



UMATILLA LAND PLANNING AGENCY MEETING

May 20, 2025 at 6:00 PM

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

AGENDA

Please silence your electronic devices

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

PUBLIC COMMENT

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

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

1. First Reading of Ordinance No. 2025-E, Smith Legacy, Annexation
2. First Reading of Ordinance No. 2025-E1, Smith Legacy Small Scale Comp Plan Amendment
3. First Reading of Ordinance No. 2025-E2, Smith Legacy Rezoning

DISCUSSION ITEMS

ADJOURNMENT

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

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



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE:

MEETING DATE: May 20, 2025

SUBJECT: First Reading of Ordinance No. 2025-E, Smith Legacy, Annexation

BACKGROUND SUMMARY:

The subject site is contiguous and compact to the city limits along the northern property boundary and therefore is eligible for voluntary annexation. Further, the property is within the ISBA and annexations creating an enclave are allowable.

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2025-E, Smith Legacy Annexation

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report Smith Legacy
 2. Ordinance No. 2025-E Smith Legacy Annexation
-

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

Owner: Smith Legacy Home, LLC

General Location: North of Pearl St. & West of Merrell Ave.

Number of Acres: 1.72 ± acres

Existing Zoning: R-6

Existing Land Use: Urban Medium (7 units/acre)

Proposed Zoning: Residential Planned Unit Development (PUD)

Proposed Land Use: Multi-family low density (8 units/acre)

Date: April 8, 2025

Description of Project

The owner is seeking annexation, small-scale comp plan amendment and rezoning for the 1.72 ± acre site. The applicant proposes to utilize the site as single family residential on 11 existing platted lots of approximately 50' x 140' (7,000 SF lots) at a density of 6.40 units/acre.

	Surrounding Zoning	Surrounding Land Use
North	UR-5 and PFD	Residential Single Family Medium Density (5 units/acre) and Institutional
South	R-6	Urban Medium Density (7 units/acre)
East	R-6	Urban Medium Density (7 units/acre)
West	R-6	Urban Medium Density (7 units/acre)

Assessment

Annexation

The subject site is contiguous and compact to the city limits along the northern property boundary and therefore is eligible for voluntary annexation. Further, the property is within the ISBA and annexations creating an enclave are allowable.

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) per Future Land Use (FLU) Policy I-1.3.3 to City of Umatilla Multi-Family Low Density (8 units/acre) per FLU Policies 1-2.1.1 and 1-2.2.7 on 1.72 ± acres. The existing adjacent Land Uses are City Institutional, City SF Medium Density (5 units/acre), and Lake County Urban Medium Density (7 units/acre).

The proposed Multi-Family Low Density category is compatible with the adjacent properties, provides for the continued residential use on existing platted lots, promotes orderly compact growth and is consistent with the comprehensive plan (FLU Policy 1-2.1.1, 1-2.2.7, 1-1.10.1, and 1-1.10.2).

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum residential development potential is 12 residential units per Lake County Future Land Use (FLU) Policy I-1.3.3. The proposed land use of Multi-Family Low Density allows the maximum development potential of 14 multi-family units per FLU Policy 1-2.1.2. The net result is an increase of 2 residential units. The Multi-Family Low Density category is the closest category within the City's Comprehensive Plan to the County's Urban Medium Density to allow the platted lots at the existing density of 6.40 units/acre.

The data and analysis indicate that there is a need for additional residential lands to meet the projected need for the planning year 2035. The addition of 14 units 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.

4. Multi-Family Medium Density - 8 dwelling units/acre. Development shall be limited to single-family residential, duplexes, and triplexes

Policy 1.2.2.7: Multi-family triplex – 8 dwelling units/acre.

Development shall be limited to single-family residential, duplexes, triplexes and multi-family. Mobile homes, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

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.

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 decrease traffic as multi-family produces less traffic than single family. SR 19 is designated as an arterial roadway with an adopted Level of Service (LOS) of D. Pearl Street is a local roadway with an adopted 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
Multi-Family	14 Units	220	94	7	4	3
TOTAL GROSS TRIPS (PROPOSED)			94	7	4	3

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	12 Units	210	113	11	7	4
TOTAL GROSS TRIPS (EXISTING)			113	11	7	4

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

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-4	-3	-1

School Impact Analysis

The amendment will reduce school impacts by 1 student based on multi-family housing; however, if developed as single family there will be no net increase in school age children based on the PUD zoning.

Existing County Land Use Residential Units: 12 SF units

Proposed Development Residential Units: 14 MF units

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

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

Lake County Student Generation Rates	
Single Family >800 SF	
Type	Student Multipliers per Dwelling Unit
High School	0.100
Middle School	0.072
Elementary School	0.140
Total	0.312

Lake County Student Generation Rates	
Multi-Family >- 800 SF	
Type	Student Multipliers per Dwelling Unit
High School	0.064
Middle School	0.059
Elementary School	0.145
Total	0.268

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	12	0.140	2	0	0.091	0	2
MIDDLE	12	0.072	1	0	0.037	0	1
HIGH	12	0.100	1	0	0.041	0	1
GRAND TOTAL							4

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

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

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.140	0	14	0.091	1	1
MIDDLE	0	0.072	0	14	0.037	1	1
HIGH	0	0.100	0	14	0.041	1	1
GRAND TOTAL							3

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 -0.032 MGD (includes Joint Equity, 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 (-.0074).

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 2025.

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 131,800 gallons per day (0.1318 MGD). The proposed amendment (0.0028 MGD) would not cause a deficiency in the City's Level of Service standards and the city would have 129,000 gallons per day (0.129 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population is 14 and the estimated solid waste is 70 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

The subject site is currently undeveloped and is not located within the 100-year flood plain. Should protected species occur, prior to development appropriate regulatory permits will be required.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Urban Residential (R-6) to City of Umatilla Residential Planned Unit Development (RPUD). The R-6 zoning category allows for single family, duplex, and multi-family dwelling units with setbacks of 25' front, and 5' side and rear. The PUD would limit development to single family homes on 11 existing platted lots (50' x 140') at a density of 6.40 units/acre. The Land Development Regulations (LDRs) indicate that the minimum size of a PUD is 10 acres; however, the City Council may approve a lesser minimum area if the Council determines that the intent and purpose of the PUD district and expressed municipal development policy would be served. The Developers Agreement would include standards for development. The rezoning to PUD is compatible with the adjacent zonings of PFD, UR-5 and R-6.

