



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, August 7, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

Meeting Minutes

REPORTS

NEW BUSINESS

Item 1 - Ordinance No. 2018-28

Parking Code Amendment

Land Development Code changes to the parking requirements.

Item 2 - Ordinance No. 2018-29

Special Overlay District LDC

Consider ordinance to the Land Development Regulation to add a Special Overlay District that will regulate commercial uses along arterial roadways.

Item 3 - Ordinance No. 2018-30

Land Development Code Amendment- Density

Consider amendment to the Land Development Code to review development standards for obtaining a density bonus to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private marketplace.

Item 4 - Ordinance No. 2018-27

FLU Text Amendment - Density

Consider ordinance to change the text of the Future Land Use Element of the City's Comprehensive Plan to provide an opportunity to increase density for affordable housing units in the Commercial and Master Planned Development Land Use Categories.

Item 5 - 2018 FRDAP Children's Grant Presentation

Lake Felter Grant Presentation

Item 6 - Resolution No. 2018-14R **Withdrawn**

King's Car Wash CUP

Consider a Conditional Use Permit for a carwash facility located in the C-2 General Commercial zoning district on 1.63 acres located at the southeast corner of Oakley Seaver and SR 50.

Item 7 - Resolution No. 2018-11
7-Eleven East Ave

Consider a Conditional Use Permit to allow a 3,000 square foot convenience store with 8 fueling islands and 16 pump stations located at the southwest corner of State Road 50 and East Ave.

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Item 8 - Resolution No. 2018-22R
South Lake Montessori School Conditional Use Permit

Consider request to amend a Conditional Use Permit to allow a six foot high fence instead of landscaping as required by the conditions contained in Resolution (2016-03) as granted for property located at 983 West Desoto Street.

Item 9 - Resolution No. 2018-29R
Clermont Storage Conditional Use Permit

Consider Conditional Use Permit to allow for a self storage facility occupying more than 20,000 square feet of floor space for vacant property located at the southwest corner of Highway 27 and Bloxam Avenue.

Item 10 - Resolution No. 2018-30R
Childs Ice Machine Conditional Use Permit

Consider a Conditional Use Permit to allow for a commercial outdoor ice machine for property located at 492 Chestnut Street.

Item 11 - Resolution 2018-27R
Citrus Tower Charter School CUP

Consider a Conditional Use Permit to allow a 42,000 square foot K-8 Charter School with an enrollment of up to 700 students on property located at the northwest corner of Steves Road and Citrus Tower Boulevard.

Item 12 - Ordinance No. 2018-26
Bell Ceramics Rezoning

Consider ordinance to rezone 6.96+/- acres from R-2 Medium Density Residential to PR Parks and Recreation District at the northeast corner of Second Street and Palm Ave. for public boat ramp facility.

Discussion of Non-Agenda Items

ADJOURN

Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person 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 based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the

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document, picture, video or item must be provided to the Recording Clerk for the City's records.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
June 5, 2018

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The meeting of the Planning & Zoning Commission was called to order 5, June, 2018 at 6:30 p.m. by Chairman Cuqui Whitehead. Other members present were Herb Smith, Carol Thayer, David Colby, Julie Santos, Max Krzyminski and Tony Hubbard. Curt Henschel Planning Manager, John Kruse, Senior Planner, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

MINUTES of Planning and Zoning Commission meeting held on May 1, 2018 were approved as written.

REPORTS:

Chairman Whitehead wished all men a Happy Father's Day. Wished Commissioner Santos early birthday wishes.

Curt Henschel stated July 3, 2018 Planning & Zoning meeting be cancelled due to Holiday proximity.

REQUEST:

Item # 1: The applicant has requested a postponement to the August 7, 2018 meeting

APPLICANT: *7Eleven Gas Station CUP*

Chairman Whitehead entertained motion for item 1 to be tabled to August 7, 2018. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was unanimous for approval. 7-0

REQUEST:

Item # 2: Consider ordinance to amend a Planned Unit Development (PUD) for condominiums located northwest of the intersection of 10th Street and Montrose.

APPLICANT: *Victory Pointe Condominiums Rezoning*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

The Applicant, Victory Pointe LLC, has submitted an application for PUD amendment.

On April 24, 2018 the Applicant, Victory Pointe LLC, received City Council approvals for the following:

- Ordinance to change the future land use from Medium Density Residential to Downtown Mixed Use for a parcel located northwest of the intersection of Montrose Street and 10th Street.
- Ordinance to rezone from Central Business District and R-3 Residential Professional to Planned Unit Development (PUD) for condominiums. The PUD land use and specific conditions provided the project to achieve a density of up to 25 units per acre within the project and (17) 17, single-family condominiums.

After the approvals by council, staff discovered we made an error when calculating the overall acreage on the site. This left the site with an overall calculation of 16 units when the applicant was seeking a total of 17 units.

The Applicant, has provided a survey demonstrating the site contains .649 acres. At 25 du/ac maximum, the density calculation for the site area can only support 16.225 dwelling units, which results in a 16-unit project. Since the LDC provides density bonus provisions to allow up to 40 du/ac, the applicant is applying to amend the PUD to allow for one additional unit for a total of 17 condominium units via the density bonus method. If approved, the resulting density would be 26.2 du/ac.

The applicant has met the criteria for the Community benefit agreement to achieve the additional one additional unit (for a total of 17 units)

Staff has reviewed the applicant's proposal for an amendment to the PUD and believes the proposed increase in density at this location is compatible with the existing residential and commercial uses in the downtown. Staff has reviewed and is in agreement, the project is in accordance with the vision of the Downtown and Waterfront Master Plan and meets the Comprehensive Plan. Therefore, staff recommends approval of Ordinance 2018-25 for PUD Amendment to be developed in substantial accordance with the conceptual plan prepared by Germana Engineering and Associates, LLC., dated 03/29/2018.

Applicant Paul Gaynor, 1375 Briarhaven Lane, is present to answer any questions the public might have.

Chairman Whitehead opened the floor to the public

Resident, Dan Beckham, 411 W. Minnehaha Ave. Have property a 003 W. Montrose and just found out about the potential future land use. Would like information and what the project entails. Curious if the zoning change will affect the current property?

Curt stated this is the only zoning change in this area. The request is to increase the density by one unit.

Resident, Dan Beckham, states his property is near the construction site, and would like to know if his property would be affected. He requested more information on the project.

Applicant, Paul Grainger stated that the only change tonight is a change in the unit density, and no further details could be provided.

Dan Mantzaris, City Attorney, stated that there is no way to know what the actual impact, but he does know that there will be an increase in property value.

Chairman Whitehead closed to public portion of the hearing, and returned it to the Board.

Commissioner Max K. ask if any units would be occupied by the management company?

Paul Grainger responded with a no. All condos will be independently owned.

Commissioner Thayer needed clarification on the location of the site.

Chairman states she is pleased this is finally going through.

Chairman Whitehead entertained motion for item 2. Commissioner Smith moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 7-0

REQUEST:

Item # 3: Consider a Conditional Use Permit for a carwash facility located in the C2 General Commercial zoning district on 1.63 acres located at the southeast corner of Oakley Seaver and SR 50.

APPLICANT: *King's Car Wash CUP*

Senior Planner, John Kruse, presented the staff report as follows:

Requested Item # 3 be tabled to August 7, 2018 agenda.

Chairman Whitehead entertained motion for item 3. Commissioner Colby moves to approve the requested motion; it was seconded by Commissioner Hubbard. The vote was unanimous for approval. 7-0

REQUEST:

Item # 4: Consider request to amend Conditional Use Permit to allow for a medical and dental office uses for property located at 242244 E. Highland Avenue.

APPLICANT: *242244 E. Highland Avenue Conditional Use Permit*

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant, is requesting to amend a Conditional Use Permit to allow for a medical and dental office use in the R-3 Residential/Professional zoning district. The property is located at 242/244 East Highland Avenue. The Land Development Code, Section 122-184 (1) requires a Conditional Use Permit for medical and professional offices in the R-3 zoning district. The subject property was granted a Conditional Use Permit in 2002 (Resolution No 1268) to allow for a professional office use only; any other use, including medical or dental offices, does require another Conditional Use Permit. The proposed site as developed will not require any additional parking. The site is currently a professional office use; with an access point off East Highland Avenue. The medical and dental office use provides a minimum traffic impact because most medical offices usually only see patients with appointments.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following facts of compliance for the proposed request to amend the Conditional Use Permit to allow for a medical and dental office at this location. 1) The intensity and character of a medical and dental office use is consistent with the surrounding development patterns and the intent of the R-3 Residential/ Professional zoning district. 2) The proposed use of medical and dental office does not require additional parking per the Land Development Code, Section 98.14. 3) The proposed use of a medical or dental office will comply with the regulations and the conditions specified in the codes and will not be detrimental to the health, safety and general welfare of persons residing or working in the vicinity. The proposed request to amend the Conditional Use Permit to allow for a medical and dental office use does comply with the intent of the R-3 Residential/Professional zoning district at this location. Therefore, staff recommends approval of the request to amend the Conditional Use Permit to allow for a medical and dental office use with the conditions contained in Resolution No. 2018-15R.

Applicant Paul Fallman, 1932 Brandley Circle, had no further comment. Was available on answer any questions.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Chairman Whitehead entertained motion for item 4. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. The vote was unanimous for approval. 7-0

REQUEST:

Item # 5: Consider Conditional Use Permit to allow for a tire store with eight bays in in the Planned Unit Development zoning district for property located at the southeast corner of Citrus Tower Blvd and US Highway 27.

APPLICANT: *Kings Crossing Tire Store Conditional Use Permit*

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant, is requesting a Conditional Use Permit to allow a tire store with eight bays in the Planned Unit Development zoning district. The property was part of the Lost Lake DRI, it was later sold and rezoned to PUD; with C-1 Light Commercial uses. The Land Development Code, Section 122-204 (12) requires a Conditional Use Permit for any automotive and truck services business in the C-1 zoning district. The subject property is located at the southeast corner of US Highway 27 and Citrus Tower Boulevard. The applicant is proposing a 5, 400 square feet tire store with eight service bays. The project will provide an access point on US Highway 27. The applicant has identified one variance request to allow for a parking deficient of four spaces instead of the 38 spaces required by the Land Development Code, Section 98.14.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does not meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following areas of concern for the proposed tire store with eight bays are: **1)** the intensity and character of automotive sales and services establishments are a better fit in the C-2 General Commercial zoning district; the intent of the Code for C-1 Light Commercial zoning is for a less intense development such as office, retail and personal services. **2)** The proposed development is not consistent and not compatible with the existing development pattern in the area and the intent of the C-1 zoning code, other approved development in the area include professional office, retail and a Dunkin Doughnuts, which are classified as less intense developments that are in character with the surrounding areas and neighborhoods. **3)** The proposed landscaping does not provide adequate screening of the bay doors and any outside storage of tires and other aspects of the facility that may be undesirable to the public. The proposed use of automotive services will be out of character and does not comply with the intent of the C-1 Light Commercial zoning district at this location. Therefore, staff recommends denial of the request for a Conditional Use Permit for a tire store with eight bays in the PUD with C-1 Light Commercial zoning district.

Jimmy Crawford, 1201 W. Hwy 50, who represents the applicant states he understands staff recommendations, but is slightly disappointed on the picking on giving them a negative staff recommendation. They state the staff stated their building will be unfavorable to its location. States their building could be buffered in all location. Staff stated it cannot recommend approval as they are unable to correctly screen the doors. He shows the City of Clermont, Resolution 2017. States the engineer is also present to answer any questions.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Krzyminski asked on the location of the bay doors.

Josh Bradley, 15903 Better leaf Lane, Land O'Lakes, FL, answered Max's questions.

Commissioner Krzyminski asked staff on the true concern on the bay doors due to its location being near residential. States automotive fits more in a C2 usage. States the current buildings such as the carwash and the gas station are in future potential change.

Mr. Crawford states there is no residential properties around their future building. Questions the verbiage of the current C2 and C1 location.

Commissioner Hubbard believes this building could fit right in there.

Commissioner Smith asked the zoning for the RaceTrac. It is a C2 with a CUP. As well as the future potential construction of a Sam's Club. He states the Sam's Club if built would have a tire shop as well.

Commissioner Colby is asking if all work is done within the bay.

Mr. Bradley verified that no work is done outside. He has no complaints on the 15 other locations that are open.

Commissioner Thayer is asking if any tires are stored outside.

Mr. Bradley confirms that no tires are stored outside.

Commissioner Max asked if cars stay outside.

Mr. Bradley stated all cars usually stay inside the Bay.

Chairman Whitehead brought up the parking issues.

Mr. Bradley stated they truly need 18 parking spaces. They are attempting to meet the minimum parking requirement. He states this is the highest parking spaces request. They are attempting to meet the minimum parking as well as maintaining the buffers.

Chairman Whitehead entertained motion for item 5. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. 5-2

REQUEST:

Item #6: Consider ordinance to change the future land use from Lake County Commercial and City of Clermont Residential/Office to City of Clermont Commercial for property located at SR 50 and Omar Street.

Item # 7: Consider ordinance to change the zoning from Lake County Agriculture and City of Clermont R3 Residential/Professional to City of Clermont C2 General Commercial for property located at SR 50 and Omar Street.

APPLICANT: *Jordan Small Scale Comp Plan Amendment*

Jordan Rezoning

Senior Planner, John Kruse, presented the staff report as follows:

The applicant, Greg Beliveau with LPG Urban & Regional Land Planners, Inc., is requesting a small scale comprehensive plan amendment and a rezoning for the subject property. The property is located north and northwest of the intersection of SR 50 and Omar Street. The overall property is approximately 3.28 +/- acres in size. The applicant wishes to develop the property and use City services.

The small scale comprehensive plan amendment would change the Future Land Use from Lake County's Commercial and the City's Residential/Office to the City's Commercial designation. The property fronts on a major six-lane arterial roadway encouraging commercial use and has existing commercial uses to the east and across SR 50 to the south. The Commercial designation is supported by the proximity of the property on SR 50 and the existing development pattern of comparable intensity in the area. In addition, the Commercial future land use would be comparable with Lake County's Commercial designation and most appropriate based upon the development pattern and location.

The northern portion of the property is located in Lake County and is currently zoned Agriculture. The property east of Omar Street is currently being used for single-family residential use. The property to the west of these homes is currently vacant. Upon annexation, the zoning would default to Urban Estate. The southern portion of the property on the west side of Omar Street is currently in the City with a zoning designation of R-3 Residential/Professional. A small office is currently on this portion of the property along SR 50. The applicant is requesting a change to C-2 General Commercial. The owner is requesting to develop the property as a mixed-use commercial development with all permitted C-2 uses allowed.

The concept site plan was only provided to ensure the parcel could accommodate future development. This was submitted as a "fit test" to show buildings and parking could be laid out within the site.

Staff has reviewed the applicant's proposal and believes general commercial uses at this location is compatible with the uses in the area. Therefore, staff recommends approval of the small scale comprehensive plan amendment to change the future land use from Lake County Commercial and City Residential/Office to Commercial in the City and recommends approval of the request for a rezoning to C-2 General Commercial.

Applicant Sheri Land, 1162 Camp Avenue, Mount Dora, FL is present to answer any questions.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Smith asked if there is an elevation change.

John Kruse confirmed that elevation change, and only one retaining wall be necessary. States the applicant might have to return for future changes.

Commissioner Krzyminski has concerns with potential residential noise, but no questions.

Chairman Whitehead entertained motion for item 6. Commissioner K. moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was unanimous for approval. 7-0

Chairman Whitehead entertained motion for item 7. Commissioner Santos moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was unanimous for approval. 7-0

REQUEST:

Item # 8: Curt has verbiage.

