility Agreement Forestar FINAL for CC 12.5.23
-

IMPACT FEE CREDIT AGREEMENT
BETWEEN
THE CITY OF UMATILLA, FLORIDA
AND
FORESTAR (USA) REAL ESTATE GROUP, INC.
(Magnolia Pointe)

This **IMPACT FEE CREDIT AGREEMENT** (“Agreement”) is made and entered into between the City of Umatilla, a Florida municipal corporation (the “City”) whose address is 1 S. Central Avenue, Umatilla, FL 32784 and **FORESTAR (USA) REAL ESTATE GROUP, INC.**, a Delaware corporation (the “Developer”) whose address is 1064 Greenwood Blvd., Suite 200 Lake Mary, FL 32746 , and its successors and/or assigns (the City and the Developer collectively referred to as the “Parties”),

WHEREAS, Developer is the owner of certain real property located in the City, being more particularly described and shown on Exhibit “A,” attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, Developer intends to develop the property in accordance with the Planned Unit Development Ordinance No. 2021-F (the “PUD”) and the agreements executed in furtherance thereof, as the same may be amended from time to time; and

WHEREAS, in order to develop the Property, the Developer must construct certain on-site and off-site utility facilities; and

WHEREAS, the City has identified a need to construct additional utility facilities in order to accommodate increased service demands anticipated as a result of development of currently undeveloped or underdeveloped land in the City’s utility service territory; and

WHEREAS, the City has imposed, by ordinance, a regulatory impact fee on development for wastewater in an amount related to and not exceeding the City’s expected costs of additional capital facilities resulting from projected growth in population or increase in commercial activity from development; and

WHEREAS, the Developer has commenced construction on the additional utility facilities need to accommodate increased service demands; and

WHEREAS, The Developer and the City desire to reduce to writing, and have ratified and confirmed, the specific terms and conditions of their understanding and agreement related to the Developer’s provision of upsizing of a 6” sewer force main to an 8” sewer force main (1,820 linear feet) and 12” sewer force main (1,180 linear feet) and installing a 125 KW emergency generator (the “Facilities”) and the Developer’s entitlement to impact fee credits from the City for the Developer’s fulfillment of the same.

NOW THEREFORE, for and in consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency is hereby acknowledged, the Parties agree as follows:

1. Recitals. The foregoing recitals are true and are incorporated herein by reference.
2. Plans and Specifications.
 - a. Developer shall, at its sole expense, be responsible for preparing and submitting to the City plans and specifications for the Facilities (the “Plans”) in accordance with all City requirements. The City shall review and approve the Plans or advise Developer in writing of those changes to the Plans which will result in their approval, within thirty (30) days of submission by Developer. Any resubmittals of the Plans as a result of changes required by The City shall review and respond within twenty-one (21) days after the resubmittal of Plans resulting from changes required by the City. Once approved, the Plans will become a material part of this Agreement and shall be used by Developer to obtain bids and permits necessary for the construction of the Facilities.
 - b. The Plans and construction of the Facilities may be modified by agreement of the Parties prior to the construction phase and by change order during the construction phase. To be effective, any such change orders must be in writing, executed by the parties, and in accordance with the City’s procurement policies. Based upon approved change orders, the City will increase or decrease impact fee credits.
3. Utility Facilities.
 - a. Upsize of 6-inch sewer force main to 8-inch sewer force main (1,820 linear feet) and 12” force main (1,180 linear feet) and a 125 KW emergency generator at the Lift Station on Tract G-1 of Magnolia Pointe, Phase 1.
 - b. The Facilities shall meet or exceed the City of Umatilla’s construction specifications for sewer line construction and approved emergency generator.
 - c. Said sewer line size increase and emergency generator shall be installed during the construction of Phase 1 of the Magnolia Point Subdivision.
4. Rights of Way and Easements.
 - a. Developer shall engineer, designate, and convey to the City, in a form acceptable to the City, all rights-of-way and easements, as depicted in Magnolia Pointe Phase 1 Plat, necessary for the city to accept, operate, maintain, repair and replace the Facilities.
 - b. All required rights-of-way and easements to be granted to the City pursuant to this Agreement shall be granted prior to the City’s issuance of the Notice to Proceed for the construction of the Facilities associated therewith.

5. Procurement.

- a. Developer shall use a competitive bidding process to engage a contractor to construct the Facilities. Developer shall obtain at least three (3) bids from pre-qualified contractors. Developer shall enter into a construction contract with the selected contractor (the "Contract"). The City shall have the right to review the competitive bidding process and all bids received. In the event that the City determines that the bidding process is insufficient, the City may require the Developer to reject all bids and re-bid the project.
- b. The current estimated costs necessary to fully perform its obligations are set forth in Exhibit "B" attached hereto and incorporated herein by reference.
- c. For the purposes of professional services, the Parties acknowledge that the Developer is not using the competitive bidding process to retain an engineering firm to design the project. Design costs including, but not limited to, the fees of the project engineer, shall be limited to impact fee credits.

