



# UMATILLA CITY COUNCIL MEETING

August 6, 2024 at 6:00 PM

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

## AGENDA

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*Please silence your electronic devices*

### PLEDGE OF ALLEGIANCE AND INVOCATION

### CALL TO ORDER

### ROLL CALL

### AGENDA REVIEW

### MINUTES REVIEW

1. Approve the Meeting Minutes  
- July 16, 2024, 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

2. Third Amendment to Interlocal Agreement between Lake County and the City of Umatilla relating to the Provision of Library Services

### PUBLIC HEARING / ORDINANCES / RESOLUTIONS

3. Final Reading of Ordinance No. 2024-D, Charter Amendments
4. First Reading of Ordinance No. 2024-F, State Statute Election Requirement
5. First Reading of Ordinance No. 2024-E RLW Holdings, LLC, Voluntary Annexation
6. First Reading of Ordinance No. 2024-E1 RLW Holdings, LLC - Small Scale Comprehensive Plan Amendment
7. First Reading of Ordinance No. 2024-E2, RLW Holdings, LLC, Rezoning
8. Resolution No. 2024-11, SRF Amendment #5 to loan Agreement WW350752

9. Resolution No. 2024-06, Ludecke Variance Olde Mill Stream RV Park

10. First Reading of Ordinance No. 2024-C, Olde Mill Stream Conditional Use Permit

### **NEW BUSINESS**

11. ITB 2024-AP-002 Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation Umatilla Municipal Airport Ranking

### **OLD BUSINESS**

### **REPORTS**

12. 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 CITY COUNCIL MEETING

July 16, 2024 at 6:00 PM

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

### MINUTES

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#### PLEDGE OF ALLEGIANCE AND INVOCATION

#### CALL TO ORDER

Having been duly advertised as required by law, Mayor Creech called the Regular City Council Meeting to order at 6:00 P.M. in the Umatilla City Council Chambers and led the Pledge of Allegiance and Invocation

#### ROLL CALL

##### MEMBERS PRESENT

Chris Creech, Mayor  
Katherine Adams, Council Member  
John Nichols, Council Member  
Brian Butler, Council Member

##### NOT PRESENT

Adam Bolton, Chief of Police  
Aaron Mercer, Development and Public Services Director

##### ALSO PRESENT

Scott Blankenship, City Manager  
Kevin Stone, City Attorney  
Jessica Burnham, City Clerk  
Misti Lambert, Assistant to the City Manager  
Amy Stultz, Library Director  
Vaughan Nilson, Public Works Director  
Regina Frazier, Finance Director

#### AGENDA REVIEW

Mayor Creech asked Mr. Blankenship if there were any changes to the agenda. Mr. Blankenship replied that the applicant for Resolution No. 2024-06, Olde Mill Stream Variance, has asked for the item to be moved to the August 6, 2024, Regular City Council Meeting.

**MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE AGENDA WITH STATED CHANGES; SECONDED BY COUNCIL MEMBER ADAMS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.**

**MINUTES REVIEW**

- 1. Approval of Meeting Minutes  
- July 2, 2024 Regular City Council Minutes

**MOTION BY COUNCIL MEMBER ADAMS TO APPROVE THE MINUTES DATED JULY 2, 2024; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.**

**PRESENTATIONS**

- 2. Budget Presentation

Ms. Frazier provided the council with an overview of the upcoming budget for Fiscal Year 2024-2025.

**MOTION BY COUNCIL MEMBER BUTLER TO SET THE MILLAGE RATE TO 7.1089 MILLS; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY UNANIMOUS VOICE VOTE.**

**PUBLIC COMMENT**

Mayor Creech opened public comment

Williamson, inquired about how he should go about getting some of his questions answered that he had for the city.

Walter Novillo, 14124 Rigdon Court, reminded council that he spoke to council at the July 2nd meeting with regard to the increase of the cemetery rates and stated he was back to see if council had a decision.

The council agreed three to one to allow Mr. Novillo to purchase eight plots at seven hundred dollars each.

Mayor Creech closed public comment

**CONSENT AGENDA**

**PUBLIC HEARING / ORDINANCES / RESOLUTIONS**

- 3. Resolution No. 2024-09, Preliminary Fire Fee Assessment

City Attorney Stone read the Resolution by title only.

**Resolution No. 2024-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF UMATILLA, FLORIDA; ESTABLISHING THE ESTIMATED RATES FOR FIRE SERVICES ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ms. Frazier provided the council with an overview of the agenda item.

Mayor Creech opened public comment

No one spoke

Mayor Creech closed public comment

Discussion ensued on an increase of five percent or ten percent.

**MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE RESOLUTION NO. 2024-06, PRELIMINARY FIRE FEE ASSESSMENT; SECONDED BY COUNCIL MEMBER ADAMS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.**

4. First Reading of Ordinance No. 2024-D, Charter Amendments

City Attorney Stone read the Ordinance by title only.

**Ordinance No. 2024-D**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROPOSING AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR SUBMISSION OF PROPOSED AMENDMENTS OF THE CITY CHARTER TO THE ELECTORS OF THE MUNICIPALITY PURSUANT TO SECTION 166.031, FLORIDA STATUTES; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER UPON ADOPTION OF AMENDMENTS BY A MAJORITY OF THE ELECTORS VOTING IN A REFERENDUM; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Stone gave the council a history of the agenda item.

Mayor Creech opened public comment

No one spoke

Mayor Creech closed public comment

**MOTION BY COUNCIL MEMBER BUTLER TO APPROVE FIRST READING OF ORDINANCE NO. 2024-D, CHARTER AMENDMENTS; 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
Mayor Creech	YES

5. Resolution No. 2024-06, Ludecke Variance Olde Mill Stream RV Park

*\*This item was moved to the August 6, 2024 meeting*

## **NEW BUSINESS**

### **DISCUSSION**

#### 6. Larkin Park baseball field advertising

Mr. Nilson provided council with background information on the discussion item and stated that Umatilla Little League Baseball would like to be able to have advertising signs put up on the fences at the baseball fields.

The council directed City Attorney Stone to put together an agreement for this item and to bring it back to council.

### **OLD BUSINESS**

#### 7. Appointment for Vacant Seat #4

The council discussed the three candidates that had shown interest in the vacant seat. The three candidates were Bear Crockett, Craig Dolan, and Lamar Phillips.

**MOTION BY COUNCIL MEMBER BUTLER TO APPOINT BEAR CROCKETT TO COUNCIL SEAT FOUR; SECONDED BY COUNCIL MEMBER NICHOLS. MOTION WAS APPROVED BY AN UNANIMOUS VOICE VOTE.**

### **REPORTS**

#### 8. Staff Reports

City Attorney Stone had nothing to report.

Mr. Blankenship stated that he would be going on vacation and, in his absence, Mr. Mercer would be available.

Council Member Butler had nothing to report.

Mayor Creech had nothing to report.

Council Member Adams had nothing to report.

Council Member Nichols thanked everyone who showed interest in the vacant seat.

Ms. Frazier had nothing to report.

Ms. Lambert had nothing to report.

Mr. Nilson had nothing to report.

Ms. Stultz mentioned that the library's summer reading program was winding down.

**ADJOURNMENT**

With no further business for discussion, the meeting adjourned at approximately 7:29 p.m.

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Christopher R. Creech, MAYOR

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Jessica Burnham, FCRM  
City Clerk



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE:** July 12, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** Third Amendment to Interlocal Agreement between Lake County and the City of Umatilla relating to the Provision of Library Services

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**BACKGROUND SUMMARY:**

The Umatilla Municipal Library is a part of the Lake County Library System. It is a member library under an extension of the Interlocal Agreement that is set to expire as of September 30, 2024.

Lake County Library System has presented an amendment to the current agreement. The amendment extends the current Interlocal Agreement for one year by amending the expiration date to September 30, 2025.

In addition, the base appropriation is being increased from \$25,000 to \$30,000.

The agreement runs from October 1, 2024 through September 30, 2025.

**RECOMMENDATIONS:**

Approval of Resolution 2024-52 Amendment Interlocal Agreement for Library Services.

**FISCAL IMPACTS:**

Increase of funding by \$5,000 for F/Y 2024-2025.

**ATTACHMENTS:**

1. LCLS UMA Interlocal Amendment 2024-25
-

**THIRD AMENDMENT TO  
INTERLOCAL AGREEMENT BETWEEN  
LAKE COUNTY, FLORIDA, AND THE CITY OF UMATILLA  
RELATING TO THE PROVISION OF LIBRARY SERVICES**

This is the Third Amendment to the Interlocal Agreement between Lake County, Florida, a political subdivision of the State of Florida, hereinafter referred to as “County”, by and through its Board of County Commissioners, and the City of Umatilla, a municipal corporation pursuant to the Laws of Florida, hereinafter referred to as “Municipality,” by and through its City Council.

**WITNESSETH:**

**WHEREAS**, on September 10, 2019, County entered into an Interlocal Agreement with Municipality for the purpose of providing unified library services to the residents of Lake County through participation in the Lake County Library System public library cooperative (the “Agreement”); and

**WHEREAS**, on September 13, 2022, County and Municipality entered into an extension of the Agreement for an additional 12-month period expiring on September 30, 2023 (First Amendment); and

**WHEREAS**, on September 12, 2023, County and Municipality entered into a second extension of the Agreement for an additional 12-month period expiring on September 30, 2024 (Second Amendment); and

**WHEREAS**, the parties now want to extend the Agreement for a third, additional 12-month period expiring on September 30, 2025 (Third Amendment); and

**WHEREAS**, executing this Third Amendment is in the best interests of the parties and the residents of Lake County.

**NOW, THEREFORE**, the parties agree as follows:

1. **Legal Findings of Fact.** The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Third Amendment upon adoption hereof.

2. **Amendment.** The Agreement, as previously amended, is hereby amended as follows:

A. **Section 3, *Term*,** is hereby amended to allow for an additional 12-month period and terminating on September 30, 2025, and is hereby amended as follows:

This Agreement shall be in effect for a period beginning October 1, 2019, and ending on September 30, 2025, unless terminated earlier in accordance with the provisions of the Agreement.

B. **Section 13, Paragraph (E), *Appropriation of County Funds for Municipality*,** is hereby amended to provide funding for the additional “Year Six” created by the 12-month extension of the Term under this Third Amendment and is hereby amended to add:

**THIRD AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND CITY OF UMATILLA  
RELATING TO PROVISION OF LIBRARY SERVICES**

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Year Six: The COUNTY shall allocate a base amount of thirty thousand dollars (\$30,000) to assist with funding of programs and services at its participating library.

**3. Effect of Amendment.** All other provisions of the Agreement will remain in full force and effect unless otherwise formally amended by the parties. To the extent this Third Amendment conflicts with the Agreement, this Third Amendment will govern.

**IN WITNESS WHEREOF**, the parties have signed this Third Amendment through their authorized representatives on the dates under each signature.

**COUNTY**

LAKE COUNTY, FLORIDA, through its  
BOARD OF COUNTY COMMISSIONERS

ATTEST:

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

\_\_\_\_\_  
Kirby Smith, Chairman

This \_\_\_\_ day of \_\_\_\_\_, 2024.

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh, County Attorney

**THIRD AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND CITY OF UMATILLA  
RELATING TO PROVISION OF LIBRARY SERVICES**

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**MUNICIPALITY**

CITY OF UMATILLA

ATTEST:

\_\_\_\_\_  
Jessica Burnham, City Clerk

\_\_\_\_\_  
Chris Creech, Mayor

This \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Approved as to form and legality:

\_\_\_\_\_  
Kevin M. Stone, City Attorney



**CITY OF UMATILLA  
AGENDA ITEM STAFF REPORT**

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**DATE:** July 29, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** Final Reading of Ordinance No. 2024-D, Charter Amendments

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**BACKGROUND SUMMARY:**

During the June 2, 2024, Regular City Council meeting, staff provided council with proposed referendum questions for the upcoming 2024 Election. The council gave staff directions to bring back the questions for approval. Ordinance No. 2024-D has nine (9) ballot questions that would be brought to the voters in November.

**RECOMMENDATIONS:**

Determine if the Council wishes to put forth the recommended Charter Amendments to the voters through approval of Ordinance No. 2024-D

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Ordinance No. 2024-D, Charter Amendments 20240711 kms
  2. BIE\_Charter Amendment Ord. 2024-D
-

**ORDINANCE 2024-D**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROPOSING AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR SUBMISSION OF PROPOSED AMENDMENTS OF THE CITY CHARTER TO THE ELECTORS OF THE MUNICIPALITY PURSUANT TO SECTION 166.031, FLORIDA STATUTES; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER UPON ADOPTION OF AMENDMENTS BY A MAJORITY OF THE ELECTORS VOTING IN A REFERENDUM; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Charter of the City of Umatilla and Section 166.031, Florida Statutes, require a referendum by the electors of the City of Umatilla to effect a change to the City Charter; and

**WHEREAS**, the City Council of the City of Umatilla has determined to submit certain proposed charter amendments for approval or disapproval by the electors.

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

**Section 1. AMENDMENTS.**

(NOTE: Underlined words constitute additions to the original text of the Charter; strikethroughs constitute deletions to the original text of the Charter; and asterisks (\*\*\*) indicate omission from the original text of the Land Development Code which is intended to remain unchanged.)

A new section 5 of Article III of the City Charter is hereby created to read as follows:

- (a) Beginning with respect to the regular election in November, 2028 there shall be three (3) geographic City Council districts corresponding to City Council seats 1, 2, and 3.
- (b) A person elected to City Council seat 1, 2 or 3 must, throughout the term of office, reside in the district established for such seat as it existed as of the beginning of the term.
- (c) The City Council shall initially adopt and thereafter modify City Council districts by the enactment of an ordinance under such processes and procedures, and with the advice of such redistricting advisory committees and/or consultants, the City Council may deem to be desirable. Each City Council district shall be formed from reasonably compact contiguous territory with boundary lines following centers of streets, all to the extent practicable. Due consideration shall be given to maintaining the geographical integrity of neighborhoods and developments within

the individual districts. Districts shall be constructed so as to comply with applicable law. The City Council shall consider the multiple constitutional principles involved in the electoral process and, to the extent allowed by law, shall give due regard for the opportunity of minority representation on the City Council. The City Council shall initiate a redistricting process for City Council districts within thirty (30) days after the receipt of the official U.S. Bureau of the Census data every ten (10) years so as to finalize the redistricting process 270 days in advance of the next regular City election. In the event the redistricting process is not completed prior to 270-day advance period, the City Council shall accomplish the redistricting process as soon as is reasonably possible thereafter. The official U.S. Bureau of the Census data shall be considered in redistricting City Council districts in compliance with state and federal standards.

- (d) No incumbent council member shall have a term of office cut short by the adoption of a districting or realignment plan.

## **Sec. 5. - City Council Districts and Redistricting.**

Section 12 of Article II of the City Charter is amended to read as follows:

### **Sec. 12. - Officers.**

The officers of the City of Umatilla shall be a ~~Mayor~~, a City Manager, ~~City Clerk~~, a ~~Chief of Police~~, a ~~Fire Chief~~, and five (5) Council Members.

The following sections of Article III of the City Charter are amended to read as follows:

### **Sec. 1. - Membership.**

The City Council shall be divided into five (5) council seats designated numerically Council Seat One, Council Seat Two, Council Seat Three, Council Seat Four, and Council Seat Five. It is the intent of this act that City Council members shall hold their office for a term of four (4) years, ~~however, in order to harmonize the terms of the present members of the City Council with the procedures established by this act and to coordinate the City's regular elections with elections held by Lake County, it is necessary for the initial terms of Council Members to be staggered as set forth below.~~ Council Members shall have term limits of three ~~twelve~~ consecutive terms years. For the purposes of this term limit, a partial term resulting from appointment to fill a vacancy shall not be counted as a term; any other partial term shall be counted as though the full term were served. A person who reaches a term limit becomes ineligible for election or appointment, but shall regain eligibility for election or appointment after one full term out of office. ~~or three terms whichever occurs first. Service as council members, which commenced prior to the effective date of the Term Limit~~

~~Amendment will be counted toward the twelve consecutive years or three term limitation. The City Council members who are serving on the effective date of the Charter Amendment shall continue to serve through the balance of their terms.~~

## **Sec. 2. - Selection.**

~~The first regular election under this act shall be held on the first Tuesday after the first Monday of November 2008, at which time an election for Council Seat Four and Council Seat Five will be held, and the term of these seats will continue to be two (2) years. However, commencing at the election held on the first Tuesday after the first Monday of November 2010, Council Seat Four and Council Seat Five will thereafter hold their office for a term of four (4) years.~~

~~The second regular election under this act shall be held on the first Tuesday after the first Monday of November 2009, at which time an election for Council Seat One, Council Seat Two and Council Seat Three will be held, and the term of these seats will be three (3) years. However, commencing at the election held on the first Tuesday after the first Monday of November 2012, Council Seat One, Council Seat Two and Council Seat Three will thereafter hold their office for a term of four (4) years.~~

~~Each elected Council member of such officers or councilmen, elected thereto, shall be inducted into office and their terms of office shall begin at the opening of the first meeting of the City Council next following the certification of election results at 12:00 o'clock noon of the day of the first regular meeting in January of the next year ensuing. Each such election shall be in accordance with the general laws of the State of Florida and such acts applicable to municipal elections of Lake County, Florida. All electors who shall possess the qualifications requisite to an elector at a general state election and who shall have been a resident of the City of Umatilla as defined in this act for a period of six (6) months next preceding the day of election and who shall have been duly registered in the manner as provided by ordinance, shall be deemed regular voters at any city election. Registration by the State and County Registrar, as provided for the registration of municipal electors by any special or general act of the State of Florida, applicable to the County of Lake shall be deemed a qualified elector of the City of Umatilla when the provisions of the required ordinances of said City have been met.~~

## **Sec. 6. - Meetings.**

~~The first meeting of each newly elected council shall be held at 7:00 p.m. on the first Tuesday immediately following election certification in November, following regular city election of councilmen, after which the Council shall regularly meet at such times as may be prescribed by its rules but not less frequently than once each month. If a regularly scheduled council meeting falls on an election day or a holiday, then the City Council shall reschedule at its discretion. The~~

~~rescheduled meeting must be duly noted and properly advertised. meeting shall be held on Thursday following such election day or holiday.~~ Any regular meeting may be adjourned from day to day. All regular meetings of the Council shall be open to the public and shall be conducted in an orderly manner according to accepted rules of Parliamentary procedure or upon such other rules as may be prescribed by the Council in public announcement.

### **Sec. 8 – Vacancies.**

~~Any vacancy in the Council shall be filled by appointment for the balance of the term until the next regular Municipal election by vote of the remaining members of the Council; provided that if such vacancy is not filled within thirty (30) days after it shall have occurred, it shall be filled by appointment of the Governor. If a vacancy occurs for a Council seat that is designated for district representation, the Council may appoint a person who does not reside in the district so long as the person is otherwise eligible to be a candidate for election.~~

The following sections of Article VI of the City Charter are amended to read as follows:

### **Sec. 5. Declaring Candidacy.**

~~All candidates for election to office in the City shall declare their intention and candidacy and qualify in accordance with consistent with Florida law. to the City Clerk, in writing, upon a form provided by the City Clerk, not less than thirty (30) days prior to the day of the election in which he shall be a candidate. Twenty (20) days prior to each election the City Clerk shall post, at the City Hall, a list of all candidates for election and designate thereon the office which each seeks, and the term thereof.~~

The following sections of Article X of the City Charter are amended to read as follows:

### **Sec. 1. - Department of Records and Finance; Appointment of City Clerk.**

~~There shall be a Department of Records and Finance. The City Clerk Manager shall appoint and manage ~~serve as~~ the Director of the Department of Records and Finance, and shall be appointed by the City Council and serve at the pleasure of the City Council. The City Clerk shall have knowledge of municipal accounting and taxation, shall have had experience in budgeting and financial controls, and shall receive a salary to be fixed by the City Council.~~

### **Sec 2. - Removal.**

~~The City Manager shall have the power t~~To remove the City Clerk, ~~the City Council shall adopt a preliminary resolution stating the reasons for the intended removal and shall offer the City Clerk an opportunity for a public hearing before~~

~~the council on the matters raised by the resolution. This preliminary resolution may also suspend the City Clerk from duty immediately with pay. The City Clerk must accept the offer of a public hearing or file a written response within ten days of the adoption of the preliminary resolution or the resolution becomes final on that date. If the public hearing is requested it shall be held not earlier than 20 days nor later than 30 days after the adoption of the preliminary resolution. After any such public hearing, or after consideration of any written response, the council shall adopt a final resolution of removal or let the preliminary resolution lapse. Notwithstanding the foregoing, the City Council and the City Clerk may enter into a contract with regard to the terms and conditions of the City Clerk's employment, in which case, the provisions therein regarding removal shall govern.~~

**Section 3. Form of Ballot.** The form of ballot for the charter amendments provided in Sections 1 and 2 above shall be as follows:

**A. Ballot Question Number 1: Voting Districts**

City Council is currently comprised of five (5) at-large representatives. The proposed amendments provide that City Council shall be comprised of three (3) district representatives for seats one (1), two (2), and three (3) who reside within and will represent a district and two (2) at-large representatives for seats four (4) and five (5), all of whom will be elected by the City's voters at-large.

Shall the above-described amendments be adopted?

- Yes
- No

**B. Ballot Question Number 2: Department of Records and Finance; Appointment of City Clerk**

Under the current Charter, City Clerk is designated as Director of Records and Finance, appointed by City Council, and required to have knowledge of accounting, taxation, budgeting and financial controls. This responsibility was required before establishing the positions of City Manager and Director Finance and Administration. The proposed amendment to Article X Section 1 authorizes the City Manager to appoint the City Clerk and reallocate duties and qualifications accordingly.