APPLICANT: *CBD Lot Size Changes*

Acting Development Services Director, Curt Henschel, presented the staff report as follows:

Staff is recommending changes to the Land Development Code to allow an increase in the range of single family residential product types within the Central Business District zoning district. In October to 2017, the city council approved the increase of dwelling units per acre (up to 40). This increase is geared toward multi-family developments with multi story buildings. This current proposal is geared toward single family residential lots. The current city code requires single family lots to have a minimum lot width at the road frontage of 100 feet. In an effort to encourage more single family development within the down town district, staff is recommending reducing this frontage width requirement to 40 foot lots. This will allow for the redevelopment of existing lots to expand the residential product mix within the downtown.

Resident, Jason Stringfellow, 1455 W. Lakeshore Drive, would like to make some suggestions on trying to encourage some single family detached homes downtown. He is attempting to encourage committee to think outside the CBD. He believes it is more desirable and simple and would highly increase the density in the future. Wants to encourage the city old feel by changing lots that are 100 feet deep making them 35 feet width.

Dan Mantzaris states the details Mr. Stringfellow provided tonight would have to be brought up at a later date, but only the issue that is being presented tonight be address.

Commissioner Santos is asking if this were to be approved, would there be a guarantee that no further duplexes be built.

Curt Henschel answered by stating that this item is requesting single family homes.

Curt Henschel states that the city's code is old, and they would like to change it a bit. They would like to have the option of building smaller homes in the downtown area and expanding as you go out.

Chairman Whitehead is concerned about minimizing the space between each home. She is concerned that this code change would encourage future home builders to follow this code.

Chairman Whitehead entertained motion for item 8. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Colby. 4-3

Meeting adjourned at 7:44 p.m.

**AGENDA ITEM**

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Ordinance No. 2018-28 <i>Parking Code Amendment</i>	
Requested Action	
Recommend Approval of Ordinance No. 2018-28	
Staff Report	
Discussion/Analysis	
The City staff has embarked on a comprehensive, citywide evaluation of parking and the relationship to the quality of life, economic development and environmental sustainability of the community. The city parking code has not been updated since the 1980's. The goals of the study were to: (1) identify parking issues, concerns and needs- both current, and to the extent possible, anticipated future needs; and (2) identify implementation strategies to address the stated issues, concerns and needs. For purposes of accomplishing the task, city staff inventoried and examined 661 acres of commercial parking within the city limits for its use and function. At the same time, a stakeholder group was formed to assist in gaining industry and subject matter insights, along with health equity information. An oversupply of vehicular use areas and parking can impact and shape community health experiences. The stakeholder group included commercial developers, commercial engineers, architects, and healthcare leaders, persons representing individuals with physical disability, Chamber of Commerce, citizens and property owners. City staff also benchmarked the parking current code against neighboring peer-cities of like size and function. The Stakeholder Group shared the following concerns regarding the city parking code: 1. Increased conflicts exist in parking lots between motorists and pedestrians, some attribute to distracted driving compounded by a lack of dedicated pedestrian connections in parking lots. 2. Current City Parking Code diminishes mixed-use opportunities, which is highest and best use of land. 3. The environment of retail is changing. Fewer retail brick and mortar segments are thriving. Customers are spending less time in retail establishments increasing parking space turnover. Retailers are using less employees and often smaller retail outparcels only have one-employee working per shift. Online orders have also changed the need for parking. 4. Shopping center leasing agents see less interest from retail establishments and more interest from food and beverage establishments. Food and beverage uses generally require more parking,	

but often at different peak hour impacts of retail parking.

5. Office space environment is changing with more employees working remotely and meetings occurring online. Office users also use more free-lance contract employment where those free-lance contractors are not occupying office space full-time.
6. Changing environment of food and beverage users with increased demand for fast-casual restaurants vs. dine in restaurant space. Fast-casual restaurant parking space turns over more frequently than full-service dine in establishments. Both Fast-Food and Fast-Casual segments see online orders growing where customers order via an online app and the food is picked up.
7. Tenant mix is an important consideration to parking with the hours of operation amongst all of the varied types of users. This should be considered into any revamping of the City parking strategy.
8. Lending Institutions require self-sufficient parking as a condition of project financing. The private sector is unlikely to diminish their Lender-required parking when they seek alterations to tenant mix or add additional program to project sites.
9. Healthcare leaders encourage walking. In Clermont, lifestyle acquired diseases are leading cause of death and higher rates than national rates. Walking from the parking space to an establishment should be encouraged through making the experience safe.
10. Persons representing those with physical disability encouraged direct pedestrian connections particularly in large parking lots serving shopping villages.
11. Need to encourage additional Handicap parking spaces.

Staff is proposing the following changes to the City Parking Code which reduce or modify parking requirements for several land use categories including, most notably, retail, commercial retail centers, warehousing and wholesaling uses. Staff conducted extensive research to arrive at the recommended parking requirements, including a comparison between other cities, discussions with the business community and testing the recommended requirements on existing commercial and industrial properties to gauge their level of impact. Staff also conducted several field surveys of existing commercial and industrial properties to verify actual parking demands.

This amendment would provide meaningful regulatory relief to the business community by reducing the number of parking variance requests reviewed by the Planning Commission. The recommended amendment was carefully developed to meet and balance the needs of the business community while ensuring that the changes will not create detrimental parking shortages in the community.

Challenge/Concern	Solution
Lack of dedicated pedestrian connections in parking lots.	Parking lots will be required to have both cross access to adjacent parcels along with dedicated pedestrian connections from parking lot segments to the building entry for safe access and accommodation.
Wheel-stops along landscape buffers add to pedestrian and vehicle hazards.	Striking the requirement for wheel-stops next to landscape buffers.

Fast-casual restaurants require different parking demands than traditional dine-in, full-service establishments.		Parking Code land use for fast-casual added to the parking code.	
Current parking code requirements high for retail uses.		Update the Parking Code to require 1 space per 333 sq. ft. Wholesale uses will be required to have 1 space per 200 sq. ft.	
Challenge/Concern		Solution	
The Restaurant Land Use in the parking code calculates parking needs based on gross square floor area of patron use. This is not consistent with other cities and ITE data.		Update the parking code to reflect calculating restaurant parking based on seats. 1 space per 4 seats.	
Opportunities to increase handicap parking.		Allow the City Manager to provide authority for a development to lose 2-standard parking spaces if they are willing to add one (1) additional handicap parking space in an appropriate location.	
Downtown CBD Parking Code located in a different section of the Land Development Code than City parking, which creates confusion.		Co-locating the downtown CBD parking code with the City-wide parking code.	
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	ORDINANCE NO. 2018-28 Final Legal Ad	ORDINANCE NO. 2018-28 Final Legal Ad.pdf	
2.	2018-28 Parking and Landscaping	2018-28 Parking and Landscaping.doc	

Advertising Receipt

The Daily Commercial
PO Box 490007
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CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078922
Phone: (352) 241-7331
Date: 07/23/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/31/2018	08/14/2018	\$182.28

LEGAL NOTICE hours prior to the public hearings.

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078922
July 31, 2018 &
August 14, 2018

ORDINANCE NO. 2018-28

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 98 PARKING AND VEHICULAR USE AREAS; AND CHAPTER 118 VEGETATION; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, August 28, 2018 at 6:30 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48

Payment Info

Ad Price	\$182.28
Tax	\$0.00
Sub Total	\$182.28
Prepaid Amount	\$0.00
Balance Due	\$182.28



CITY OF CLERMONT
ORDINANCE NO. 2018-28

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 98 PARKING AND VEHICULAR USE AREAS; AND CHAPTER 118 VEGETATION; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on August 7, 2018 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 98 Parking and Vehicular Use Areas, and Chapter 118 Vegetation, Section 118-38 Vehicular Use Area Interior Landscaping; of the City of Clermont's Code of Ordinances;

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

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (underlined indicates added and strikethrough indicates deletion):

Chapter 98 Parking and Vehicular Use Areas

Section 98-1 Purpose and intent of chapter.

The purpose of this chapter is to delineate regulations which apply to the transportation system, including parking, loading, unloading, service area space and vehicular access requirements. The intent of this chapter shall be to ~~createsupport the economic development goals of the city through the development of real property by creating~~ and implementing an efficient, safe and balanced system of traffic management and circulation that accommodates motorized and non-motorized vehicles and provides for adequate and appropriate parking and loading facilities.

(Code 1998, § 98-1; Ord. No. 281-C, § 1(ch. 12, § 1), 11-8-1994)



CITY OF CLERMONT
ORDINANCE NO. 2018-28

Section 98-2 Off-street parking facilities required

Off-street parking areas, including required parking spaces, access ways, buffers and related off-street parking appurtenances, shall be provided for all buildings and uses on the premises. The requirements of this Chapter shall apply to all development, whether new structures or alterations to existing structures.

(a) *Compliance with Regulations.* The requirements for off-street parking applicable to any use shall be a continuing obligation of the owner and occupant of the property on which any such use is located, so long as the use is in existence. It shall be unlawful for an owner or occupant of any use affected by this Section to discontinue, change, dispense with, or in any way cause a change in the size, design or number of parking spaces required by this Section, apart from the discontinuance of such use, without establishing alternative parking spaces which meet the requirements of this Section, or for any person to use such building without acquiring such land for parking which meets the requirements of this Section. In addition, parking spaces required by this Section shall not be made unusable or inaccessible in any way during the life of the use served by such parking spaces, except as required for maintenance and repair. This section shall not prohibit the replacement or reconfiguration of parking spaces at grade, below grade or above grade to comply with the requirements of this Section.

(Code 1998, § 98-2; Ord. No. 281-C, § 1(ch. 12, § 2(A)), 11-8-1994)

Section 98-3 Parking spaces

(a) *Size.*

1) *Standard parking spaces.* Standard parking spaces shall consist of a minimum net area of 200 square feet, with a minimum width of ten feet and a minimum length of 20 feet. All standard spaces shall be striped. Parking space depth may be reduced to 18 feet when spaces are perpendicular to perimeter landscaped buffers, do not include wheel stops, and the required minimum perimeter buffer width is expanded by a minimum of 2 feet.

2) *Compact parking spaces.* Compact parking spaces shall be 9 feet wide and 17 feet long. All compact spaces shall be double striped.

3) *Oversized spaces.* Oversized spaces shall be 10 feet wide and 35 feet long. All oversized spaces shall be striped.

(b) *Number of spaces.* The minimum off-street space requirements for all uses shall be in accordance with the table of minimum off-street parking space requirements in Section 98-14.

(c) *Mixed use development.* Where a mixed--use development is proposed, the parking standards for each individual proposed use shall be required. A parking study may be submitted to the Administrative Official to justify modifications to this requirement, such that shared parking can be justified based on the complimentary nature of the proposed uses and offsetting peak parking demands. The Administrative Official shall ensure that the minimum number of spaces necessary to accommodate the mix of uses is provided on site to accommodate



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peak parking demand while reducing the overall amount of land devoted to parking to the greatest extent possible.

(d) *Large-scale development.* Certain large-scale uses, such as planned development projects, normally have a diversity and variability in parking demand. In such cases, a parking study is required to be submitted with the development proposal to identify the necessary parking requirement. The final decision on the amount of parking shall be determined by the development review committee in consideration of the parking study along with traffic engineering and planning data that is appropriate to the proposed development and intended use. The outcome should reduce the overall amount of land dedicated to parking while ensuring that typical daily peak parking demand is accommodated.

(Code 1998, § 98-3; Ord. No. 281-C, § 1(ch. 12, § 2(A)(1)—(4)), 11-8-1994)

Section 98-4 Alternative surfacing materials for parking areas

(a) Certain land uses, due to their unique character or due to the low volume of traffic produced, may provide parking surfaces of wood mulch or other materials after obtaining approval from the development review committee. In granting such a request, the development review committee shall consider the following matters:

- 1) The type of partially pervious material or type of wood mulch to be used for surfacing.
- 2) The site characteristics of the parking lot, including but not limited to the elevation, slope, drainage, soil type and adjacent surface conditions.
- 3) The type and amount of anticipated traffic flow in the parking lot.

(b) The following criteria shall be used in development and construction of an approved wood mulch parking area:

- 1) Use shall be essentially for passive parking, i.e., not more than two ingress/egress movements per day per vehicle space.
- 2) Natural soil on the site must be sandy, with only enough clay to bind particles and preclude rutting or flowing.
- 3) Soil percolation must absorb a minimum of 3½ inches of rainfall per hour over the entire area to be mulched.
- 4) Parking areas shall be graded as level as possible, with maximum slope in any direction not to exceed three percent, to preclude surface runoff from washing away mulch materials.
- 5) Subsurface areas shall be cleared and grubbed to remove all living plant growth, and then be graded and treated with an approved herbicide to prevent further growth in areas to be mulched.
- 6) Surfacing shall not be less than three inches of clean bark mulch, free from chips and sticks, after wetting and rolling.

7) Mulched areas shall be contained by concrete ribbon curbing, pressure-treated timbers, or precast concrete bumper blocks laid end to end. For this purpose, concrete sidewalks at or between ends of rows of vehicle spaces, not less than five feet wide, may be used, as well as concrete entrance drives and curb cuts, where applicable.

8) Green areas (planters, with grass and shrubs or trees) shall comprise not less than 20 percent of the total parking area, including driveways and walkways, and shall be provided with automatic or manual irrigation facilities, equipped with rain sensors and backflow preventers, and with adequate pressure and coverage to enable periodic wetting of the mulched areas to keep the mulch sufficiently moist to prevent its being blown or strewn by winds or vehicle exhausts, or ignited by the latter.

9) Requirements for size of lot or parcel coverage, number of vehicle spaces and driving lanes shall be the same as that for conventionally paved parking areas. Unless otherwise approved by the development review committee, circulation areas shall be paved.

10) The development review committee shall have sole discretion in determining whether or not the use of wood mulch, or other materials such as paver block or turf block, shall be suitable and acceptable for any specific location.

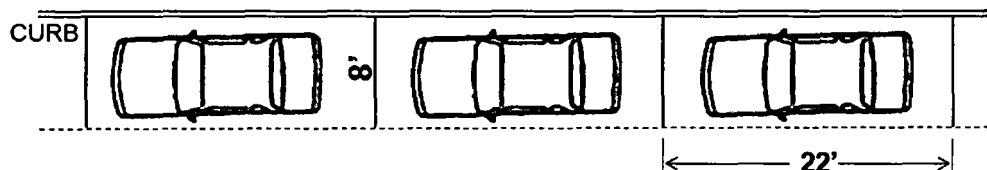
(Code 1998, § 98-4; Ord. No. 281-C, § 1(ch. 12, § 2(A)(5)), 11-8-1994)

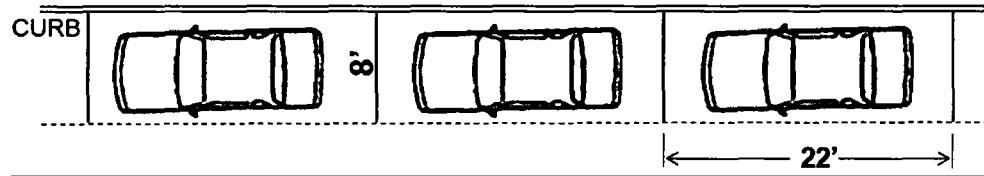
Section 98-5 Design of parking lots

(a) *The parking lot design*, including but not limited to arrangement of spaces, width of aisles and access drives, angle of spaces, installation of curbing, etc., shall be as specified in the figures in section 98-15. The specific design of each facility shall take into consideration the necessity of required landscaping in accordance with chapter 118, pertaining to vegetation. All parking lot improvements shall be paved in accordance with accepted city engineering standards.