6. Notice to Proceed.

- a. The City shall issue a Notice to Proceed for construction of the Facilities upon receipt by the City that of all approved plans, permits, right of way, and easements, bonding, and bid documentation necessary for the construction to begin has been received from the Developer. Developer shall request a Notice to Proceed within one hundred eighty (180) days of the approval of the final Plan and Specifications and permits.
- b. Developer shall hold a Pre-Construction Conference with an invitation to Lake County Public Works, Florida Department of Transportation, the City, and all utilities involved. Developer shall begin construction within sixty (60) days of receipt of the Notice to Proceed.
- c. Prior to proceeding with construction of the Facilities, Developer shall provide a performance and payment bond to the City that complies with the applicable provisions of the Florida Statutes for public construction bonds and is in a form acceptable to the City Attorney's Office. The security instrument shall be made payable to the City in the amount of one hundred ten percent (110%) of the construction costs and shall remain in effect until the Facilities contemplated herein have been completed and the improvements as depicted in Exhibits B and C as constructed has been accepted by the City. The Contract shall contain a warranty of the work performed which shall be in force and effect for a period of twelve (12) months from the date on which the City accepts ownership and maintenance responsibility for the Facilities. The Developer shall also provide to the City a maintenance bond in the amount of ten percent (10%) of the total construction cost for a period of twenty-four (24) months from the date on which the City accepts ownership and maintenance responsibility for the Facilities. In the event the Developer defaults on the construction of the Facilities or defaults under any provision of this Agreement, the City shall

utilize the payment and performance bond or letter of credit to complete the work.

7. Bonds. Prior to proceeding with construction of the Facilities, Developer shall provide a performance and payment bond or irrevocable letter of credit to the City that complies with the applicable provisions of the Florida Statutes for public construction bonds and is in a form acceptable to the City Attorney's Office. The security instrument shall be made payable to the City in the amount of one hundred ten percent (110%) of the construction costs and shall remain in effect until the Facilities contemplated herein have been completed and the road as constructed has been accepted by the City. The Contract shall contain a warranty of the work performed which shall be in force and effect for a period of twenty-four (24) months from the date on which the City accepts ownership and maintenance responsibility for the Facilities. The Developer shall also provide to the City a maintenance bond or, if acceptable to the City, an irrevocable letter of credit in the amount of ten percent (10%) of the total construction cost for a period of twenty-four (24) months from the date on which the City accepts ownership and maintenance responsibility for the Facilities. In the event the Developer defaults on the construction of the Facilities or defaults under any provision of this Agreement, the City shall utilize the payment and performance bond or letter of credit to complete the work.

8. Costs and Maintenance. The Parties hereby acknowledge and agree to the following:

- a. Developer shall bear the full responsibility for payment of all financial obligations for the construction of the Facilities. The City shall cooperate with Developer to facilitate all matters to be undertaken by or on behalf of the City as otherwise provided herein.
- b. Developer shall be responsible for maintaining the Facilities identified in Exhibits B and C until such time that the construction of the Facilities is completed, approved and accepted by the City. Upon completion, approval, and acceptance, the City shall assume responsibility for maintaining the Facilities.
- c. Upon acceptance of the Facilities by the City, the City shall be responsible for maintaining the Facilities provided, however, that the Developer shall be responsible to replace any defects arising in the work under the Contract, whether resulting from defective materials or defective workmanship, for the duration of period set forth in Florida Statute for commencement of claims founded on the design, planning, or construction of an improvement to real property.

9. Impact Fee Credits

- a. In consideration of the obligations set forth herein, the City shall grant Developer Wastewater Impact Fee (collection/transmission component only) Credits for costs of construction of any non-site related improvements, related to the Facilities. The estimated costs and expenses of construction of the Non-Site Related Improvements related to the Project are shown on the cost estimates in Exhibits B and C, attached to this Agreement, prepared by the Developer's Project Engineer. Additionally, the City agrees to provide

Wastewater Impact Fee Credits as reimbursement to Developer for the costs associated with designing, engineering, and permitting of the Facilities, as approved by the City, as well as the costs incurred by Developer due to Environmental Permits and Environmental Mitigation as approved by City Public Works. The City acknowledges and agrees that the estimated cost of engineering and design is set forth and itemized in Exhibit "C", attached hereto and by this reference made a part of hereof. In the event that the bids received exceed twenty percent (20%) of the estimated construction or engineering costs set forth in Exhibit "C" the Developer shall promptly notify the City and the City may terminate this Agreement upon forty-five (45) days written notice to the Developer. In the event the bid exceeds the estimated construction or engineering costs set forth in Exhibit "C", the Developer agrees that construction shall not commence until approval is given by the City. In no event shall this Agreement obligate the City to pay or provide credit in an amount exceeding the actual cost of design and construction.