Shall the above-described amendment be adopted?

- Yes
- No

**C. Ballot Question Number 3: Removal**

The City Manager is the City’s chief administrator and operates under direction of the City Council. Per the Charter, the City Council must adopt preliminary and final resolutions, hold public hearings, and offer a public hearing on the matters regarding removal of the City Clerk. The proposed amendment to Article X Section 2 removes these requirements and places the administrative responsibility for the City Clerk to the City Manager.

Shall the above-described amendment be adopted?

- Yes
- No

**D. Ballot Question Number 4: Officers**

Under the current Charter, the officers of the City shall be a Mayor, a City Manager, City Clerk, a Chief of Police, a Fire Chief, and five (5) Council Members. The proposed amendment would eliminate the Mayor, City Clerk, Chief of Police, and Fire Chief as officers of the City. If approved, the officers of the City will be the five (5) Council Members, and the City Manager.

Should the above-described amendment be adopted?

- Yes
- No

**E. Ballot Question Number 5: Meetings**

Under the current Charter, if a regularly scheduled council meeting falls on an election day or a holiday, then the meeting shall be held on Tuesday following such election day or holiday. The proposed amendment would allow the City Council to reschedule at their discretion and require it to be duly noted and properly advertised.

Should the above-described amendment be adopted?

- Yes
- No

**F. Ballot Question Number 6: Declaring Candidacy**

Under the current Charter, candidates for city election shall declare their candidacy to the City Clerk, in writing, upon a form provided by the City Clerk, not less than thirty (30) days prior to the day of the election. The proposed amendment to Article

VI Section 5 would remove the requirement and make candidacy requirements consistent with the rules and dates of the Florida Statutes.

Should the above-described amendment be adopted?

- Yes  
 No

#### **G. Ballot Question Number 7: Elections**

Under the current Charter, there is conflicting language regarding when officers or council members shall be inducted into office. The proposed amendment to Article III Section 2 would eliminate language regarding past elections and amend when officers or council members, elected thereto, shall be inducted into office. The terms of office shall begin on the first Tuesday immediately following election certification in November.

Should the above-described amendment be adopted?

- Yes  
 No

#### **H. Ballot Question Number 8: Membership**

Under the current Charter, Council members are limited to a maximum number of twelve years of consecutive service or three terms, whichever occurs first. The proposed amendment to Article III Section 1 allows former Council members who have served twelve consecutive years, not including years appointed, to regain office four (4) years after the expiration of the last term served.

Should the above-described amendment be adopted?

- Yes  
 No

#### **I. Ballot Question Number 9: Vacancies**

Under the current Charter, Council shall appoint vacancies until the next regular Municipal election; provided that if such vacancy is not filled within thirty (30) days after it shall have occurred, it shall be filled by appointment of the Governor. The proposed amendment to Article III Section 8 would allow Council to appoint vacancies for the remaining portion of that term and allow candidates for appointment to be at-large.

Should the above-described amendment be adopted?

- Yes

No

**Section 4.** All ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 5.** This ordinance shall be effective upon passage on second and final reading; however, the proposed Charter amendments contained herein shall not be effective until adopted by a majority of the qualified voters of the City of Umatilla as certified by the Supervisor of Elections for Lake County, Florida, at which time the amendments shall be adopted.

**Section 6.** Upon adoption of the Charter amendment contained herein, the City Clerk is directed to revise the City Charter to incorporate the amendment and to file the revised Charter with the Secretary of State for the State of Florida.

**Section 7.** If Ballot Question Number 1 relating to districting is passed, the City Council shall pass such ordinance(s) necessary to have districting in place at least 270 days in advance of the first date to qualify for the 2028 regular election of the City. If, however, such ordinance(s) are not passed at least 270 days in advance of the first date to qualify for the 2028 regular election of the City, then Council shall pass such ordinance(s) promptly thereafter provided that all census and other relevant data is available so that districting is in place at least 270 days in advance of the first date to qualify for the following regular election of the City.

**Section 8.** The provisions of this ordinance are intended to be incorporated into the City Charter of the City of Umatilla, Florida, and the sections of this ordinance may be renumbered, re-lettered, and the word “ordinance” may be changed to “section”, “article”, or such other word or phrase in order to accomplish such intention.

**Section 9.** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

**PASSED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the City Council of the City of Umatilla, Florida.

CITY COUNCIL OF THE CITY OF UMATILLA

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Christopher Creech, City Mayor

ATTEST:

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Jessica Burnham, City Clerk FCRM

Approved as to form:

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Kevin Stone, City Attorney



## **Business Impact Estimate**

### **Ordinance 2024-D – Charter Amendments**

**Summary of Ordinance: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROPOSING AMENDMENTS TO THE CITY CHARTER; PROVIDING FOR SUBMISSION OF PROPOSED AMENDMENTS OF THE CITY CHARTER TO THE ELECTORS OF THE MUNICIPALITY PURSUANT TO SECTION 166.031, FLORIDA STATUTES; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER UPON ADOPTION OF AMENDMENTS BY A MAJORITY OF THE ELECTORS VOTING IN A REFERENDUM; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**Ordinance 2024-D provides ballot language for submission to the electors of the City of Umatilla. The purpose of the ordinance is to allow the electors of the City of Umatilla to determine the form of government implemented.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's costs, including estimated revenues from any new charges or fees to cover such costs.

**There is no direct compliance cost that businesses may reasonably incur due to the proposed ordinance. There is no new charge or fee imposed by the proposed ordinance. There is no anticipated regulatory cost associated with the proposed ordinance.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **None.**

4. Additional information the governing body deems useful (if any):  
*[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].*

**The proposed ordinance would submit to the electors of the City of Umatilla proposed amendments to the City Charter and place a referendum on the general election ballot. Per Florida Statutes section 166.031(1) and the City Charter, an adoption of an amendment to the City of Umatilla Charter would require an affirmative vote of a majority of the votes cast by the electors voting in a referendum upon such proposed amendment.**



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE:** August 2, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** First Reading of Ordinance No. 2024-F, State Statute Election Requirement

---

**BACKGROUND SUMMARY:**

Section 166.031(6), Florida Statutes, was added by Chapter 90-315, Laws of Florida, to provide that each municipality in Florida shall provide procedures for filling a vacancy in candidacy caused by death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates for an office. The proposed ordinance amends the City's Code of Ordinances to comply with the state statute. Specifically, the ordinance clarifies when council members shall be sworn into office, what to do in the event there is a vacancy in candidacy, and provides guidance in the event of a lack of a qualified candidate.

**RECOMMENDATIONS:**

Recommend Approval of Ordinance No. 2024-F

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Ordinance 2024 Elections 22-3 8.2.24
  2. Business Impact - Ord No. 2024-F
-

**ORDINANCE 2024 - F**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, HARMONIZING QUALIFICATION PERIODS SET FORTH IN THE CITY CODE WITH THE REVISED QUALIFYING PERIOD SET IN SECTION 99.061, FLORIDA STATUTES; ESTABLISHING A PROCEDURE IN ACCORDANCE WITH SECTION 166.031(6), FLORIDA STATUTES FOR FILLING A VACANCY IN CANDIDACY CAUSED BY DEATH, WITHDRAWAL, OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES FOR AN OFFICE; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN LAND DEVELOPMENT REGULATIONS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Constitution of the State of Florida requires that each municipal legislative body must be elective and that registration and elections in municipalities must be provided by law; and

**WHEREAS**, the Code of Ordinances of the City of Umatilla provides, at Section 22-3, that the qualifying period for the election of officers and councilmembers shall conform to that set in Section 99.061, Florida Statutes for county offices; and

**WHEREAS**, Section 99.061, Florida Statutes was revised by Chapter 2007-30, Laws of Florida, to modify the timing of the qualifying period, and the reference in Section 22-3 of the City Code of Ordinance should be updated to reflect such modification; and

**WHEREAS**, Section 166.031(6), Florida Statutes, was added by Chapter 90-315, Laws of Florida, to provide that each municipality in Florida shall provide procedures for filling a vacancy in candidacy caused by death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates for an office; and

**WHEREAS**, the City Council of the City of Umatilla, Florida has determined that it is in the best interest of the City, its residents, and persons desiring to participate in the democratic process to clarify its Code and ratify its intent to conform the qualifying periods for the election of City officers and councilmembers and, furthermore, to provide for an efficient procedure by which vacancies in candidacy may be filled after the qualifying period; and

**WHEREAS**, the City has reviewed its Code of Ordinances, read this ordinance twice by title, and held a period for public comment whether in favor or opposed to the adoption hereof, and as a result of the foregoing has concluded that the City's Code of Ordinances must be updated, in conformance with Federal and State laws and rules; and

**WHEREAS**, adoption of the following Ordinance is necessary to satisfy the above objectives.

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

**Section 1.** The City Council finds and declares that all statements in the preamble of this Ordinance are true and correct.

**Section 2.** Chapter 22, Section 3 of the Code of Ordinances of the City of Umatilla is hereby amended to read:

(a) The election of officers and councilmembers under this section shall be held on the first Tuesday after the first Monday in November of each year. Each of such officers or councilmembers elected thereto shall be inducted into office and their terms of office shall begin upon taking office in accordance with subsection (b). at 7:00 p.m. of the first regular meeting in January of the next year ensuing. Each such election shall be in accordance with the general laws of the State of Florida and such acts applicable to municipal elections in Lake County, Florida. All electors who shall possess the qualifications requisite as an elector at a general state election and who is a resident of the city on the day preceding election and who have been duly registered in the manner as provided by ordinance, shall be deemed regular voters at any city election. Registration by the state and county registrar, as provided for the registration of municipal electors by any special or general act of the State of Florida, applicable to the County of Lake, shall be deemed a qualified elector of the City of Umatilla, when provisions of the required ordinances of said city have been met. The qualifying period shall conform to that set in section 99.061, Florida Statutes, which sets the period as "any time after noon of the 1<sup>st</sup> day for qualifying, which shall be the 71<sup>st</sup> day prior to the primary election but not later than noon of the 67<sup>th</sup> day prior to the date of the primary election." ~~"the 50<sup>th</sup> day prior to the first primary, but not later than noon of the 46<sup>th</sup> day prior to the date of the first primary"~~.

(b) Taking office. Any person elected to the office city councilmember shall be sworn into office at the next regularly scheduled city council meeting held after the results of the election for that office are declared and certified. The swearing in of council members shall occur at such city council meeting prior to conducting new and old business. The incumbent city councilmembers shall continue to hold their respective offices until their respective successors are sworn into office.

(c) Vacancy in Candidacy. If a vacancy in candidacy is caused by death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period specified in subsection (a), which vacancy leaves fewer than two candidates for an office, the City Clerk shall announce and open a second qualifying period of 5 business days. Within 3 business days of the end of the second qualifying period, the City Clerk shall notify the supervisor of elections of the names of any additional qualified candidates and include them on the ballot.

(d) Lack of qualified candidate. If no candidate qualifies for a specific seat on the city council when such office or seat is up for election, then such office or seat shall be declared vacant by the canvassing board at its meeting following the regular municipal election. Thereafter, the city Council shall take steps to fill such vacancy in accordance with the Charter.

**Section 3. Conflicts of Laws.**

Whenever the requirements or provisions of this ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements shall apply.

**Section 4. Severability.**

If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion of the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision application.

**Section 5. Codification and Inclusion in Land Development Regulations.**

It is the intention of the City Council for the City of Umatilla that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of Umatilla; and that sections of this ordinance may be renumbered or re-lettered and that the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager’s designee, without need or public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christopher R. Creech, Mayor

ATTEST:

Approved as to form:

\_\_\_\_\_  
Jessica Burnham, City Clerk

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

Passed First Reading: \_\_\_\_\_

Passed Second Reading : \_\_\_\_\_



## **Business Impact Estimate Exemption**

### **Ordinance 2024-F**

**Summary of Ordinance:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, HARMONIZING QUALIFICATION PERIODS SET FORTH IN THE CITY CODE WITH THE REVISED QUALIFYING PERIOD SET IN SECTION 99.061, FLORIDA STATUTES; ESTABLISHING A PROCEDURE IN ACCORDANCE WITH SECTION 166.031(6), FLORIDA STATUTES FOR FILLING A VACANCY IN CANDIDACY CAUSED BY DEATH, WITHDRAWAL, OR REMOVAL FROM THE BALLOT OF A QUALIFIED CANDIDATE FOLLOWING THE END OF THE QUALIFYING PERIOD WHICH LEAVES FEWER THAN TWO CANDIDATES FOR AN OFFICE; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, INCLUSION IN LAND DEVELOPMENT REGULATIONS, AND 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 law 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:
  - 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**

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**DATE:** July 25, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** First Reading of Ordinance No. 2024-E RLW Holdings, LLC, Voluntary Annexation

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**BACKGROUND SUMMARY:**

The owner is requesting a voluntary annexation in accordance with Section 171.023 and Section 171.044, FS, and pursuant to the Interlocal Service Boundary Agreement (ISBA) with Lake County which permits the City to annex noncontiguous property.

The subject site is located in the Donna Vista area, adjacent to the Fire Station. The parcel is 0.25 ± acre with an existing 1,674sqft structure formerly utilized as a church and is currently being used as an office.

**RECOMMENDATIONS:**

Approval of Ordinance No. 2024-E - RLW Holding, LLC, Voluntary Annexation

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Project Review Staff Report RLW Donna Vista Annexation
  2. Location Map
  3. Ordinance No. 2024-E, RLW Holdings Annexation
  4. BIE\_Exempt\_RLW Annex
-

**CITY OF UMATILLA**  
**PROJECT REVIEW STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC**  
**ANNEXATION, SSCPA, AND REZONING**

**Owner:** RLW Holdings, LLC, Robert L. Wilson, Manager

**General Location:** West of SR 19, North of Umatilla Place

**Number of Acres:** 0.25 ± acres

**Existing Zoning:** Lake County Commercial (C-2)

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

**Proposed Zoning:** City of Umatilla Residential Professional (RP)

**Proposed Land Use:** Commercial

**Date:** June 5, 2024

**Description of Project**

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 0.25 ± acre site. The subject site is within the ISBA and voluntary annexation is sought for non-contiguous property. The subject site is developed with one (1) structure (1674 SF) formerly utilized as a church and is currently used as an office.

**Assessment**

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**Annexation**

Voluntary annexation is being requested in accordance with Section 171.023 and Section 171.044, FS, and pursuant to the Interlocal Service Boundary Agreement (ISBA) with Lake County which permits the City to annex noncontiguous property, therefore, the property is eligible for annexation.

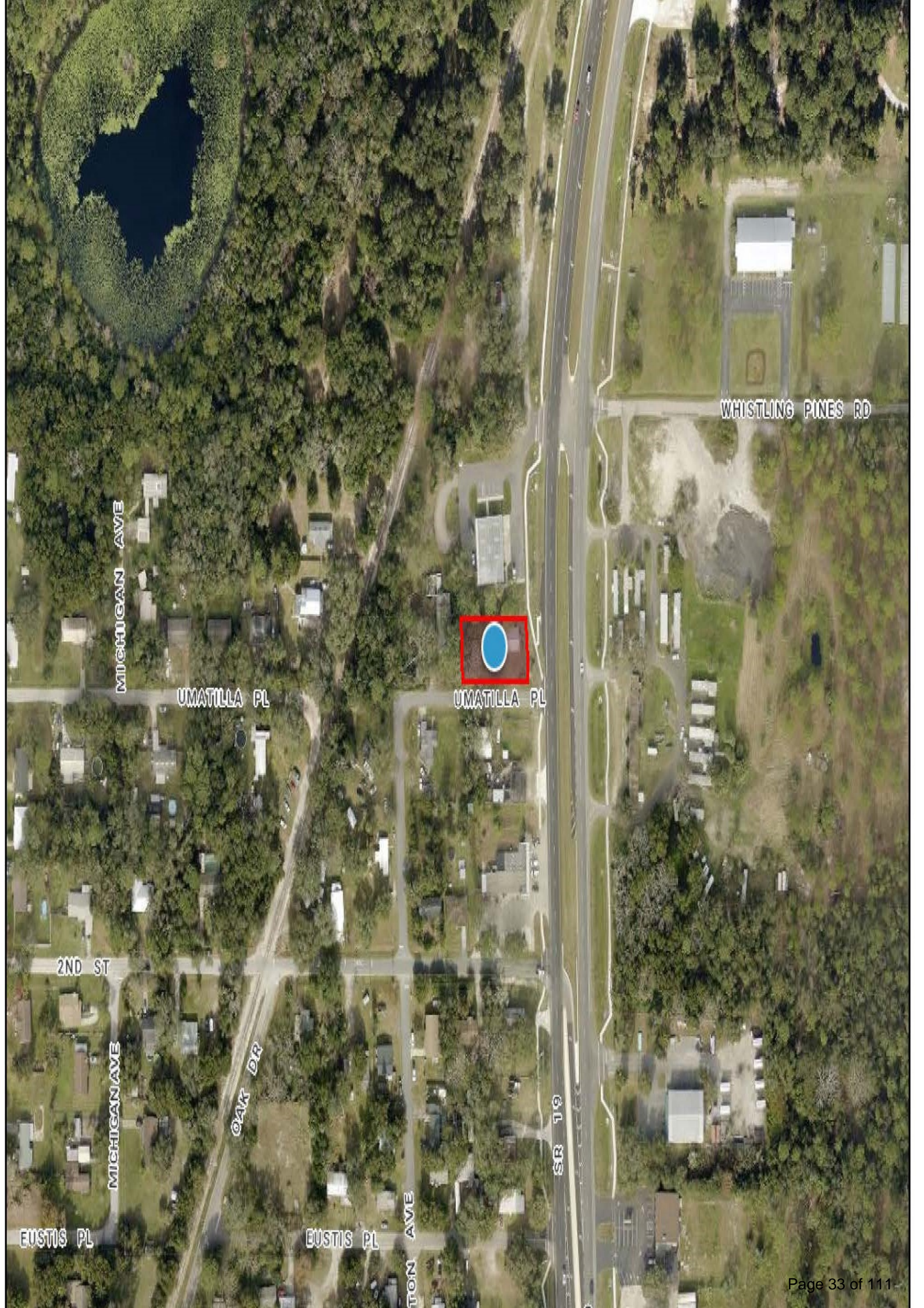
**Recommendation**

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**Annexation**

The subject property is within the ISBA which allows for voluntary non-contiguous annexations; therefore, the property is eligible for annexation. Staff recommends approval.



MICHIGAN AVE

WHISTLING PINES RD

UMATILLA PL

UMATILLA PL

2ND ST

MICHIGAN AVE

OAK DR

SR 19

EUSTIS PL

EUSTIS PL

TONN AVE

**ORDINANCE 2024-E**

**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, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.25 ± ACRES OF LAND GENERALLY LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; 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 0.25 acres of land generally located west of SR 19 and north of Umatilla Place (“Property”) by Robert L. Wilson, as Manager of the RLW Holdings, LLC (“Owner”); and

**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 located within the Interlocal Service Boundary Agreement (ISBA) with Lake County area.

**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 0.25 acres of land generally located West of SR 19 and north of Umatilla Place, is hereby incorporated into and made part of the City of Umatilla Florida. The property is more particularly described and depicted as set forth below and as depicted on the map attached hereto as Exhibit “A” and incorporated herein by reference.

**LEGAL DESCRIPTION:** Lots 9, 10, and 11, Block 1, Eustis Park Subdivision “A”, according to the Plat thereof, recorded in Plat Book 8, Pages(s) 13 of the Public Records of Lake County, Florida.

**Alternate Key # 1428483**

**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christopher Creech, Mayor  
City of Umatilla, Florida

ATTEST:

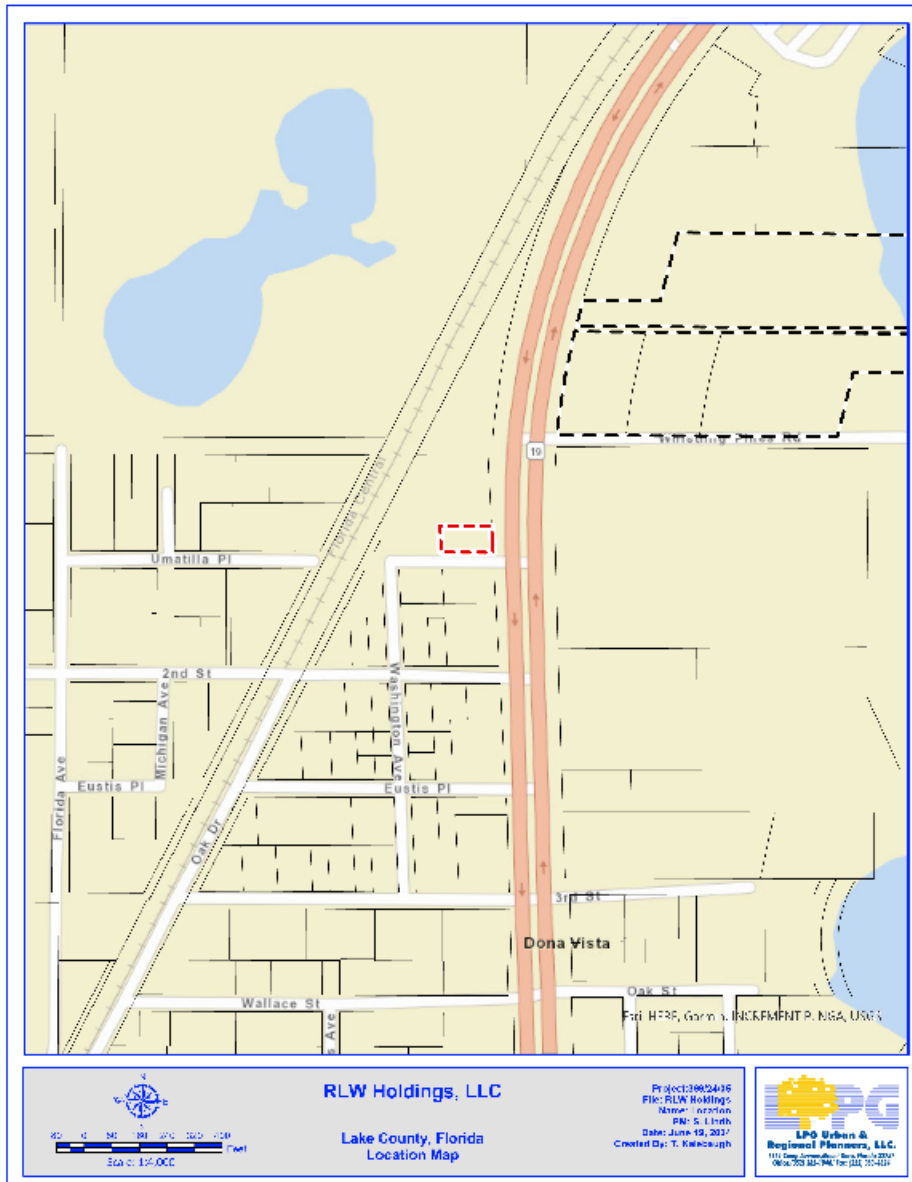
Approved as to Form:

\_\_\_\_\_  
Jessica Burnhams  
City Clerk

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

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)

EXHIBIT "A"





## **Business Impact Estimate Exemption**

**Title: Ordinance 2024-E**

**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, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.25 ± ACRES OF LAND GENERALLY LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; 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 law<sup>1</sup> 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:
  - 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.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE: July 25, 2024**

**MEETING DATE: August 6, 2024**

**SUBJECT: First Reading of Ordinance No. 2024-E1 RLW Holdings, LLC - Small Scale Comprehensive Plan Amendment**

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**BACKGROUND SUMMARY:**

The owner is seeking a small scale comp plan amendment for a 0.25 ± acre site. The subject site is developed with one (1) structure (1,674 SF) formerly utilized as a church and is currently used as an office.