(b) *Downtown parking*. In order to accommodate slower traffic movements and the historical nature of downtown, parallel on-street parking provided by the city of Clermont may be reduced to 8' x 22' as shown in figure 98-15D. The downtown parking area shall include the community redevelopment area (CRA) as shown in the downtown CRA redevelopment plan, adopted on December 8, 2015 by Ordinance No. 2015-77.

Figure 98-15D Downtown Parallel Parking
(Not to Scale)





(Code 1998, § 98-5; Ord. No. 281-C, § 1(ch. 12, § 2(B)), 11-8-1994; Ord. No. ~~2016-31~~2016-31, § 2, 8-23-2016)

Section 98-6 Ratio of full size parking spaces to compact and oversized spaces

(a) The ratio of full size parking spaces to compact spaces shall be 90 to ten. This ratio shall be maintained for the total number of parking spaces provided and shall apply only to buildings and uses where the required number of parking spaces is 25 or greater and 300 or less. Developers may increase this ratio, thus increasing the number of full size spaces, however, in no case shall the ratio of compact spaces be permitted to exceed this ratio. Compact spaces shall not be permitted for buildings and uses requiring less than 25 parking spaces or for residential uses. Projects requiring more than 300 parking spaces shall be considered threshold developments where final decision on the ratio of parking shall be determined by the development review committee in consideration of traffic engineering and planning data that is appropriate to the proposed development and intended use.

(b) The provision of oversized parking spaces to accommodate recreational vehicles and the like shall be applied to retail business facilities where required parking is 100 spaces or more. The ratio of three oversized parking spaces per each 100 required spaces or portion thereof shall be maintained for the total number of parking spaces provided.

(Code 1998, § 98-6; Ord. No. 281-C, § 1(ch. 12, § 2(C)), 11-8-1994)

Section 98-7 Level, reserved parking spaces for handicapped persons

Level parking spaces shall be reserved for physically handicapped persons according to the following requirements:

Total Spaces Provided	Spaces Required to Be Reserved
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7



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301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 spaces plus 1 for each 100 over 1,000

(Code 1998, § 98-7; Ord. No. 281-C, § 1(ch. 12, § 2(D)), 11-8-1994)

Section 98-8 Loading, unloading and service area space

(a) *Required areas.* The off-street loading, unloading and service area requirements of this chapter are intended to provide minimum standards necessary such that no loading, unloading or servicing of buildings or structures by refuse collection, fuel, or other public or private service type vehicular activity shall adversely impact the public safety, generate excess capacity on the city street system, or cause undue congestion or conflict resulting from such activities. The requirements of this section shall apply to all public, semipublic, commercial and industrial development, whether new structures or alterations to existing structures. Off-street facilities shall be available for use prior to the issuance of any certificate of occupancy or a local business tax receipt, and the continued maintenance of such facilities shall be the obligation of the property owner and occupant as long as the use requiring such facility continues. No off-street facility shall be altered or discontinued except in accordance with this section.

(b) *Arrangement.*

1) The off-street loading, unloading and service area space shall be designed and arranged such that it may be used without blockage or interference with the function and safety of adjacent uses, streets, accessways or off-street vehicular and pedestrian traffic circulation.

2) The required spaces shall not be used for the storage of vehicles or materials, and shall not be used to meet off-street parking requirements.

3) All loading facilities shall be located on the same premises as the use they serve and shall not encroach on any rights-of-way or dedicated easements. All such facilities shall be well separated and buffered from adjacent uses in accordance with the provisions contained within this land development code.

(c) *Dimensions.* Each required off-street loading, unloading and service area space shall be a minimum of 60 feet in depth and 12 feet in width, with an overhead clearance of not less than 14 feet for each space required; however, upon review and approval of the specific use intended and site plan by the development review committee, a total area of not less than 720 square feet devoted to such use, with an overhead clearance of 14 feet, may be permitted for each space required.

(d) *Number of spaces.* The development review committee shall interpret and approve the amount of loading, unloading and service area space required for all uses based upon the following total aggregate floor area of each structure located on the premises:



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LOADING, UNLOADING AND SERVICE AREA SPACE REQUIREMENTS

Land Use Classification	Space Requirement
Retail, wholesale and industrial uses	1 loading berth for every 10 20,000 square feet of floor area, or portion thereof.
Bus and truck terminals	Sufficient space to accommodate the maximum number of buses or trucks that will be stored and loading or unloading at the terminal at one given time.

(Code 1998, § 98-8; Ord. No. 281-C, § 1(ch. 12, § 2(E)), 11-8-1994)

Section 98-9 Access.

All off-street parking, loading, unloading and service area space shall have vehicular access to a street, frontage road, or reverse frontage road and shall be subject to the following provisions:

(a) *Nonresidential uses.*

1) There shall be only one vehicular access point, not to exceed 40 feet in width, or two vehicular access points, not to exceed 20 feet in width each, located on any one street, frontage road, or reverse frontage road to serve the premises in question. One additional vehicular access point; not to exceed 40 feet in width, or two additional vehicular access points; not to exceed 20 feet in width each, shall be permitted for every 400 feet of parcel frontage on a single street, frontage road, or reverse frontage road. All access facilities shall require the approval of the development review committee for design or redesign and location.

2) All vehicular access points shall be located at least 100 feet, or two-thirds the distance of the parcel frontage on a street, whichever is greater, from the intersection of any right-of-way lines of streets.

3) All vehicular access points serving corner lots or tracts with less than 200 feet of frontage on only one street that is classified as an arterial, collector, or local collector in the traffic circulation element of the comprehensive plan shall be located on the street that intersects the arterial, collector or local collector roadway in question.

4) A minimum distance of at least 50 feet shall be required between any two vehicular access points located on any one street adjacent to and serving the premises in question.

5) All vehicular access points shall have a minimum width of at least 12 feet per lane of traffic.

(b) *Residential uses.*



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1) The maximum width of a residential driveway access to an off-street parking or other vehicular use area shall be 20 feet for two-way vehicular movement and ten feet for one-way vehicular movement. Single-family residential structures with three vehicular garage openings may allow driveway adjustments for front loaded garages as indicated in the table below. No more than one two-way access way shall be permitted for any street frontage up to 100 lineal feet, such standards to be applicable to any property under one ownership. Where such ownership involves over 151 feet of street frontage, one additional two-way or two additional one-way drives may be permitted.

Table 1: SINGLE-FAMILY RESIDENTIAL DRIVEWAY WIDTH STANDARDS

LOT WIDTH	MAXIMUM DRIVEWAY (FT)	DRIVEWAY APRON WITH FLARES (FT)
Less than 60 ft.	20	26
Greater than 60 ft.	30	36

2) Where such ownership involves over 251 feet of street frontage, one additional two-way or two additional one-way drives may be permitted for each additional 100 feet of frontage.

3) The city has the right to require owners who rebuild or rehabilitate substandard driveways to reconstruct them to meet the requirements of this chapter and other requirements of this land development code.

(Code 1998, § 98-9; Ord. No. 281-C, § 1(ch. 12, § 2(F)), 11-8-1994; Ord. No. ~~2015-78, § 2, 12-8-2015~~ 2015-78, § 2, 12-8-2015)

Section 98-10 Driveway construction standards

Driveways constructed below street grade must rise to an elevation at least to the top of the curb height on city right-of-way before reaching the owner's property line. Driveways constructed above the street grade should not exceed a grade of one inch per foot from the top of the curb to provide for vehicular clearance, unless otherwise approved by the city engineer. Sidewalks located within driveways shall be constructed in conformance with standards established by chapter 110, pertaining to subdivisions. All driveways and sidewalks shall be constructed in accordance with adopted city standards.

(Code 1998, § 98-10; Ord. No. 281-C, § 1(ch. 12, § 2(G)), 11-8-1994; Ord. No. ~~2015-78, § 2, 12-8-2015~~ 2015-78, § 2, 12-8-2015)

Section 98-11 Buffers



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Off-street parking and loading, unloading and service area space shall have a buffer of at least five feet in width provided along all streets on which the off-street parking and loading, unloading and service area space is located. All required landscaping shall be provided in conformance with chapter 118, vegetation. The required buffer may be provided for and included within any other buffer required by the provisions of this land development code to be located along streets.

(Code 1998, § 98-11; Ord. No. 281-C, § 1(ch. 12, § 2(H)), 11-8-1994)

Section 98-12 Lighting facilities.

All lighting facilities provided for off-street parking, loading, unloading and service area space shall be subdued, shaded and focused on the site so as not to create traffic hazards or subject adjoining premises to undue glare or adverse interference.

(Code 1998, § 98-12; Ord. No. 281-C, § 1(ch. 12, § 2(I)), 11-8-1994)

Section 98-13 Change of use of premises

Existing off-street parking, loading, unloading and service area space for any premises shall not be reduced unless it exceeds the requirements of this land development code. Where the use of existing premises is changed, the new use and premises shall conform with the off-street parking, loading, unloading and service area space and vehicular access requirements of this land development code. Any existing use not provided with conforming off-street parking, loading, unloading and service area space and vehicular access shall conform with the requirements of this land development code at the time of any alteration or expansion of the use.

(Code 1998, § 98-13; Ord. No. 281-C, § 1(ch. 12, § 3), 11-8-1994)

Section 98-14 Table of minimum parking space requirements

(a) *Determination for unlisted uses or alternative parking.* If the proposed use is not listed or compatible with a use listed in the table of minimum parking space requirements, the ~~planning and zoning director, who after consultation with the site review committee,~~ Administrative Official shall make a determination of the appropriate parking for the proposed use: based on the standards and guidelines of the Institute of Transportation Engineers (ITE) or the latest Smart Code published by the Form Based Codes Institute. In reaching the determination, the director ~~shall~~may consider and be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the proposed use, parking requirements of such uses in other jurisdictions, special conditions or situations of the proposed use, or a combination of sources.

(b) *Minimum off-street parking space requirements.* Minimum off-street parking space requirements are as follows:

Land Use	Minimum	<u>Minimum Number</u>	Per Unit of Measure
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	Number of Spaces per Indicated Unit	<u>of Spaces per Indicated Unit in the Central Business District</u>	
Single-family	2	<u>1</u>	Per dwelling unit
Multifamily	1.5	<u>1.25</u>	Per one-bedroom unit
Multifamily	2	<u>1.5</u>	Per two-bedroom unit
Multifamily	2.5	<u>2.0</u>	Per three-bedroom unit
Mobile home parks	2	<u>NA</u>	Per dwelling unit
Churches and funeral homes	1	<u>.5</u>	Per four permanent seats in the sanctuary or assembly room
Offices and veterinary clinics	1	<u>.6</u>	Per 200 square feet of floor space
Hospitals, clinics, ACLFs and nursing homes	1	<u>1</u>	For each four beds
Plus	1	<u>NA</u>	For each doctor
Plus	1	<u>.5</u>	For each 4 employees
Roominghouses and boardinghouses	1	<u>.5</u>	For each bedroom
Nursery schools, child care centers, kindergartens, or public, vocational and professional schools	1	<u>1</u>	Per 300 square feet of classroom space
Plus	1	<u>.5</u>	For each staff member
Plus	1	<u>.5</u>	For each four employees
Retail business, wholesale business and personal services	1	<u>.5</u>	Per 200 square feet of floor space
<u>Retail outside of the CBD</u>	<u>1</u>	<u>X</u>	<u>Per 333 Square Feet of Floor Space</u>
<u>Retail inside the CBD</u>	<u>X</u>	<u>1</u>	<u>Per 400 Square Feet of Floor Space</u>
Theaters, auditoriums and cinemas	1	<u>.5</u>	For each four seats in the assembly rooms



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Hotels, and motels and <u>Bed & Breakfast</u>	1	<u>1</u>	For each accommodation
Plus	1	<u>NA</u>	For each three employees
Restaurants, takeout only	1	<u>0</u>	Per 100 square feet of gross floor area
Restaurants and lounges	1	<u>.5</u>	Per 50 square feet of floor area devoted to patron use <u>Per 4 Seats (including outdoor seating)</u>
Plus	1	<u>0</u>	For each four employees
Automotive services and gas stations	4	<u>4</u>	For each grease rack <u>service bay</u> or similar facility
Plus	1	<u>0</u>	For each employee
Recreation facilities	1	<u>.5</u>	Per 200 square feet of floor area devoted to patron use
Golf course	6 /1	<u>NA</u>	Per green-/per practice tee
Lodges and clubs	1	<u>.5</u>	Per 50 square feet of floor space
Light manufacturing	1	<u>1</u>	Per 500 square feet of floor area
Or	1	<u>1</u>	For each two employees based on the greatest number of employees at work on the largest shift, whichever is greater
Unmanned utility facilities	1	<u>0</u>	Per 1,000 square feet of floor area, with a minimum of two spaces required
Warehouse <u>/Bulk Storage</u>	1	<u>.5</u>	Per 1,000 square feet of floor space, with a minimum of two spaces required
<u>Warehouse/Showroom</u>	<u>1</u>	<u>1</u>	<u>Per 1,000 square feet of floor space, with a minimum of two spaces required</u>

Note: Planned unit developments shall provide off-street parking based upon the aggregate sum of all proposed uses, discounted for any reduced parking benefit attributable to the unique mix of uses and offsetting peak hour parking demands.

(Code 1998, § 98-14; Ord. No. 281-C, § 1(table 12-1), 11-8-1994; Ord. No. 294-C, § 2, 9-28-1999; Ord. No. 373-C, § 2, 11-24-2009)

Section 98-15 Parking illustrations

Comment [RL1]: Add reduction 18' along perimeter landscaping without wheel stop. Addition 2' to buffer.

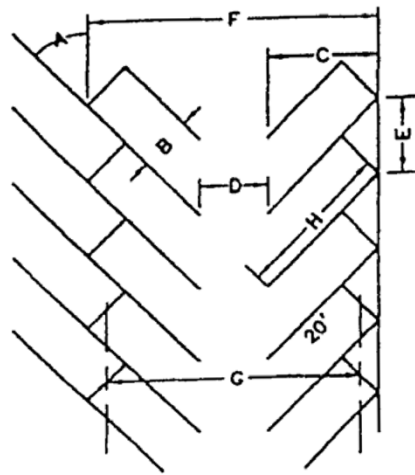


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The figures referenced in this chapter are set out in this section.