- b. The Wastewater Impact Fee Credits shall be provided to Developer upon completion by Developer and acceptance by the City of the Facilities, and the granting to the City of all easements and right-of-way as required under this Agreement. The City shall create and maintain a wastewater impact fee credit account on behalf of the Developer.

10. Right to Transfer Impact Fee Credits. Upon completion and acceptance of the Facilities by the City, Developer shall have the authority to assign or transfer any impact fee credits given by the City pursuant to any person who acquires property subject to the PUD.

11. Self-Help Provision. In the event the City desires to expedite the overall construction of the Facilities, the City shall be permitted, upon delivery of written notice to Developer, to assume Developer's responsibilities related to the Facilities. In such event, the City shall be entitled to ownership of the Plans and Specifications and all permits (including Environmental Permits) granted to Developer in connection with the Facilities, and Developer shall use its best efforts to ensure the successful transfer of the same to the City; provided, however, that all costs related to the provision of Plans and Specifications, construction of the Impact Fee Eligible Improvements, receipt of permits and approvals, and Environmental Mitigation then performed shall nonetheless be reimbursed by the City to Developer in transportation impact fees equal to the total costs incurred by Developer prior to Developer receiving notice from the City of the City's intent to exercise its rights contained in this Paragraph.

12. Approvals. In those instances, in this Agreement in which a Party's approval, consent or satisfaction is required, and a time period is not specified, then it shall be implied that such action shall be exercised in a reasonable manner and within a reasonable time frame.

13. Indemnification. The Developer, its successors and assigns shall, to the fullest extent permitted by law, defend, indemnify, and hold harmless the City, its officials, agents, and employees from and against any and all claims, suits, judgments, demands, liabilities, damages, cost and expenses (including attorney's fees) for personal injury, bodily injury, property damage or other liability of any kind or nature whatsoever arising directly or indirectly out of or caused in whole or in part by any act or omission relating to construction of the Facilities or this Agreement

by the Developer, its agents or employees, or any contractor employed by the Developer, or anyone directly or indirectly employed by them, or anyone for whose acts any of them may be liable, excepting only those acts or omissions arising out of the sole negligence of the City, or claims, asserted by property owners for damages arising from the performance of the obligations contained in this Agreement.

14. Term and Nature of Agreement. With the exception of the warranty requirements set forth herein, this Agreement shall terminate upon satisfaction by the Parties hereto of their respective obligations contained herein. If the Developer is unable to obtain all necessary approvals for the construction of the Facilities from the City or any other governmental agency, or is unable to negotiate a construction contract for the Facilities acceptable to Developer in its sole discretion, the sole remedy to the City shall be the termination of this Agreement, and Developer shall not be liable for, and the City shall not seek from the Developer, either damages or specific performance of this Agreement; provided, however, that the conveyance of any property completed prior to the termination of this Agreement shall not be affected. If Developer fails to begin construction of the Project on or before five (5) years from the effective date of this Agreement, this Agreement shall be null and void.

15. Compliance with Laws and Regulation. In performing pursuant to this Agreement, each party hereto shall abide by the respective statutes, ordinances, rules and regulations pertaining to, or regulating, the acts of such party.

16. Notice. Any notice required or allowed to be delivered hereunder shall be in writing and be deemed to be delivered when (i) hand delivered to the official hereinafter designated, or (ii) three days after the date on which deposited in the United States mail, postage prepaid, certified mail return receipt requested, or (iii) sent via US mail express, and addressed to a party at the address set forth below, or such other address as the party shall have specified by written notice to the other party delivered in accordance herewith.

(a) To Forestar (USA) Real Estate Group, Inc.:

Chris Tyree
Forestar (USA) Real Estate Group, Inc.
1064 Greenwood Blvd.
Suite 200 Lake Mary, FL 32746

With a copy to:

(b) To the City:

Scott Blakenship, City Manager
City of Umatilla
PO Box 2286
Umatilla FL 32784

With a copy to:

Kevin Stone, Esquire
City Attorney
4850 N. Highway 19A
Mount Dora, Florida 32757

17. Counterparts. This Agreement may be executed in any number of counterparts each of which when executed and delivered, shall be an original, but all counterparts shall together constitute one and the same instrument.

18. Entire Agreement. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and may not be modified or amended except by a written instrument equal in dignity herewith and executed by the Parties to be bound thereby.

19. Construction of Agreement. This Agreement shall not be construed against either party on the basis of it being the drafter of this Agreement. The Parties agree that both herein played an equal part in negotiating the terms and conditions of this Agreement. Captions and Paragraph headings in this Agreement are provided for convenience only and shall not be deemed to explain, modify, amplify or aid in the interpretation, construction or meaning of this Agreement.