The applicant is requesting an amendment from Lake County Urban Low Density to City Commercial, which allows for commercial uses on 0.25 ± acres. The existing adjacent County Land Use is also Urban Low Density. SR 19 is designated as a commercial corridor pursuant to the Lake County Comprehensive Plan.

The proposed City Commercial FLUM category is compatible with the adjacent properties, provides for the continued commercial use, and is consistent with the comprehensive plan.

**RECOMMENDATIONS:**

Approval of Ordinance No. 2024-E1, RLW Holdings, LLC, Small Scale Comp Plan Amendment

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Project Review Staff Report RLW Donna Vista SSCPA
  2. Location Map
  3. City FLUM
  4. Ordinance No. 2024-E1, RLW Holdings SSCA
  5. BIE\_Exempt\_RLW SSCP
-

**CITY OF UMATILLA**  
**PROJECT REVIEW STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC**

**Small Scale Comp Plan Amendment**

**Owner:** RLW Holdings, LLC, Robert L. Wilson, Manager

**General Location:** West of SR 19, North of Umatilla Place

**Number of Acres:** 0.25 ± acres

**Existing Zoning:** Lake County Commercial (C-2)

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

**Proposed Zoning:** City of Umatilla Residential Professional (RP)

**Proposed Land Use:** Commercial

**Date:** June 5, 2024

**Description of Project**

The owner is seeking annexation, small scale comp plan amendment and rezoning for a 0.25 ± acre site. The subject site is within the ISBA and voluntary annexation is sought for non-contiguous property. The subject site is developed with one (1) structure (1674 SF) formerly utilized as a church and is currently used as an office.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	Lake County CFD	Conservation
<b>South</b>	Lake County C-2	Lake County Urban Low Density (4 unit/net acre)
<b>East</b>	Lake County C-2	Lake County Urban Low Density (4 unit/net acre)
<b>West</b>	Lake County CFD	Lake County Urban Low Density (4 unit/net acre)

**Assessment**

**Small Scale Comprehensive Plan Map Amendment**

The applicant is requesting an amendment from Lake County Urban Low Density (4 units/net acres with a maximum FAR of 0.25 and a maximum ISR of .60) which allows for commercial uses per FLU Policy I-1.3.2 and Policy I-1.3.10) to City Commercial on 0.25 ± acres. The existing adjacent County Land Use is

also Urban Low Density. SR 19 is designated as a commercial corridor pursuant to the Lake County Comprehensive Plan (FLU Policy I-1.3.10.6).

The proposed City Commercial category is compatible with the adjacent properties, provides for the continued commercial use, and is consistent with the comprehensive plan (FLU Policy 1-1.3.1 and 1-1.3.2). 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 1 residential unit and 2,812 SF of commercial and a maximum ISR of 6,750 SF. The proposed land use of Commercial allows the maximum development potential of 8,437 SF based on Impervious Surface Ratio (ISR) per FLU Policy 1-2.1.1. The net result is a reduction of 1 residential unit and an increase of ISR of 1,687 SF (It should be noted that the City does not have a maximum FAR established).

The data and analysis indicate that there is a need for additional commercial lands to meet the projected need for the planning year 2035. The addition of 0.25 acres would assist in meeting this need.

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

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

10. General Commercial – 75% maximum impervious surface ratio per parcel, which includes building coverage. Development shall be limited to retail sales and services as defined in Policy 1-2.3.1. Residential uses may be permitted 2<sup>nd</sup> floor or above up to 12 dwelling units/acre.

**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 1-1.3.1: Criteria for Identifying Commercial Sites.**

The location and distribution of commercial land use categories delineated on the Future Land Use Map shall be determined according to the following criteria:

1. Ease of access and egress from major thoroughfares to commercial sites and ability to achieve a functional internal circulation and off-street parking system;
2. Ability to comply with adopted performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, noise, odor, and generation of hazardous waste or products;

3. Development/land uses that are likely to generate toxic, hazardous or industrial waste will be prohibited from utilizing septic tanks and must be served by a centralized sanitary sewer system;
4. Demand on existing and planned public services, utilities, water resources, and energy resources;

**Policy 1-1.3.2: General Pattern of Commercial Land Use.**

Three commercial land use categories shall be designated on the Future Land Use Map: Commercial General, Commercial Wholesale, and Commercial Tourist. Higher intensive commercial activities shall be directed toward the existing business district located near S.R. 19 (Central Avenue). These commercial categories serve to prevent high intensive commercial uses from dispersing throughout the rest of the City.

**Policy 1-2.3.1: Commercial Designations.**

Land shall be allocated on the Future Land Use Map for three commercial types: Commercial General, Commercial Wholesale, and Commercial Tourist.

1. General Commercial. This land use category is generally limited to retail sales and services, which is defined as establishments engaged in the selling of products and services to the public for personal or household consumption, including but not limited to beauty/barber shops, laundries and dry cleaning stores, clothing stores, drug stores, home electronic equipment, food/grocery stores, professional services, and sporting goods. Wholesale commercial uses will be allowed under certain conditions such as: the wholesale use must be incidental to the primary retail use. Industrial land uses are prohibited. Residential uses may be permitted at 2<sup>nd</sup> floor or above up to 12 units/ac subject to overlay zoning. Public facilities as outlined in Policy 1-2.1.2 shall be allowed. The intensity standard for this land use category is limited to a maximum of 75% impervious surface ratio per parcel for new construction and 100% for existing development, which includes building coverage, and a maximum building height of 48 feet.

**Policy 1-2.3.2: Allocation of Commercial Land.**

The Future Land Use Map shall designate lands for commercial uses to accommodate an identified need to assure that commercial acreage allocations do not create a shortage of commercial land.

**TRIP GENERATION ANALYSIS**

A trip generation analysis was conducted on the existing and proposed land use utilizing a maximum development scenario. The result indicates that the amendment would have a de minimis impact (10 new daily trips and 1 additional PM Park Hour Trip). SR 19 is designated as an arterial roadway with an adopted Level of Service (LOS) of D. The amendment will not degrade the LOS.

**Proposed Land Use Program**

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Office	8.4	710	96	11	2	9

<b>TOTAL GROSS TRIPS (PROPOSED)</b>	<b>96</b>	<b>11</b>	<b>2</b>	<b>9</b>
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\* 11<sup>th</sup> Edition

**Existing Land Use Program**

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	1 Unit	210	9.43	1	1	0
Office	6.7	710	77	9	1	7
<b>TOTAL GROSS TRIPS (EXISTING)</b>			<b>86.43</b>	<b>10</b>	<b>2</b>	<b>7</b>

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

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
<b>TOTAL NET TRIPS (PROPOSED – EXISTING)</b>	<b>1</b>	<b>0</b>	<b>2</b>

**School Impact Analysis** – The amendment will decrease school age children by 1 student.

**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 negative capacity of -0.03 MGD (includes Umatilla Colonial, LLC 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 2024.

**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 166,000 gallons per day (0.166 MGD) with a remaining capacity of 132,000 gallons per day (0.132 MGD). The proposed amendment would not cause a deficiency in the City’s Level of Service standards and the city would have 131,800 gallons per day (0.1318 MGD) remaining (Table 2).

### ***Solid Waste Analysis***

The LOS for solid waste is 5 lbs per day per capita. The estimated employees are 2 and the estimated solid waste is 10 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

### ***Environmental Analysis***

The subject site is currently developed and is not located within the 100-year flood plain.

### **Recommendation**

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The proposed amendment to Commercial 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.

**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						-0.03 *
RLW Holdings, LLC	0.25	Urban Low (4 units/acre and 0.25 FAR, .60 ISR) 1 residential unit 6,750 SF	Commercial (.75 ISR)	8,437 SF	0.0002	
Total	0.25					-0.0302

\*Includes Umatilla Colonial Amendment

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gpdpc  
Commercial based on 850 gpd per acre

**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						0.132*
RLW Holdings, LLC	0.25	Urban Low (4 units/acre and 0.25 FAR, .60 ISR) 1 residential unit 6,750 SF	Commercial (.75 ISR) 8,437 SF	8,437 SF	0.0002	
	0.25					0.1318

\*Includes Umatilla Colonial, LLC Amendment

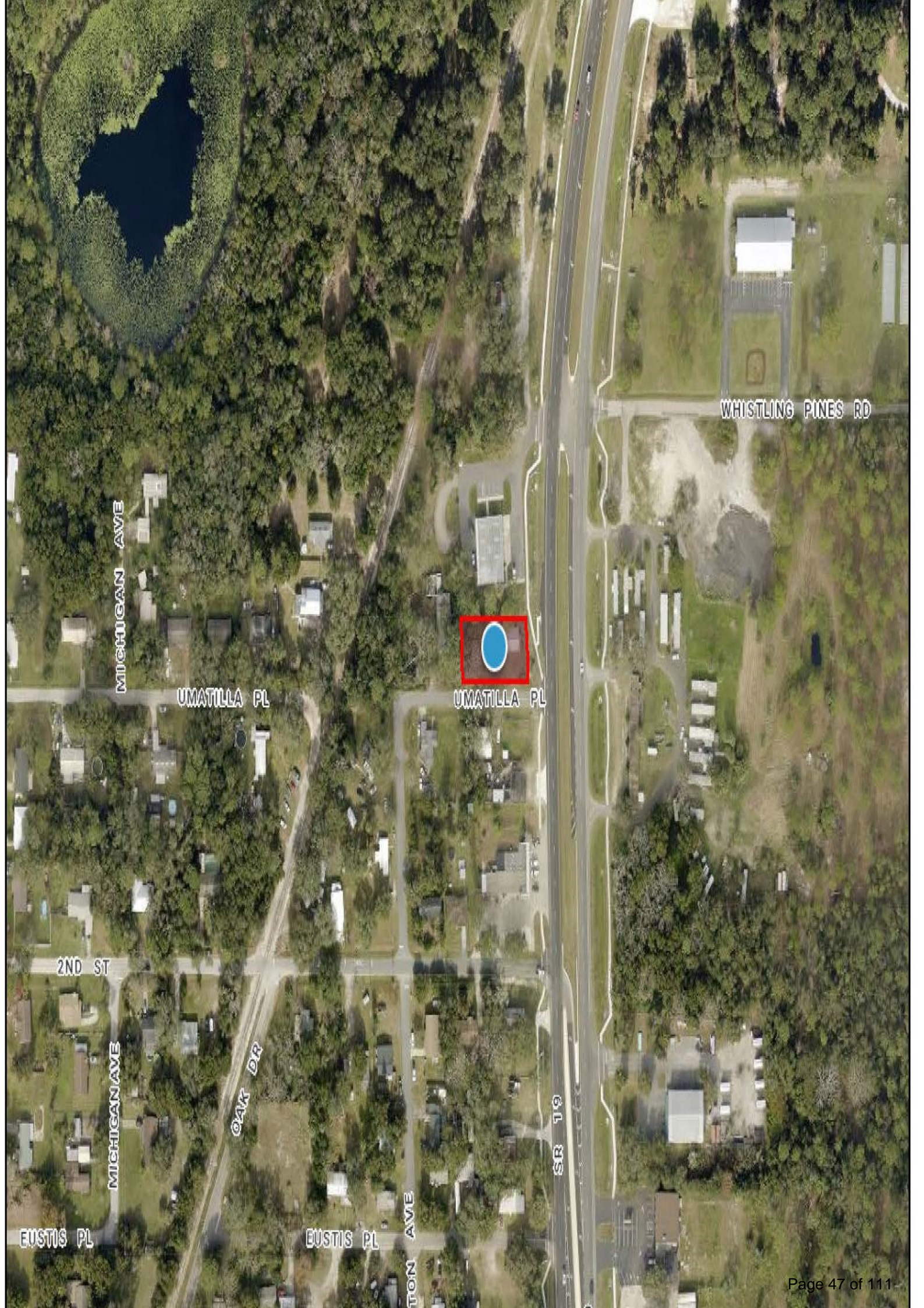
Estimated wastewater demand based on PF Policy 4-1.2.1 of LOS of 100 gpdpc  
Commercial based on 850 gpd per acre

**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					0.287*
RLW Holdings, LLC	0.25	Commercial (.75 ISR) 8,437 SF	8,437 SF	.0002	0.0002
Total	0.25				0.286

Includes Umatilla Colonial, LLC Rezoning

Estimated water demand based on PF Policy 4-1.10.1 of LOS of 150 gpdpc  
Commercial based on 850 gpd per acre



MICHIGAN AVE

UMATILLA PL

UMATILLA PL

WHISTLING PINES RD

2ND ST

MICHIGAN AVE

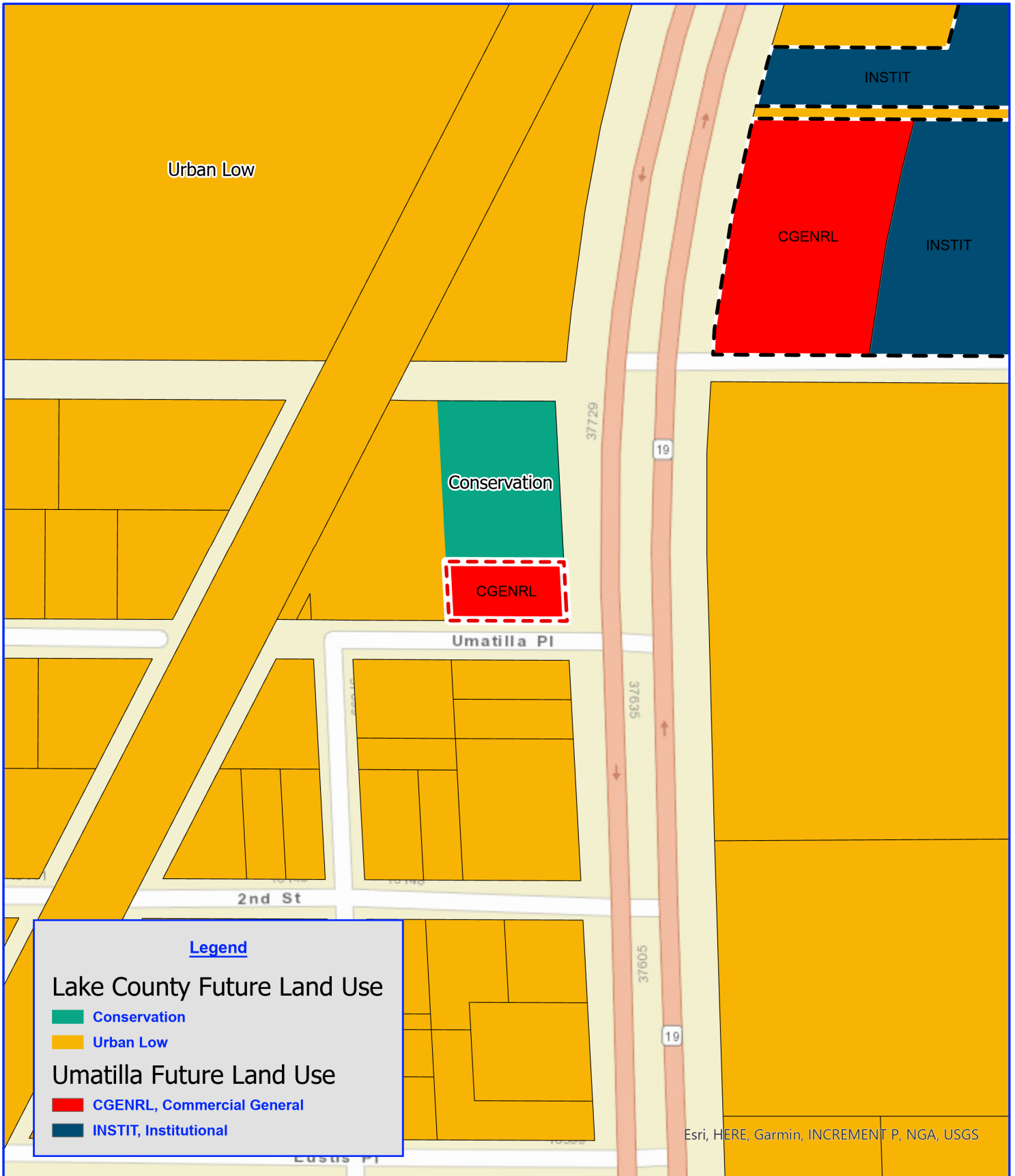
OAK DR

EUSTIS PL

EUSTIS PL

TONN AVE

SR 19



Legend

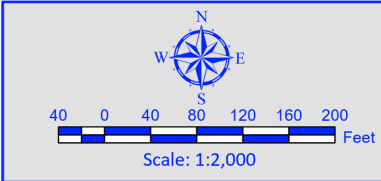
**Lake County Future Land Use**

- Conservation
- Urban Low

**Umatilla Future Land Use**

- CGENRL, Commercial General
- INSTIT, Institutional

Esri, HERE, Garmin, INCREMENT P, NGA, USGS



**RLW Holdings, LLC**

Lake County, Florida  
Proposed Future Land Use Map

Project: 399/24/05  
File: RLW Holdings  
Name: FLU  
PM: S. Lindh  
Date: June 19, 2024  
Created By: T. Kalebaugh

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

**ORDINANCE 2024-E1**

**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 0.25 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY COMMERCIAL TO CITY GENERAL COMMERCIAL IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW HOLDINGS, LLC LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; 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 Robert L. Wilson as manager of RLW Holdings, LLC, (“Owner”) requesting that real property within the city limits of the City of Umatilla (“City”) be assigned a Land Use designation from Lake County Commercial to City of Umatilla General Commercial per the City’s Comprehensive Plan; and

**WHEREAS**, the Land Use amendment would facilitate commercial 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 City’s Local Planning Agency has reviewed the proposed Land Use amendment to the Comprehensive Plan and provided recommendations to the City Council ; and

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

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

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

**Section 1: Purpose and Intent.**

That the Land Use designation of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be amended from Lake County Commercial to General Commercial, as depicted on the map attached hereto as Exhibit “A”, and as defined in the City’s Comprehensive Plan.

**PROPERTY LEGAL DESCRIPTION:** Lots 9, 10, and 11, Block 1, Eustis Park Subdivision ‘A’, according to the Plat thereof, recorded in Plat Book 8, Pages(s) 13 of the Public Records of Lake County, Florida. (“Property”) Alternate Key # 1428483.

- A. That a copy of this Land Use amendment shall be filed in the City Clerk’s office 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. The City Clerk is hereby directed to transmit a copy of this Ordinance to the appropriate governmental agencies pursuant to Chapter 163, Florida Statutes.
- C. 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 City's Comprehensive Plan Land Use Map.