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Figure 98-15A. Parking Standards
(Not to Scale)



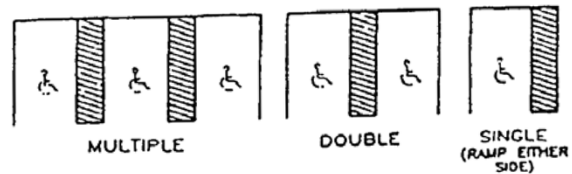
A	B	C	D	E	F	G	H
0°	10.00'	10.00'	12.00'	23.00'	32.00'	-	23.00'
30°	10.00'	18.66'	11.00'	20.00'	48.32'	39.66'	37.32'
45°	10.00'	21.21'	13.00'	14.14'	55.43'	48.36'	30.00'
60°	10.00'	22.32'	18.00'	11.55'	62.64'	57.64'	25.77'
90°	10.00'	20.00'	24.00'	10.00'	64.00'	64.00'	20.00'

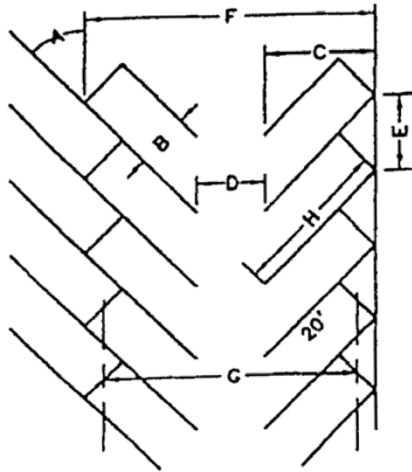
- A - PARKING ANGLE
B - STALL WIDTH
C - STALL TO CURB
D - AISLE WIDTH
E - CURB LENGTH PER CAR
F - MINIMUM OVERALL DOUBLE ROW WITH AISLE BETWEEN
G - STALL CENTER (DOES NOT INCLUDE OVERHANG)

HANDICAPPED PARKING

TOTAL PARKING IN LOT	REQUIRED NUMBER OF ACCESSIBLE SPACES
0 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% OF TOTAL
OVER 1000	20 PLUS 1 FOR EACH 100 OVER 1000

(12' WIDE PARKING MINIMUM W/ 5' WIDE RAMPS)





A	B	C	D	E	F	G	H
0°	10.00'	10.00'	12.00'	23.00'	32.00'	-	23.00'
30°	10.00'	18.66'	11.00'	20.00'	48.32'	39.66'	37.32'
45°	10.00'	21.21'	13.00'	14.14'	55.43'	48.36'	30.00'
60°	10.00'	22.32'	18.00'	11.55'	62.64'	57.64'	25.77'
90°	10.00'	20.00'	24.00'	10.00'	64.00'	64.00'	20.00'

- A - PARKING ANGLE
B - STALL WIDTH
C - STALL TO CURB
D - AISLE WIDTH
E - CURB LENGTH PER CAR
F - MINIMUM OVERALL DOUBLE ROW WITH AISLE BETWEEN
G - STALL CENTER (DOES NOT INCLUDE OVERHANG)

HANDICAPPED PARKING

TOTAL PARKING IN LOT	REQUIRED NUMBER OF ACCESSIBLE SPACES
0 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% OF TOTAL
OVER 1000	20 PLUS 1 FOR EACH 100 OVER 1000

(12' WIDE PARKING MINIMUM W/ 5' WIDE RAMPS)

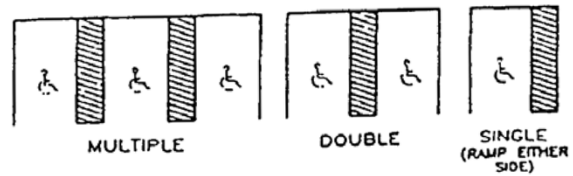
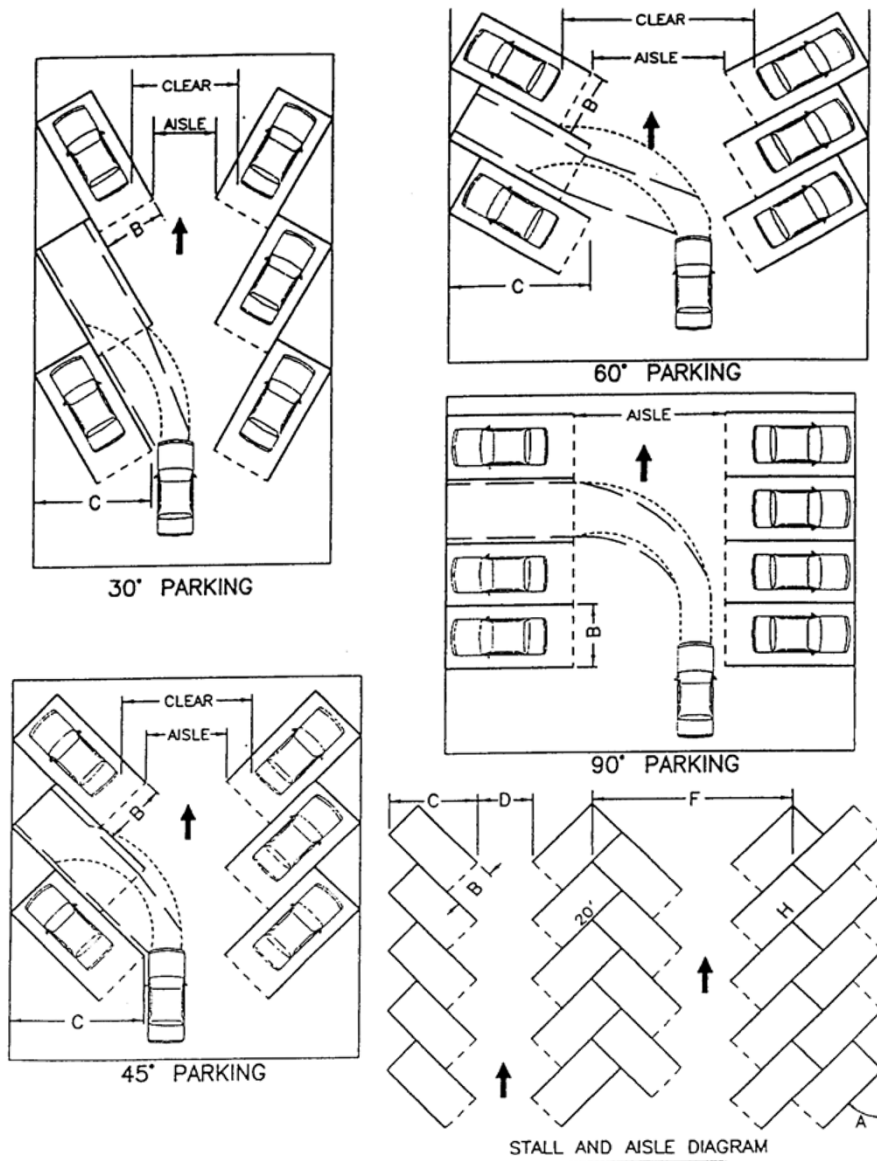
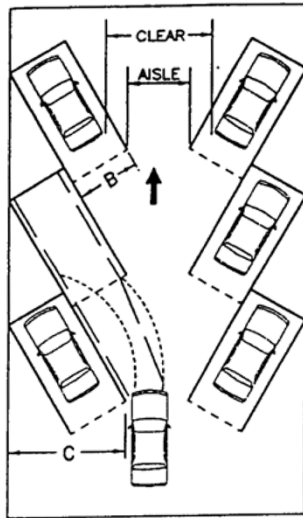
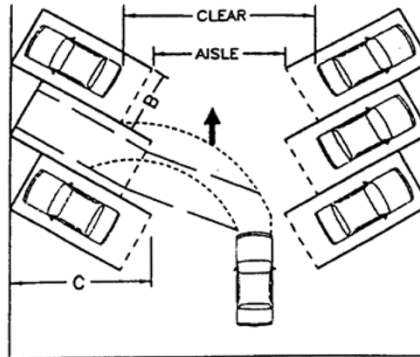


Figure 98-15B. One-Way Street Curb Parking
(Not to Scale)

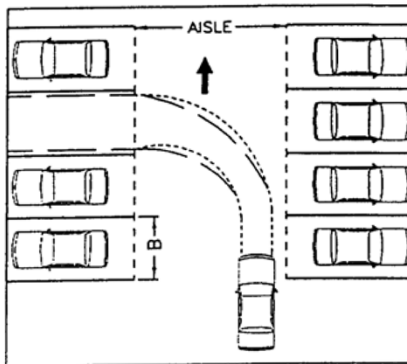




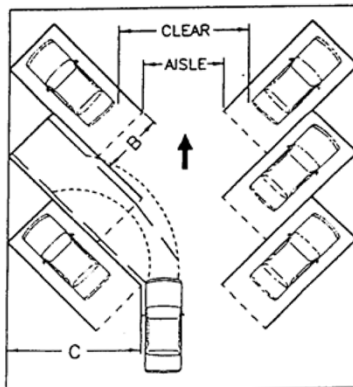
30° PARKING



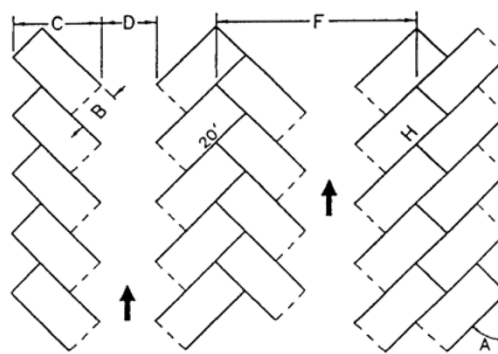
60° PARKING



90° PARKING



45° PARKING



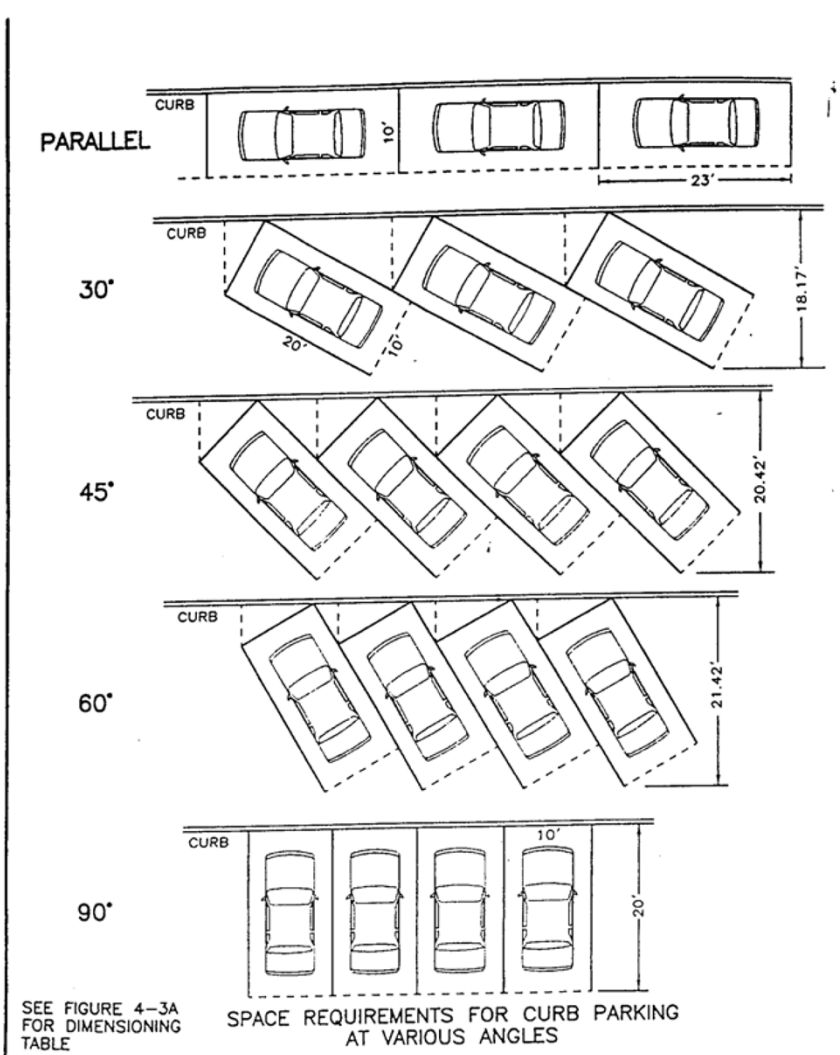
STALL AND AISLE DIAGRAM

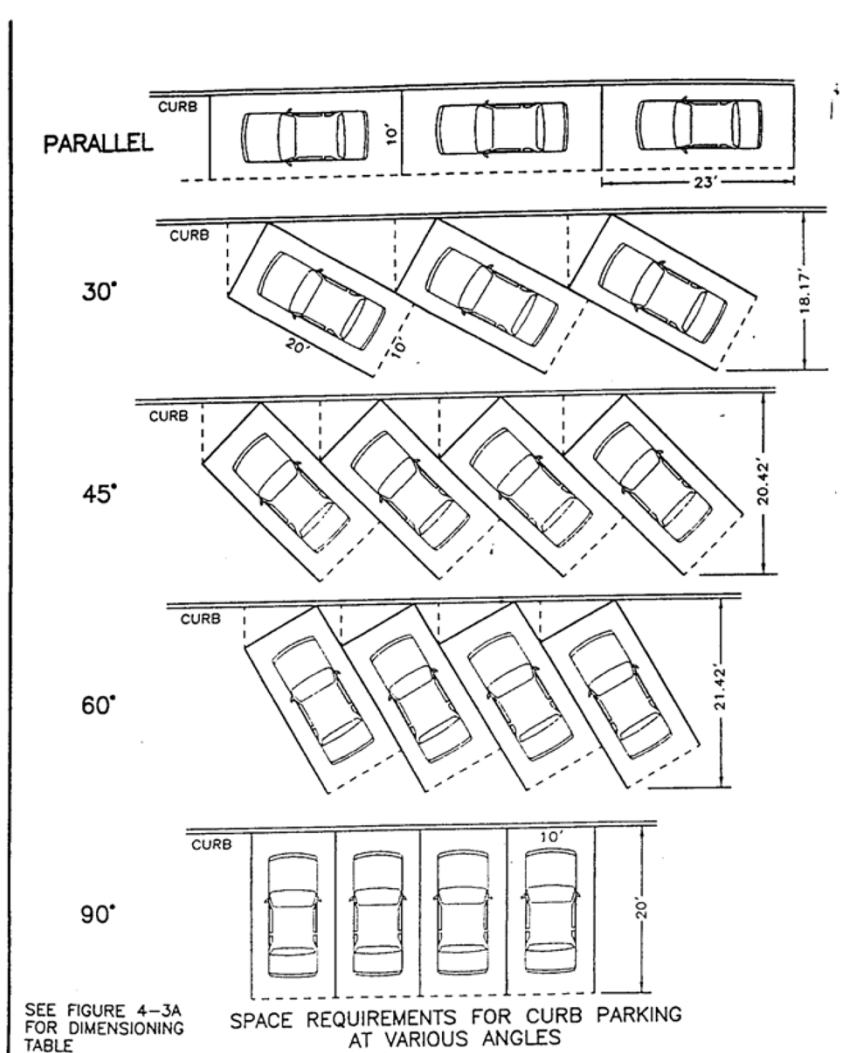
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Figure 98-15C. Curb Parking

 (Not to Scale)





(Code 1998, § 98-15; Ord. No. 281-C, § 1(figs. 12-1A—12-1C), 11-8-1994)

Section 98-16 Bicycle parking space requirement

(a) Bicycle parking shall be provided as follows:

1) All new development shall provide parking for bicycles. The number of bicycle parking spaces provided shall be at least equal to five percent, rounded up, of the first 100 automobile parking spaces, and two percent; rounded up, for additional bicycle parking spaces for all other automobile parking spaces over 100.



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2) Nonresidential uses. One automobile parking space per 50 spaces may be exchanged, providing parking for bicycles on site or at the exchanged parking space. A maximum of four automobile spaces may be exchanged.

3) Multifamily residential uses. One automobile parking space per 50 spaces may be exchanged, providing parking for bicycles on site or at the exchanged parking space. A maximum of two automobile spaces may be exchanged.