Recommendation

Annexation

The proposed voluntary annexation is contiguous and compact to the city limits along the northern boundary and is within the ISBA. Staff recommends approval.

SSCPA

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

Rezoning

The proposed rezoning of Residential Planned Unit Development (RPUD) is consistent with the comprehensive plan and land development regulations 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 (Table 3). 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						-0.0302 *
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-family Low Density (8 Units/Acre)	14 MF units	.0042	
Total	1.72					- 0.0074

*Includes Joint Equity LLC Amendment

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

Commercial based on 850 gpd per acre

Persons per household – 2.0

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						0.1318*
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-Family Low Density (8 Units/Acre)	14 MF units	.0028	
	1.72					0.129

*Includes Joint Equity, 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
2.0 Persons per household

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					0.284*
Smith Legacy	1.72	Residential PUD	11 SF units	0.0033	
Total	1.72				0.280

* Includes Joint Equity LLC

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

Commercial based on 850 gpd per acre

2.0 Persons per household

ORDINANCE 2025-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 1.72 ± ACRES OF LAND GENERALLY LOCATED NORTH OF PEARL STREET AND WEST OF MERRELL AVENUE; 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 1.72 acres of land generally located north of Pearl Street and west of Merrell Avenue ("Property") by Smith Legacy Homes, LLC and Affordably Lavish Foundation, Inc. ("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.

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 1.72 acres of land generally located north of Pearl Street and west of Merrell Avenue, is hereby incorporated into and made part of the City of Umatilla Florida. The Property is more particularly described and depicted below and as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

LEGAL DESCRIPTION: Lots 5,6,7,8 and 9, and Lots 11 through 16, inclusive, Lake Tutuola Park, according to the map or plat thereof as recorded in Plat Book 6, Page 59, Public Records of Lake County, Florida ("Property").

Alternate Key # 3907096 and 3907095

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 _____, 2025.

Christopher R. Creech, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"





CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE:

MEETING DATE: May 20, 2025

SUBJECT: First Reading of Ordinance No. 2025-E1, Smith Legacy Small Scale Comp Plan Amendment

BACKGROUND SUMMARY:

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) per Future Land Use (FLU) Policy I-1.3.3 to City of Umatilla Multi-Family Low Density (8 units/acre) per FLU Policies 1-2.1.1 and 1-2.2.7 on 1.72 + acres. The existing adjacent Land Uses are City Institutional, City SF Medium Density (5 units/acre), and Lake County Urban Medium Density (7 units/acre). The proposed Multi-Family Low Density category is compatible with the adjacent properties, provides for the continued residential use on existing platted lots, promotes orderly compact growth and is consistent with the comprehensive plan (FLU Policy 1-2.1.1, 1-2.2.7, 1-1.10.1, and 1-1.10.2). For comprehensive plan purposes, a maximum development scenario was utilized. Under the existing land use, the maximum residential development potential is 12 residential units per Lake County Future Land Use (FLU) Policy I-1.3.3.

The proposed land use of Multi-Family Low Density allows the maximum development potential of 14 multifamily units per FLU Policy 1-2.1.2. The net result is an increase of 2 residential units. The Multi-Family Low Density category is the closest category within the City's Comprehensive Plan to the County's Urban Medium Density to allow platted lots at the existing density of 6.40 units/acre. The data and analysis indicate that there is a need for additional residential lands to meet the projected need for the planning year 2035. The addition of 14 units would assist in meeting this need.

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2025-E1, Smith Legacy Small Scale Comp Plan Amendment

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report Smith Legacy
 2. Ordinance No. 2025-E1 Smith Legacy SSCPA
-

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

Owner: Smith Legacy Home, LLC

General Location: North of Pearl St. & West of Merrell Ave.

Number of Acres: 1.72 ± acres

Existing Zoning: R-6

Existing Land Use: Urban Medium (7 units/acre)

Proposed Zoning: Residential Planned Unit Development (PUD)

Proposed Land Use: Multi-family low density (8 units/acre)

Date: April 8, 2025

Description of Project

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Assessment

Annexation

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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.

4. Multi-Family Medium Density - 8 dwelling units/acre. Development shall be limited to single-family residential, duplexes, and triplexes

Policy 1.2.2.7: Multi-family triplex – 8 dwelling units/acre.

Development shall be limited to single-family residential, duplexes, triplexes and multi-family. Mobile homes, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

Policy 1-1.10.1: Land Use Allocation.

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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.

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 decrease traffic as multi-family produces less traffic than single family. SR 19 is designated as an arterial roadway with an adopted Level of Service (LOS) of D. Pearl Street is a local roadway with an adopted 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
Multi-Family	14 Units	220	94	7	4	3
TOTAL GROSS TRIPS (PROPOSED)			94	7	4	3

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

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
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School Impact Analysis

The amendment will reduce school impacts by 1 student based on multi-family housing; however, if developed as single family there will be no net increase in school age children based on the PUD zoning.

Existing County Land Use Residential Units: 12 SF units

Proposed Development Residential Units: 14 MF units

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

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

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Single Family >800 SF	
Type	Student Multipliers per Dwelling Unit
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Elementary School	0.140
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HIGH	12	0.100	1	0	0.041	0	1
GRAND TOTAL							4

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

**TABLE 2
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SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
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GRAND TOTAL							3

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 -0.032 MGD (includes Joint Equity, 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 (-.0074).

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Environmental Analysis

The subject site is currently undeveloped and is not located within the 100-year flood plain. Should protected species occur, prior to development appropriate regulatory permits will be required.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Urban Residential (R-6) to City of Umatilla Residential Planned Unit Development (RPUD). The R-6 zoning category allows for single family, duplex, and multi-family dwelling units with setbacks of 25' front, and 5' side and rear. The PUD would limit development to single family homes on 11 existing platted lots (50' x 140') at a density of 6.40 units/acre. The Land Development Regulations (LDRs) indicate that the minimum size of a PUD is 10 acres; however, the City Council may approve a lesser minimum area if the Council determines that the intent and purpose of the PUD district and expressed municipal development policy would be served. The Developers Agreement would include standards for development. The rezoning to PUD is compatible with the adjacent zonings of PFD, UR-5 and R-6.

Recommendation

Annexation

The proposed voluntary annexation is contiguous and compact to the city limits along the northern boundary and is within the ISBA. Staff recommends approval.