**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christopher Creech, Mayor  
City of Umatilla, Florida

ATTEST:

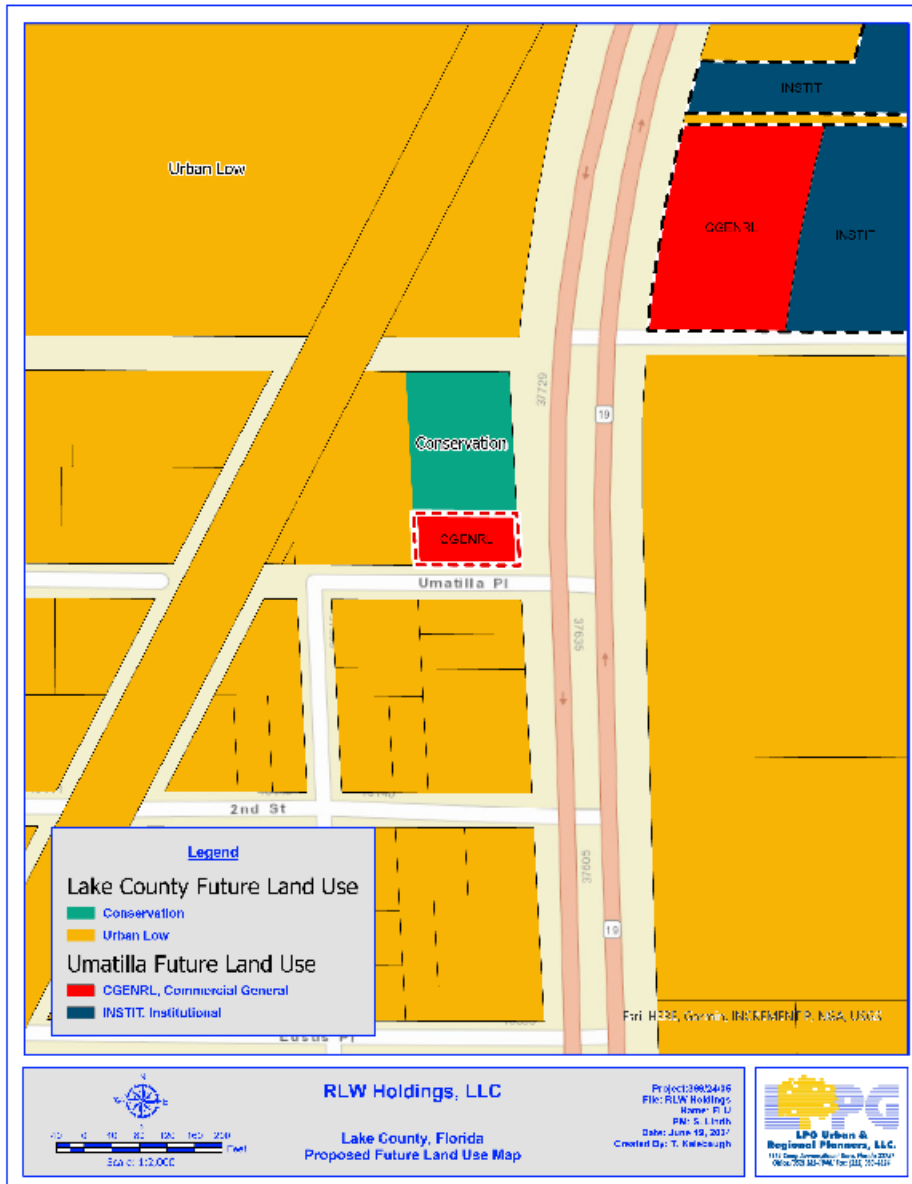
Approved as to Form:

\_\_\_\_\_  
Jessica Burnham, CMC  
City Clerk

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

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)

EXHIBIT "A"





## **Business Impact Estimate Exemption**

**Title: Ordinance 2024-E1**

**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 0.25 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY COMMERCIAL TO CITY GENERAL COMMERCIAL IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY RLW HOLDINGS, LLC LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; 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 law<sup>1</sup> 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:
  - 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.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE:** July 25, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** First Reading of Ordinance No. 2024-E2, RLW Holdings, LLC, Rezoning

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**BACKGROUND SUMMARY:**

The owner is seeking rezoning of a 0.25 ± acre site from Lake County Commercial (C-2) to City Residential Professional District (RP). The subject site is within the ISBA and voluntary annexation is sought for non-contiguous property. The subject site is developed with one (1) structure (1674 SF) formerly utilized as a church and is currently used as an office.

**RECOMMENDATIONS:**

Approval of Ordinance No. 2024-E2, RLW Holdings, LLC, Rezoning

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Project Review Staff Report RLW Donna Visata Rezoning
  2. Location Map
  3. City Zoning
  4. Ordinance No. 2024-E2, RLW Holdings Zoning
  5. BIE\_Exempt\_RLW Rezoning
-

**CITY OF UMATILLA**  
**PROJECT REVIEW STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, LLC**

**REZONING**

**Owner:** RLW Holdings, LLC, Robert L. Wilson, Manager

**General Location:** West of SR 19, North of Umatilla Place

**Number of Acres:** 0.25 ± acres

**Existing Zoning:** Lake County Commercial (C-2)

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

**Proposed Zoning:** City of Umatilla Residential Professional (RP)

**Proposed Land Use:** Commercial

**Date:** June 5, 2024

**Description of Project**

The owner is seeking rezoning of a 0.25 ± acre site from Lake County Commercial (C-2) to City Residential Professional District (RP). The subject site is within the ISBA and voluntary annexation is sought for non-contiguous property. The subject site is developed with one (1) structure (1674 SF) formerly utilized as a church and is currently used as an office.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	Lake County CFD	Conservation
<b>South</b>	Lake County C-2	Lake County Urban Low Density (4 unit/net acre)
<b>East</b>	Lake County C-2	Lake County Urban Low Density (4 unit/net acre)
<b>West</b>	Lake County CFD	Lake County Urban Low Density (4 unit/net acre)

**Assessment**

**Rezoning**

The applicant is requesting that the site be rezoned from Lake County Commercial (C-2) to City Residential Professional District (RP). The rezoning to RP is compatible with the adjacent zonings of C-2

and CFD. The existing lot does meet the minimum lot size requirement of the RP zoning district which is 10,000 SF lot with 100' of road frontage. The subject site has approximately 76' along SR 19 and is 11,250 SF and would be considered a non-conforming lot and subject to the city's non-conforming provisions (Chapter 3, Section 7). The existing development meets the setback requirements of the zoning district (50' front, 10' side and 15' rear) with the exception of the front setback. The front setback is approximately 16'.

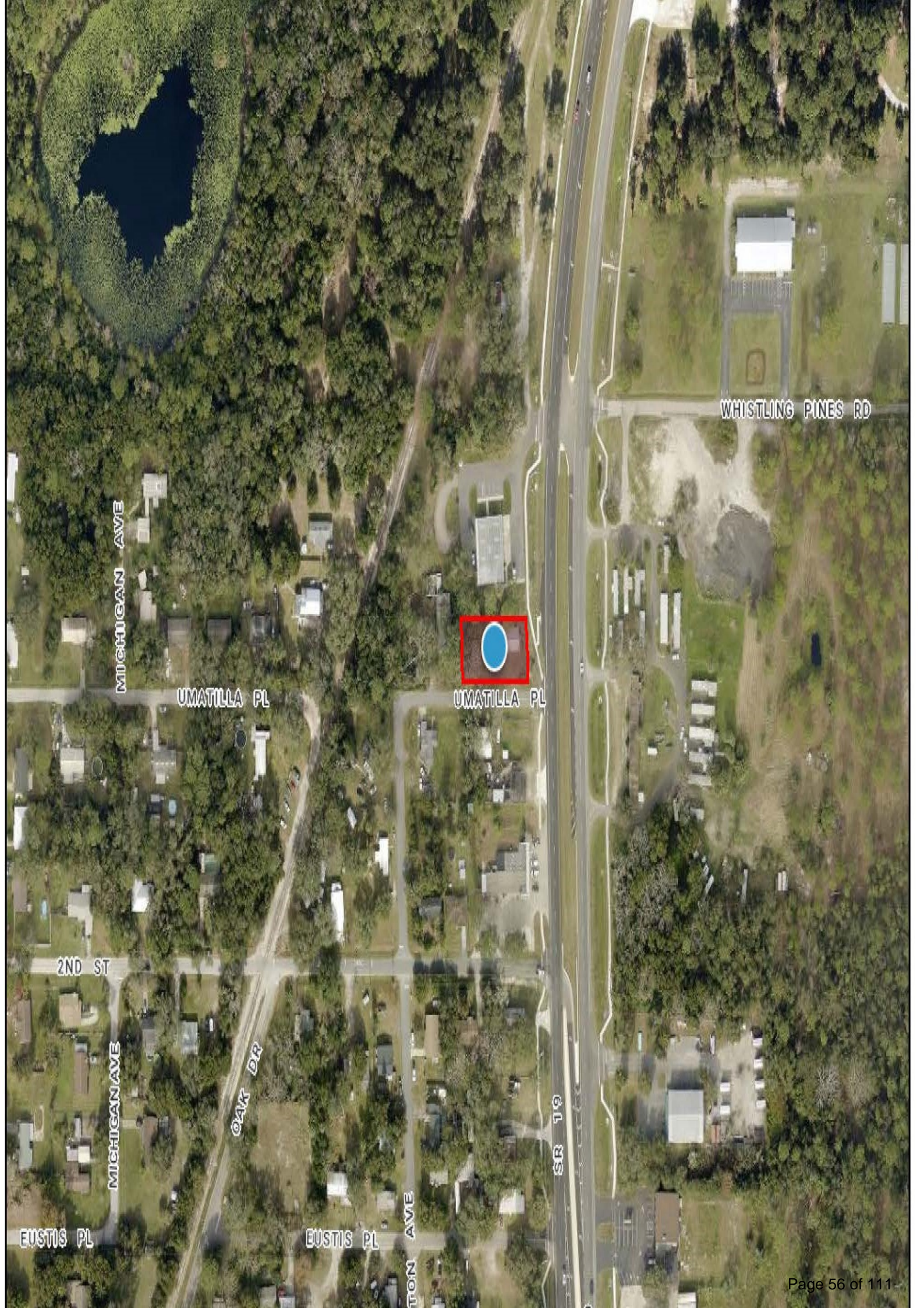
**Recommendation**

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The proposed rezoning of Residential Professional (RP) is consistent with the comprehensive plan and land development regulations regarding non-conforming provisions as previously outlined. Concurrency review based on the proposed zoning and current usage indicates that there is sufficient water capacity to serve the proposed development.

Staff recommends approval.



MICHIGAN AVE

UMATILLA PL

UMATILLA PL

WHISTLING PINES RD

2ND ST

MICHIGAN AVE

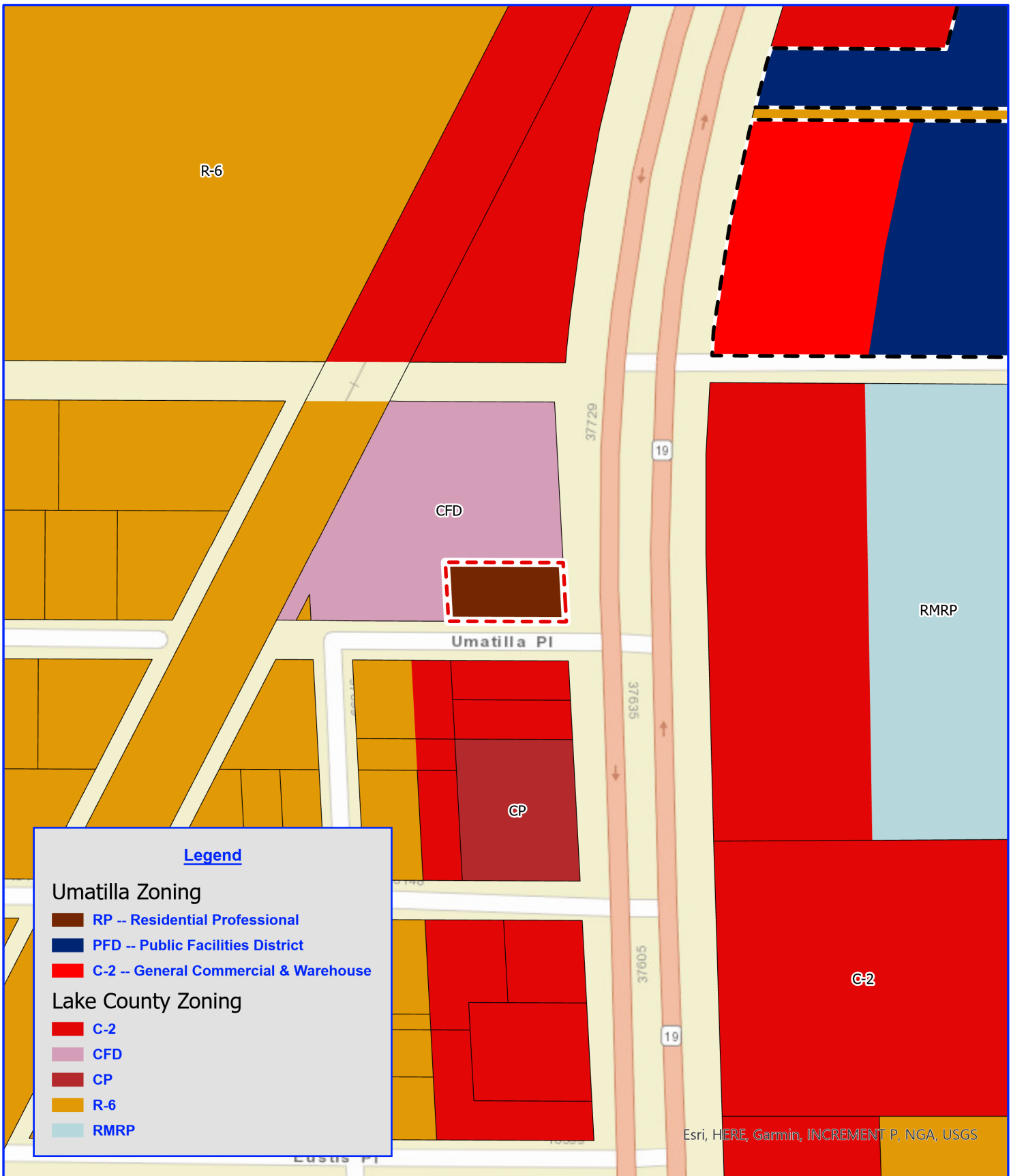
OAK DR

EUSTIS PL

EUSTIS PL

TON AVE

SR 19



**Legend**

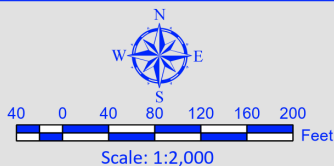
**Umatilla Zoning**

- RP -- Residential Professional
- PFD -- Public Facilities District
- C-2 -- General Commercial & Warehouse

**Lake County Zoning**

- C-2
- CFD
- CP
- R-6
- RMRP

Esri, HERE, Garmin, INCREMENT P, NGA, USGS



**RLW Holdings, LLC**

**Lake County, Florida  
Proposed Zoning Map**

Project: 399/24/05  
 File: RLW Holdings  
 Name: Zoning  
 PM: S. Lindh  
 Date: June 19, 2024  
 Created By: T. Kalebaugh



**ORDINANCE 2024-E2**

**AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, REZONING 0.25 ± ACRES OF LAND ZONED LAKE COUNTY COMMERCIAL (C-2) TO RESIDENTIAL PROFESSIONAL (RP) FOR PROPERTY OWNED BY RLW HOLDINGS, LLC, GENERALLY LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; PROVIDING FOR SEVERABILITY AND SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a petition has been submitted by Robert L. Wilson, as manager of RLW Holdings, LLC, to rezone approximately 0.25 acres of land from Lake County Commercial (C-2) to the City of Umatilla’s (“City”) Residential Professional (RP) District; and

**WHEREAS**, the petition bears the signature of all required parties; and

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

**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; and

**WHEREAS**, upon review, certain terms pertaining to the development of the below-described property has been duly approved.

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

**Section 1: Purpose and Intent.**

The zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be rezoned as Residential Professional District (RP), as defined in the City’s Land Development Regulations.

**PROPERTY LEGAL DESCRIPTION:**

Lots 9, 10, and 11, Block 1, Eustis Park Subdivision “A”, according to the Plat thereof, recorded in Plat Book 8, Pages(s) 13 of the Public Records of Lake County, Florida. (“Property”)

Alternate Key # 1428483

**Section 2: Zoning Classification.**

The Property shall be designated as RP, Residential Professional, in accordance with the City’s Land Development Regulations, as amended.

**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christopher Creech, Mayor  
City of Umatilla, Florida

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Jessica Burnham, CMC  
City Clerk

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

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)





## **Business Impact Estimate Exemption**

**Title: Ordinance 2024-E2**

**Summary of Ordinance:**

**AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, REZONING 0.25 ± ACRES OF LAND ZONED LAKE COUNTY COMMERCIAL (C-2) TO RESIDENTIAL PROFESSIONAL (RP) FOR PROPERTY OWNED BY RLW HOLDINGS, LLC, GENERALLY LOCATED WEST OF SR 19 AND NORTH OF UMATILLA PLACE; 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 law<sup>1</sup> 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:
  - 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.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE:** July 29, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** Resolution No. 2024-11, SRF Amendment #5 to loan Agreement WW350752

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**BACKGROUND SUMMARY:**

This is the fifth and final amendment to the City's SRF Loan Agreement for the sewer forcemain project to Eustis. As outlined in the attached amendment, final loan and payment terms are finalized as follows:

The total Loan Payments is \$1,150,405, consisting of unpaid principal of the Loan of \$1,067,004 and a service fee charge of \$83,401.

The Semiannual Loan Payment amount, adjusted to account for repayments received to date, is hereby revised and shall be in the amount of **\$19,498.39**. Such payments shall be received by the Department on August 15, 2024, and semiannually thereafter on February 15 and August 15 of each year until all amounts due hereunder have been fully paid.

**RECOMMENDATIONS:**

Approve Resolution 2024-11 SRF Amendment 5 to Loan Agreement WW350752

**FISCAL IMPACTS:**

Reduction in total loan amount by \$52,213 and reduction in semi-annual debt service payments to \$19,498.39.

**ATTACHMENTS:**

1. Resolution No. 2024 -11 Amend 5 WW350752
  2. Umatilla - WW350752 - A5 - Final
-

**RESOLUTION 2024-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, LAKE COUNTY, FLORIDA, ACCEPTING AMENDMENT 5 TO STATE REVOLVING FUND PROGRAM CONSTRUCTION LOAN AGREEMENT WW350752; DESIGNATING AUTHORIZED REPRESENTATIVES, PROVIDING ASSURANCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Umatilla City Council desires to finalize construction and financing of the Wastewater Interconnect with the City of Eustis (the Project”); and

**WHEREAS**, the City Council adopting Resolution 2021-04 entering into a Construction Loan Agreement (WW350752) (“Loan Agreement”) with the Florida Department of Environmental Protection (“Department”); and

**WHEREAS**, the City and the Department have amended the Loan Agreement from time to time as necessary to accommodate actual construction costs and construction schedule; and

**WHEREAS**, the City and the Department desire to further amend the Loan Agreement to modify the repayment terms to accommodate the City’s construction schedule; and

**WHEREAS**, the City and the Department further desire to amend the Loan Agreement to incorporate certain required assurances that the City will comply with all Title VI requirements of the Civil Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Equal Opportunity requirements (Executive Order 11246, as amended) which prohibit activities that are intentionally discriminatory or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex (the “Civil Rights Assurances”).

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

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

**SECTION 2.** The proposed Amendment 5 to Loan Agreement WW350752 (“Amendment 5”) is attached as Exhibit “A” and incorporated herein by reference.

**SECTION 3.** Amendment 5 is hereby accepted by the City. The Umatilla Mayor is hereby designated and instructed to execute Amendment 5 on behalf of the City.

**SECTION 4.** The City Manager is designated as the authorized representative to provide assurances and commitments required by the Loan Agreement and shall be responsible for the City’s compliance with the Civil Rights Assurances.

**SECTION 5.** If any section or portion of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other part of this Resolution.

**SECTION 6.** This Resolution shall become effective upon its passage.

**PASSED AND RESOLVED** this \_\_\_ day of \_\_\_\_\_, 2024, by the City Council of the City of Umatilla, Florida.

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Christopher Creech, Mayor

ATTEST:

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Jessica Burnham, City Clerk

Approved as to form:

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Kevin M. Stone, City Attorney

**STATE REVOLVING FUND  
AMENDMENT 5 TO LOAN AGREEMENT WW350752  
CITY OF UMATILLA**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF UMATILLA, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW350752, as amended, authorizing a Loan amount of \$4,222,258, excluding Capitalized Interest, including a Principal Forgiveness amount of \$3,082,640; and

The Loan Amount, Semiannual Loan Payment amount, Loan Service Fee, and Project costs need adjustment to reflect actual costs; and

Certain provisions of the Agreement need to be revised.

The Parties hereto agree as follows:

1. The total amount awarded is reduced by \$52,213, of which the Principal Forgiveness portion is \$0 and the Loan amount is \$52,213. The revised total amount awarded is \$4,170,045. Of that, the Principal Forgiveness is \$3,082,640.

2. The Loan Service Fee is \$83,401. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of \$4,170,045.

3. The total amount of the Loan to be repaid is \$1,170,806. This consists of \$1,087,405 disbursed to the Local Government, plus accrued Capitalized Interest of \$0 and service fee charges of \$83,401.

4. The total amount remaining to repay, which amount accounts for the Department's receipt of 1 Semiannual Loan Payments is \$1,150,405, consisting of unpaid principal of the Loan of \$1,067,004 and an unpaid service fee charge of \$83,401.

5. The Semiannual Loan Payment amount, adjusted to account for repayments received to date, is hereby revised and shall be in the amount of \$19,498.39. Such payments shall be received by the Department on August 15, 2024, and semiannually thereafter on February 15 and August 15 of each year until all amounts due hereunder have been fully paid.

6. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Wastewater Treatment Facility Construction	\$4,170,045	140131

7. Project Costs are revised as follows:

The Local Government and the Department acknowledge that changes in Project costs may occur as a result of an audit. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COSTS (\$)
Construction and Demolition	3,763,901
Technical Services During Construction	406,144
SUBTOTAL (Total Disbursed)	4,170,045
Less Principal Forgiveness	(3,082,640)
Capitalized Interest	0
TOTAL (Loan Principal Amount)	1,087,405

8. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 5 to Loan Agreement WW350752 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for  
CITY OF UMATILLA

\_\_\_\_\_  
Mayor

Attest:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

SEAL

for  
**STATE OF FLORIDA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Secretary or Designee

\_\_\_\_\_  
Date



## CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: July 26, 2024

MEETING DATE: August 6, 2024

SUBJECT: Resolution No. 2024-06, Ludecke Variance Olde Mill Stream RV Park

### BACKGROUND SUMMARY:

**This item has been withdrawn by the applicant**

The owners of Olde Mill Stream RV Park are requesting a variance for the length of stay affecting lots of "more than 6-months" from 80 (15%) to 107 (20%) and the total number of 6-months or less, limited residents from 429 (80%).