20. Public Records (§ 119.0701, F.S.) In accordance with the provisions of Section 119.0701(2), Florida Statutes: **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS AT ATTN: JESSICA BURNHAM, CITY CLERK, 1 SOUTH CENTRAL AVE., UMATILLA, FL 32784; 352-669-3125.**

The CONTRACTOR must comply with public records laws, specifically to:

- i. Keep and maintain public records required by the Council to perform the service.
- ii. Upon request from the City's custodian of public records, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- iii. Ensure that the public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of the Agreement and following completion of the Agreement if the CONTRACTOR does not transfer the records to the City.
- iv. Upon completion of the Agreement, transfer, at no cost to the City, all public records in possession of the CONTRACTOR or keep and maintain public records required by the City to perform the service. If the CONTRACTOR transfers all public records to the City upon completion of the Agreement, the CONTRACTOR shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONTRACTOR keeps and maintains public records upon completion of the Agreement, the CONTRACTOR shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City custodian of public records, in a format that is compatible with the information technology systems of the City. No public record created by or in the possession of the City or CONTRACTOR is exempt or confidential unless it is subject to a

specific provision of Florida statute conferring exempt or confidential status, and public records, other than exempt or confidential public records, will be provided by the City to any person upon request without notice to the CONTRACTOR.

21. Records and Audits. The Developer shall maintain in its place of business all books, documents, papers and other evidence pertaining in any way to payments made pursuant to this Agreement. Such records shall be available at the Developers' place of business at all reasonable times during the term of this Agreement and for ten (10) years from the date of final payment under this Agreement for audit or inspection by the City upon five (5) business day's prior written notice.

22. Equal Opportunity Employment. The Developer agrees that it will not discriminate and will provide in all contracts that its contractors will not discriminate against any employee or applicant for employment under this Agreement because of race, color, religion, sex, age or national origin and will take affirmative steps to ensure that applicants are employed and employees are treated during employment without regard to race, color, religion, sex, age or national origin.

23. Authority. Each of the Parties hereto represent and warrant to each other that they have all necessary power and authority to enter into and consummate the terms and conditions of this Agreement and that all acts, approvals, procedures and similar matters required in order to authorize this Agreement have been taken, obtained or followed, as the case may be, and that this Agreement shall be valid, binding, and enforceable against the Parties, their successors and assigns.

24. Amendment. This Agreement may only be amended by an instrument in writing executed by the Parties hereto or their successors or assigns in interest.

25. Severability. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the Parties contained therein are not materially prejudiced and if the intentions of the Parties can continue to be effectuated. To that end, this Agreement is declared severable.

26. Disclaimer of Third-Party Beneficiaries. No right or cause of action shall accrue upon or by reason of this Agreement, to or for the benefit of any third party not a formal party hereto, except any successors in interest of the Developer or the City.

27. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with laws of the State of Florida. Venue for any action arising out of this Agreement shall exclusively in the court of appropriate jurisdiction in and for Lake County, Florida.

28. Land Use Approvals. This Agreement is not a development order. This Agreement shall not be construed as granting or assuring or indicating any further grant of any land use, zoning, subdivision, density or development approvals, permissions or rights with respect to the Development, nor shall this Agreement be deemed to reduce eliminate, derogate from, or otherwise adversely affect any such approvals, permissions or rights.

CITY OF UMATILLA, FLORIDA

**FORESTAR (USA) REAL ESTATE
GROUP, INC.**

By: _____

Kent Adcock, As City Mayor

By: _____

Chris Tyree, As Vice President

ATTEST:

By: _____

_____, City Clerk

Date: _____

Exhibit "A"**Description of Property**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

Parcel 1:

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 25, Township 18 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT Road Right of Way per Official Records Book 1701, Page 810, of the Public Records of Lake County, Florida.

Parcel 2:

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 25, Township 18 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT Road Right of Way per Official Records Book 1701, Page 810, of the Public Records of Lake County, Florida.

Parcel 3:

The North Half of the Northeast Quarter of the Northwest Quarter of Section 25, Township 18 South, Range 26 East, Lake County, Florida.

Parcel 4:

Lots 89, 90, 91, 92, 101, 102, 103, 104, and 112, of Eustis Meadows Subdivision, according to the plat thereof recorded in Plat Book 1, Page 2, of the Public Records of Lake County, Florida, LESS AND EXCEPT that portion of Lots 102, 103 and 112, included within the Plat of Crooked Oak Estates, as recorded in Plat Book 21, Pages 19 and 20, of the Public Records of Lake County, Florida, AND LESS AND EXCEPT that portion of Lot 112 included within the Warranty Deed recorded in Official Records Book 2330, Page 1303, of the Public Records of Lake County, Florida.

TOGETHER WITH:

That Part of Lot 111 of Eustis Meadows Subdivision, according to the Plat thereof recorded in Plat Book 1, Page 2, of the Public Records of Lake County, Florida, described as follows:

Commence at the Northwest Corner of said Lot 111, of said Eustis Meadows Subdivision and run South 00 Degrees 50 Minutes 17 Seconds East along the West line of said Lot 111 a distance of 202.10 feet to the Point of Beginning; Thence run North 87 Degrees 15 Minutes 53 Seconds East to a point on the East line of said Lot 111; Thence run South 00 Degrees 27 Minutes 30 Seconds East along the East line of said Lot 111 to the Southeast Corner of said Lot 111; Thence run Westerly along the South line of said Lot 111 to the Southwest corner of said Lot 111;

Thence run North 00 Degrees 50 Minutes 17 Seconds West along the West line of said Lot 111 to the Point of Beginning.