(b) Bicycle parking devices shall meet the following:

- 1) Be designed to allow each bicycle to be supported by its frame.
- 2) Be designed to allow the frame and wheels of each bicycle to be secured against theft, with owner lock.
- 3) Be designed to avoid damage to the bicycles.
- 4) Be anchored to resist removal and solidly constructed to resist damage by rust, corrosion, and vandalism.
- 5) Accommodate a range of bicycle shapes and sizes and to facilitate easy locking without interfering with adjacent bicycles.
- 6) Be located to prevent damage to bicycles by cars.
- 7) Be consistent with the surroundings in color and design and be incorporated whenever possible into building or street furniture design.
- 8) Be located in convenient, highly visible, active, well-lit areas, and spread in groupings around the site.
- 9) Be located so as not to interfere with pedestrian movements.
- 10) Be located as near the principal entrance of the building as practicable.
- 11) Provide safe access from the spaces to the right-of-way or bicycle lane.
- 12) All bicycle parking spaces required under this section shall be a minimum of two feet in width and six feet in length.
- 13) Parking lot bicycle parking locations must provide bollards or similar device must be installed to help prevent bicycle damage.

(c) Bicycle parking shall be reviewed and approved by the site review committee.

~~(Ord. No. 2013-04, § 2, 2-26-2013)~~



CITY OF CLERMONT
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Section 98-17 Parking in the Central Business District (CBD) Zoning District

(a) The Central Business District represents the historic core of the City built upon a gridded street system with a mix of land uses with a strong pedestrian orientation. The streets are designed to accommodate on-street parking, adding to the overall inventory of publicly accessible parking. In order to achieve the desired development objectives of the downtown, the City recognizes that parking for existing uses and new uses can be accommodated through on-site spaces or on an off-site (remote parking) location.

(b) Location of Required Parking Spaces

1) Parking spaces required by this Section in the Central Business District zoning district shall be located on the same building site as the use they serve, or on a properly zoned lot within a specified distance of the building site (remote parking). The acceptable distance for remote parking varies by user as follows:

<u>Off-site (Remote) Parking</u>	
<u>Customer</u>	<u>Employee</u>
<u>1320'</u>	<u>2640'</u>

(c) Remote Parking Encumbrance.

Whenever parking required by this Section is not located on the same building site as the use it serves, the applicant for such use shall submit with the application an instrument duly executed, approved by the City Attorney, and recorded in the Public Records of Lake County, Florida, which subjects the parcels or tracts of land to parking uses in connection with the principal use for which it is available. Such instrument shall be irrevocable to ensure that the proposed use retains the number of parking spaces required by this Section. Should the use of the remote parking site become unavailable for continued use for remote parking, the owner and/or tenant must replace the lost parking with an acceptable alternative such that the land use is continually served by parking in compliance with this Section.

(d) In an effort to foster revitalization and enhancement of the Central Business District, parking space credits shall be granted to existing structures and vacant land in the following manner:

(1) Existing structures located in the Central Business District shall be given a parking space credit equal to the parking space requirements for the current use of the structure. For structures with more than one use, calculation of the credit is based on the amount of square footage devoted to each particular use.

(2) For existing nonresidential structures, no additional parking spaces shall be required for a change in use to another nonresidential use, provided the square footage remains the same.

(3) Residential uses changing to nonresidential must provide parking equivalent to those nonresidential uses as required by this section.



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(4) All vacant parcels changing to either residential or nonresidential must provide parking equivalent to those residential or nonresidential uses as required by this section.

(5) Parking spaces and/or parking space credits shall remain the sole possession of the property for which they were initially provided. Parking space credits shall not be transferable from one business location to another business location.

(6) Single-family residential structures and vacant parcels shall be given credit for two spaces and multifamily structures shall be given credit for 1.5 spaces per unit.

(e) Vacant property being developed for new residential or nonresidential uses, shall be required to provide off-street parking spaces consistent with this Section. ~~located on the same parcel as the use they are intended to serve.~~ A parking plan shall be provided with all applications for individual development approval which shall clearly and accurately designate the required parking spaces, required landscaped areas and planter islands, access aisles and driveways and the relationship of the parking to the uses and structures the spaces are intended to serve. All off-street parking facilities shall be designed and constructed in accordance with the city's adopted engineering standards.

(Ord. No. 2013-04, § 2, 2-26-2013)

Chapter 118 Vegetation

Section 118-38 Vehicular use area interior landscaping.

(a) *Applicability of requirements.* The landscape materials required in this section are in addition to any landscape materials which may otherwise be required in this article, except as stated in this section. Parking lot landscaping may encroach into required buffers; however, landscaping required by this section may not be substituted in lieu of any required buffer or other landscaping except as stated in this section.

(b) *General standards.*

1) Landscaped green areas, not including buffers between abutting properties and buffers along rights-of-way, shall comprise an area equal to ten percent of the paved parking area within the project site including driveways and drive aisles. In areas zoned for industrial uses, this requirement shall be reduced by 50 percent. Developers shall be required to provide a diagram indicating the base area, the internal landscaping, and the necessary calculations to verify that this requirement has been satisfied.

2) Except as provide in Figures A-E below, a maximum of ten continuous parking spaces are permitted without a landscape break. Each separate landscaped area shall contain a minimum of 300 square feet and shall include at least one canopy tree having a clear trunk of at least five feet with the remaining area landscaped with shrubs, ground cover or other authorized landscaping material not to exceed three feet in height. The total number of trees shall not be less than one for each 200 square feet of required interior landscaped area or fraction thereof. Such landscaped areas shall be located in such a manner as to divide and break up the expanse of paving.



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(c) *Design of landscaped areas.*

1) *Terminal islands.* Each row of parking spaces shall be terminated by landscaped islands to separate parking from adjacent drive aisles. The landscaped islands shall measure not less than ten feet in width and not less than 20 feet in length with a total area of not less than 300 square feet.

2) *Interior islands.* Interior islands shall be provided to satisfy internal landscaping requirements. Interior islands shall be a minimum of ten feet in width and 20 feet in length, not including curb, with a total area of not less than 300 square feet.

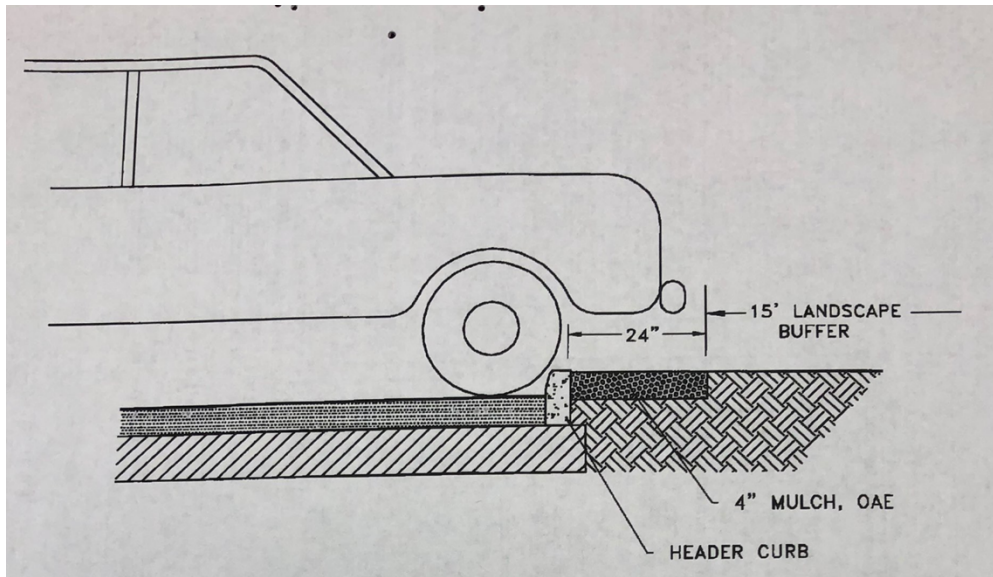
3) *Divider medians.* Landscaped divider medians may be used to meet interior landscape requirements. A divider median is a continual landscaped island located between lineal rows of parking which face head to head. The minimum width of a divider median shall be eight feet. One canopy tree shall be provided per 50 lineal feet of median.

4) *Islands at "T" intersections.* Landscaped interior islands shall be required at all "T" intersections which are considered major traffic points. Such islands shall be a minimum of 20 feet in width.

(d) *Protection of landscaped areas.*

1) *Curbing.* Terminal islands, interior islands and other landscaped areas adjacent to driveways or susceptible to vehicular turning movements shall be separated from vehicular use by non-mountable reinforced concrete curbing of a type approved by the City. Curbed landscaped areas shall be backfilled to a height of four inches below the back of the curb, except where such backfill would impact an existing tree. Unreinforced extruded curbing shall be prohibited. The width of the curbing shall be excluded from the calculation of the minimum dimensions of all required landscaped areas.

2) *Wheel stops.* All landscaped areas adjacent to off-street parking areas shall be protected from encroachment or intrusion of vehicles through the use of wheel stops. Wheel stops shall have a maximum height of six inches and a minimum of three inches above finished grade of the parking area and the front side (wheel side) of the wheel stop is installed two feet from the front end of the parking space to prevent encroachment into required landscaped areas. Wheel stops shall be properly anchored and maintained in good condition. **Exception:** Wheel stops may be eliminated only along the perimeter landscaped area of a site when the 2-foot overhang can be accommodated within the required perimeter landscaped buffer as shown below.



(e) Pedestrian Walkways

1) Pedestrian walkways shall be provided within all parking lots serving commercial, office and multi-family residential development, and be designed to provide direct connections between all building entrances, adjacent rights-of-way, transit stops, and outparcels.

2) A minimum of one pedestrian walkway shall be provided for every five head to head parking rows, except where an alternative arrangement is approved as part of a planned unit development.

3) At least one pedestrian walkway shall be designed to provide a direct connection from the main pedestrian entrance of any anchor tenant, principle building, or multi-family leasing office to the sidewalk along the perimeter of the development site.

4) Pedestrian walkways shall have a minimum width of 14 feet, including a minimum of 6 feet in width for the sidewalk, and a minimum of 8 feet in width for the central landscape strip. All unpaved areas within pedestrian walkways shall have 100 percent landscape coverage in accordance with this Section, and shall conform to the tree spacing requirements provided therein. Shade structures, including pergolas or gazebos, may be substituted for canopy trees.

5) Crosswalks connecting pedestrian walkways across parking lot drive aisles shall be designed and constructed to appear visually distinct from the adjacent driving surface through the use of colored or textured concrete.

(Code 1998, § 118-38; Ord. No. 281-C, § 1(ch. 13, § 5), 11-8-1994; Ord. No. 294-C, § 2, 9-28-1999; Ord. No. 311-C, § 1, 11-13-2001; Ord. No. [2012-02-C](#), § 2, 11-27-2012)

Alternative Interior Vehicular Use Area Landscaping Options

CITY OF CLERMONT
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Figure A

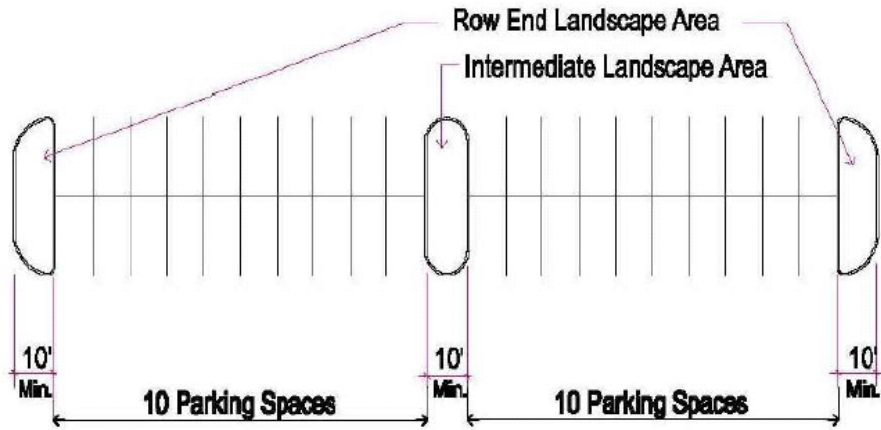


Figure B

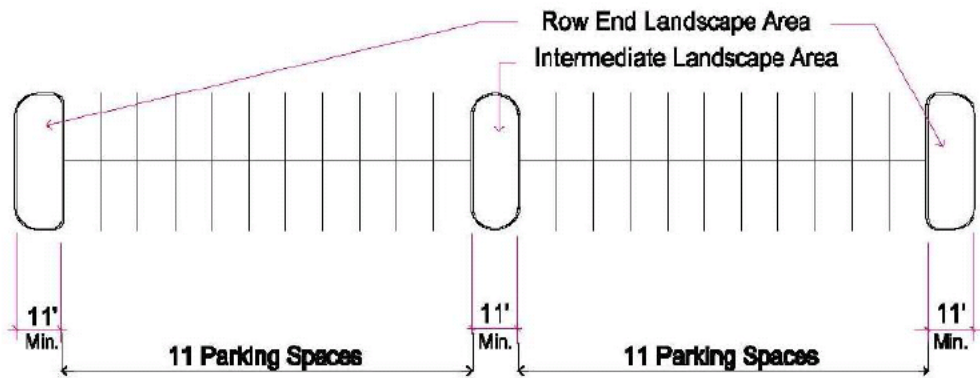


Figure C

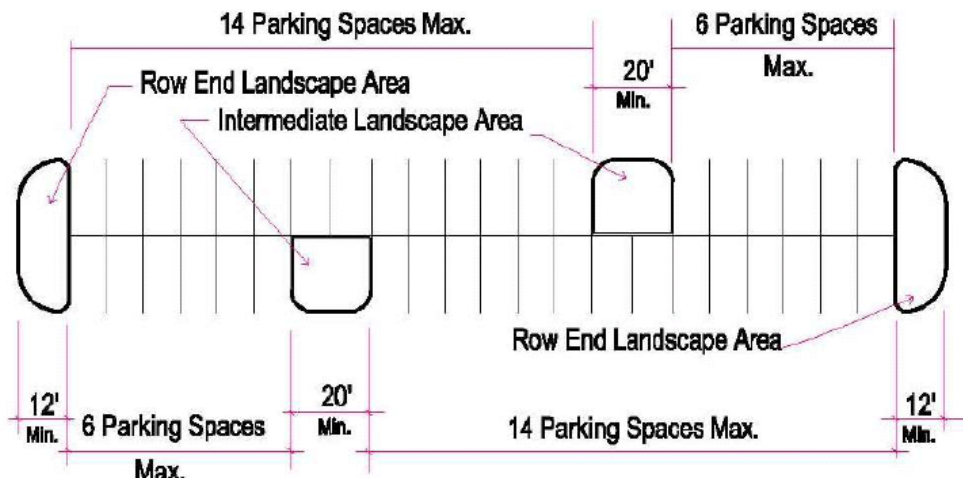


Figure D

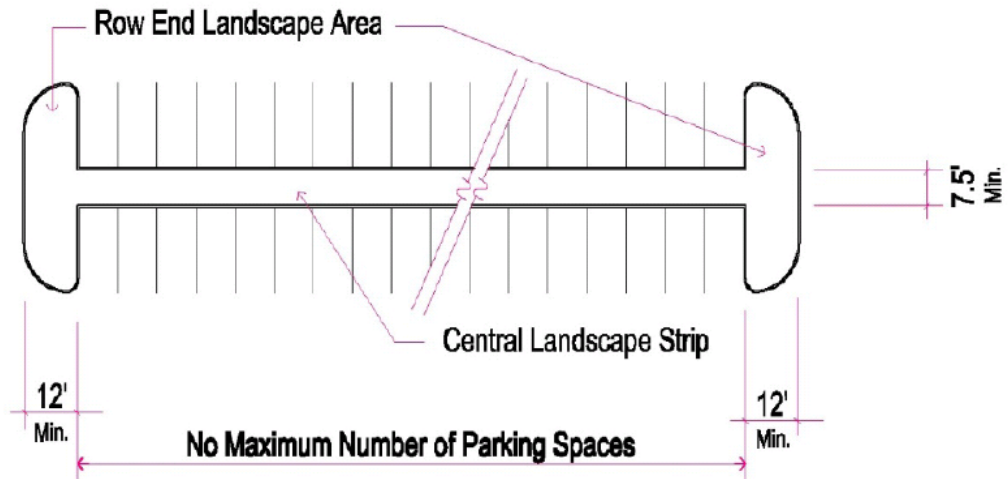
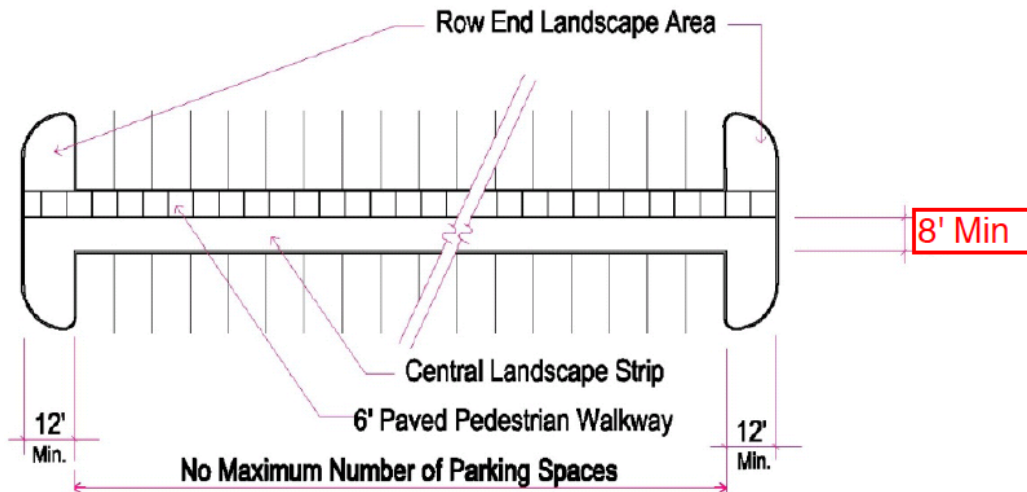