The applicant's justification for the year-round stay indicates that the proposed RVers will provide additional revenue for City merchants during the slow summer months. Pursuant to Chapter 6, (o)4)D of the City's Land Development Regulations, the length of stay is limited to 180 days (6 months) out of 365 days;

Previously, two variances were issued affecting the length of stay. In 2004 (Resolution 2004-11) allowed 25% of the occupants to remain eight (8) months of the year rather than six (6) months. The most recent variance was approved in 2016 and superseded Resolution 2004-11. **The current entitlement allows 15% (80 spaces) of the occupants to stay year-round and 85% (456 spaces) of the occupants not to exceed 6-months.**

The RV Park is currently zoned Commercial Tourist (CT). The City's Zoning Chapter of the Land Development Regulations provides the parameters of the Tourist Commercial Zoning. Chapter 6, Section 2, n(4)D, with regard to the general requirements for RV parks and indicates, " **...the proposed site shall be designated and used for short-term, transient accommodation of travel trailers, vehicles with sleeping accommodations, tents, and other similar types of accommodations**".

### RECOMMENDATIONS:

Staff recommendation is approval provided the following conditions be added:

1. The number of year-round lots shall not exceed 107 (20%)
2. The number of lots designated as 6-month occupancy shall not exceed 429 (80%).
3. Pay all impact fees associated with year-round lots within 14 business days upon execution of this resolution.
4. A rate of 0.50 ERU's will be applied to new lots designated as "year-round" or "exceeding 6-months stays" for the purpose of calculating water and sewer impact fees.
5. Park Models are limited to 55 maximum units and will count towards year-round lots.
6. Provide the City with an annual report detailing the location, name and address of occupants of spaces that exceed the 6-month designation. The report shall be a notarized affidavit executed by the owner in January of each year.

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Staff Report Olde Mill Stream Variance Year Round aaron V3 (2)
  2. Comparison\_08.01.2024
  3. OLDE MILL STREAM flyer
  4. OMS Location Map2
  5. Resolution No. 2024-06 Olde Mill Stream Variance 7.30.24
-

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

**VARIANCE**

**Owner:** Carl Ludeckde, Evers Enterprises, LTD

**General Location:** 1000 N. Central Ave.

**Number of Acres:** 57.3 ±

**Existing Zoning:** Tourist Commercial (C-1)  
General Commercial (C-2) along SR 19

**Existing Future Land Use:** Commercial Tourism  
General Commercial along SR 19

**Date:** June 10, 2024

**Description of Project**

The applicant has submitted a request to amend the Olde Mill Stream Variance from 2016. The amendment is specifically for the percentage of guests to stay longer than six-months per year, from 15% (80 spaces) to 20% (107 spaces). The existing approved CUP allows for a maximum of 536 RV spaces.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	PUD	Multi-family
<b>South</b>	LM, C-2 and R-8	Industrial and Multi-family
<b>East</b>	R-8 and AR	SFMD
<b>West</b>	C-2	General Commercial

**Assessment**

Pursuant to Chapter 6.o)4)D the length of stay is limited to 180 days (6 months) out of 365 days; however, a variance was previously issued in 2004 (Resolution 2004-11) allowing 25% of the occupants to remain eight (8) months of the year rather than six (6) months.

In 2016 a variance was issued that supersede Resolution 2004-11 and it allowed 15% (80 spaces) of the occupants to stay year-round and 85% (456 spaces) of the occupants would be limited to 6 months. The applicant is now requesting a new variance to allow 20% (107 spaces)

of the occupants to stay year-round and 80% (429 spaces) of the occupants would be limited to 6 months. The applicant's justification for the year round stay indicates that the proposed RVers will provide additional revenue to the City's merchants during the slow summer months.

## **Recommendation**

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Chapter 20, Section 1, f) identifies the review criteria in regards to variances as follows:

- 1) No diminution in value of surrounding properties would be suffered;

***Granting of the variance should have no effect on the value of the adjacent properties.***

- 2) Granting the permit would be of benefit to the public interest;

***Granting a variance from the length of stay could be a benefit to the public by providing additional economic opportunities to the local merchants and community. Notwithstanding, granting the length of stay does have an increased demand on public infrastructure and services. An increased demand for utilities, e.g. water and sewer along with other public services such as police, fire and emergency medical services. It has yet to be determined, if by increasing the length of stay for additional units, will increase in property taxes needed to address the additional demand for said services.***

- 3) Denial of the permit would result in unnecessary hardship to the owner seeking it;

***The denial of the variance could be considered as a negative impact on Park when at its lowest occupancy during the summer months.***

- 4) By granting the permit, substantial justice will be done; and

***Granting of the variance from the length of stay requirements would provide the property owner additional income to more fully meet the needs of the RV community during the slower summer months, and provide an economic boost to the owner and community.***

- 5) The use must not be contrary to the spirit of the ordinance.

***The City's LDR's specifically address RV parks as transient in nature. Although an increase in the number of year-round spaces is contrary to the transient nature of the zoning definition, additional controls will be put in place to offset this conflict.***

Should the City Council approve the variance, staff would recommend the following conditions:

- The number of RV spaces designated as greater than 6-months stays shall not exceed 107 (20%).
- The number of RV spaces designated as 6-month occupancy shall not exceed 344 (80%).
- Owner agrees to pay all impact fees associated RV spaces designated as greater than six months, within 14 business days upon execution of this Resolution.
- Based on the increase demand on city utilities, the Owner agrees to pay a rate of 0.50 ERU's for the purpose of calculating water and sewer impact fees on new lots designated as exceeding six month stays.
- Owners agrees to limit the Park Models to 35 maximum units.
- Owner agrees to provide the City with an annual report detailing the location, name and address of occupants of lots that exceed the 6-month designation. The report shall be a notarized affidavit executed by the owner in January of each year.

OLDE MILL STREAM RV PARK

<b>MAXIMUM # OF RV LOTS AT BUILD OUT</b>	<b>CURRENT MAX. LENGTH OF STAY</b>	<b>PROPOSED MAX. LENGTH OF STAY</b>	<b>CURRENT LENGTH OF STAY PERCENTAGE &amp; MAX # OF RV SPACES</b>	<b>PROPOSED LENGTH OF STAY PERCENTAGE &amp; MAX # OF RV SPACES</b>
536	12 MONTHS	12 MONTHS	15% - 80	20% - 107
<b>MAX # OF PROPOSED RV PARK MODEL LOTS UP TO AND INCLUDING NEXT PHASE</b>				
	35 Park Models	55 Park Models 12 MONTHS		
<b>MAX # OF CURRENT LOTS</b>				
486	12 MONTHS	12 MONTHS	15% - 73 LOTS	20% - 98 LOTS

At build out of the project the total number of RV lots is 536 of which 15% are allowed to stay 12 months. The proposed change would allow 107 RVs to stay year-round.

At build out of the next phase the total number of RV lots is 499 of which 75 are allowed to stay 12 months. The proposed change would allow 98 RVs to stay year-round.

In summary, the proposed change would increase the number of lots which allow an extended stay.

OLDE MILL STREAM RV PARK

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Number of total approved lots</b>	536	536
<b>Percentage of total allow to stay past 6 months</b>	15% up to 12 months	20% up to 12 months
<b>Maximum number of units staying over 6 months</b>	80	107
<b>Maximum number of RV Park Models</b>	33	55

**RULES and INFORMATION**  
**All Visitors MUST REGISTER at Office**

**DO NOT Give Gate Codes to Anyone**

**GENERAL POLICIES:**

Management is available 24 hours a day-Night Hosts will answer phones & offer assistance when office is closed. Emergency messages will be delivered immediately—all others will be placed in your mailbox. Check out time is 11:00 am. Quiet time is from 10 pm until 8 am. Park speed limit is 10 mph. Pedestrians ALWAYS have the right of way. Only one camping unit and two vehicles allowed per site. Put all trash in compactor, trash will not be picked up. Florida law requires sewer rings. One RV wash on site per season. Self contained units ONLY. No tent camping. Campfires are not permitted on site. Campfire ring is located in front of the Billiard Room. Do not walk or drive through sites other than your own. Hand watering lawns only, no sprinklers. Spray painting or mechanical work is not permitted on site. A service fee (\$40.00 per hour, minimum one hour) will be charged to repair any damage caused by negligence. Management reserves the right to refuse accommodations to anyone at anytime.

**PETS:**

Pets under 40 pounds are welcome-Limit two pets per RV. Pets must be on a non-retractable leash (6 ft. maximum) at all times. Pets are to be walked in the pet areas only. Pets must be kept under control at all times. Do not allow pets on other sites or around other vehicles. YOU are responsible for cleaning up after your pet. Do not leave pets unattended at any time outside of unit. All dog owners (including visitors) MUST register their dog(s) at the office with a copy of current vaccination papers & insurance (or signed waiver of liability).

**POOL RULES:**

Wet bathing suits or bare feet are not permitted in Rec Hall. Glass containers and food are not permitted in pool area. Pool closes at dusk. No lifeguard on duty-You assume all risk.

**CHILDREN:**

Children must be accompanied by an adult at all times. Visits are limited to a 2 week maximum stay. Children may swim from 1 pm to 5 pm and must be accompanied by an adult at all times.

**Laundry Room Code**  
 (for access when Rec Hall is closed)

**Bathroom Code**  
 (for back entrance when Rec Hall is closed)

*OLDE MILL STREAM RV RESORT*

*WELCOMES YOU...*

[www.oldemillstreamrvresort.com](http://www.oldemillstreamrvresort.com)

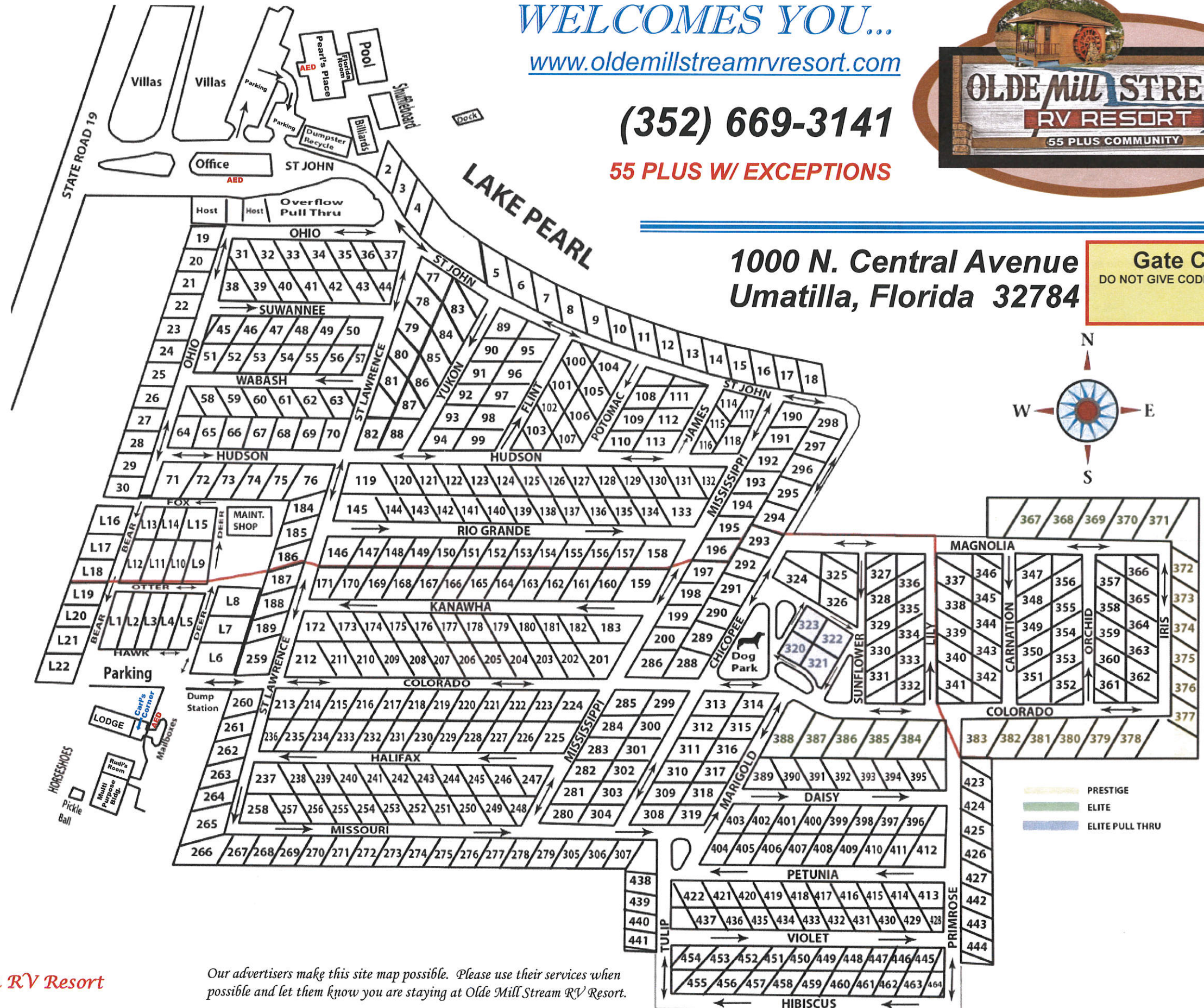
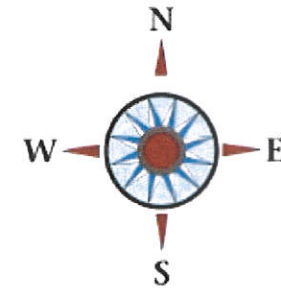
**(352) 669-3141**

**55 PLUS W/ EXCEPTIONS**



**1000 N. Central Avenue**  
**Umatilla, Florida 32784**

**Gate Code**  
 DO NOT GIVE CODE TO ANYONE

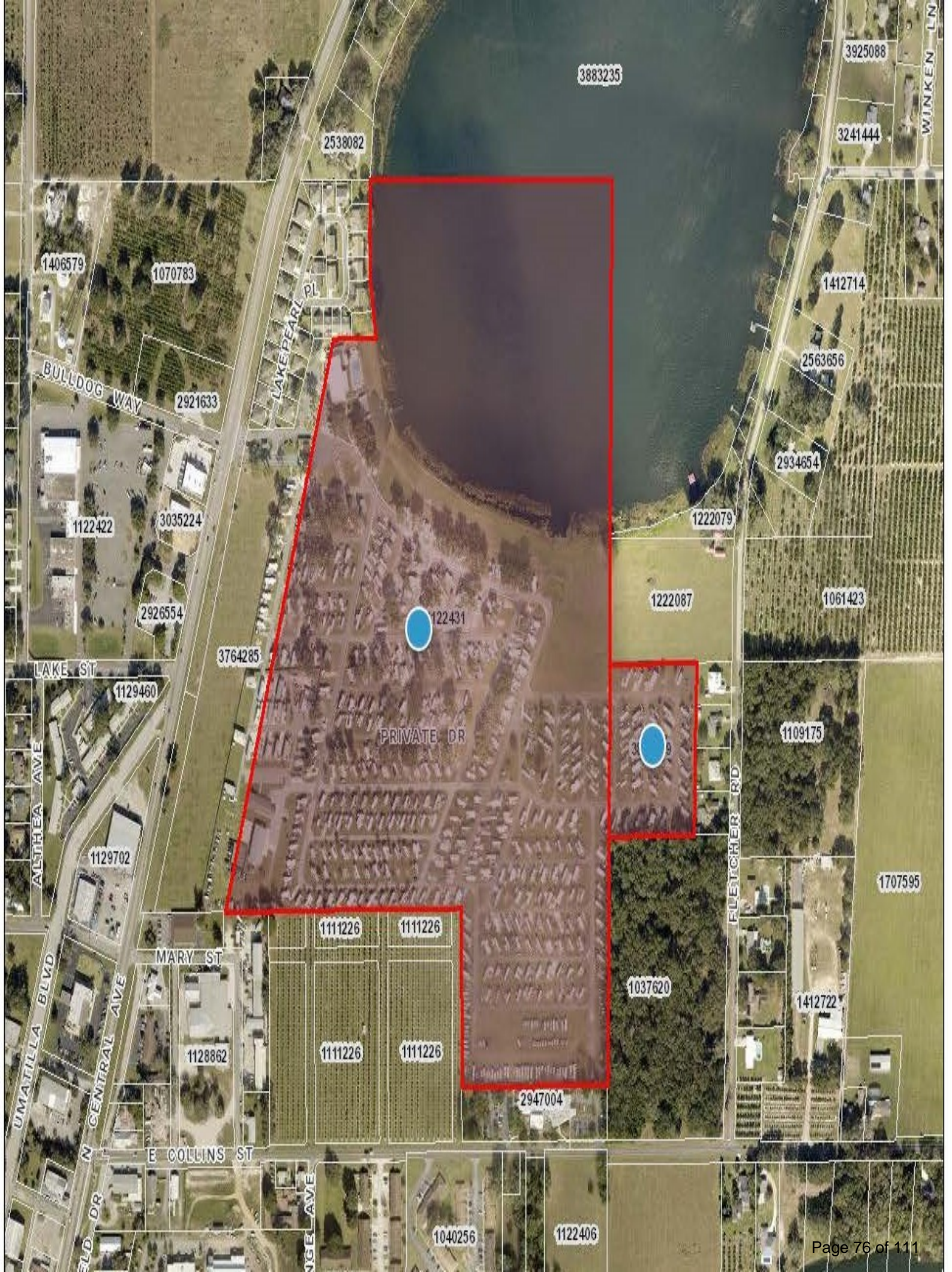


PRESTIGE  
 ELITE  
 ELITE PULL THRU

**Satellite Information**  
 Dish: Azim—242°  
 Elev—47°  
 DSS: Azim—219°  
 Elev—50.2°

*Thank you for choosing Olde Mill Stream RV Resort*

*Our advertisers make this site map possible. Please use their services when possible and let them know you are staying at Olde Mill Stream RV Resort.*



3883235

3925088

3241444

WINKEN LN

2538082

1406579

1070783

1412714

BULLDOG WAY

2921633

LAKE PEARL PL

2563656

1122422

3035224

2934654

2926554

1222079

1222087

1061423

122431

LAKE ST

3764285

319

1109175

ALTHEA AVE

1129460

PRIVATE DR

FLETCHER RD

1707595

1129702

UMATILLA BLVD

1111226

1111226

MARY ST

1037620

1412722

1128862

1111226

1111226

E COLLINS ST

2947004

1037620

ELD DR

N CENTRAL AVE

ANGEL AVE

1040256

1122406

**RESOLUTION 2024-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA; GRANTING A VARIANCE TO THE LAND DEVELOPMENT CODE (“CODE”) AS TO OCCUPANCY IN AN RV PARK; ALLOW UP TO TWENTY PERCENT (20%) OF OCCUPANTS TO REMAIN MORE THAN SIX MONTHS ON THE PROPERTY KNOWN AS 1000 N. CENTRAL AVE. IN THE CITY OF UMATILLA FLORIDA; PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Carl R. Ludeckde, as General Partner of Evers Enterprises, LLLP (“Owner”), has petitioned for a variance for property zoned Tourist Commercial (TC-12) located at 1000 North Central Avenue, Umatilla, Florida; and

**WHEREAS**, the Owner desires to request a variance from the City’s Code requirement pertaining to the length of time an occupant may reside in an RV Parks and Campgrounds from a maximum of one hundred eighty (180) days out of every three hundred sixty-five (365) days; and

**WHEREAS**, to accommodate an increase in the length of time of occupancy a variance from the zoning requirements contained in the City Code is required; and

**WHEREAS**, the Owner requests a variance to LDC Chapter 6, Section 2(n)(4) General Requirements for RV Parks and Campgrounds; and

**WHEREAS**, the City Council has considered the petition in accordance with standards for the granting of variances contained in Chapter 20, City Code.

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

**Section 1.** The petition for variance filed by Carl R. Ludeckde, General Partner of Evers Enterprises, LLLP, for property located at 1000 North Central Avenue, Umatilla, Florida, more particularly described on Exhibit “A”.

**Section 2.** The variance is granted as follows:

- a. A variance to Chapter 6, Section 2(n)(4) General Requirements for RV Parks and Campgrounds to allow up to twenty percent (20%) of the occupants to remain more than six months.
- b. This Variance shall become effective immediately on its approval and adoption by the City Council of the City of Umatilla, Florida.

**Section 3.** The Owner agrees to the following conditions relating to occupancy:

- a. The total number of RV spaces allowed is 536, per the existing Conditional Use Permit (CUP).
- b. The number of RV spaces stays six months or more shall not exceed 107 (20% of total).
- c. The number of RV spaces designated as less than 6-month occupancy shall not exceed 429 (80% of total).