Parcel 5:

The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida.

Parcel 6:

The West Half of the Southeast Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida.

Parcel 7:

The East Half of the Southwest Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT Road Right of Way per Official Records Book 1701, Page 806, of the Public Records of Lake County, Florida.

Parcel 8:

The East Half of the Northwest Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT Road Right of Way per Official Records Book 1701, Page 804, of the Public Records of Lake County, Florida.

Parcel 9:

The North 648 feet of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter and the West Half of the Northeast Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT Road Right of Way per Official Records Book 1701, Page 808, and Official Records Book 1701, Page 1 of the Public Records of Lake County, Florida.

TOGETHER WITH:

That portion of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, lying South of the South line of the North 648 feet thereof.

Parcel 10:

That portion of the South Half of Section 24, Township 18 South, Range 26 East, Lake County, Florida, described as follows:

Begin at the Northwest Corner of the Southeast Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, and run thence North 88 Degrees 34 Minutes 13 Seconds East along the North line of said Southeast Quarter a distance of 182.66 feet to a point on the Southerly right of way line of County Road 450A, said right of way being a 100.00 feet in width; thence run South 82 Degrees 33 Minutes 10 Seconds East along the Southerly right of way line of said County Road 450A a distance of 229.10 feet; thence leaving said Southerly right of way line run South 10 Degrees 25 Minutes 52 Seconds East 360.14 feet; thence South 79 Degrees 08 Minutes 39 Seconds West 328.58 feet; thence South 11 Degrees 34 Minutes 02 Seconds East 174.00 feet; thence South 78 Degrees 27 Minutes 55 Seconds West 144.00 feet; thence South 11 Degrees 33 Minutes 21 Seconds East 17.00 feet; thence South 78 Degrees 28 Minutes 02 Seconds West 40.56 feet to a point on the West line of the Southeast Quarter of the aforementioned Section 24; thence North 00 Degrees 50 Minutes 17 Seconds West along the West line of the Southeast Quarter a distance of 665.30 feet to the Point of Beginning.

Parcel 11:

That portion of Section 24, Township 18 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the Northwest Corner of the Southeast Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida, and run South 00 Degrees 50 Minutes 17 Seconds East along the west line of the Southeast Quarter a distance of 665.30 feet; thence South 78 Degrees 28 Minutes 02 Seconds West 45.58 feet to the Point of Beginning; Thence continue South 78 Degrees 28 Minutes 02 Seconds West 19.36 feet; thence South 04 Degrees 24 Minutes 08 Seconds East 713.84 feet; thence South 77 Degrees 51 Minutes 48 Seconds East 621.55 feet; thence South 87 Degrees 15 Minutes 33 Seconds West 586.59 feet to a point on the west line of the Southeast Quarter of aforementioned Section 24; thence South 00 Degrees 50 Minutes 17 Seconds East along the west line of the Southeast Quarter a distance of 471.24 feet to a point on the south line of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of said section 24; thence South 88 Degrees 43 Minutes 44 Seconds West along the south line of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter a distance of 661.56 feet to a point on the west line of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of said section 24; thence North 00 Degrees 47 Minutes 47 Seconds West along the west line of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter a distance of 672.74 feet to a point on the south line of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said Section 24; thence North 00 Degrees 47 Minutes 49 Seconds West along the west line of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter a distance of 672.73 feet to a point on the north line of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said Section 24; thence North 88 Degrees 37 Minutes 25 Seconds East 615.83 feet to the Point of Beginning.

All the above Parcel I through Parcel 11 being more particularly described without gores or overlaps as follows:

Beginning at the Northwest Corner of the Southeast Quarter of Section 24, Township 18 South, Range 26 East, Lake County, Florida and run thence North 88 Degrees 31 Minutes 02 Seconds East along the north line of the Southeast Quarter a distance of 182.67 feet to a point on the south right of way line of County Road 450A; thence run South 82 Degrees 35 Minutes 20 Seconds East 229.305 feet to the east line of that certain parcel of land described in Warranty Deed recorded in Official Records Book 2330, Page 1303, of the public records of Lake County, Florida; thence run along the westerly line of said parcel the following nine courses and distances; thence run South 10 Degrees 29 Minutes 22 Seconds East 360.07 feet; thence South 79 Degrees 04 Minutes 59 Seconds West 328.62 feet; thence South 11 Degrees 38 Minutes 10 Seconds East 173.90 feet; thence South 78 Degrees 23 Minutes 20 Seconds West 144.015 feet; thence South 11 Degrees 27 Minutes 15 Seconds East 16.91 feet; thence South 78 Degrees 27 Minutes 50 Seconds West 105.54 feet; thence South 04 Degrees 26 Minutes 58 Seconds East 713.90 feet; thence South 77 Degrees 53 Minutes 54 Seconds East 620.65 feet; thence North 87 Degrees 02 Minutes 23 Seconds East 40.20 feet to the east line of the West 15 feet of Lot 112, Eustis Meadows Subdivision, as recorded in Plat Book 1, Page 2, of the public records of Lake County, Florida, and to the west line of Crooked Oak Estates, as recorded in Plat Book 21, Pages 19 and 20, of the public records of Lake County, Florida; thence run South 00 Degrees 35 Minutes 51 Seconds East along said line 1460.15 feet to the Southwest corner of said Crooked Oak Estates; thence run North 87 Degrees 02 Minutes 55 Seconds East along the south line of said Crooked Oak Estates 1196.54 feet to the east line of said Crooked Oak Estates; thence run North 00 Degrees 04 Minutes 19 Seconds West along said east line 314.62 feet to the north line of Lot 104, of aforementioned Eustis Meadows Subdivision; thence run North 87 Degrees 08 Minutes 40 Seconds East along said north line 605.12 feet to the northeast corner of said Lot 104; thence run South 00 Degrees 21 Minutes 47 Seconds West along the east line of said Lot 104 and the east line of Lot 92 of said Eustis Meadows Subdivision a distance of 2635.48 feet to the southeast corner of said Lot 92; thence run South 86 Degrees 46 Minutes 25 Seconds West along the south line of said Lot 92 and the south line of Lots 89, 90 and 91 of said Eustis Meadows Subdivision a distance of 2461.72 feet to the southwest corner of said Lot 89; thence run North 01 Degrees 04 Minutes 04 Seconds East along the west line of said Lot 89 and Lot 101 of said Eustis Meadows Subdivision a distance of 1990.06 feet to the south line of the North Quarter of the Southwest Quarter of aforementioned Section 24; thence run South 88 Degrees 47 Minutes 32 Seconds West along said south line a distance of 1752.76 feet to a Point "A" on the easterly right of way line of Church Street as described in that certain Statutory Warranty Deed recorded in Official Records Book 1701, Page 810, of the public records of Lake County, Florida; thence run North 41 Degrees 59 Minutes 53 Seconds West along said easterly right of way line a distance of 318.65 feet to the point of curvature of a curve concave Easterly having a radius of 225.00 feet and a central angle 68 Degrees 33 Minutes 28 Seconds; thence run northerly along the arc of said curve and along said right of way line a distance of 269.23 feet to the point of tangency; thence run North 26 Degrees 33 Minutes 35 Seconds East along said right 135.70 feet to the point of curvature of a curve concave northwesterly having a radius of 275.00 feet; thence run northerly along the arc of said curve and along said right of way line a distance of 51.34 feet through a central angle of 10 Degrees 41 Minutes 51 Seconds to a cusp of said curve at the Southeast Corner of the West 50.00 feet of the East Half of the West Half of the Southwest Quarter of aforesaid Section 24; thence run North 00 Degrees 45 Minutes 57 Seconds West along aforesaid easterly right of way of line a distance of 2644.05 feet to the south right of line of Mills Street based on the historically platted subdivision lying north of said street and

recovered monumentation in the centerline of said street; thence run North 89 Degrees 16 Minutes 47 Seconds East along said right of way line a distance of 1930.20 feet to the west line of the East Half of said Section 24; thence run North 00 Degrees 52 Minutes 26 Seconds West along said line 67.60 feet to the Point of Beginning;

TOGETHER WITH:

Commencing at the above mentioned Point "A" and run thence South 88 Degrees 47 Minutes 32 Seconds West along aforementioned south line of the North Quarter of the Southwest Quarter of Section 24 a distance of 66.04 feet to the Point of Beginning "A" on the westerly right of way line of Church Street as described in that certain Statutory Warranty Deed recorded in Official Records Book 1701, Page 810, of the public records of Lake County, Florida; thence continue South 88 Degrees 47 Minutes 32 Seconds West along aforementioned south line a distance of 805.35 feet to the west line of Section 25, Township 18 South, Range 26 East; thence run North 00 Degrees 43 Minutes 47 Seconds West along said west line a distance of 660.00 feet to a recovered 6 inch by 6 inch concrete monument at the Northwest Corner of said Section 25; thence run North 88 Degrees 44 Minutes 50 Seconds East along the North line of said Section 25 a distance of 658.86 feet to a cusp of a curve situated on the aforementioned westerly right of way line of Church Street; thence run southerly along said right of way line through the following four courses and distances: thence from said cusp of a curve being concave northwesterly and having a radius of 225.00 feet and from a tangent bearing of South 19 Degrees 49 Minutes 47 Seconds West, run southerly along the arc of said curve a distance of 26.44 feet through a central angle of 06 Degrees 43 Minutes 54 Seconds to the point of tangency; thence run South 26 Degrees 33 Minutes 35 Seconds West 135.70 feet to the point of curvature of a curve concave easterly having a radius of 275 feet and a central angle of 68 Degrees 33 Minutes 28 Seconds; thence run southerly along the arc of said curve a distance of 329.05 feet to the point of tangency; thence run South 41 Degrees 59 Minutes 53 Seconds East 275.51 feet to the Point of Beginning "A".