SSCPA

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

Rezoning

The proposed rezoning of Residential Planned Unit Development (RPUD) is consistent with the comprehensive plan and land development regulations 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 (Table 3). 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						-0.0302 *
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-family Low Density (8 Units/Acre)	14 MF units	.0042	
Total	1.72					- 0.0074

*Includes Joint Equity LLC Amendment

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

Commercial based on 850 gpd per acre

Persons per household – 2.0

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						0.1318*
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-Family Low Density (8 Units/Acre)	14 MF units	.0028	
	1.72					0.129

*Includes Joint Equity, 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
2.0 Persons per household

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					0.284*
Smith Legacy	1.72	Residential PUD	11 SF units	0.0033	
Total	1.72				0.280

* Includes Joint Equity LLC

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

Commercial based on 850 gpd per acre

2.0 Persons per household

ORDINANCE 2025-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 1.72 ± ACRES OF LAND DESIGNATED AS LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY IN THE CITY OF UMATILLA FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY SMITH LEGACY HOME, LLC AND AFFORDABLY LAVISH FOUNDATION, INC. LOCATED NORTH OF PEARL STREET AND WEST OF MERRELL AVENUE; 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 Smith Legacy Home, LLC and Affordably Lavish Foundation, Inc. as owner ("Owner") requesting that real property within the city limits of the City of Umatilla ("City") be assigned a Land Use designation from Lake County Urban Medium Density to City of Umatilla Multi-family Medium Density per the City's Comprehensive Plan; and

WHEREAS, the Land Use amendment would facilitate residential development and is in compliance with the policies of the City's Comprehensive Plan; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the 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 Urban Medium Density to Multi-Family Medium Density, as depicted on the map attached hereto as Exhibit "A", and as defined in the City's Comprehensive Plan.

PROPERTY LEGAL DESCRIPTION: Lots 5,6,7,8 and 9, and Lots 11 through 16, inclusive, Lake Tutuola Park, according to the map or plat thereof as recorded in Plat Book 6, Page 59, Public Records of Lake County, Florida ("Property").

Alternate Key # 3907096 and 3907095

- 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 _____, 2025.

Christopher R. Creech, Mayor
City of Umatilla, Florida

ATTEST:

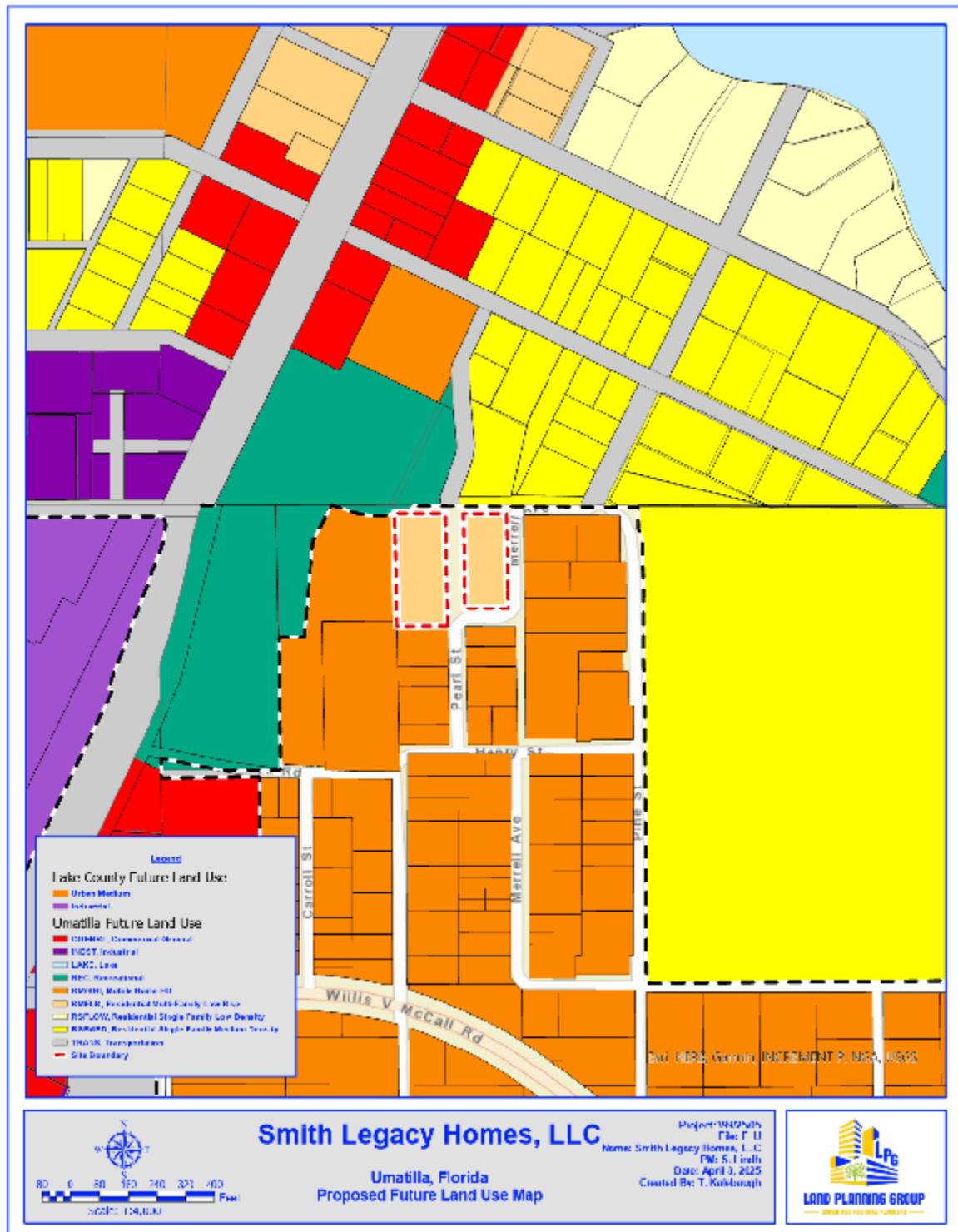
Approved as to Form:

Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"





CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE:

MEETING DATE: May 20, 2025

SUBJECT: First Reading of Ordinance No. 2025-E2, Smith Legacy Rezoning

BACKGROUND SUMMARY:

The applicant is requesting that the site be rezoned from Lake County Urban Residential (R-6) to City of Umatilla Residential Planned Unit Development (RPUD). The R-6 zoning category allows for single-family, duplex, and multifamily dwelling units with setbacks of 25' front, and 5' side and rear. **This PUD zoning would limit development to single-family homes on 11 existing platted lots (50' x 140') at a density of 6.40 units/acre.**

The Land Development Regulations (LDRs) indicate that the minimum size of a PUD is 10 acres; however, the City Council may approve a lesser minimum area if the Council determines that the intent and purpose of the PUD district and expressed municipal development policy would be served. The Developers Agreement would include standards for development. The rezoning to PUD is compatible with the adjacent zonings of PFD, UR-5 and R-6.