- d. Owner agrees to pay all impact fees associated with RV spaces designated as six months or more within 14 business days of execution of this Resolution.
- e. Based on the increase demand on city utilities, the Owner agrees to pay a rate of 0.50 ERU's for the purpose of calculating water and sewer impact fees on new lots designated as six month or more stays.
- f. Owners agrees to limit the Park Models to a maximum of 55 units. All RV spaces containing a Park Model will be categorized and counted as a stay of six months or more.
- g. Owner agrees to provide the City with an annual report detailing the location, name and address of occupants of RV spaces that exceed the 6-month or more designation. The report shall be a notarized affidavit executed by the owner in January of each year.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Approved as to Form:

\_\_\_\_\_  
Christopher Creech, Mayor

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

Passed first reading: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_  
Jessica Burnham, City Clerk

**EXHIBIT "A"**

LEGAL DESCRIPTION:

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; AND THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917; AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2116, PAGE 497 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE NORTH 468 FEET OF THE WEST 554.4 FEET OF GOVERNMENT LOT 3, IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA.

LESS AND EXCEPT:

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE WESTERLY 200 FEET OF THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917, AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 984, PAGES 2232 THROUGH 2233 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12 AND RUN NORTH 00°31'02" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 28.5 FEET, MORE OR LESS, TO A 1/2" IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF C-450, SAID IRON PIN HAVING A CAP STAMPED "R.L.S. 1916" AND BEING THE POINT OF BEGINNING (P.O.B.). FROM SAID P.O.B., CONTINUE NORTH 00°31'02" EAST ALONG THE AFORESAID WEST LINE 150.01 FEET; THENCE RUN NORTH 89°27'43" EAST PARALLEL WITH THE AFORESAID NORTHERLY RIGHT OF WAY LINE 656.55 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 12; THENCE RUN SOUTH 00°20'44" WEST ALONG SAID EAST LINE 150.00 FEET TO A 4"X4" CONCRETE MONUMENT WITH A DISC IN THE TOP MARKED "R.L.S. 1916" SAID MONUMENT LOCATED ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF C-450; THENCE RUN SOUTH 89°27'43" WEST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE 657.00 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

ALL THAT PORTION OF THE LANDS AS SHOWN ON THE PLAT OF COUNTRYSIDE VILLAS ON LAKE PEARL SECTION A, AS RECORDED IN PLAT BOOK 36, PAGES 46-47, LAKE COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

LOTS 1 THROUGH 4, AS SHOWN ON THE PLAT OF WEST WIND, AS RECORDED IN PLAT BOOK 49, PAGE 26, LAKE COUNTY, FLORIDA AND LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 SOUTH.



**CITY OF UMATILLA  
AGENDA ITEM STAFF REPORT**

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**DATE:** July 29, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT:** First Reading of Ordinance No. 2024-C, Olde Mill Stream Conditional Use Permit

---

**BACKGROUND SUMMARY:**

**This item has been withdrawn by the applicant**

Olde Mill Stream RV Park is requesting multiple amendments to their Conditional Use Permit (CUP) Ordinance. The amendments are as follows:

1. An increase of the maximum number of RV Park Model units from 35 to 55.
2. Amend the area where the RV Park Models are currently required to anywhere within the park.
3. Allow carports on the RV Park Model spaces.

The existing approved CUP allows for a maximum of 536 RV spaces; however, according to data provided by the applicant, there are currently 486 RV sites.

Please see the attached detailed staff report regarding the Applicant's Request, Staff Assessment, CUP Evaluation and Recommendation.

**RECOMMENDATIONS:**

Should the City Council approve the CUP amendments, staff would recommend the following conditions:

- *Carports, for RV Park Model lots, to be a minimum of 12' x 20'.*
- *The setbacks for the RV park model lots to be:*

*Front – 10'*

*Side – 5'*

*Rear – 10'*

- *An annual inspection is required to insure all outdoor surfaces and parking areas are clean and well-maintained, i.e., no cracks, holes, breakages, etc..*
- *The applicant shall provide the city with a site plan/map designating which lots are utilized for park models. A summary of the total number of RV park models indicating the number, location, and designation of lots that are for year round residents shall also be provided.*

**FISCAL IMPACTS:**

N/A

**ATTACHMENTS:**

1. Olde Mill Staff Report Revised CUP V6
  2. OMS Applicant's Summary V2
  3. Park Model Photo 1
  4. Park Model Photo 2
  5. OMS Location Map2
  6. OLDE MILL STREAM flyer
  7. OLDE MILL STREAM 3 Master Plan
  8. ORDINANCE 2024-C Olde Mill Stream CUP revised 8.18.24
  9. Business Impact\_ Olde Mill Steam CUP
-

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

**CONDITIONAL USE PERMIT**

**Owner:** Carl Ludeckde, Evers Enterprises, LTD

**General Location:** 1000 N. Central Ave.

**Number of Acres:** 57.3 ±

**Existing Zoning:** Tourist Commercial (C-1)  
General Commercial (C-2) along SR 19

**Existing Future Land Use:** Commercial Tourism  
General Commercial along SR 19

**Date:** June 10, 2024

**Description and History of Project**

Old Mill Stream is an RV Resort that was initially approved in 1985 for 536 space recreation vehicle park stalls along with 27 tent spaces and was zoned Residential Professional (RP).

1989, the Park was amended to include a Conditional Use Permit (CUP RP-85) – RP zoned property with an amended entitlement that included up to 25% of the lots to be occupied by an unattended RV, allow 6’x8’ storage shed for each RV lot, providing for a permanent rally facility, and allowing temporary rally functions.

1991: The City approved a reduction in impact fee to .29 ERU per unit

1994: OMS received an approved amendment to CUP RP-85 allowing a “live in structure” for resident manager subject to certain setback requirements.

1996: Ordinance 1996-04, the Countryside Villas were rezoned from RP to PUD to allow 5,000 SF lots.

2002: Ordinance 2002-F and F-1. Rezoning and Comprehensive Plan amendment to Tourist Commercial (TC) of 4.3 ± acres adjacent to Olde Mill Stream located west of Fletcher Road. SSCPA amendment from Single Family Medium Density (SFMD) to CT and rezoning from R-15 to CT.

2004: Resolution 2004-11, granting a variance to the LDR to allow up to 25% (134) of the occupants at Olde Mill Stream to remain eight (8) months (considered full time residents in Florida) of the year rather than six (6) months.

2007: Site plan approval for 5,000 SF metal storage building

2008: Site plan and construction plan approval of phase 2. Total number of lots in Phase I and II is 427 lots.

2008: A new Conditional Use Permit (Ordinance 2008-T) approval incorporated previous approvals into one CUP.

2016: Resolution 2016-07 allowing variance to LDRs regarding length of stay which was approved for 15% (or 80 units) of occupants to remain 12 months of the year. Also approved for a variance to restroom and shower facilities along with a variance approval for a reduction of the sanitary stations from 1 every 100 spaces to 1 every 250 spaces.

2016: Conditional Use Permit (CUP) Amendment via Ordinance 2016-B which designated 5.5 acre portion currently utilized for rally events to be redesignated for 35 lots for RV park models, 15% of occupants permitted to stay year round, and deleted tent spaces.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	PUD	Multi-family
<b>South</b>	LM, C-2 and R-8	Industrial and Multi-family
<b>East</b>	R-8 and AR	SFMD
<b>West</b>	C-2	General Commercial

### **Applicant's Request**

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The applicant has submitted a request to amend the Olde Mill Stream Conditional Use Permit (CUP), relating to the maximum number of RV Park Model spaces from 35 to 55, amending the area where the RV Park Model spaces are located, which are currently at the 5.5 acre area, to anywhere within the park, and to allow carports on the RV Park Model spaces. The existing approved CUP allows for a maximum of 536 RV spaces; however, according to data provided by the applicant there are currently 486 RV sites. All RV spaces, including park model spaces are a minimum of 2,400 square feet.

### **Assessment**

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As mentioned above, the applicant is requesting that the RV Park Models not be limited to the 5.5 acre area. The existing CUP allowed up to 35 RV Park Models in this area. There are currently 22 RV Park Model sites in the subject area. The applicant has indicated that the additional 13 RV Park Model sites were to be constructed by replacing the existing bocce and

pickle ball courts; however, since this area is utilized for recreation they would like the ability, at a minimum, to utilize 13 other existing sites within the park to place the RV Park Models. In addition to the relocation of the 13 park model sites, the applicant is also requesting that the total number of RV Park Models increase from 35 to 55 and that they may be allowed to locate anywhere in the park. Of the total 536 authorized sites, 55 park models would be +/- 10% of the total authorized.

Chapter 6, Section 2, n(4)D is in regards to the general requirements for RV parks and indicate “the proposed site shall be designated and used for short-term, transient accommodation of travel trailers, vehicles with sleeping accommodations, tents, and other similar type accommodations”. Planning staff has concerns about increasing the number of park model spaces. Park models are specifically designed and manufactured to be used as temporary seasonal or recreation use, and are not created to be used as a permanent residence. Increasing the number of park model spaces to 55 may also change the character of an RV park to that appearing to be a mobile home rental park.

The applicant is requesting that the RV Park Model sites be allowed to construct a carport and a storage shed. The existing approved CUP (Ordinance 2016-B) item 7 states “No screen porch, carport, awning or other structures shall be placed on an RV lot except for a storage shed up to 6x8 feet in size”.

The applicant is also requesting that Item 9 of approved CUP (Ordinance 2016-B) be modified to remove miniature golf course as it is not their intention to construct this.

### **Conditional Use Permit Evaluation**

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Chapter 7, Section 1, d (2) identifies the review criteria in regards to conditional uses as follows:

- A) Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety;

***The applicant is requesting an increase in the number of park models from 35 to 55. Access to the site is via a driveway connection to SR 19 with no changes proposed. Review of traffic data indicates that the 80 full time residents currently allowed would produce approximately 22 PM Peak hour trips with 14 incoming and 8 outgoing. SR 19 is classified as an arterial roadway (under the jurisdiction of FDOT) with an adopted LOS of D. The existing LOS is C. Increasing the number of park models vs other RV types (camper, motor home, 5<sup>th</sup> wheel. Etc.) without increasing the number of full-time residents would not adversely affect traffic.***

- B) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district;

***No changes to the approved Master Park Plan are proposed at this time. The proposed increase in the number of RV park models has no effect on loading and service areas. No changes to the off-street parking are proposed. Each RV lot does provide for off-street parking. Staff recommends that should carports be approved for the RV Park Model lots that they be a minimum of 12' x 20'.***

- C) Required yards, screening or buffering and landscaping shall be consistent with the district in general and the specific needs of abutting land uses;

***No changes to the approved Master Park Plan are proposed at this time. The existing development does provide for screening, buffering and landscaping. Staff does recommend that the RV park model lots address setbacks as follows:***

***Front – 10''***

***Side – 5'***

***Rear – 10'***

- D) Size, location and number of conditional uses in an area shall be limited so as to maintain the overall character of the district as intended by this Code.

***Review of available city records indicate that there are no conditional uses that have been granted in the immediate area.***

## **Recommendation**

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Should the City Council approve the CUP amendment, staff would recommend the following conditions:

- ***Should carports be approved for the RV Park Model lots, that they be a minimum of 12' x 20'.***
- ***RV park model lots address setbacks as follows:***

***Front – 10'***

***Side – 5'***

***Rear – 10'***

- ***In order to assure that the increase in the number of RV park model lots will not cause the character of the RV park to change, annual inspections by the city of the RV park models be conducted. Inspect all outdoor surfaces to ensure they are well-maintained. No cracks, holes, breakages. Parking areas should be clean and well-maintained.***

- *The applicant shall provide the city with a site plan/map designating which lots are utilized for park models. The Applicant will provide a summary of the total number of RV park models lot location indicated on a Park Map. In addition, the Applicant will provide the lot location for all lots that are for year round residents.*
- *The maximum number of Park Models shall not exceed 55.*
- *Park Models are permitted to be on any lot within the Park provided they are identified and inventoried for inspection purposes.*

## Submitted by the Applicant

In summary, this is what we are requesting to be amended on the existing CUP:

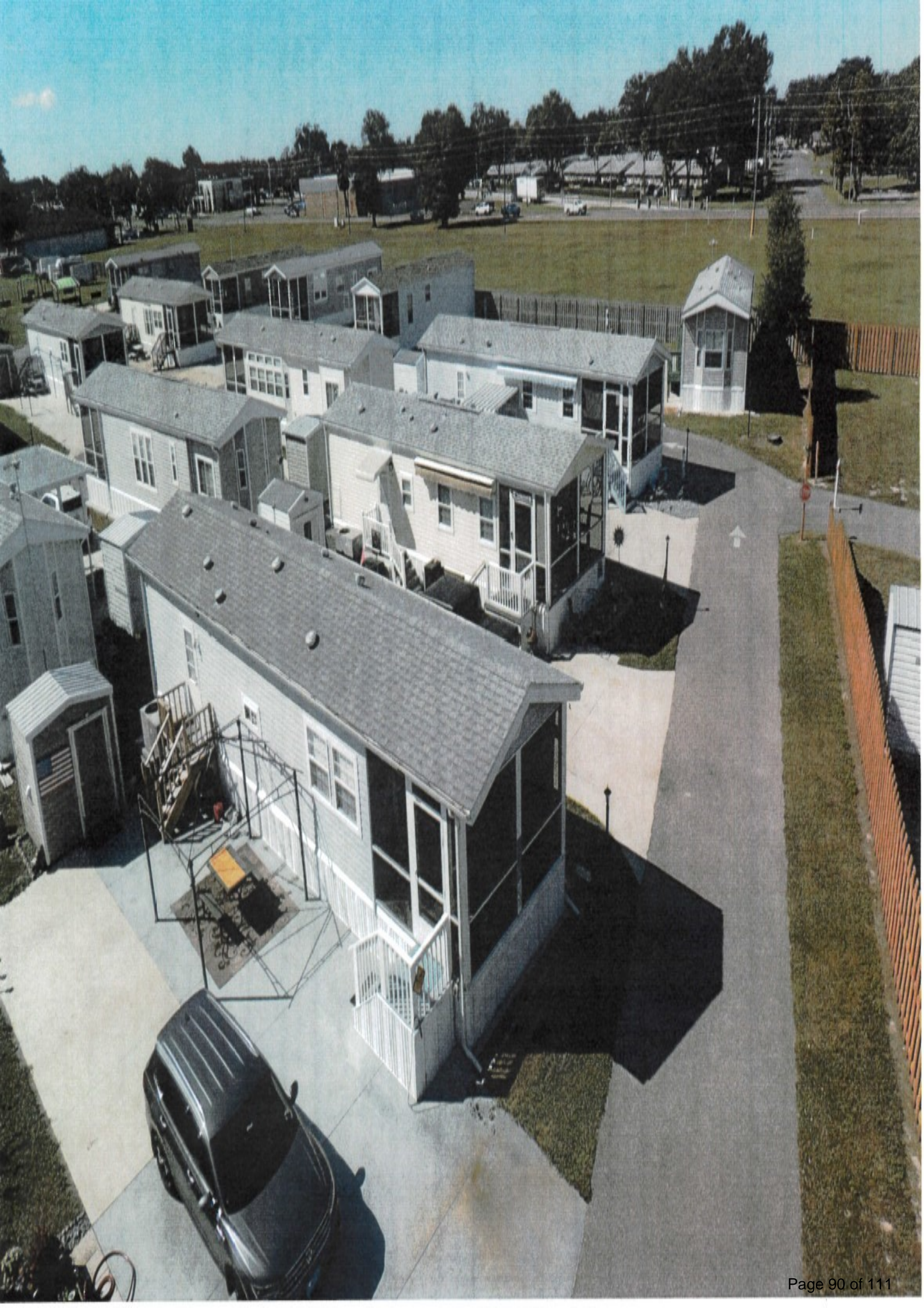
1. Increase the allowance for year-round from 15% to 25% ~~30%~~
  - a. The previously issued CUP allows 15% of the total number of RV spaces permitted to be constructed, which is 536 spaces; therefore, the total number of sites permitted to be year round is currently 80. We are looking to increase this percentage to 25% ~~30%~~, allowing ~~160~~ 134 sites the ability to be year round. We currently have 64 year-round residents.
  - b. Any resident **requesting** a year-round contract must start first as a “seasonal resident” or what we call 6x6. The 6x6 contract allows them to be here 180 days in a given year. It does not have to be consecutive but they must check in and out of the office so we can track their days. Once we are comfortable that they are a good fit for our RV resort, then we would offer them a year-round contract. This contract renews on a yearly basis and we are under no obligation to offer a renewal if we do not feel they are a good fit.
  - c. Lake County has lifted all length of stay restrictions on RV parks and campgrounds but we fall under the jurisdiction of the City of Umatilla so that does not apply to us. We are only looking to increase the allowance to 30% - we do not want the entire park to be year-round. Also, keep in mind that we are strictly a 55+ community. Children are allowed to visit for a maximum of 2 weeks.
  - d. Wally & Linda have been here for over 15 years at Olde Mill Stream. In that time, we have never received a Code Violation, nor have we ever had to call the police for a disturbance or criminal activity that was a result of our residents’ behavior.
  - e. If approved, there would be no impact on the local traffic during the fall/winter season as we are already full to capacity, and have been for approximately the past 9-10 years; the only change would be the possibility of approx. 70 additional vehicles during the spring/summer season. This would also have a **positive** impact on the local businesses as they may experience additional revenue during the summer months.
2. Allow the RV Park Models to be placed on any lot throughout the park
  - a. We already have permission from the City of Umatilla to have 35 of these RV Park Models installed. This was decided back in 2016 with the last amendment of the CUP. Therefore, this request is not to **approve the units**, it is to **allow them to be placed on any lot** in the park.
  - b. These units are called Park Models. They must be under 500 sq. foot and are inspected and approved by The US Department of Housing and Urban

Development. They are registered and licensed in the state of Florida as an RV. They are the “latest and greatest” in the RV world. We are making this request in an effort to stay competitive in a competitive market with other RV parks in Lake County that do not have restrictions on type of RV’s or length of stay.

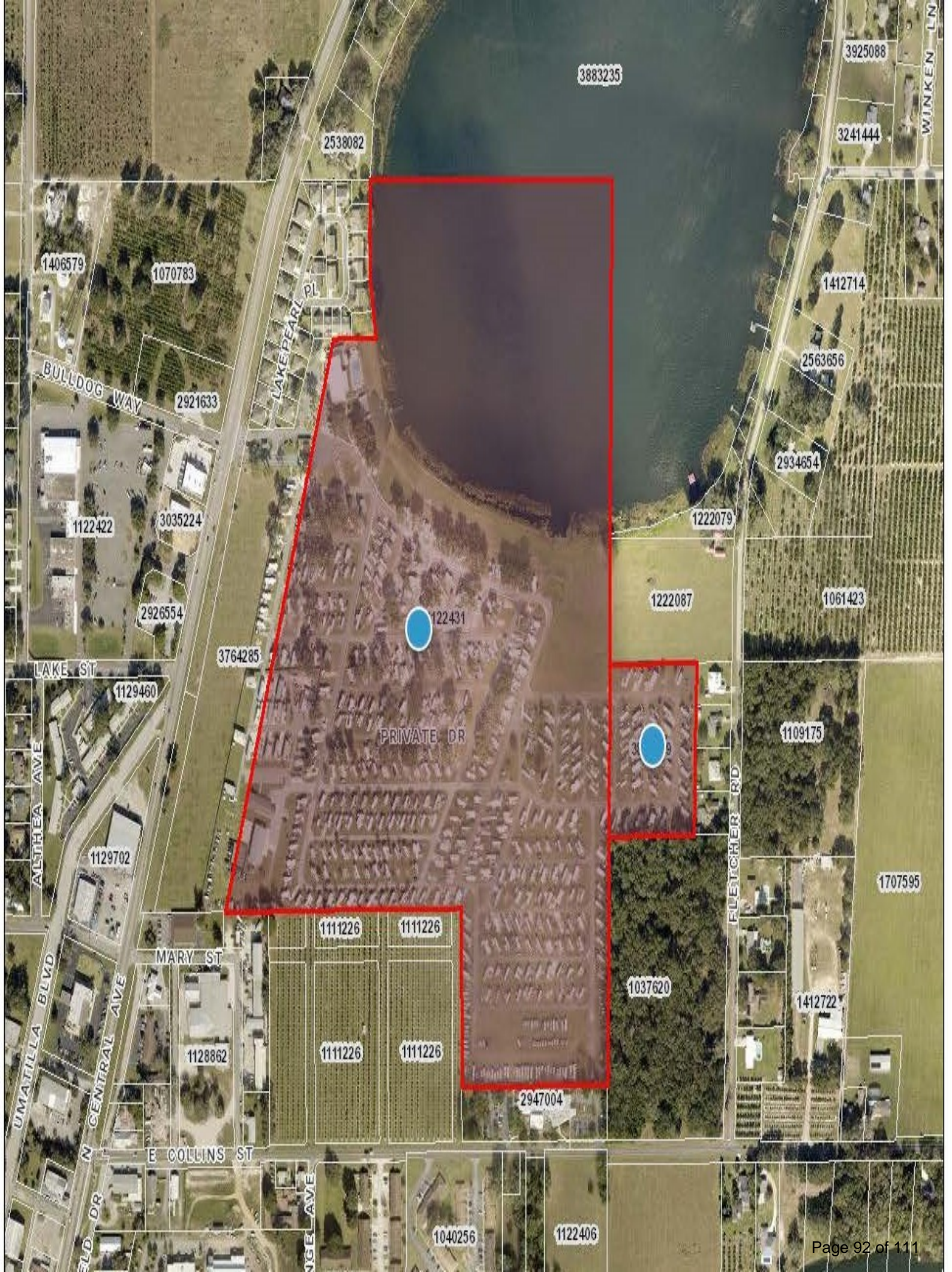
- c. The area that was developed in 2016 to contain the first 22 units, is currently filled. Those sites are a minimum of 2400 sq. ft. each as required by the City of Umatilla. Every site in the remainder of the park is also a minimum of 2400 sq. ft. each. Therefore, we are looking to install these RV Park Models on any existing site in the park.
- d. Our residents really enjoy this area and our community here. They love what we offer here at OMS. There are some residents that would like to stay longer than 6 months and these Park Models are built to much higher standards than the typical RV.
- e. Any Park Model brought into our park must be purchased through Olde Mill Stream directly. This eliminates the possibility of any used units or self-built “tiny homes”, etc. We have them professionally installed and inspected, with permits. They are built to Wind Zone II, which requires the home to be built to withstand sustained winds of 100 mph.
- f. In September 2017, when we were hit with a tornado prior to Hurricane Irma passing over us, there were approx. 100 RV’s that were totaled throughout the park. At that time, there were 7 park models installed already. They were located in an area that was affected by the tornado and hurricane, but the most damage that occurred was skirting that got blown in.
- g. Although these Park Models seem to be less transient than a typical RV, they technically can be “uninstalled” and moved in approximately 4 hours. The transport company would just have to remove the skirting and cement blocks, unfasten the tie-downs, disconnect the utilities, re-install the axles and the hitch (which is stored under the unit) and tow it out.
- h. As per Scotbilt Homes, the manufacturer of these Park Models, with proper maintenance the average life expectancy of these homes is well over 50 years.