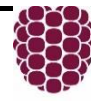


**Magnolia Pointe Offsites
City of Umatilla
Certified Costs for Utility Upgrades**

Date: 11/22/2023

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTR QTY	UNIT COST	AMOUNT
DEVELOPER REQUIRED IMPROVMENTS					
OFF SITE FORCE MAIN					
1	6" PVC (DR-18) station 9+18-21+09	LF	1183	\$ 71.05	\$ 84,052.15
2	6" directional bore - station 32+10 to 34+60	LF	225	\$ 205.82	\$ 46,309.50
3	6" directional bore - station 34+60 to 35+30	LF	63	\$ 205.82	\$ 12,966.66
4	6" directional bore - station 41+80 to 48+00	LF	558	\$ 205.82	\$ 114,847.56
5	6" directional bore - station 57+00 to 58+00	LF	90	\$ 205.82	\$ 18,523.80
6	6" directional bore - station 59+50 to 65+50	LF	540	\$ 205.82	\$ 111,142.80
7	6" directional bore - station 67+50 to 68+20	LF	63	\$ 205.82	\$ 12,966.66
8	6" directional bore - station 75+90 to 76+80	LF	81	\$ 205.82	\$ 16,671.42
	Subtotal				\$ 417,480.55
ON SITE LIFT STATION					
1	No Back-up generator proposed	EA	0	\$ -	\$ -
	Subtotal				\$ -
DEVELOPER REQUIRED IMPROVMENTS TOTAL					\$417,480.55
UTILITY UPGRADES					
OFF SITE FORCE MAIN					
1	Upsized 12" PVC (DR-18) - station 9+18-21+09	LF	1188	\$ 125.35	\$ 148,915.80
2	Added 10" PVC (DR-18) - station 21+08	LF	8	\$ 182.11	\$ 1,456.88
3	Upsized 8" directional bore - station 32+10 to 34+60	LF	225	\$ 226.11	\$ 50,874.75
4	Upsized 8" directional bore - station 34+60 to 35+30	LF	63	\$ 226.11	\$ 14,244.93
5	Upsized 8" directional bore - station 41+80 to 48+00	LF	558	\$ 226.11	\$ 126,169.38
6	Upsized 8" directional bore - station 57+00 to 58+00	LF	90	\$ 226.11	\$ 20,349.90
7	Upsized 8" directional bore - station 59+50 to 65+50	LF	540	\$ 226.11	\$ 122,099.40
8	Upsized 8" directional bore - station 67+50 to 68+20	LF	63	\$ 226.11	\$ 14,244.93
10	Upsized 8" directional bore - station 75+90 to 76+80	LF	81	\$ 226.11	\$ 18,314.91
11	Added 6" PVC (DR-18) to Pine street - station 68+20	LF	8	\$ 71.05	\$ 568.40
12	Added 6" plug valve to Pine street - station 68+20	EA	1	\$ 2,902.00	\$ 2,902.00
13	Added 6" plug cap to Pine street - station 68+20	EA	1	\$ 550.00	\$ 550.00
	Subtotal				\$ 520,691.28
ON SITE LIFT STATION					
1	Added Backup Generator	EA	1	\$ 112,375.00	\$ 112,375.00
	Subtotal				\$ 112,375.00

Magnolia Pointe Offsites
City of Umatilla
Certified Costs for Utility Upgrades



Dewberry[®]

Date: 11/22/2023

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTR QTY	UNIT COST	AMOUNT
UTILITY UPGRADES TOTAL					\$633,066.28
IMPACT FEE CREDITABLE IMPROVEMENTS			\$633,066.28 - \$417,480.55 =		\$215,585.73

NOTE: Based on Forestar - Briar Team contract construction costs, station locations are approximate

Christopher J Allen
Lic #: 77719
Dewberry Engineers, INC
800 N. Magnolia Ave., Suite 1000
Orlando, Florida 32803
Certification of Authorization No. 8794

RCM UTILITIES, LLC
 100 W. MILLS AVE
 EUSTIS, FL 32726
 352-561-2990
 billing@rcmutilities.com
 www.rcmutilities.com



Estimate

ADDRESS

Magnolia Pointe Lift Station -
 #4-23-458
 10700 Pecan Park Blvd Suite
 150
 Austin, TX 78750