Figure E





CITY OF CLERMONT
ORDINANCE NO. 2018-28

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



AGENDA ITEM

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Ordinance No. 2018-29 <i>Special Overlay District LDC</i>	
Requested Action	
Recommend approval of Ordinance No. 2018-29.	
Staff Report	
Discussion/Analysis City staff has performed a comprehensive evaluation of the character, context, uses, form and function of the commercial development pattern on East SR50 from US27 to the eastern city limits, and on US27 north and south within the city limits. The development pattern in these areas is of particular importance given the high-visual impact of city residents, visitors and implications for future investment in the city. At the same time, these areas are being studied because of their impact on health equity, active transportation, economic activation and environmental components. Peer cities of the Town of Oakland, City of Winter Garden, City of Ocoee, City of Orlando and Orange County have all recently adopted Overlay Zoning Districts to provide for more uniform and quality development patterns to improve visual character and enhance property values. In accomplishing the study, City staff examined the current and future commercial development patterns, the Overlay Zoning Districts in adjacent towns and cities, pedestrian connectivity, and the visual character, design and context of the commercial land development. All of these elements were also examined as they relate to neighboring residential neighborhoods and the physical and visual impact commercial development patterns in the subject area may have on the physical and visual harmony with those neighborhoods. Staff also engaged property owners, developers, real-estate professionals and citizens in the development of the draft Overlay Zoning District to understand insights, challenges and opportunities, and to plan for more orderly and quality development of the SR50 and US27 Overlay Zoning District area. Staff has designed an East SR50 and US27 Overlay Zoning District to promote a more orderly, quality and cohesive development pattern for this high profile gateway into the City. It is intended to prevent the over-concentration and duplication of uses such as of motor vehicle sales and leasing uses to avoid a continuous and repetitive pattern of land uses, and to encourage the location of motor vehicle parts, and service land uses be screened from Highway 50 and US27. It is also intended to further	

define certain uses based on function and visual impact so they are located in areas on the development site that are further separated from the Highway 50 and US27 frontage. Further, the East Highway 50 AND US27 Overlay District encourages subject areas to provide for a mix of uses that provides for all modes of active and motorized transportation for all modes and abilities.

The proposed Overlay Zoning District also includes additional site design standards to enhance the physical and visual form and function of development and re-development within the area. Adoption of the proposed Overlay Zoning District would put landowners, developers, and the general public on notice that special opportunities exist for the development and re-development of the area and, concurrently, that special provisions or limitations may be placed on the development of land within the area. It will also identify specific standards to be followed in the development of the area, which standards shall supersede conflicting general standards of this Code and shall be consistent with the Comprehensive Plan, and encourage, but not require, the use of the PUD district to facilitate the achievement of the development objectives of the City outlined in the specific Special Overlay District defined below.

The existence of a Special Overlay District on the official zoning map of the City signifies that the following may be applicable to development:

- 1) The Special Overlay District may amend, refine or restrict the allowable uses of the underlying zoning district, whether those uses are permitted by right or by conditional use; and
- 2) The Special Overlay District may include specific site and building design criteria that are in addition to those that are required by the underlying zoning district. These include, but are not limited to building setbacks, height, and FAR, vehicular access, landscaping, lighting, and signage.

Special Overlay District Boundary

The East Highway 50 Special Overlay District includes land north and south of State Road from the east right-of-way line of US Highway 27 to the Orange/Lake County line as shown in Exhibit 1 below. The US27 Special Overlay District includes the land along US27 north and south. The East SR50 and US27 Development Zones contain two development zones for all properties within the East Highway 50 and US27 Special Overlay District, which include a:

1. Frontage Zone – the first 400 feet north and the first 400 feet south of the right-of-way line of State Road 50 and US27.
2. Core Zone – that portion of properties that is not within the Frontage Zone

Exhibit 1 SR50 East Special Overlay District

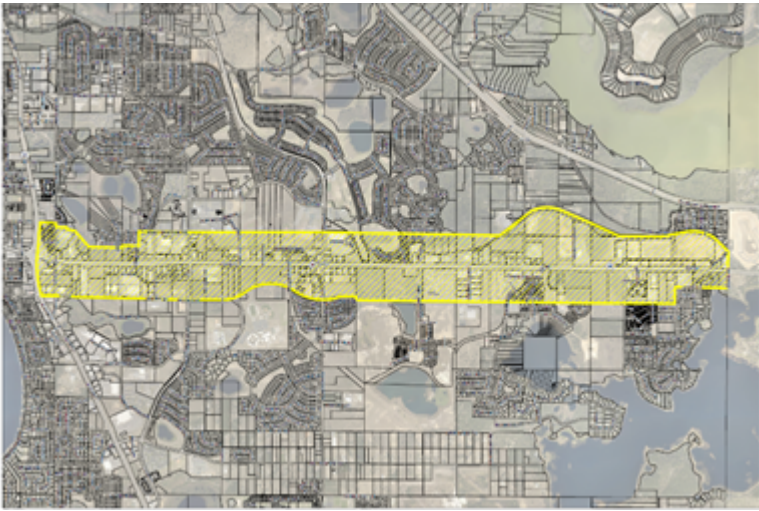
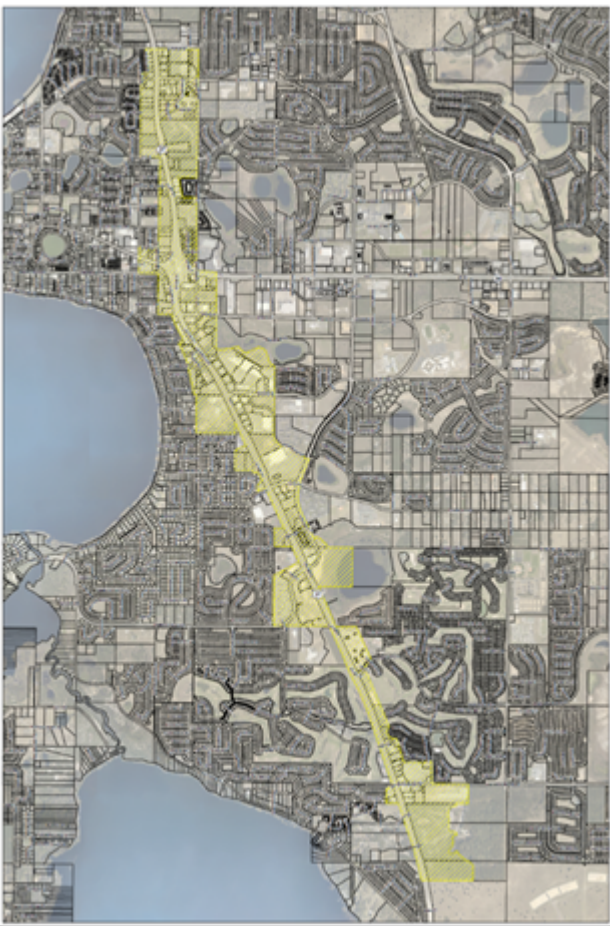


Exhibit 2 US27 Special Overlay District



Staff has developed and proposes the following criteria for development in the East SR50 and US27

Overlay Zoning District:

Permitted Uses

The uses allowed under this overlay are those permitted within the underlying zoning district as further described in this Article, except as provided below:

Prohibited uses within the SR50 Frontage Zone and US27

Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Motor Vehicle Parts (including tire sales and service, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Motor Vehicle Service (including quick lube/oil change facilities, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Truck Rental or Leasing as a principal use

Self-Storage facilities of any type

Outside Storage as a principal or accessory use

Prohibited Uses within the SR50 Core Zone and US27

Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)

Non-climate controlled and/or drive-up self-storage facilities

Outside Storage as a principal use

Design

All land development within the East Highway 50 and US27 Special Overlay Area shall conform to the applicable provisions of this land development code and all other city codes. The following site/building design criteria are required in addition to, or in lieu of the applicable provision of the land development code. When in conflict, the provisions of the East Highway 50 and US27 Special Overlay District shall take precedence.

Site circulation

Access to a site shall maximize shared ingress and egress and minimize access from Highway 50 and US27 to individual uses.

Access within a site shall provide cross access between all adjoining parcels and uses, maximizing multiple options for internal circulation.

A pedestrian circulation plan shall be required for all development proposals within the East Highway 50 and US27 Special Overlay District. This plan shall demonstrate how each use is internally connected to ensure safe access for pedestrians.

All uses within the Frontage Zone shall provide a direct pedestrian connection(s) to the sidewalk system on Highway 50 and US27.

Drive thru facilities

Drive thru facilities should be located to have the minimal visual impact on Highway 50 and US27 while ensuring safe vehicular movement on site. Drive thru lanes should not be front facing.

Drive thru canopies colors materials, architectural details of the canopy supports shall be consistent with the principle building and building façade.

All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as “neutral.”

Canopies must be one color, consistent with the predominant color of the principal structure.

Accent banding, which is color banding on all structures including canopies is prohibited

A clearly defined pedestrian route shall be provided. Pedestrian routes travelling thru the drive thru lanes shall be prohibited.

Building – Street Relationship (10 min, 60 max)

The building setback from East Highway 50 and US27 shall be as follows:

Minimum	10'
Maximum	60'

Any commercial subdivision of two or more lots may allow buildings beyond the 60' maximum setback as long as 35 % of the linear width of the master tract contains linear building frontage.

Landscaping

All development in the SR50 Frontage Zone and US27 shall be required to provide two rows of planted shrubs along the front property line adjacent to Highway 50. These shrubs shall initially be planted with a minimum of 36" material, intended to grow to 48" after one year to provide an opaque landscape screen. The shrubs shall be planted 30" on alternating centers between the two rows. This frontage planting requirement shall also be required on corner lots at intersections with public streets.

Convenience Stores with Gasoline Sales

All convenience stores with gasoline sales shall have canopies and awnings where the form, pitch, colors, materials and architectural details used for the canopy roof shall be designed to appear as an extension of the roof covering the principle structure.

The colors materials, architectural details of the canopy supports shall be consistent with the principle building and building façade.

All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as "neutral."

Canopies must be one color, consistent with the predominant color of the principal structure.

Accent banding, which is color banding on all structures including canopies is prohibited

A clearly defined pedestrian route, distinguished by varied paving treatments shall be provided between fueling pumps and the primary entrance (s) to the building.

The design elements of the pump island, canopy and the primary building shall be aesthetically compatible using the same colors, materials and architectural details

Water Retention and Detention Areas

Natural and man-made bodies of water, which are located adjacent to public rights-of-way and are greater than 20,000 sq. ft. in area shall be incorporated into the overall design of the project with one of the following:

Provide a minimum of eight-foot sidewalk with trees an average of 50 feet on center and shaded benches a minimum of six-feet long, every 150 linear feet.

Provide public plaza/courtyard, 200 square feet minimum, shaded benches and picnic tables adjacent

to the water body.

Corporate logo colors

Corporations commonly using colors as an identifying building feature, which is in contrast to the primary building colors, will be regulated as part of the adopted Architectural Design Standards.

Any areas of the building façade, which use colors identifying the color scheme of the corporate brand will be considered signage and shall be included into the calculation for signage.

Parking of Commercial and Recreational Vehicles

All commercial parking and loading areas shall be designed and located so as to ensure visually appealing projects.

Overnight parking of commercial vehicles, tractor trailers, boats, recreational vehicles, campers, motor homes, lawn mowers, ATV's and golf carts shall be prohibited within the Overlay District.

No commercial or personal vehicle with signage placed thereon shall be parked in a manner along a public street to be visible as an advertising device.

Exceptions: existing prior to the adoption of the overlay district existing commercial automotive dealerships, boat sales and commercial businesses with front facing repair bays are excluded until such time as 1) the business is no longer in operations for at least/greater than 6 months.

2) An application to amend the CUP is filed with the city. At which time, City Council may impose the new Overlay District zoning standards.

Storage areas, Service areas; Miscellaneous

No outside freestanding display of products of any kind shall be permitted unless located in a fully screened enclosure which includes propane stations, newspaper boxes, vending machines or similar devices.

Shopping cart corrals are required where shopping carts are provided to customers. Shopping cart corrals must use screening to contain carts. Logos are prohibited from shopping corrals. Colors of the shopping corrals must be consistent with the primary building color. Shopping corrals must include a covered waste receptacle.

A minimum of one (1) cart return corral measuring a minimum 180 square feet shall be provided for

every 100 parking spaces. Cart return corrals shall be of durable, non-metal, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. Cart storage adjacent to the building entry shall be within the building, or within designated, walled enclosures measuring a minimum of four (4) feet in height. The design of the walled enclosure shall be compatible with the primary building by incorporating similar fenestration and construction materials. Sidewalks necessary for pedestrian use shall not be permitted for cart storage. Landscaping may be necessary to visually enhance or otherwise camouflage the appearance of the corral.

Bicycle and transit facilities.

Individual projects shall create a safe enjoyable environment for pedestrians, motorists, and cyclists as well as encouraging transit ridership, at a minimum, by accomplishing the following: (1) Accommodating bicycle and pedestrian facilities. (2) Providing bicycle racks on each site at or near building entrances. (3) Designating transit access points and pick-up areas and transit shelters on-site, if determined to be necessary by the city or transit provider. (4) Providing for future transit stops, if determined to be necessary by the city or transit provider, if a project contains new commercial uses totaling more than 100,000 square feet. (5) Providing a sidewalk connection to the front entrance of any adjoining building to transit stops located adjacent to a site.

Outparcel/auxiliary uses.