3. Allow carports to be installed on RV Park Models only

- a. These would be professionally installed by a licensed contractor
- b. Resident would be required to obtain the proper permits and inspections, as required by the City of Umatilla







3883235

3925088

3241444

WINKEN LN

2538082

1406579

1070783

1412714

BULLDOG WAY

2921633

LAKE PEARL PL

2563656

1122422

3035224

2934654

2926554

1222079

1222087

1061423

122431

LAKE ST

1129460

3764285

319

1109175

PRIVATE DR

1707595

ALTHEA AVE

1129702

FLETCHER RD

1111226

1111226

UMATILLA BLVD

MARY ST

1037620

1412722

1111226

1111226

1128862

E COLLINS ST

2947004

1040256

1122406

**RULES and INFORMATION**  
**All Visitors MUST REGISTER at Office**

**DO NOT Give Gate Codes to Anyone**

**GENERAL POLICIES:**

Management is available 24 hours a day-Night Hosts will answer phones & offer assistance when office is closed. Emergency messages will be delivered immediately—all others will be placed in your mailbox. Check out time is 11:00 am. Quiet time is from 10 pm until 8 am. Park speed limit is 10 mph. Pedestrians ALWAYS have the right of way. Only one camping unit and two vehicles allowed per site. Put all trash in compactor, trash will not be picked up. Florida law requires sewer rings. One RV wash on site per season. Self contained units ONLY. No tent camping. Campfires are not permitted on site. Campfire ring is located in front of the Billiard Room. Do not walk or drive through sites other than your own. Hand watering lawns only, no sprinklers. Spray painting or mechanical work is not permitted on site. A service fee (\$40.00 per hour, minimum one hour) will be charged to repair any damage caused by negligence. Management reserves the right to refuse accommodations to anyone at anytime.

**PETS:**

Pets under 40 pounds are welcome-Limit two pets per RV. Pets must be on a non-retractable leash (6 ft. maximum) at all times. Pets are to be walked in the pet areas only. Pets must be kept under control at all times. Do not allow pets on other sites or around other vehicles. YOU are responsible for cleaning up after your pet. Do not leave pets unattended at any time outside of unit. All dog owners (including visitors) MUST register their dog(s) at the office with a copy of current vaccination papers & insurance (or signed waiver of liability).

**POOL RULES:**

Wet bathing suits or bare feet are not permitted in Rec Hall. Glass containers and food are not permitted in pool area. Pool closes at dusk. No lifeguard on duty-You assume all risk.

**CHILDREN:**

Children must be accompanied by an adult at all times. Visits are limited to a 2 week maximum stay. Children may swim from 1 pm to 5 pm and must be accompanied by an adult at all times.

**Laundry Room Code**  
 (for access when Rec Hall is closed)

**Bathroom Code**  
 (for back entrance when Rec Hall is closed)

**OLDE MILL STREAM RV RESORT**

**WELCOMES YOU...**

[www.oldemillstreamrvresort.com](http://www.oldemillstreamrvresort.com)

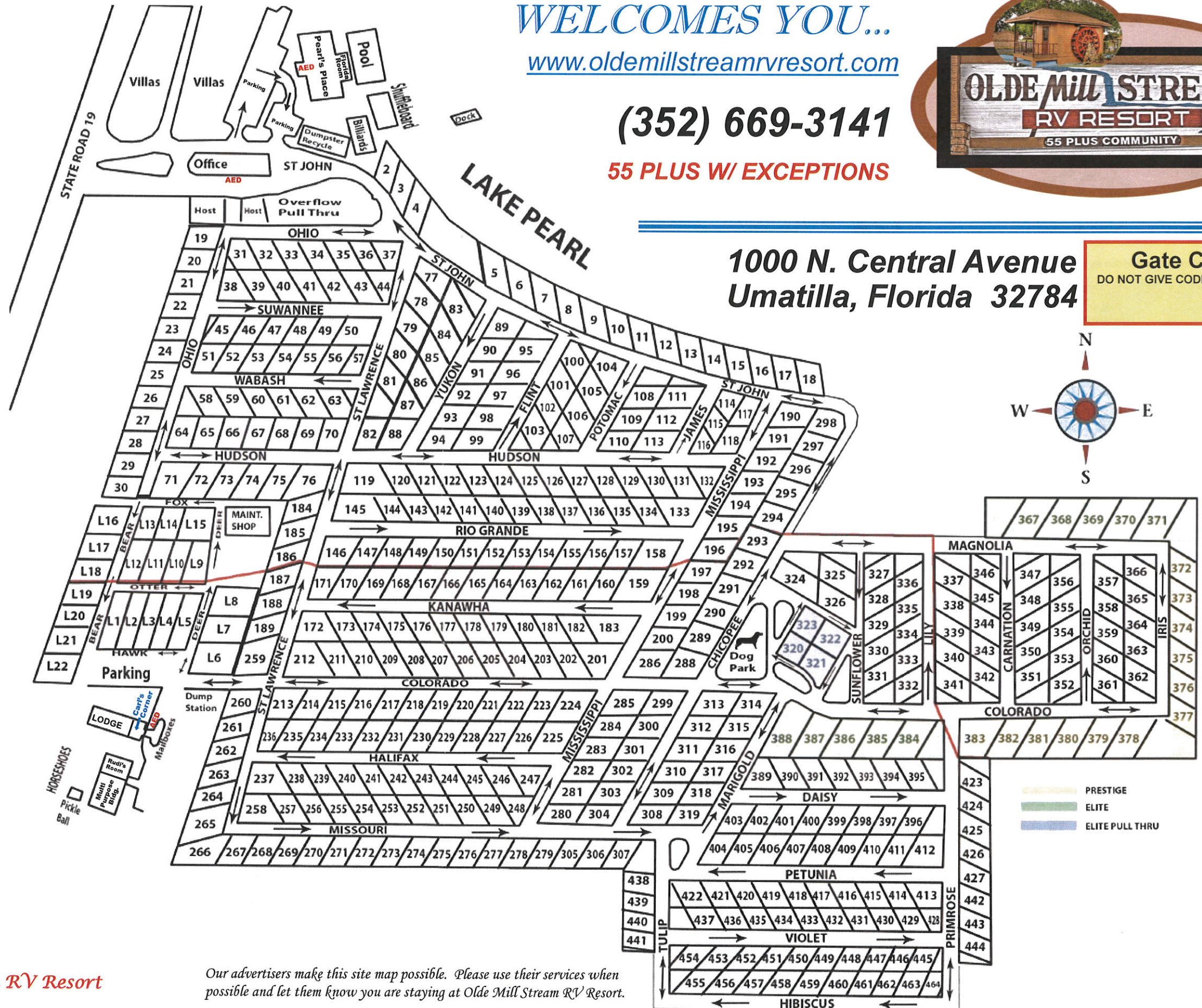
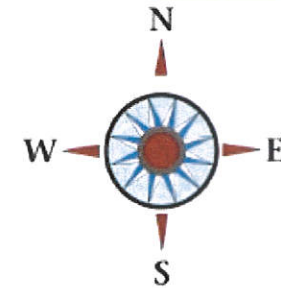
**(352) 669-3141**

**55 PLUS W/ EXCEPTIONS**



**1000 N. Central Avenue**  
**Umatilla, Florida 32784**

**Gate Code**  
 DO NOT GIVE CODE TO ANYONE



PRESTIGE  
 ELITE  
 ELITE PULL THRU

**Satellite Information**  
 Dish: Azim—242°  
 Elev—47°  
 DSS: Azim—219°  
 Elev—50.2°

*Thank you for choosing Olde Mill Stream RV Resort*

*Our advertisers make this site map possible. Please use their services when possible and let them know you are staying at Olde Mill Stream RV Resort.*

399-08-2



**IMPERVIOUS SURFACE**

IMPERVIOUS SURFACE ALLOWED = 1,871,991 SF  
 LOT CONCRETE SLABS, 11x20 x 501 = 110,220

**BUILDINGS**

GATE HOUSE = 158  
 REGISTRATION BUILDING = 950  
 MINI GOLF BUILDING = 1,154  
 EXISTING CLUB HOUSE = 8,893  
 METAL SHED = 48  
 ONE STORY METAL BUILDING = 3,410  
 ONE STORY STUCCO BUILDING = 5,000  
 NEW METAL BUILDING = 12,000  
 NEW CLUB HOUSE = 12,000

**ASPHALT PAVING**

ENTRANCE DRIVE = 33,678  
 ASPHALT PARKING = 18,477  
 NEW CLUB HOUSE PARKING = 30,350  
 EXISTING ROADS = 177,527  
 NEW ROADS = 115,281

**CONCRETE**

WALKWAYS & SLABS = 8,708  
 EXISTING POOL DECK = 4,871  
 SHUFFLEBOARD COURT = 2,560  
 NEW POOL DECK = 16,000

**MISC.**

MANHOLE COVERS = 250  
 DUMP STATIONS = 500  
 LIFT STATIONS = 1,000  
 MISC. = 2,000

**TOTAL** 564,033 SF = 22.2% OF SITE

**LAND USE LEGEND**

ZONING CLASSIFICATION: TOURIST COMMERCIAL (TC)  
 SITE SIZE = 57.3 ACRES = 2,495,988 SF  
 DENSITY ALLOWED AT 12 UNITS PER ACRE = 688 UNITS  
 EXISTING (120807) = 297 UNITS  
 PROPOSED THIS PHASE = 129 UNITS  
 FUTURE PHASES = 75 UNITS  
 DENSITY PROPOSED = 8.7 UNITS PER ACRE  
 OPEN SPACE REQUIRED AT 20% = 823,897 SF  
 MINIMUM LOT SIZE ALLOWED = 2,400 SF  
 IMPERVIOUS SURFACE ALLOWED = 1,871,991 SF  
 IMPERVIOUS SURFACE PROPOSED = 554,033 SF

**OPEN SPACE LEGEND**

EXISTING 297 40' x 60' LOTS = 712,200  
 PROPOSED 103 40' x 60' LOTS = 247,200  
 PROPOSED 6 45' x 60' LOTS = 16,488  
 PROPOSED 6 46' x 75' LOTS = 20,700  
 PROPOSED 10 50' x 75' LOTS = 37,500  
 PROPOSED 4 50' x 87' LOTS = 13,400  
 FUTURE 66 40' x 60' LOTS = 158,400  
 FUTURE 9 50' x 75' LOTS = 33,750  
 IMPERVIOUS SURFACE = 443,813

**TOTAL** = 1,683,451

OPEN SPACE = 2,495,988 - 1,683,451 = 812,537 SF = 32.6% OF SITE

\* LOT CONCRETE SLABS ARE NOT INCLUDED

**LOT LEGEND**

EXISTING LOTS = 297  
 PROPOSED LOTS = 103  
 40' x 60' = 103  
 45' x 60' = 6  
 46' x 75' = 6  
 50' x 75' = 10  
 50' x 87' = 4

FUTURE LOTS = 66  
 40' x 60' = 66  
 50' x 75' = 9

**TOTAL** = 501

# Olde Mill Stream RV Resort

1000 N. Central Ave., Umatilla, FL 32784

**ORDINANCE 2024- C**

**AN ORDINANCE OF THE CITY OF UMATILLA, FLORIDA, AMENDING THE TERMS AND CONDITIONS FOR THE CONDITIONAL USE PERMIT OF OLDE MILL STREAM; REVISING CONDITIONS AND UPDATING CERTAIN PROVISIONS; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Property, as described on Exhibit “A”, operates as a recreational vehicle park subject to Conditional Use Permit RP-85, (CUP RP-85); and

**WHEREAS**, the CUP RP-85 was amended from time to time and in its more recent form was amended and restated by Ordinance No. 2016-B, approved by City Council on June 7, 2016, and

**WHEREAS**, the property owner has requested modification of certain conditions; and

**WHEREAS**, the property owner has requested, among other things, that up to fifty-five (55) lots be utilized for RV Park Models.

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

**SECTION 1.** The recitals set forth above are hereby adopted as findings of the City Council of the City of Umatilla.

**SECTION 2.** The legal description for the property subject to this Ordinance is described in Exhibit A, attached hereto and incorporated herein by reference.

**SECTION 3.** The conditions within the Conditional Use Permit created by Ordinance No. 2016-B are hereby amended as follows:

(NOTE: Underlined words constitute the additions to the existing text of the *CUP Ordinance No. 2016-B*, and ~~strikethroughs~~ constitute deletions to the existing text of the *CUP Ordinance No. 2016-B*.

1. **Parking Setback from Lake.** No travel trailer or recreational vehicle shall be parked or stored within 150 feet of the lake.
2. **Entrance and Exit.** There shall be only one entrance and exit off of State Road 19, and one other passable emergency exist to County Road 450 E.
3. **FDOT Requirements.** The owner/developer shall be responsible for meeting all Florida Department of Transportation regulations and shall pay all transportation costs (turn lanes, merge lanes, impact fees, etc.) associated with the projects which are necessitated due to a change or expansions to the site plan.

4. **Water and Sewer; Utilities.** The owner/developer shall comply with all City of Umatilla regulations pertaining to water and sewer connections, and shall grant the City access to the property for the purpose of inspecting such connections and related infrastructure. The owner/developer shall install fire hydrants within 500 feet of every lot with fire flows of 600 GPM at 20 PSI residual pressure. To the extent that such standards are upgraded as a result of amendments to the City of Umatilla Code, all new development shall meet the standards in place at the time of site plan approval. The City shall continue to recognize, for water and sewer impact fee purposes, the reduced ERU rate of .29 ERU per unit, unless the units are designated for year round occupancy, then a ERU rate of .50 would apply. ~~will apply~~ ~~City determines that the actual water and waste water usage supports a revision to this rate, in which case, the City Manager shall notify the owner/developer of any such modifications.~~ Modification to the ERU rate shall not require an amendment to this CUP.
  
5. **Boat Rental.** The land owner shall not rent any boat with internal combustion motors, nor shall a boat ramp or launch facilities be permitted for lake access. This restriction shall not preclude the use of watercraft with electric motors, canoe, kayaks, nor does it preclude the use of watercraft with combustion motors that are individually owned, provided that such watercraft are of a size that they can be launched without a stabilized boat ramp.
  
6. **Length of Stay.** ~~Eighty-five percent (805%)~~ of the residents shall be permitted to stay no more than six (6) months within any twelve-month period, and ~~fifteen~~ twenty percent (~~45~~20%) shall be permitted to stay year-round. It shall be the responsibility of the owner/developer to maintain records supporting compliance with this provision, and make such records available to the City should there be reasonable cause to believe this provision is being violated, in which case, the burden shall be on the owner/developer to prove compliance. This provision shall not be construed to require the City to implement its own monitoring system, nor shall it be construed to require an investigation by the City upon an allegation of non-compliance.
  
7. **Screen Porch, Carport, Awnings, Sheds.** No screen porch, carport, awning or other structures shall be placed on an RV lot except for a storage shed up to 6 x 8 feet in size and on the RV Park Model site a carport being a minimum size of 12' x 20'.
  
8. **RV Park Models.** A maximum of fifty-five (55) ~~5.5-acre site shown on the site plan may be permitted for up to thirty five (35)~~ lots, containing a minimum of two thousand four hundred (2,400) square feet per lot, for the use of RV Park Models. Setbacks for RV Park Model lots shall be:

Front – 10’  
Side – 5’  
Rear – 10’

Each RV Park Model shall be located, set up, and used in compliance with applicable laws and regulations and shall be a “park trailer” within the meaning of FS 320.01(b)(7) and shall, further, be connected to city sewer prior to use or occupancy. Any necessary extension of sewer lines shall be the responsibility of the owner/developer and shall proceed in accordance with regulations and standards imposed by the City Manager.

The City may conduct annual inspections of the RV park models to assure that the character of the RV park will not change. The City may inspect the RV park model outdoor surfaces to ensure they are well-maintained, with no cracks, holes, or breakages. Parking areas shall be kept clean and well maintained.

9. **Facilities** The owner/developer shall be allowed to provide one or more community swimming pools, two docks, recreation halls, ~~miniature golf course~~, storage and maintenance buildings, manager’s residence, clubhouses and such other amenities permitted within the Tourist Commercial District
10. **Fencing** The entire property shall be fenced (or walled), including but not limited to those areas facing public streets and residential areas. A fence (or wall) shall be maintained North and South along State Road 19 setback 200 feet from State Road 19. The owner/developer shall be responsible for maintaining fencing (or walls), including replacing or repairing such fencing so that it is attractive in appearance.
11. **RV Spaces.** The owner/developer shall be allowed up to 536 permanent recreational vehicle spaces.
12. **Adherence to All Regulations.** The owner/developer shall comply with all Umatilla Land Development Regulations, but in the event of a conflict between such regulations and this CUP, this CUP shall be controlling. The owner/developer shall comply with all other local, state and federal regulations that pertain to the uses conducted on the subject property. In particular, all new development t on the site shall be subject to the City’s site plan review process to assure adherence to this CUP and the City’s Land Development Regulations. The owner/developer shall be responsible for all impact fees associated with new development.
13. **Access for Inspection.** The City shall have reasonable access to the subject property to enforce the terms of this CUP and other regulations governing the use of the subject property. The subject property shall be considered private property and the

owner/developer, manager and occupants shall be afforded the same right of reasonable notice of inspection as afforded other property owners.

- 14. **Recording.** This Conditional Use Permit shall be recorded in the public records of Lake County.
- 15. **Breach of Permit.** In addition to any other remedy by law, any breach of the terms or conditions of this permit or any default of the owner/developer of his successor in interest, shall be deemed a material breach hereof, and this Conditional Use Permit may be cancelled or revoked by the City Council upon setting this matter for public hearing and giving the same notice as provided by the City’s Land Development Regulations for land use cases.

**SECTION 4: Conflicts.** All ordinances that are in conflict with this Ordinance are hereby repealed.

**SECTION 5. Severability.** Should any section or part of this Ordinance be declared invalid by any court of competent jurisdiction, such adjudication shall not apply or affect any other provision of this Ordinance, except to the effect that the entire section or part of the section may be inseparable in meaning and effect from section to which such holding shall apply.

**SECTION 6. Effective Date.** This ordinance shall take effect immediately upon its final adoption by the City Council of the City of Umatilla, Florida.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christopher Creech, Mayor  
City of Umatilla, Florida

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Jessica Burnham  
City Clerk

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

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; AND THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917; AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

TOGETHER WITH:

THAT PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2116, PAGE 497 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE NORTH 468 FEET OF THE WEST 554.4 FEET OF GOVERNMENT LOT 3, IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA.

LESS AND EXCEPT:

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 795, PAGES 463 THROUGH 464, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE WESTERLY 200 FEET OF THE NORTH 1/4 OF THE SOUTHEAST 1/4 LYING EAST OF THE ABANDONED RAILROAD RIGHT OF WAY AS SHOWN ON ATLANTIC COASTLINE RAILROAD RIGHT OF WAY MAP DATED JUNE 30, 1917, AND THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING EAST OF SAID ABANDONED RAILROAD RIGHT OF WAY, ALL BEING IN SAID SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 984, PAGES 2232 THROUGH 2233 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12 AND RUN NORTH 00°31'02" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 28.5 FEET, MORE OR LESS, TO A 1/2" IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF C-450, SAID IRON PIN HAVING A CAP STAMPED "R.L.S. 1916" AND BEING THE POINT OF BEGINNING (P.O.B.). FROM SAID P.O.B., CONTINUE

NORTH 00°31'02" EAST ALONG THE AFORESAID WEST LINE 150.01 FEET; THENCE RUN NORTH 89°27'43" EAST PARALLEL WITH THE AFORESAID NORTHERLY RIGHT OF WAY LINE 656.55 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE AFORESAID SECTION 12; THENCE RUN SOUTH 00°20'44" WEST ALONG SAID EAST LINE 150.00 FEET TO A 4"X4" CONCRETE MONUMENT WITH A DISC IN THE TOP MARKED "R.L.S. 1916" SAID MONUMENT LOCATED ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF C-450; THENCE RUN SOUTH 89°27'43" WEST ALONG THE SAID NORTHERLY RIGHT OF WAY LINE 657.00 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

ALL THAT PORTION OF THE LANDS AS SHOWN ON THE PLAT OF COUNTRYSIDE VILLAS ON LAKE PEARL SECTION A, AS RECORDED IN PLAT BOOK 36, PAGES 46-47, LAKE COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

ALSO, LESS AND EXCEPT:

LOTS 1 THROUGH 4, AS SHOWN ON THE PLAT OF WEST WIND, AS RECORDED IN PLAT BOOK 49, PAGE 26, LAKE COUNTY, FLORIDA AND LYING IN SECTION 7, TOWNSHIP 18 SOUTH, RANGE 27 SOUTH.