ESTIMATE # 3887
DATE 06/05/2023
EXPIRATION DATE 07/05/2023

JOB NAME

Magnolia Pointe LS Gen ADD ON

DESCRIPTION	AMOUNT
RCM Utilities to supply all materials, equipment and labor for the following scope of supply:	112,375.00
480 VOLT / 3 PHASE	
- Install (2) 40HP motor soft starts and all accessories inside the proposed control panel enclosure.	
Supply and install:	
- (1) ASCO 300 series 200 amp automatic transfer switch with NEMA 3r enclosure.	
- Precast concrete base pad with 125KW CAT diesel generator, 402 gallon steel sub base fuel tank with level 2 sound attenuated enclosure around engine and generator.	
- First fuel fill up by RCM	
- All conduits, wiring and accessories for a complete electrical system.	
NOTES	
- RCM Utilities warrants all supplied materials and workmanship to be free of defects for a period of one year after installation.	
- Includes, wiring to SCADA callout system and (1) day start up / training.	
ATS - 12-14 weeks after approved submittals	
Generator currently in stock and is reserved for this project.	

TOTAL

\$112,375.00

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
November 21, 2023 through November 27, 2023

ARRESTS

11/27/2023	11:22 p.m.	Poole, Donny Umatilla	Trespass of an occupied structure/conveyance; Resisting an officer without violence.
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CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

n/a			
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REPORTS FILED

11/21/2023	2:21 a.m.	Officers received a call of a suspicious vehicle adjacent to the Umatilla Library. Persons were found sleeping but were okay.
11/21/2023	9:03 a.m.	Officers responded to a residence on Cayman Circle reference a disturbance in progress. The dispute was verbal only.
11/21/2023	4:45 p.m.	Officers were called to a residence on East Collins Street reference a theft. Person did not want a report taken.
11/21/2023	9:18 p.m.	Officers responded to the Circle K at 391 North Central Avenue reference a person needing medical attention. Person was turned over to EMS.
11/22/2023	8:11 a.m.	Officers responded to a suspicious incident at a residence on East Collins Street. A report was taken.
11/22/2023	5:14 p.m.	Officers responded to a residence on Bonaire Place reference a disturbance. Parties separated for the night.
11/23/2023	11:39 a.m.	Officers responded to Dollar General located at 607 North Central Avenue reference a theft in progress. Person was trespassed at request of management.
11/23/2023	12:24 p.m.	Officers responded to a disturbance call at a residence on Halo Drive. The dispute was verbal in nature. One party left the home.

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
November 21, 2023 through November 27, 2023

ARRESTS

11/24/2023	1:23 a.m.	Officers assisted the Lake County Sheriffs Office with a disturbance call on Wallace Street.
11/24/2023	10:41 p.m.	Officers responded to a residence on Central Avenue reference a suspicious incident. Persons were okay just playing a video game.
11/25/2023	5:45 p.m.	Officers responded to a residence on Central Avenue reference a disturbance. Dispute was verbal in nature.
11/25/2023	8:45 p.m.	Officers responded to the Circle K at 391 North Central Avenue reference a person needing medical attention. Person was turned over to EMS.
11/26/2023	10:59 a.m.	Officers responded to a residence on Devault Street regarding a person in need of medical attention. Person was turned over to EMS.
ARRESTS		
DISPATCHED CALLS		1
TRAFFIC STOPS		102
TRAFFIC CITATIONS ISSUED		37
		2

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
November 14, 2023 through November 21, 2023

ARRESTS

n/a

CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

11/14/23	5:27 p.m.	Morales-Gonzalez, Cecilia Sorrento	No drivers license, never had one.
11/18/2023	7:15 p.m.	Smith, Nathaniel Waynesboro, VA	No motor vehicle registration.

REPORTS FILED

11/14/2023	12:19 p.m.	Officers responded to a residence on Owens Street reference a disturbance. It was verbal in nature.
11/15/2023	4:45 p.m.	Officers responded to 633 Umatilla Boulevard in reference to a person needing medical attention. Person was turned over to EMS.
11/16/2023	2:01 p.m.	Person walked into the Umatilla Police Department needing medical attention. Person was transported to Lifestreams Behavioral Center for treatment under the Baker Act.
11/17/2023	9:30 a.m.	Person came into the Umatilla Police Department to report a fraud. A report was taken.
11/17/2023	10:18 a.m.	Officers responded to the area of County Road 450A and Crystal Lane reference a possible stolen vehicle. Vehicle was not stolen.
11/17/2023	12:42 p.m.	Officers responded to a report of 2 missing juveniles that ran away from school. They were located by the Lake County Sheriffs office and handed over to the School Resource Deputy.
11/20/2023	1:42 p.m.	Person came into the Umatilla Police Department to report a theft. A report was taken.
11/20/23	8:12 p.m.	Officers responded to Dollar General at 607 North Central Avenue and two people were trespassed per management request.

UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF
November 14, 2023 through November 21, 2023

ARRESTS

ARRESTS	2
DISPATCHED CALLS	81
TRAFFIC STOPS	19
TRAFFIC CITATIONS ISSUED	4