When a development includes an outparcel site, the architecture of the outparcel buildings shall complement the architectural design of the non-outparcel buildings in types of colors, roof treatments and architectural details.

Applicability

The requirements of the East SR50 and US27 Overlay Zoning District are applicable to all new development and, redevelopment of any parcel of land. All substantial enlargement or substantial improvement of any land use or building within the East Highway 50 and US27 Special Overlay shall comply with the requirements.

Annexed Properties any properties annexed into the City of Clermont along SR50 or US27 will be subject to the Overlay District Zoning.

Staff recommends approval of the East SR50 and US27 Overlay Zoning District.

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2018-29 SR50US27 Overlay Ord legislative version with line numbers	2018-29 SR50US27 Overlay Ord legislative version.docx
2.	Final 2018-29 Special Overlay District Ordinance	Final 2018-29 Special Overlay District.doc
3.	ORDINANCE NO. 2018-29 Udated legal Ad	ORDINANCE NO. 2018-29 Udated legal Ad.pdf

CITY OF CLERMONT

ORDINANCE NO. 2018-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 122 “ZONING”; ARTICLE III, “DISTRICTS OF THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT; RENUMBERING DIVISION 15, “PR PARKS AND RECREATION DISTRICTS; CREATING DIVISION 16 “SPECIAL OVERLAY DISTRICT”, SECTIONS 122-290 THRU 122-300 SETTING FORTH THE INTENT; CREATING THE EAST HIGHWAY 50 AND US 27 SPECIAL OVERLAY DISTRICT OF A SPECIAL OVERLAY DISTRICT; PROVIDING THE BOUNDARY FOR THE DISTRICT, INTENT, APPLICABILITY, DEVELOPMENT ZONES, PERMITTED USES AND DESIGN; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on February 7, 2017 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to add Division 16, Special Overlay District, of the City of Clermont’s Land Development Code;

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

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

Chapter 122, “Zoning”, Article III, “Districts”, Division 15, “PR Parks and Recreation District, Section – 283 of The Land Development Code of the City of Clermont Code is hereby renumbered as follows (underline words depict added language, strikethrough indicates deleted):

Sec. 122-283 – ~~122-310~~ 122-289. Reserved.

SECTION 3.

Chapter 122, “Zoning”, Article III, “Districts”, of The Land Development Code of the City of Clermont is hereby amended to create new Division 16 “Special Overlay Districts” Sections 122-290 thru 122-310 to read as follows (underline words depict added language, strikethrough indicates deleted):

Division 16 - SPECIAL OVERLAY DISTRICTS

Section 122-290 Intent.

(a) It is the intent of the City that the designation of a Special Overlay District shall put landowners, developers, and the general public on notice that special opportunities exist for the development of the area and, concurrently, that special provisions or limitations may be placed on the development of land within the area; identify specific standards to be followed in the development of the area, which standards shall supersede conflicting general standards of this Code and shall be consistent with the Comprehensive Plan; and encourage, but not require, the use of the Planned Unit Development district to facilitate the achievement of the development objectives of the City outlined in the specific Special Overlay District defined below.

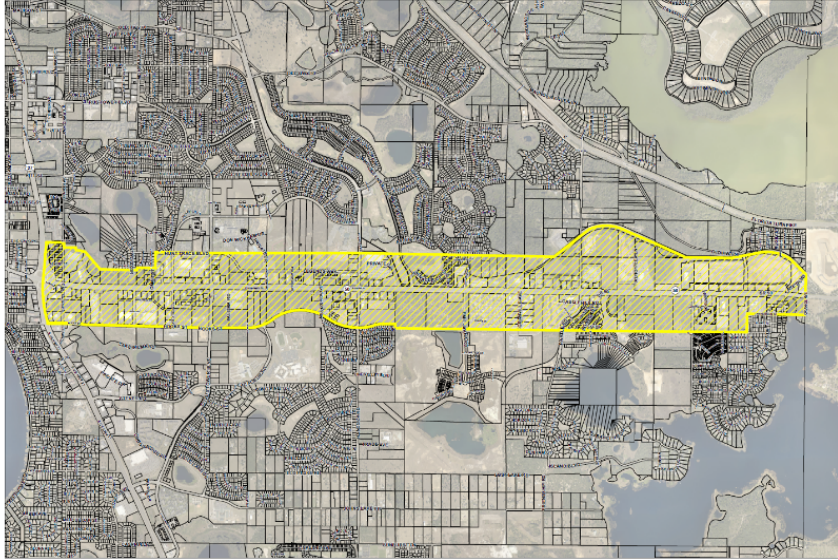
The existence of a Special Overlay District on the official zoning map of the City signifies that the following may be applicable to development:

1) The Special Overlay District may amend, refine or restrict the allowable uses of the underlying zoning district, whether those uses are permitted by right or by conditional use; and

2) The Special Overlay District may include specific site and building design criteria that are in addition to those that are required by the underlying zoning district. These include, but are not limited to building setbacks, height, and floor area ratio, vehicular access, landscaping, lighting, and signage.

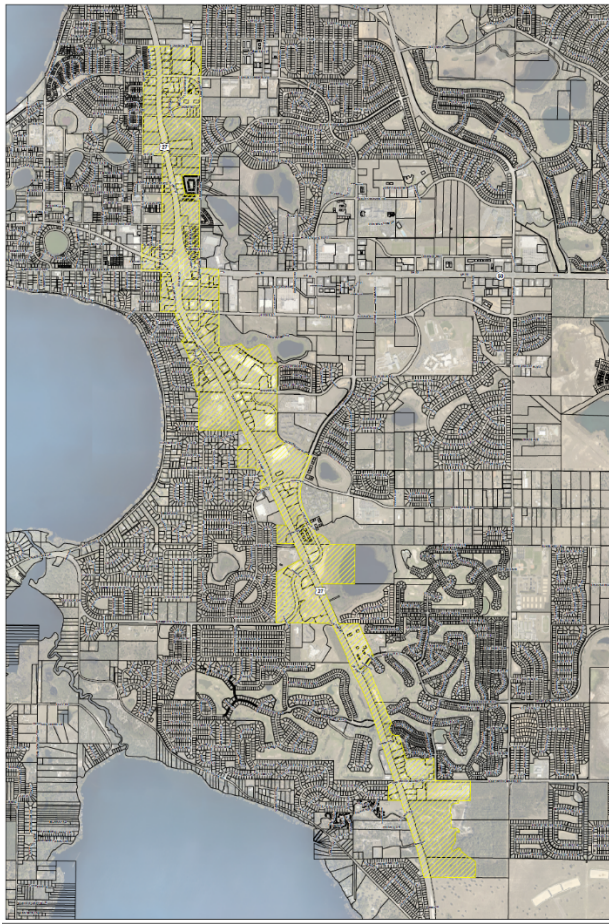
Section 122-291 East Highway 50 and US 27 Overlay District

(a) Boundary. The East Highway 50 Special Overlay District includes land north and south of State Road 50 from the east right-of-way line of US Highway 27 to the Orange/Lake County line as shown in Exhibit 1 below. The US 27 Special Overlay District includes the land along US 27 north and south as shown in Exhibit 2 below:



65

66 Exhibit 1: SR50 East Special Overlay District



67

68 Exhibit 2: US 27 Special Overlay District

(b) Intent. The intent of the East Highway 50 and US 27 Special Overlay District is to promote a more orderly, quality and cohesive development pattern for this high profile gateway into the City. It is intended to prevent the over-concentration and duplication of uses such as of motor vehicle sales and leasing uses to avoid a continuous and repetitive pattern of land uses, and to encourage the location of motor vehicle parts, and service land uses be screened from Highway 50 and US 27. It is also intended to further define certain uses based on function and visual impact so they are located in areas on the development site that are further separated from the Highway 50 and US 27 frontage. Further, the East Highway 50 AND US 27 Overlay District encourages subject areas to provide for a mix of uses that provides for all modes of active and motorized transportation for all modes and abilities.

(c) Applicability. The requirements of this Section are applicable to all new development and, redevelopment of any parcel of land. All substantial enlargement or substantial improvement of any land use or building within the East Highway 50 Special Overlay shall comply with the requirements of this Section per the following:

(1) New development means the construction of a building upon a vacant parcel; construction of a building upon a parcel whereon a building existed as of the effective date of this Ordinance and such building was razed; or the construction, alteration, improvement, expansion, renovation or modification of a building which involves the complete demolition of said building. Notwithstanding the foregoing, "new development" does not include the construction, alteration, improvement, expansion, renovation or modification of all or part of a building razed or demolished by (or which is required to be razed or demolished due to) an Act of God when such building, or portions thereof, legally existed and lawfully conformed with the Code prior to the effective date of this article.

(2) Substantial modification means any improvement, expansion, renovation, alteration, construction or modification of a building or accessory structure existing as of the effective date of this article in which said improvement, expansion, renovation, alteration, construction or modification:

(a) Results in greater than a 50 percent increase in the total square footage of the existing building and accessory structure footprint if said existing building and accessory structure footprint is 10,000 square feet or less; or

(b) Results in greater than a 25 percent increase in the total square footage of the existing building and accessory structure footprint if said building and accessory structure footprint is greater than 10,000 square feet; or

(c) Results in an improvement, expansion, renovation, alteration, construction or modification where the cost of the proposed improvements is greater than 50 percent of the assessed value of the existing improvements. For purposes of this paragraph, "assessed value" shall be as determined by the Lake County Property Appraiser and "costs of the

107 proposed improvements" shall be submitted with a cost estimate from the contractor and
108 approved by the building official; or

109 (d) Results in greater than a 100 percent increase in the number of
110 existing paved parking spaces, as required and in compliance with the by the Code, due to a
111 change in the use of the subject property when compared to the existing number of paved
112 parking spaces required for the prior use of the subject property

113 (3) Non-Substantial modification means any improvements, expansions,
114 renovations alterations or modifications of a building or accessory structure existing as of the
115 effective date of this article in which:

116 (a) Results in a redevelopment, modification, alteration, renovation or
117 refurbishment of the existing business building façade and building design with no proposed
118 change of uses for the subject property.

119 (b) It is expressly provided that the reconstruction of a building or
120 accessory structure, or portions thereof, legally existing and lawfully conforming with the Code
121 as of the effective date of this article shall not constitute a "Substantial Modification" provided
122 that: (1) such reconstruction is necessitated due to an Act of God; (2) such reconstruction is
123 substantially similar to such building or accessory structure, or portions thereof, which was
124 damaged or destroyed by an Act of God; and (3) such reconstruction does not cause
125 nonconformity with the provisions of this article or increase its size, height, or other physical
126 characteristics or intensity of the site when compared to the building or accessory structure, or
127 portions thereof, which was destroyed or damaged by an Act of God.

128 (4) Any properties annexed into the City of Clermont along SR50 or US27
129 will be subject to the Overlay District Zoning.

130 (d) East SR50 and US27 Development Zones. There is hereby created two development
131 zones for all properties within the East Highway 50 and US27 Special Overlay District:

132 (1) Frontage Zone – the first 400 feet north and the first 400 feet south of the
133 right-of-way line of State Road 50.

134 (2) Core Zone – that portion of properties that is not within the Frontage Zone

135 (e) Permitted Uses. All uses permitted in the underlying zoning district as set forth in
136 Article III, shall be under this overlay, except as provided below:

137 (1) Prohibited uses within the SR50 Frontage Zone and US27:

138 a. Motor Vehicle Sales and Leasing (including, but not limited to
139 automobiles, motorcycles, boats and other motorized vehicles).

140 _____ b. Motor Vehicle Parts (including tire sales and service, but not
141 limited to automobiles, motorcycles, boats and other motorized vehicles).

142 _____ c. Motor Vehicle Service (including quick lube/oil change facilities,
143 but not limited to automobiles, motorcycles, boats and other motorized vehicles).

144 _____ d. Truck Rental or Leasing as a principal use.

145 _____ e. Self-Storage facilities of any type.

146 _____ f. Outside Storage as a principal or accessory use.

147 _____ (2) Prohibited Uses within the State Road 50 Core Zone and US 27:

148 _____ a. Motor Vehicle Sales and Leasing (including, but not limited to
149 automobiles, motorcycles, boats and other motorized vehicles).

150 _____ b. Non-climate controlled and/or drive-up self-storage facilities.

151 _____ c. Outside Storage as a principal use.

152 _____ (f) Design. All land development within the East Highway 50 and US 27 Special
153 Overlay Area shall conform to the applicable provisions of this land development code and all
154 other city codes. The following site/building design criteria are required in addition to, or in lieu
155 of the applicable provision of the land development code. When in conflict, the provisions of the
156 East Highway 50 and US 27 Special Overlay District shall take precedence.

157 _____ (1) Site circulation

158 _____ a. Access to a site shall maximize shared ingress and egress and
159 minimize access from Highway 50 and US 27 to individual uses.

160 _____ b. Access within a site shall provide cross access between all
161 adjoining parcels and uses, maximizing multiple options for internal circulation.

162 _____ c. A pedestrian circulation plan shall be required for all development
163 proposals within the East Highway 50 and US 27 Special Overlay District. This plan shall
164 demonstrate how each use is internally connected to ensure safe access for pedestrians.

165 _____ d. All uses within the Frontage Zone shall provide a direct pedestrian
166 connection(s) to the sidewalk system on Highway 50 and US 27.

167 _____ (2) Drive thru facilities

168 a. Drive thru facilities should be located to have the minimal visual
169 impact on Highway 50 and US 27 while ensuring safe vehicular movement on site. Drive thru
170 lanes should not be front facing.

171 b. Drive thru canopies colors materials, architectural details of the
172 canopy supports shall be consistent with the principle building and building façade.

173 c. All logos and signage are strictly prohibited on the canopy and
174 canopy supports. Canopies shall be branded as “neutral.”

175 d. Canopies must be one color, consistent with the predominant color
176 of the principal structure.

177 e. Accent banding, which is color banding on all structures including
178 canopies is prohibited

179 f. A clearly defined pedestrian route shall be provided. Pedestrian
180 routes travelling through the drive thru lanes shall be prohibited.

181 (3) Building – Street Relationship

182 a. The building setback from East Highway 50 and US 27 shall be as
183 follows:

184	Minimum	10 feet
185	Maximum	60 feet

186
187 b. Any commercial subdivision of two or more lots may allow buildings
188 beyond the 60 feet maximum setback as long as 35 percent of the linear width of the master tract
189 contains linear building frontage.

190 (4) Landscaping. All development in the State Road 50 Frontage Zone and
191 US 27 shall be required to provide two rows of planted shrubs along the front property line
192 adjacent to Highway 50. These shrubs shall initially be planted with a minimum of 36 inches
193 material, intended to grow to 48 inches after one year to provide an opaque landscape screen.
194 The shrubs shall be planted 30 inches on alternating centers between the two rows. This frontage
195 planting requirement shall also be required on corner lots at intersections with public streets.

196 (5) Convenience Stores with Gasoline Sales

197 a. All convenience stores with gasoline sales shall have canopies and
198 awnings where the form, pitch, colors, materials and architectural details used for the canopy
199 roof shall be designed to appear as an extension of the roof covering the principle structure.

200 b. The colors materials, architectural details of the canopy supports
201 shall be consistent with the principle building and building façade.

202 c. All logos and signage are strictly prohibited on the canopy and
203 canopy supports. Canopies shall be branded as “neutral.”

204 d. Canopies must be one color, consistent with the predominant color
205 of the principal structure.

206 e. Accent banding, which is color banding on all structures including
207 canopies is prohibited

208 f. A clearly defined pedestrian route, distinguished by varied paving
209 treatments shall be provided between fueling pumps and the primary entrance(s) to the building.