## **Business Impact Estimate Exemption**

**Title: ORDINANCE 2024- C**

**Summary of Ordinance:**

**AN ORDINANCE OF THE CITY OF UMATILLA, FLORIDA, AMENDING THE TERMS AND CONDITIONS FOR THE CONDITIONAL USE PERMIT OF OLDE MILL STREAM; REVISING CONDITIONS AND UPDATING CERTAIN PROVISIONS; PROVIDING FOR CONFLICTS AND 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 law<sup>1</sup> 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:
  - 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.

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.



**CITY OF UMATILLA**  
**AGENDA ITEM STAFF REPORT**

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**DATE:** July 17, 2024

**MEETING DATE:** August 6, 2024

**SUBJECT: ITB 2024-AP-002 Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation Umatilla Municipal Airport Ranking**

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**BACKGROUND SUMMARY:**

On May 15, 2024, an invitation for bid (ITB) for the Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation for the Umatilla Municipal Airport was placed on behalf of the City on Vendorlink, the City's preferred bid solicitation website.

The city held the ITB opening on June 18th, 2024, at 2:00 p.m. A total of three (3) bids were received as follows:

Faden Builders, Inc.                      \$1,790,280.00

P&S Paving, Inc.                         \$1,948,351.00

C.W. Roberts Contracting, Inc. \$2,248,676.00

The apparent low bidder is Faden Builders, Inc. The ITB committee reviewed the respondents' qualifications and recommends that Faden Builder, Inc. be awarded the Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation for the Umatilla Municipal Airport.

**RECOMMENDATIONS:**

Approval of the rankings and award to Faden Builders, Inc.

**FISCAL IMPACTS:**

Anticipated to be funded by FAA grant

**ATTACHMENTS:**

1. Recommendation of Award, ITB 2024-AP-002 Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation Umatilla Municipal Airport
-



June 24, 2024

Mr. Scott Blankenship  
City Manager  
City of Umatilla  
1 South Central Avenue  
Umatilla, FL 32784

**Reference: Recommendation of Award, ITB 2024-AP-002  
Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation  
Umatilla Municipal Airport**

Dear Mr. Blankenship:

On June 18, 2024 at 2:00PM, the City of Umatilla received bids on the above-noted project. A total of three (3) bids were received as follows:

<b>Bidder</b>	<b>Bid Total</b>
Faden Builders, Inc.	\$1,790,280.00
P&S Paving, Inc.	\$1,948,351.00
C.W. Roberts Contracting, Inc.	\$2,248,676.00

The apparent low bidder is **Faden Builders, Inc. (Faden)** whose Bid Total is **\$1,790,280.00**. A detailed Bid Tabulation is attached.

Faden submitted the required bid forms, including the 5% Bid Security with notarized Power of Attorney, and three examples for relevant project experience ranging from \$485k to \$680k noting that all were completed on time, on budget, and that no change orders or claims have been filed against the bidder as a result of the construction. Faden committed to meeting 0.5% of the 4.41% DBE goal; however, the Good Faith Efforts documentation they provided is incomplete. Faden was notified that completion and delivery of necessary good faith efforts documentation would be required prior to Contract execution. Faden acknowledged the receipt of Addendum #1, however, Addendum #2 was not acknowledged in the bid submission. Bid Addendum #2 was **not** submitted by the Engineer prior to the mandated "last date for issuance of bid addenda" therefore, the lack of acknowledgment should not be considered a disqualifier. Additionally, the bidder was notified after the bid opening, and acknowledgment of the addenda was delivered in writing to confirm that the content of the addenda had no impact to project pricing or the completeness of the bid submission. The written acknowledgement of addenda #2 is attached to this recommendation of award.

Mr. Scott Blankenship  
Umatilla Municipal Airport  
Recommendation of Award, ITB 2024-AP-002  
Aircraft Parking Apron Expansion and Rotating Beacon Rehabilitation  
June 24, 2024  
Page 2 of 2

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The second low bidder is P&S Paving, Inc. (P&S) whose Bid Total is \$1,948,351.00. P&S submitted the required bid forms, including the 5% Bid Security with notarized Power of Attorney, acknowledgement of Addendums 1 & 2, and a list of twelve completed projects (eight of which within the last five years) ranging in value from \$35k to \$16M. All were noted as being completed on time, on budget, and no change orders or claims have been filed against the bidder as a result of the construction. P&S committed to meeting .0007% of the 4.41% DBE goal; however, the Good Faith Efforts documentation they provided also appears to be incomplete.

Notwithstanding the City's Legal Counsel review, **AVCON** recommends award of the contract to **Faden Builders, Inc.** for the Total Bid amount of **One Million, Seven Hundred Ninety Thousand, Two Hundred Eighty Dollars and 00/100 (\$1,790,280.00)**, subject to the availability of funding.

We stand ready to assist the City in the implementation of this project. Should you have any questions or require additional information, please do not hesitate to call.

Sincerely,

**AVCON, INC.**

A handwritten signature in black ink, appearing to read "Dan Nickols", is written over a faint, illegible printed name.

Dan Nickols, P.E.  
Senior Project Manager, Airports

Attachment: Signed Bid Tabulation, ITB 2024-AP-002  
Faden Builders, Inc. acknowledgement of Addendum #2



# UMATILLA MUNICIPAL AIRPORT

## AIRCRAFT PARKING APRON EXPANSION AND ROTATING BEACON REHABILITATION

### BID TABULATION

INDEX	FAA SPEC NO.	DESCRIPTION	UNIT	QTY	ENGINEER'S ESTIMATE		FADEN BUILDERS, INC.		P&S PAVING, INC.		C.W. ROBERTS CONTRACTING, INC.	
					UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	P-101	COLD MILLING EXISTING PAVEMENT, FULL DEPTH	SY	230	\$25.00	\$5,750.00	\$39.99	\$9,197.70	\$60.00	\$13,800.00	\$50.00	\$11,500.00
2	P-151	CLEARING & GRUBBING	AC	6	\$20,000.00	\$120,000.00	\$6,765.00	\$40,590.00	\$28,000.00	\$168,000.00	\$20,000.00	\$120,000.00
3	P-152	UNCLASSIFIED EXCAVATION	CY	10,230	\$30.00	\$306,900.00	\$19.68	\$201,326.40	\$12.00	\$122,760.00	\$25.00	\$255,750.00
4	P-152	SUBGRADE STABILIZATION	SY	5,080	\$25.00	\$127,000.00	\$9.53	\$48,412.40	\$15.00	\$76,200.00	\$20.00	\$101,600.00
5	P-211	LIME ROCK BASE COURSE	CY	920	\$125.00	\$115,000.00	\$79.95	\$73,554.00	\$106.00	\$97,520.00	\$150.00	\$138,000.00
6	P-403	ASPHALT SURFACE COURSE	TON	1,020	\$250.00	\$255,000.00	\$319.80	\$326,196.00	\$192.00	\$195,840.00	\$325.00	\$331,500.00
7	P-602	EMULSIFIED ASPHALT PRIME COAT	GAL	1,270	\$7.50	\$9,525.00	\$21.53	\$27,343.10	\$4.00	\$5,080.00	\$2.00	\$2,540.00
8	P-603	EMULSIFIED ASPHALT TACK COAT	GAL	260	\$7.50	\$1,950.00	\$21.53	\$5,597.80	\$5.00	\$1,300.00	\$35.00	\$9,100.00
9	P-620	PAVEMENT MARKINGS, WATERBORNE PAINT, WITH TYPE I REFLECTIVE MEDIA	SF	560	\$4.00	\$2,240.00	\$29.52	\$16,531.20	\$2.00	\$1,120.00	\$8.80	\$4,928.00
10	P-620	PAVEMENT MARKINGS, WATERBORNE PAINT, WITHOUT REFLECTIVE MEDIA	SF	1,080	\$3.00	\$3,240.00	\$22.14	\$23,911.20	\$0.80	\$864.00	\$5.80	\$6,264.00
11	P-620	HALF-RATE PAVEMENT MARKINGS, WATERBORNE PAINT, WITHOUT REFLECTIVE MEDIA	SF	560	\$4.00	\$2,240.00	\$22.14	\$12,398.40	\$0.90	\$504.00	\$8.80	\$4,928.00
12	F-162	REMOVE EXISTING CHAIN-LINK FENCE	LF	905	\$20.00	\$18,100.00	\$18.45	\$16,697.25	\$7.00	\$6,335.00	\$15.00	\$13,575.00
13	F-162	6' BLACK PVC COATED CHAIN-LINK FENCE WITH BARBED WIRE AND SIGNAGE	LF	945	\$75.00	\$70,875.00	\$56.58	\$53,468.10	\$38.00	\$35,910.00	\$50.00	\$47,250.00
14	F-162	FENCE DITCH CROSSING	EACH	1	\$10,000.00	\$10,000.00	\$14,514.00	\$14,514.00	\$5,240.00	\$5,240.00	\$7,000.00	\$7,000.00
15	T-901	SEEDING	SY	12,400	\$3.00	\$37,200.00	\$0.80	\$9,920.00	\$1.35	\$16,740.00	\$2.50	\$31,000.00
16	T-904	SODDING	SY	18,700	\$5.00	\$93,500.00	\$6.15	\$115,005.00	\$7.13	\$133,331.00	\$5.50	\$102,850.00
17	T-908	MULCHING	SY	12,400	\$3.00	\$37,200.00	\$4.41	\$54,684.00	\$0.60	\$7,440.00	\$0.50	\$6,200.00
18	GP-80	CONSTRUCTION SAFETY AND PHASING PLAN	LS	1	\$30,000.00	\$30,000.00	\$24,600.00	\$24,600.00	\$138,000.00	\$138,000.00	\$95,000.00	\$95,000.00
19	GP-80	STABILIZED ACCESS ROAD	LS	1	\$25,000.00	\$25,000.00	\$9,840.00	\$9,840.00	\$32,000.00	\$32,000.00	\$20,000.00	\$20,000.00
20	---	GOPHER TORTOISE SURVEY/PROTECTION	LS	1	\$8,000.00	\$8,000.00	\$10,455.00	\$10,455.00	\$2,700.00	\$2,700.00	\$25,000.00	\$25,000.00
21	---	GOPHER TOROISE PERMIT	ALLOW	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
22	---	GOPHER TORTOISE BURROW EXCAVATION AND RELOCATION	ALLOW	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
23	---	INSTALL NEW APRON TIE-DOWNS	EACH	33	\$450.00	\$14,850.00	\$922.50	\$30,442.50	\$600.00	\$19,800.00	\$500.00	\$16,500.00
24	SP-104-1	TEMPORARY POWER AND TEMPORARY AIRFIELD LIGHTING	LS	1	\$10,000.00	\$10,000.00	\$28,130.00	\$28,130.00	\$6,700.00	\$6,700.00	\$10,500.00	\$10,500.00
25	SP-105-1	ELECTRICAL DEMOLITION	LS	1	\$30,000.00	\$30,000.00	\$13,284.00	\$13,284.00	\$6,700.00	\$6,700.00	\$10,500.00	\$10,500.00
26	L-101-1	L-801A(L) ROTATING BEACON, TILT DOWN BEACON TOWER AND APPURTENANCES REHABILITATION	LS	1	\$150,000.00	\$150,000.00	\$110,035.00	\$110,035.00	\$147,730.00	\$147,730.00	\$130,000.00	\$130,000.00
27	L-108-1	1/C L-824 TYPE C UNSHIELDED #8 AWG 5KV STRANDED COPPER CABLE, INSTALLED IN DUCT OR CONDUIT	LF	2,000	\$2.00	\$4,000.00	\$9.26	\$18,520.00	\$2.00	\$4,000.00	\$1.75	\$3,500.00
28	L-108-2	1/C #2 AWG SOLID COPPER COUNTERPOISE CABLE, INSTALLED OVER DUCT OR CONDUIT	LF	1,200	\$3.00	\$3,600.00	\$15.01	\$18,012.00	\$3.00	\$3,600.00	\$2.75	\$3,300.00
29	L-108-3	0.75" DIAMETER BY 10.00' LONG COPPER CLAD STEEL SECTIONAL GROUND ROD	EA	40	\$150.00	\$6,000.00	\$209.10	\$8,364.00	\$200.00	\$8,000.00	\$175.00	\$7,000.00
30	L-110-1	1 WAY 2" SCHEDULE 40 PVC DIRECT EARTH BURIED DUCT	LF	1,100	\$8.00	\$8,800.00	\$10.21	\$11,231.00	\$8.00	\$8,800.00	\$7.00	\$7,700.00
31	L-110-2	1 WAY 2" SCHEDULE 40 PVC CONCRETE ENCASED DUCT	LF	100	\$40.00	\$4,000.00	\$112.67	\$11,267.00	\$40.00	\$4,000.00	\$35.00	\$3,500.00
32	L-110-3	1 WAY 4" SPLIT DUCT	LF	50	\$40.00	\$2,000.00	\$86.10	\$4,305.00	\$87.00	\$4,350.00	\$75.00	\$3,750.00
33	L-125-1	L-861T(L) OMNIDIRECTIONAL, BLUE, LED, TAXIWAY EDGE LIGHT	EA	13	\$2,000.00	\$26,000.00	\$1,818.13	\$23,635.69	\$4,029.00	\$52,377.00	\$3,500.00	\$45,500.00
34	L-125-2	FIELD LIGHTNING ARRESTOR ASSEMBLY	EA	2	\$1,200.00	\$2,400.00	\$1,869.60	\$3,739.20	\$2,015.00	\$4,030.00	\$1,600.00	\$3,200.00
35	26 56 30-5.1	APRON LIGHTING POLE ASSEMBLY #1-4 - COMPLETE	LS	1	\$90,000.00	\$90,000.00	\$144,279.00	\$144,279.00	\$325,500.00	\$325,500.00	\$301,000.00	\$301,000.00
36	26 56 30-5.2	SHORT CIRCUIT/COORDINATION/DEVICE EVALUATION/ARC FLASH ANALYSIS	LS	1	\$5,000.00	\$5,000.00	\$7,380.00	\$7,380.00	\$13,430.00	\$13,430.00	\$15,000.00	\$15,000.00
37	C-100	CONTRACTOR QUALITY CONTROL PLAN (CQCP)	LS	1	\$30,000.00	\$30,000.00	\$29,520.00	\$29,520.00	\$19,500.00	\$19,500.00	\$72,700.00	\$72,700.00
38	C-102	INSTALLATION AND REMOVAL OF SILT FENCE	LF	350	\$10.00	\$3,500.00	\$6.77	\$2,369.50	\$9.00	\$3,150.00	\$9.00	\$3,150.00
39	C-102	TEMPORARY AIR & WATER POLLUTION, SOIL EROSION, & SILTATION CONTROL	LS	1	\$15,000.00	\$15,000.00	\$21,525.00	\$21,525.00	\$26,200.00	\$26,200.00	\$20,000.00	\$20,000.00
40	C-105	MOBILIZATION (10% MAXIMUM)	LS	1	\$171,130.00	\$171,130.00	\$174,999.56	\$174,999.56	\$194,800.00	\$194,800.00	\$222,891.00	\$222,891.00
<b>TOTAL</b>						<b>\$1,890,000.00</b>		<b>\$1,790,280.00</b>		<b>\$1,948,351.00</b>		<b>\$2,248,676.00</b>

Signed: Bid Tabulation completed by Dan Nickols, P.E.

**Nickols Jr., Daniel\_P.E.**

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**From:** Todd (Faden Builders Inc.) <Todd@fadenbuildersinc.com>  
**Sent:** Monday, June 24, 2024 11:29 AM  
**To:** Nickols Jr., Daniel\_P.E.  
**Subject:** Umatilla Airport Apron Expansion - Addendum #2  
**Attachments:** ITB\_2024-AP-002\_Addendum\_No.\_2\_wAttachments.pdf

Dan,

We acknowledge Adden#2 which is just a Public Entity attachment will be a part of the contract. Our original bid price does not change.

" 1. The attached "Public Entity Addendum" will be included as an attachment to the Construction contract with the awarded bidder pursuant to City of Umatilla requirements and Florida Statute."

--

Regards,  
**TODD M. FADEN**  
PRESIDENT



**Faden Builders, Inc.**

Mount Dora Office:  
742 S. Rossiter Street  
Mount Dora, FL. 32757

Attractions Area Office:  
3390 East Vista Blvd.  
Lake Buena Vista, FL. 32830

.....  
Office: 352-735-9805  
Fax: 352-735-9806

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# UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF  
July 9, 2024 through July 15, 2024

## ARRESTS

7/13/2024	12:34 am	Mya La'kori Williams Umatilla	Simple battery domestic.

## CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

7/12/2024	11:31 pm	Robert Tiller Eustis	Attaching a tag not assigned to the vehicle.
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## REPORTS FILED

7/11/2024	6:40 pm	Officers took a report of a package left by Amazon for delivery as missing from an apartment on North Central Avenue.
7/12/2024	11:04 am	Officers responded to United Southern Bank and took a report of fraudulent use of personal identification to create accounts and grand theft.
7/13/2024	11:53	Officers took a report of grand theft from a resident on East Collins Street. A credit card had been stolen and used.

ARRESTS	2
DISPATCHED CALLS	150
TRAFFIC STOPS	71
TRAFFIC CITATIONS ISSUED	3

# UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF  
July 16, 2024 through July 22, 2024

## ARRESTS

7/16/2024	11:25 a.m.	Marshall, Susan Homeless	Trespass after warning.
7/21/2024	10:42 a.m.	Blazek, Michael Umatilla	Battery (Domestic Simple); Resist without violence.

## CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

n/a			
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## REPORTS FILED

7/16/2024	3:43 p.m.	Officers assisted DCF with a case in the area of Umatilla Boulevard.
7/17/2024	3:01 p.m.	A person came into the Umatilla Police Department to report a theft. The report was taken.
7/18/2024	8:05 a.m.	Officers responded to Larkin Park reference a needle being found in the mens room. Needle was placed into a sharps container.
7/21/2024	1:42 a.m.	Officers responded to the area of Orange Avenue reference a disturbance. Dispute was verbal in nature.
7/21/2024	3:36 a.m.	Officers responded to the Circle K located at 42404 SR 19 reference a disturbance in progress. Upon arrival it was determined to be only a verbal dispute. Parties separated and left the scene.
7/21/2024	9:23 a.m.	Officers responded to a report of suspicious persons in the area of SR 19 and CR 42. They had run out of gas.
7/22/2024	10:11 a.m.	Officers responded to the United Southern Bank to take a fraud report.

# UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF  
July 16, 2024 through July 22, 2024

## ARRESTS

<b>ARRESTS</b>	<b>2</b>
<b>DISPATCHED CALLS</b>	<b>124</b>
<b>TRAFFIC STOPS</b>	<b>31</b>
<b>TRAFFIC CITATIONS ISSUED</b>	<b>1</b>

# UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF  
July 23, 2024 through July 29, 2024

## ARRESTS

n/a			
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## CRIMINAL CITATIONS REQUIRING COURT APPEARANCE

7/23/2024	1:06 p.m.	Toro, Kenneth Orlando	No drivers license never had one.
7/27/2024	6:21 p.m.	Martin, Michael Tavares	Driving while license suspended.

## REPORTS FILED

7/23/2024	7:26 a.m.	Officers responded to the area of Magnolia Point reference theft. A report was taken.
7/23/2024	7:39 a.m.	Officers responded to a business alarm at United Southern Bank. Alarm was accidental.
7/23/2024	8:56 p.m.	Officers responded to the area of North State Road 19 reference a lost person to assist the Lake County Sheriffs office. The person was located.
7/23/2024	12:59 p.m.	Officers respond to report of suspicious person walking on the yellow line in the area of North State Road 19. Person was located, was safe and called for an uber.
7/24/2024	8:55 a.m.	Officers responded to the area of Kentucky Avenue reference found property.
7/24/2024	3:47 p.m.	Officers assisted the Lake County Sheriffs office with a disturbance call in the area of Wilson Parrish Road. Dispute was verbal in nature.
7/25/2024	4:30 p.m.	Officers responded to an alarm at the Umatilla Church of God. Alarm was accidental.
7/25/2024	7:50 p.m.	Officers were called to the area of Wallace Street and Oak Drive reference black smoke in area. Fire was located behind the scrap yard and was controlled.

# UMATILLA POLICE DEPARTMENT PRESS RELEASE

WEEK OF  
July 23, 2024 through July 29, 2024

## ARRESTS

7/26/2024	2:59 a.m.	Officers responded to Umatilla Family Practice reference a business alarm. Building was secure.
7/26/2024	12:51 a.m.	Officers responded to a residence in the area of Turtle Run reference a person needing medical attention. Person was turned over to EMS.
7/26/2024	6:05 p.m.	Officers responded to a residence in the area of South Central Avenue reference a civil dispute. Police information was given.
7/27/2024	2:13 p.m.	Officers responded to Twin Lakes subdivision reference solicitors. They were asked to leave and did so.
7/27/2024	9:02 p.m.	Officers responded to a suspicious incident outside the Umatilla Superette. Persons were gone upon arrival.
7/28//2024	6:11 a.m.	Officers responded to a residence on South Central Avenue to a dispute. It was verbal in nature.
7/28/2024	1:39 p.m.	Officers responded to a juvenile complaint call. After being cleared by EMS, the juvenile was transported to Lifestreams Behavioral Center for a law enforcement Baker Act.
7/28/2024	6:34 p.m.	Officers assisted the Lake County Sheriffs office for a person needing medical attention. Person was turned over to EMS.

<b>ARRESTS</b>	<b>2</b>
<b>DISPATCHED CALLS</b>	<b>152</b>
<b>TRAFFIC STOPS</b>	<b>68</b>
<b>TRAFFIC CITATIONS ISSUED</b>	<b>6</b>