RECOMMENDATIONS:

Approval of First Reading of Ordinance No. 2025-E2, Smith Legacy Rezoning

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Staff Report Smith Legacy
 2. Ordinance No. 2025-E2 Smith Legacy Rezoning
 3. Smith Legacy_Development Agreement_jmc rev 4.18
 4. EXHIBIT A
 5. EXHIBIT B
-

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

Owner: Smith Legacy Home, LLC

General Location: North of Pearl St. & West of Merrell Ave.

Number of Acres: 1.72 ± acres

Existing Zoning: R-6

Existing Land Use: Urban Medium (7 units/acre)

Proposed Zoning: Residential Planned Unit Development (PUD)

Proposed Land Use: Multi-family low density (8 units/acre)

Date: April 8, 2025

Description of Project

The owner is seeking annexation, small-scale comp plan amendment and rezoning for the 1.72 ± acre site. The applicant proposes to utilize the site as single family residential on 11 existing platted lots of approximately 50' x 140' (7,000 SF lots) at a density of 6.40 units/acre.

	Surrounding Zoning	Surrounding Land Use
North	UR-5 and PFD	Residential Single Family Medium Density (5 units/acre) and Institutional
South	R-6	Urban Medium Density (7 units/acre)
East	R-6	Urban Medium Density (7 units/acre)
West	R-6	Urban Medium Density (7 units/acre)

Assessment

Annexation

The subject site is contiguous and compact to the city limits along the northern property boundary and therefore is eligible for voluntary annexation. Further, the property is within the ISBA and annexations creating an enclave are allowable.

Small Scale Comprehensive Plan Map Amendment

The applicant is requesting an amendment from Lake County Urban Medium Density (7 units/net acre) per Future Land Use (FLU) Policy I-1.3.3 to City of Umatilla Multi-Family Low Density (8 units/acre) per FLU Policies 1-2.1.1 and 1-2.2.7 on 1.72 ± acres. The existing adjacent Land Uses are City Institutional, City SF Medium Density (5 units/acre), and Lake County Urban Medium Density (7 units/acre).

The proposed Multi-Family Low Density category is compatible with the adjacent properties, provides for the continued residential use on existing platted lots, promotes orderly compact growth and is consistent with the comprehensive plan (FLU Policy 1-2.1.1, 1-2.2.7, 1-1.10.1, and 1-1.10.2).

For comprehensive plan purposes a maximum development scenario was utilized. Under the existing land use the maximum residential development potential is 12 residential units per Lake County Future Land Use (FLU) Policy I-1.3.3. The proposed land use of Multi-Family Low Density allows the maximum development potential of 14 multi-family units per FLU Policy 1-2.1.2. The net result is an increase of 2 residential units. The Multi-Family Low Density category is the closest category within the City's Comprehensive Plan to the County's Urban Medium Density to allow the platted lots at the existing density of 6.40 units/acre.

The data and analysis indicate that there is a need for additional residential lands to meet the projected need for the planning year 2035. The addition of 14 units 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.

4. Multi-Family Medium Density - 8 dwelling units/acre. Development shall be limited to single-family residential, duplexes, and triplexes

Policy 1.2.2.7: Multi-family triplex – 8 dwelling units/acre.

Development shall be limited to single-family residential, duplexes, triplexes and multi-family. Mobile homes, industrial or commercial uses will not be permitted however, a mixed use PUD shall be allowed as outlined in Policy 1-1.11.1 and Public Facilities shall be allowed as outlined in Policy 1-2.1.2.

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.

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 decrease traffic as multi-family produces less traffic than single family. SR 19 is designated as an arterial roadway with an adopted Level of Service (LOS) of D. Pearl Street is a local roadway with an adopted 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
Multi-Family	14 Units	220	94	7	4	3
TOTAL GROSS TRIPS (PROPOSED)			94	7	4	3

* 11th Edition

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
Single Family	12 Units	210	113	11	7	4
TOTAL GROSS TRIPS (EXISTING)			113	11	7	4

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

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-4	-3	-1

School Impact Analysis

The amendment will reduce school impacts by 1 student based on multi-family housing; however, if developed as single family there will be no net increase in school age children based on the PUD zoning.

Existing County Land Use Residential Units: 12 SF units

Proposed Development Residential Units: 14 MF units

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

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

Lake County Student Generation Rates	
Single Family >800 SF	
Type	Student Multipliers per Dwelling Unit
High School	0.100
Middle School	0.072
Elementary School	0.140
Total	0.312

Lake County Student Generation Rates	
Multi-Family >- 800 SF	
Type	Student Multipliers per Dwelling Unit
High School	0.064
Middle School	0.059
Elementary School	0.145
Total	0.268

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	12	0.140	2	0	0.091	0	2
MIDDLE	12	0.072	1	0	0.037	0	1
HIGH	12	0.100	1	0	0.041	0	1
GRAND TOTAL							4

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

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

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.140	0	14	0.091	1	1
MIDDLE	0	0.072	0	14	0.037	1	1
HIGH	0	0.100	0	14	0.041	1	1
GRAND TOTAL							3

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 -0.032 MGD (includes Joint Equity, 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 (-.0074).

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 2025.

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 131,800 gallons per day (0.1318 MGD). The proposed amendment (0.0028 MGD) would not cause a deficiency in the City's Level of Service standards and the city would have 129,000 gallons per day (0.129 MGD) remaining (Table 2).

Solid Waste Analysis

The LOS for solid waste is 5 lbs per day per capita. The estimated population is 14 and the estimated solid waste is 70 lbs per day. The proposed amendment will not cause a deficiency in the LOS.

Environmental Analysis

The subject site is currently undeveloped and is not located within the 100-year flood plain. Should protected species occur, prior to development appropriate regulatory permits will be required.

Rezoning

The applicant is requesting that the site be rezoned from Lake County Urban Residential (R-6) to City of Umatilla Residential Planned Unit Development (RPUD). The R-6 zoning category allows for single family, duplex, and multi-family dwelling units with setbacks of 25' front, and 5' side and rear. The PUD would limit development to single family homes on 11 existing platted lots (50' x 140') at a density of 6.40 units/acre. The Land Development Regulations (LDRs) indicate that the minimum size of a PUD is 10 acres; however, the City Council may approve a lesser minimum area if the Council determines that the intent and purpose of the PUD district and expressed municipal development policy would be served. The Developers Agreement would include standards for development. The rezoning to PUD is compatible with the adjacent zonings of PFD, UR-5 and R-6.

Recommendation

Annexation

The proposed voluntary annexation is contiguous and compact to the city limits along the northern boundary and is within the ISBA. Staff recommends approval.

SSCPA

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

Rezoning

The proposed rezoning of Residential Planned Unit Development (RPUD) is consistent with the comprehensive plan and land development regulations 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 (Table 3). 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						-0.0302 *
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-family Low Density (8 Units/Acre)	14 MF units	.0042	
Total	1.72					- 0.0074

*Includes Joint Equity LLC Amendment

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

Commercial based on 850 gpd per acre

Persons per household – 2.0

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						0.1318*
Smith Legacy	1.72	Urban Medium Density (7 units/acre)	Multi-Family Low Density (8 Units/Acre)	14 MF units	.0028	
	1.72					0.129

*Includes Joint Equity, 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
2.0 Persons per household

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					0.284*
Smith Legacy	1.72	Residential PUD	11 SF units	0.0033	
Total	1.72				0.280

* Includes Joint Equity LLC

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

Commercial based on 850 gpd per acre

2.0 Persons per household

ORDINANCE 2025-E2

AN ORDINANCE OF THE CITY OF UMATILLA, COUNTY OF LAKE, STATE OF FLORIDA, RECLASSIFYING 1.72 ± ACRES OF LAND ZONED LAKE COUNTY URBAN RESIDENTIAL (R-6) TO THE DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREAFTER DESCRIBED PROPERTY OWNED BY SMITH LEGACY HOME, LLC AND LOCATED NORTH OF PEARL STREET AND WEST OF MERRELL AVENUE; APPROVING A MASTER DEVELOPER'S AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, AND THE LAKE COUNTY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Smith Legacy Homes, LLC and Affordably Lavish Foundation, Inc. as Owner, to rezone approximately 1.72 acres of land from Lake County Urban Residential (R-6) to City Planned Unit Development (PUD);

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

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

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

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

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

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Umatilla, Florida, shall hereafter be designated as Planned Unit Development (PUD), as defined in the Umatilla Land Development Regulations. 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 5,6,7,8 and 9, and Lots 11 through 16, inclusive, Lake Tutuola Park, according to the map or plat thereof as recorded in Plat Book 6, Page 59, Public Records of Lake County, Florida ("Property").

Alternate Key # 3907096 and 3907095

Section 2: Zoning Classification.

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

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 _____, 2025.

Christopher R. Creech, Mayor
City of Umatilla, Florida

ATTEST:

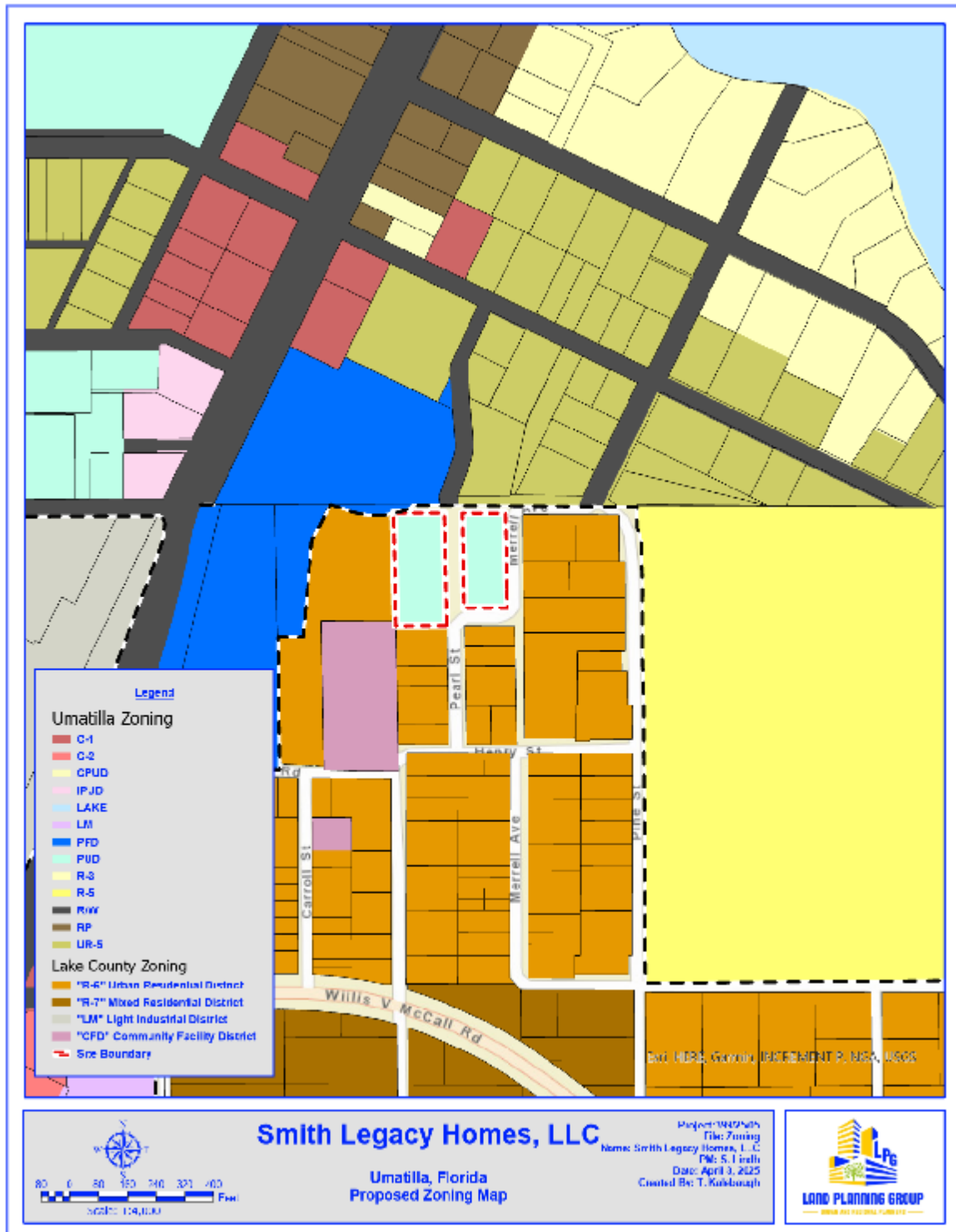
Approved as to Form:

Jessica Burnham, FCRM
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"



MASTER DEVELOPER'S AGREEMENT

This Master Developer's Agreement (the "Agreement") is made this ____ day of _____, 2025, by and between the **CITY OF UMATILLA, a Florida municipal corporation** ("City"), whose address is 1 South Central Avenue, Umatilla, Florida 32784, and **Smith Legacy Home, LLC and Affordably Lavish Foundation, Inc** ("Owner"), whose address is 38630 Marshall Street, Umatilla, Florida, 32784, hereinafter referred to collectively as the "Parties."

RECITALS

1. The Owner desires to rezone approximately 1.72 ± acres of property within the City of Umatilla, described and depicted as set forth on **Exhibit "A"** attached to and incorporated in this Agreement (hereafter referred to as the "Property").

2. The Property is currently located within the City of Umatilla and is currently zoned "Planned Unit Development (PUD)" with a future land use designation on the City of Umatilla Future Land Use Map of "Multi-Family Medium Density."

3. Owner has filed applications for rezoning for the Property as a residential planned unit development.

4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.

5. The City of Umatilla has determined that the rezoning of the Property is consistent with the City's Comprehensive Plan and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.

6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.

7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

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

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

Section 2. Conditions Precedent. Owner has filed an application for rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement and b) the City adopts an ordinance rezoning the Property. The parties hereto understand and acknowledge that the City is in no way bound to rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Plan" prepared by _____, dated _____, 2025 and attached as **Exhibit "B"** (the "Plan"). All development shall be consistent with the City's "PUD" (Planned Unit Development) zoning district and, subject to City approval. All land uses must conform to uses and densities/intensities allowed within the land use

designations assigned to the Property on the Future Land Use Map of the City’s adopted Comprehensive Plan. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective. Failure of this Agreement to address any particular permit, condition, term, or restriction shall not relieve Owner of the necessity of complying with the law governing said permitting requirements, conditions, term, or restriction.

- Section 4. Permitted Uses.** Permitted Uses shall be:
- a. Residential units shall not to exceed eleven (11) total units.
 - b. Detached single-family residential.
 - c. Passive and active recreation facilities.
 - d. Temporary modular office uses shall be allowed during construction.
 - e. Up to four (4) model homes, provided all off-street parking for model homes shall comply with the requirements in the City’s Land Development Code.

- Section 5. Residential Development Standards.** Development Standards shall be as follows:
- a. All lots must be at least 140’ in depth.
 - b. The minimum living area shall be 1,500 square feet for the detached single-family homes.
 - c. Minimum Setback requirements for detached single family residential units shall be as follows.
Setbacks for garages facing road right of way shall be measured from (i) the road right of way or (ii) existing or future sidewalk pavement; all other setbacks are measured from the lot boundary. In no case shall the setback be less than ten (10) feet between structures.

Front (general)	20’
Front (garage)	25’
Side (general)	7.5’
Side (corner lot facing ROW)	15’
Side Entry Garage (facing ROW)	25’
Rear (general)	15’
Rear (facing Road ROW)	20’
Accessory	5’

- d. Maximum building height shall be limited to thirty-five feet (35’).
- e. Parking: The Applicant will be required to meet the parking requirements of the Umatilla Land Development Regulations for the proposed uses. Notwithstanding anything to the contrary in the Umatilla Land Development Code, exterior driveways may count towards parking counts for each associated residence.
- f. For clarity and avoidance of doubt, the open space requirement associated with the development of the Property shall be 25% of the total developable acreage of the Property.
- g. Any zoning standard not specifically listed in this Agreement shall be in compliance with the UR-5 zoning district standards and other applicable sections of the Land Development Code.

Section 6. Residential Design Standards. Residential Design Standards shall meet the requirements of the Umatilla Land Development Code.

Section 7. Site Access and Transportation Improvements. Vehicular access to the Property shall be provided by Pearl Street and Merrell Avenue. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- a. The Permittee shall provide all necessary improvements within and adjacent to the development as required by FDOT, Lake County and City of Umatilla.
- b. All roads within the development shall be designed and constructed by the developer to meet the applicable City of Umatilla minimum requirements.
- c. Sidewalks shall be provided on both sides of the local internal roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Umatilla Land Development Code.
- d. The City of Umatilla will not be responsible for the maintenance or repair of any of the roads or transportation improvements prior to acceptance thereof, which will be in accordance with the terms of the approved final construction plans and Land Development Code. The project entrance may be gated, in which event the Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.

Section 8. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way.

Section 9. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City when available. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property's active and passive parks, entry feature areas and common areas, so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner shall also construct, at Owner's expense, "dry" utility lines for reclaimed water purposes. All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction. Owner shall prepare and submit a Master Utility Plan ("MUP") to the City prior to or in conjunction with the first phase of construction plans. The MUP shall identify any needed offsite utility improvements. Owner and City may enter into a pioneering agreement regarding a proportionate share contribution for properties desiring to connect to the utility improvements. In the event the City requests that Owner construct utility lines in excess of the size needed to serve the Property, City and Owner shall negotiate in good faith to enter into a utility upsizing agreement.

As a condition of providing wastewater service, Owner shall grant the City a permanent, non-exclusive utility easement over the parcel owned by Owner known as AK 1212090, in a form acceptable to the City, for the construction, access, maintenance, repair, and replacement of wastewater infrastructure.

Section 10. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, including water and wastewater impact fees. The amount to be paid shall be the adopted impact fee rate schedule at the time of building permit issuance. Notwithstanding the foregoing, Owner may, at any time, elect to pre-pay such impact fees for as many units as Owner submits full payment to the City for the impact fees in effect at the time such payment is made. In such event, such pre-payment shall result in pre-paid impact fee credits for the Property which shall be applied by the City upon the issuance of building permits. The City hereby agrees to reserve utility capacity for the Property provided that Owner is in full compliance with the terms and conditions of this Agreement.

Section 11. Easements. Owner shall provide the City such easements or right of way in form acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of utility services, including but not limited to sewer, water, and reclaimed water services.

Section 12. Landscaping/Buffers. Developer has reviewed City's Land Development Code relating to landscaping and agrees to comply with such regulations.

Owner acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal,

Owner agrees to comply with all applicable City of Umatilla Land Development Code pertaining to tree removal and replacement.

Section 13. Stormwater Management. Owner agrees to provide at Owner's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 14. Other Municipal Facilities/Services. The City hereby agrees to provide, either directly or through its franchisees or third-party providers, police and fire protection, emergency medical services, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other residential property owners within the City.

Section 15. Environmental Considerations. The Owner agrees to comply with all Federal, State, County, and City laws, rules and regulations regarding any environmental issues affecting the Property.

Section 16. Signage. Owner shall submit a master sign plan. Such plan shall be in compliance with all applicable regulations contained within the City of Umatilla's Land Development Code, unless City grants a waiver or variance pursuant to the City's Land Development Code.

Section 17. Title Opinion. Owner shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 18. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Code and City Code provisions, as amended, as well as regulations of County, State, local, and Federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 19. Due Diligence. The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner from time to time in accordance with the City's applicable policies for the provision of said services.

Section 20. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law. This is a non-statutory development agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 – 163.3243, *Florida Statutes*.

Section 21. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 22. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 23. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, nor will any single

or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 24. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 25. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Umatilla P.O. Box 2286 Umatilla, FL 32784-2286 352-669-3125 Telephone
Copy to:	Mayor City of Umatilla P.O. Box 2286 Umatilla, Florida 32784-2286 352-669-3125 Telephone Kevin Stone Stone & Gerken, P.A. 4850 N. Highway 19A Mount Dora, FL 32757 352-357-0330 Telephone
As to Owner:	Smith Legacy Home LLC Affordably Lavish Foundation Inc 38630 Marshall Street Umatilla, FL 32784 352-857-7355 Telephone
Copy to:	

Section 26. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 27. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner and shall terminate five (5) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing.

Section 28. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 29. Severability. If any part of this Developer’s Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Developer’s Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer’s Agreement is declared severable.

IN WITNESS WHEREOF, the parties have set their hands and seals this ____ day of _____, 2025.

WITNESSES:

CITY OF UMATILLA, FLORIDA

Printed Name: _____

By: _____
Christopher Creech, Mayor

Printed Name: _____

ATTEST:

Jessica Burnham, CMC
City Clerk

SMITH LEGACY HOME, LLC

Printed Name: _____

By: _____
Printed Name: _____
As its: _____

Printed Name: _____

[NOTARY BLOCK FOR OWNER EXECUTION]

AFFORDABLY LAVISH FOUNDATION, INC

Printed Name: _____

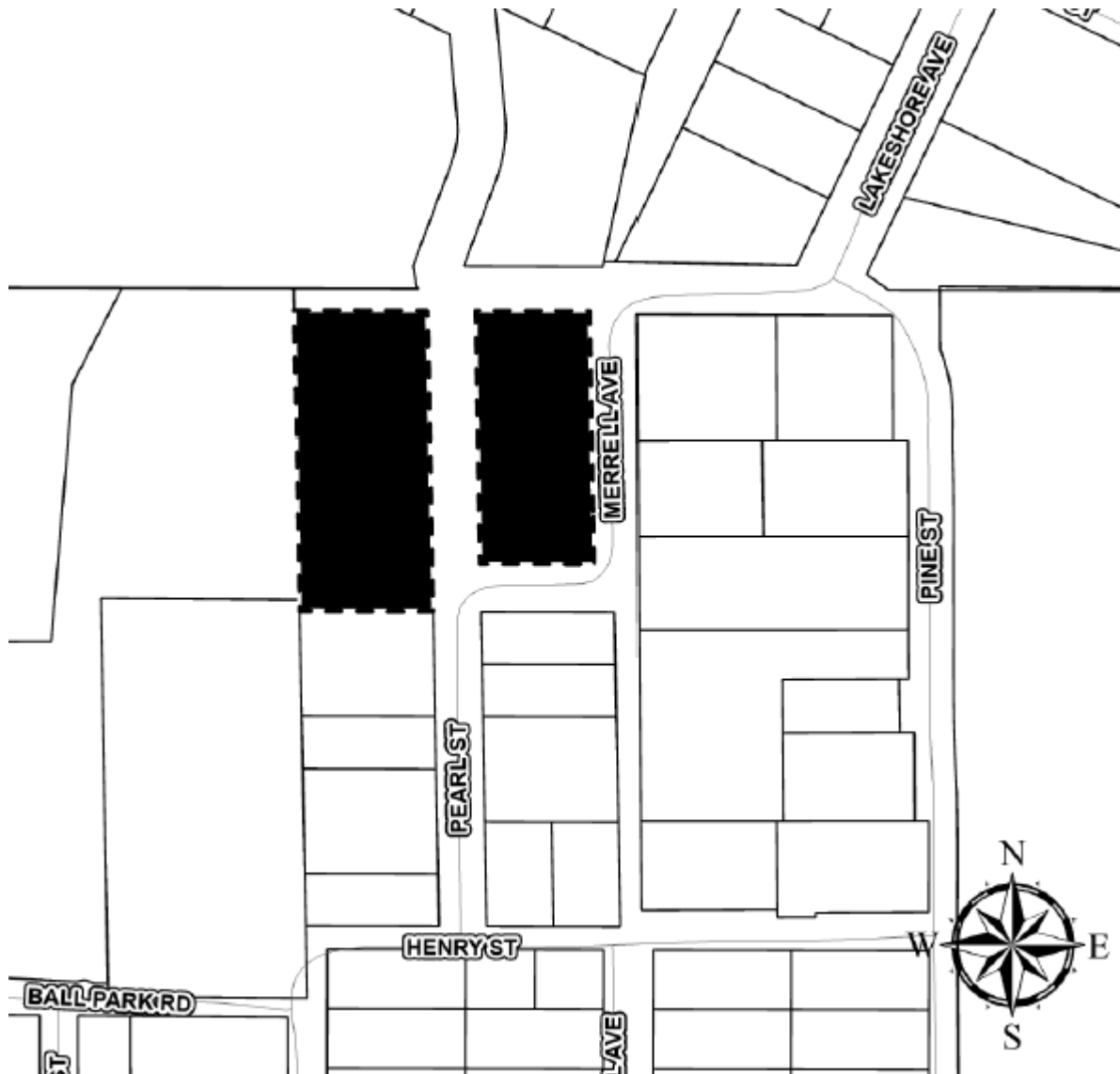
By: _____
Printed Name: _____
As its: _____

Printed Name: _____

[NOTARY BLOCK FOR OWNER EXECUTION]

EXHIBIT 'A'

Lots 5,6,7,8 and 9, and Lots 11 through 16, inclusive, Lake Tutuola Park, according to the map or plat thereof as recorded in Plat Book 6, Page 59, Public Records of Lake County, Florida ("Property").



LAKE TUTUOLA PARK

KNOW ALL MEN BY THESE PRESENTS
That Andrew J. Smith and Bessie Smith, his wife,
have caused to be made the attached plat of
"LAKE TUTUOLA PARK" a subdivision of the
following described property, Lots 4 & 9 of A.J.
Smith's subdivision of Block "G" of Mitchell's
addition to the city of Umatilla also the NW 1/4
of the W 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4
of Section 24-Twp. 18S-R 26E. All of said
property lying and being in Lake County Florida.
All streets as shown are hereby dedicated to
the perpetual use of the public, reserving to
ourselves our heirs, administrators or assigns all re-
version or reversions thereof whenever or where-
ver discontinued by operation of law.
In witness whereof the above named parties
have hereunto set their hand and seal this 3rd
day of November AD 1925.

J. Hunt Beauchamp Witness Andrew J. Smith seal
J. Ann Morell Witness Bessie Smith seal.

This plat approved by the Town Council of
Umatilla Florida by Resolution No. Nov. 3rd 1925

Attest J. Ann Morell G. A. Vaughn
Town Clerk Mayor.

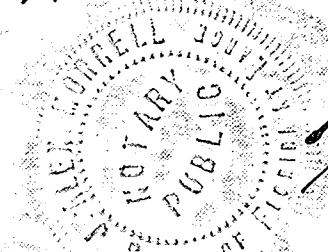
This plat approved by the County Commissioners
of Lake County Florida November 1925

Chairman

STATE OF FLORIDA } ss.
COUNTY OF LAKE }

I hereby certify that on this day personally
appeared before me Andrew J. Smith and Bessie
Smith, his wife, known to me to be the persons
who executed the foregoing dedication and they
acknowledged the execution thereof to be their
free act and deed for the purposes therein ex-
pressed. And I further certify that the said
Bessie Smith on a separate and private
examination taken and made by me did
acknowledge that she executed the fore-
going dedication freely and voluntarily and
without any fear constraint or apprehension
of or from her said husband.

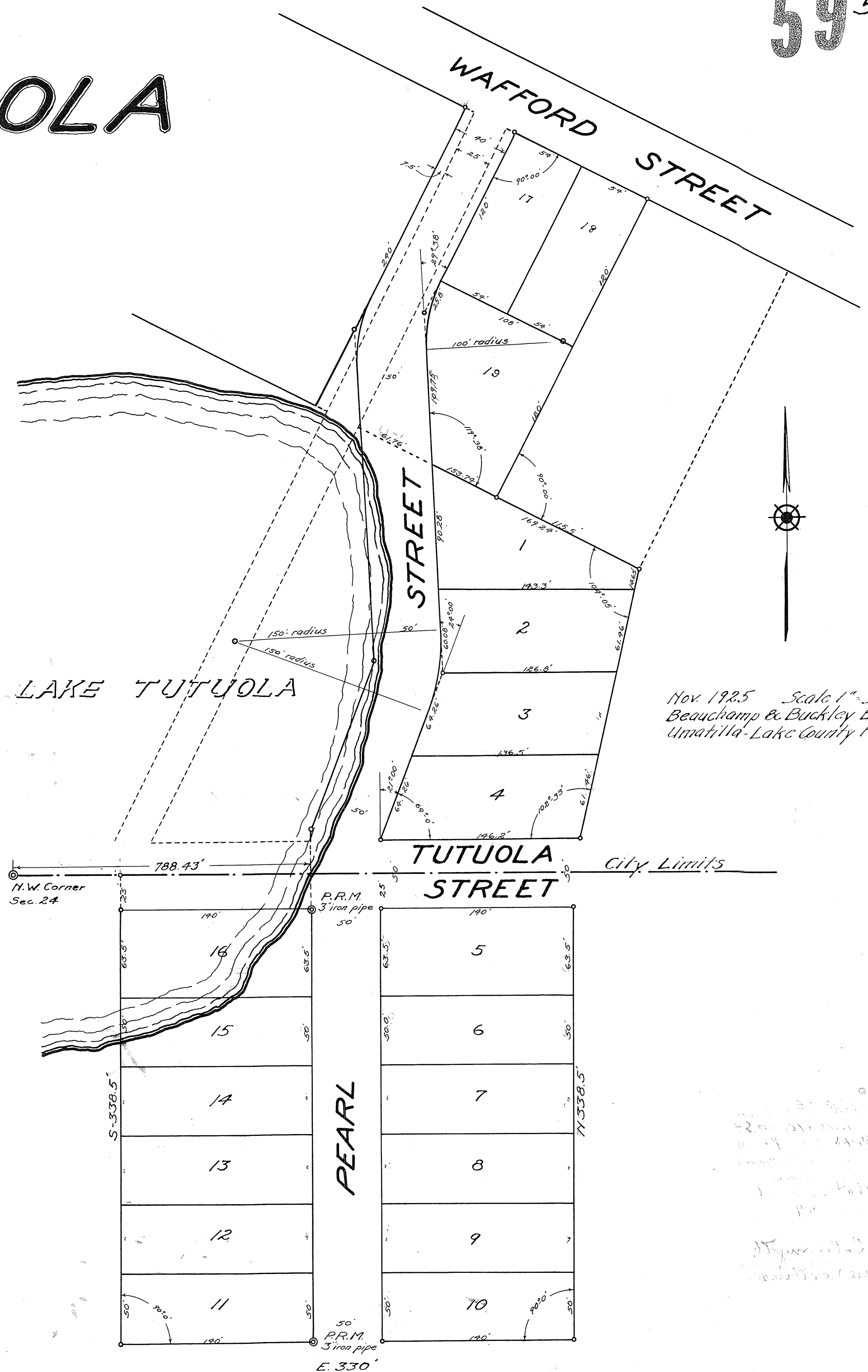
Witness my hand and official seal
this 3rd day of November AD 1925



J. Ann Morell
Notary Public State of Florida at large.
My Commission expires: 11-13-27.

I hereby certify that the attached plat of
"Lake Tutuola Park" is a true and correct plat
as recently surveyed and platted under my
direction.

J. Hunt Beauchamp
Licensed Engineer of State & County.



Nov. 1925 Scale 1" = 50'
Beauchamp & Buckley Eng'rs
Umatilla-Lake County Florida