210 g. The design elements of the pump island, canopy and the primary
211 building shall be aesthetically compatible using the same colors, materials and architectural
212 details.

213 (6) Water Retention and Detention Areas Natural and man-made bodies of
214 water, which are located adjacent to public rights-of-way and are greater than 20,000 square feet
215 in area shall be incorporated into the overall design of the project with one of the following:

216 a. Provide a minimum of eight-foot sidewalk with trees an average of
217 50 feet on center and shaded benches a minimum of six-feet long, every 150 linear feet.

218 b. Provide public plaza/courtyard, 200 square feet minimum, shaded
219 benches and picnic tables adjacent to the water body.

220 (7) Corporate logo colors corporations commonly use colors as an identifying
221 building feature, which is in contrast to the primary building colors, will be regulated as part of
222 the adopted Architectural Design Standards.

223 Any areas of the building façade, which use colors identifying the color scheme of the corporate
224 brand will be considered signage and shall be included into the calculation for signage.

225 (8) Parking of Commercial and Recreational Vehicles

226 All commercial parking and loading areas shall be designed and located so as to ensure visually
227 appealing projects.

228 a. Overnight parking of commercial vehicles, tractor trailers, boats,
229 recreational vehicles, campers, motor homes, lawn mowers, ATV’s and golf carts shall be
230 prohibited within the Overlay District.

231 b. No commercial or personal vehicle with signage placed thereon
232 shall be parked in a manner along a public street to be visible as an advertising device.

233 c. Exceptions: existing prior to the adoption of the overlay district
234 existing commercial automotive dealerships, boat sales and commercial businesses with front
235 facing repair bays are excluded until such time as 1) the business is no longer in operations for at
236 least/greater than 6 months or 2) An application to amend the CUP is filed with the city. At
237 which time, City Council may impose the new Overlay District zoning standards.

238 (9) Storage areas, Service areas; Miscellaneous.

239 a. No outside freestanding display of products of any kind shall be
240 permitted unless located in a fully screened enclosure which includes propane stations,
241 newspaper boxes, vending machines or similar devices.

242 b. Shopping cart corrals are required where shopping carts are
243 provided to customers. Shopping cart corrals must use screening to contain carts. Logos are
244 prohibited from shopping corrals. Colors of the shopping corrals must be consistent with the
245 primary building color. Shopping corrals must include a covered waste receptacle. A minimum
246 of one (1) cart return corral measuring a minimum 180 square feet shall be provided for every
247 100 parking spaces. Cart return corrals shall be of durable, non-metal, all season construction,
248 and shall be designed and colored to be compatible with the building and parking lot light
249 standards. Cart storage adjacent to the building entry shall be within the building, or within
250 designated, walled enclosures measuring a minimum of four (4) feet in height. The design of the
251 walled enclosure shall be compatible with the primary building by incorporating similar
252 fenestration and construction materials. Sidewalks necessary for pedestrian use shall not be
253 permitted for cart storage. Landscaping may be necessary to visually enhance or otherwise
254 camouflage the appearance of the corral.

255 (10) Bicycle and transit facilities. Individual projects shall create a safe
256 enjoyable environment for pedestrians, motorists, and cyclists as well as encouraging transit
257 ridership, at a minimum, by accomplishing the following:

258 a. Accommodating bicycle and pedestrian facilities.

259 b. Providing bicycle racks on each site at or near building entrances.

260 c. Designating transit access points and pick-up areas and transit
261 shelters on-site, if determined to be necessary by the city or transit provider.

262 d. Providing for future transit stops, if determined to be necessary by
263 the city or transit provider, if a project contains new commercial uses totaling more than 100,000
264 square feet.

265 e. Providing a sidewalk connection to the front entrance of any
266 adjoining building to transit stops located adjacent to a site.

267

268 (11) Outparcel/auxiliary uses. When a development includes an outparcel site,
269 the architecture of the outparcel buildings shall complement the architectural design of the non-
270 outparcel buildings in types of colors, roof treatments and architectural details.

271 **SECTION 5.**

272 All ordinances or parts of ordinances in conflict with any of the provisions of this
273 Ordinance are hereby repealed.

274 **SECTION 6.**

275 The text of Sections 2 and 3 of this Ordinance shall be codified as a part of the Clermont
276 City Code. The codifier is authorized to make editorial changes not effecting the substance of
277 this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or
278 otherwise to take such editorial license.

279 **SECTION 7.**

280 This Ordinance shall be published as provided by law and it shall become law and shall
281 take effect immediately upon its Second Reading and Final Passage.

282 FIRST READING ON THE ____ DAY OF _____ 2018

283 SECOND READING ON THE ____ DAY OF _____ 2018

284 PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
285 on this _____ day of September, 2018.

286 CITY OF CLERMONT

287 _____
288 Gail L. Ash, Mayor
289

290 ATTEST:

291 _____
292 Tracy Ackroyd Howe, City Clerk
293

294

295



CITY OF CLERMONT
ORDINANCE NO. 2018-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 122 “ZONING”; ARTICLE III, “DISTRICTS OF THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT; RENUMBERING DIVISION 15, “PR PARKS AND RECREATION DISTRICTS; CREATING DIVISION 16 “SPECIAL OVERLAY DISTRICT”, SECTIONS 122-290 THRU 122-300 SETTING FORTH THE INTENT; CREATING THE EAST HIGHWAY 50 AND US 27 SPECIAL OVERLAY DISTRICT OF A SPECIAL OVERLAY DISTRICT; PROVIDING THE BOUNDARY FOR THE DISTRICT, INTENT, APPLICABILITY, DEVELOPMENT ZONES, PERMITTED USES AND DESIGN; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on February 7, 2017 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to add Division 16, Special Overlay District, of the City of Clermont’s Land Development Code;

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

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

Chapter 122, “Zoning”, Article III, “Districts”, Division 15, “PR Parks and Recreation District, Section – 283 of The Land Development Code of the City of Clermont Code is hereby renumbered as follows (underline words depict added language, strikethrough indicates deleted):

Sec. 122-283 – ~~122-310~~ 122-289. Reserved.

SECTION 3.

Chapter 122, “Zoning”, Article III, “Districts”, of The Land Development Code of the City of Clermont is hereby amended to create new Division 16 “Special Overlay Districts”



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Sections 122-290 thru 122-310 to read as follows (underline words depict added language, strikethrough indicates deleted):

Division 16 - SPECIAL OVERLAY DISTRICTS

Section 122-290 Intent.

(a) It is the intent of the City that the designation of a Special Overlay District shall put landowners, developers, and the general public on notice that special opportunities exist for the development of the area and, concurrently, that special provisions or limitations may be placed on the development of land within the area; identify specific standards to be followed in the development of the area, which standards shall supersede conflicting general standards of this Code and shall be consistent with the Comprehensive Plan; and encourage, but not require, the use of the Planned Unit Development district to facilitate the achievement of the development objectives of the City outlined in the specific Special Overlay District defined below.

The existence of a Special Overlay District on the official zoning map of the City signifies that the following may be applicable to development:

____ 1) The Special Overlay District may amend, refine or restrict the allowable uses of the underlying zoning district, whether those uses are permitted by right or by conditional use; and

____ 2) The Special Overlay District may include specific site and building design criteria that are in addition to those that are required by the underlying zoning district. These include, but are not limited to building setbacks, height, and floor area ratio (FAR), vehicular access, landscaping, lighting, and signage.

Section 122-291 East Highway 50 and US 27 Overlay District

(a) Boundary

The East Highway 50 Special Overlay District includes land north and south of State Road 50 from the east right-of-way line of US Highway 27 to the Orange/Lake County line as shown in Exhibit 1 below. The US 27 Special Overlay District includes the land along US 27 north and south as shown in Exhibit 2 below:

Exhibit 1: SR50 East Special Overlay District

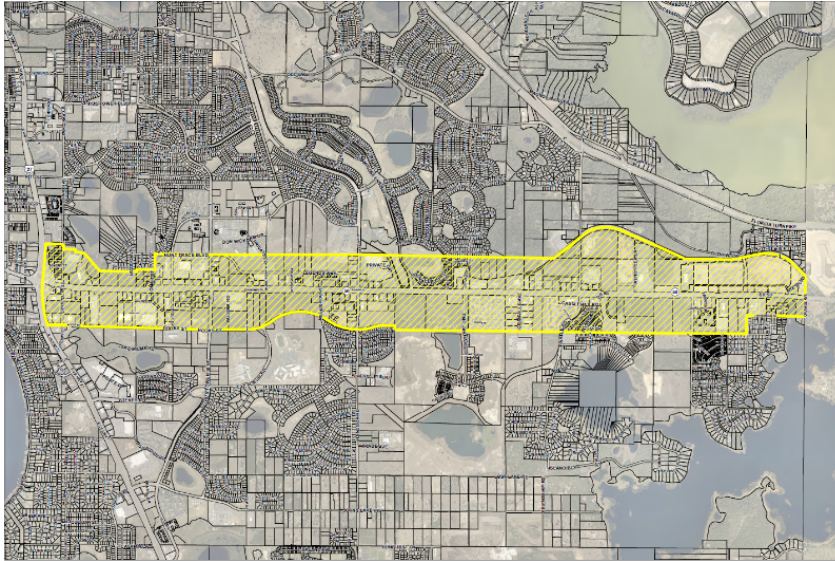
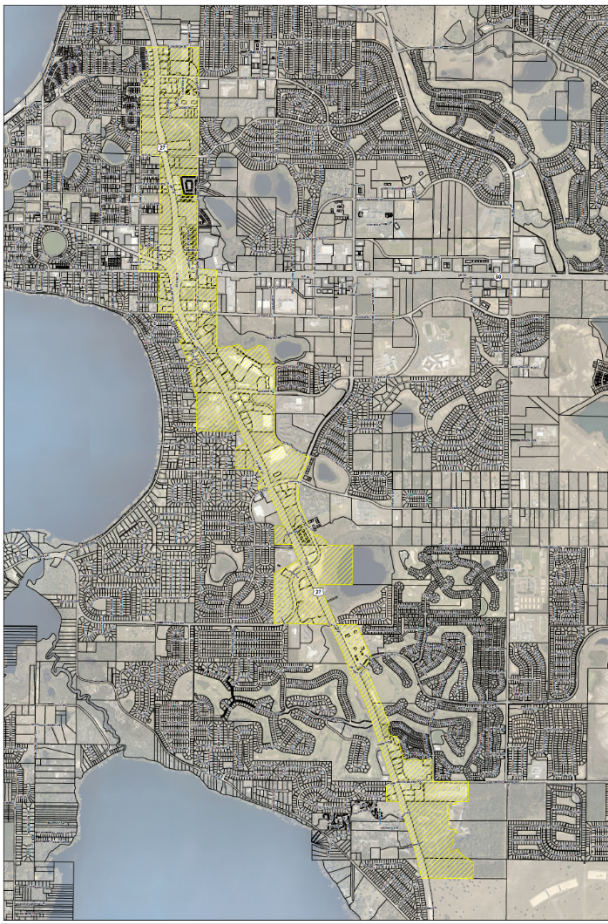


Exhibit 2: US 27 Special Overlay District



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(b) Intent

The intent of the East Highway 50 and US 27 Special Overlay District is to promote a more orderly, quality and cohesive development pattern for this high profile gateway into the City. It is intended to prevent the over-concentration and duplication of uses such as of motor vehicle sales and leasing uses to avoid a continuous and repetitive pattern of land uses, and to encourage the location of motor vehicle parts, and service land uses be screened from Highway 50 and US 27. It is also intended to further define certain uses based on function and visual impact so they are located in areas on the development site that are further separated from the Highway 50 and US 27 frontage. Further, the East Highway 50 AND US 27 Overlay District encourages subject areas to provide for a mix of uses that provides for all modes of active and motorized transportation for all modes and abilities.

(c) Applicability

The requirements of this Section are applicable to all new development and, redevelopment of any parcel of land. All substantial enlargement or substantial improvement of any land use or building within the East Highway 50 Special Overlay shall comply with the requirements of this Section per the following:

New development means the construction of a building upon a vacant parcel; construction of a building upon a parcel whereon a building existed as of the effective date of this Ordinance and such building was razed; or the construction, alteration, improvement, expansion, renovation or modification of a building which involves the complete demolition of said building. Notwithstanding the foregoing, "new development" does not include the construction, alteration, improvement, expansion, renovation or modification of all or part of a building razed or demolished by (or which is required to be razed or demolished due to) an Act of God when such building, or portions thereof, legally existed and lawfully conformed with the Code prior to the effective date of this article.

Substantial modification means any improvement, expansion, renovation, alteration, construction or modification of a building or accessory structure existing as of the effective date of this article in which said improvement, expansion, renovation, alteration, construction or modification:

1. Results in greater than a 50 percent increase in the total square footage of the existing building and accessory structure footprint if said existing building and accessory structure footprint is 10,000 square feet or less; or
2. Results in greater than a 25 percent increase in the total square footage of the existing building and accessory structure footprint if said building and accessory structure footprint is greater than 10,000 square feet; or
3. Results in an improvement, expansion, renovation, alteration, construction or modification where the cost of the proposed improvements is greater than 50



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percent of the assessed value of the existing improvements. For purposes of this paragraph, "assessed value" shall be as determined by the Lake County Property Appraiser and "costs of the proposed improvements" shall be submitted with a cost estimate from the contractor and approved by the building official; or

4. Results in greater than a 100 percent increase in the number of existing paved parking spaces, as required and in compliance with the by the Code, due to a change in the use of the subject property when compared to the existing number of paved parking spaces required for the prior use of the subject property

Non-Substantial modification means any improvements, expansions, renovations alterations or modifications of a building or accessory structure existing as of the effective date of this article in which:

1. Results in a redevelopment, modification, alteration, renovation or refurbishment of the existing business building façade and building design with no proposed change of uses for the subject property.
2. It is expressly provided that the reconstruction of a building or accessory structure, or portions thereof, legally existing and lawfully conforming with the Code as of the effective date of this article shall not constitute a "Substantial Modification" provided that: (1) such reconstruction is necessitated due to an Act of God; (2) such reconstruction is substantially similar to such building or accessory structure, or portions thereof, which was damaged or destroyed by an Act of God; and (3) such reconstruction does not cause nonconformity with the provisions of this article or increase its size, height, or other physical characteristics or intensity of the site when compared to the building or accessory structure, or portions thereof, which was destroyed or damaged by an Act of God.

Any properties annexed into the City of Clermont along SR50 or US27 will be subject to the Overlay District Zoning.

(d) East SR50 and US27 Development Zones

There is hereby created two development zones for all properties within the East Highway 50 and US27 Special Overlay District:

1. Frontage Zone – the first 400 feet north and the first 400 feet south of the right-of-way line of State Road 50.
2. Core Zone – that portion of properties that is not within the Frontage Zone

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(e) Permitted Uses

All uses permitted in the underlying zoning district as set forth in Article III, shall be under this overlay , except as provided below:

1. Prohibited uses within the SR50 Frontage Zone and US27

- a. Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)
- b. Motor Vehicle Parts (including tire sales and service, but not limited to automobiles, motorcycles, boats and other motorized vehicles)
- c. Motor Vehicle Service (including quick lube/oil change facilities, but not limited to automobiles, motorcycles, boats and other motorized vehicles)
- d. Truck Rental or Leasing as a principal use
- e. Self-Storage facilities of any type
- f. Outside Storage as a principal or accessory use

2. Prohibited Uses within the State Road 50 Core Zone and US 27

- a. Motor Vehicle Sales and Leasing (including, but not limited to automobiles, motorcycles, boats and other motorized vehicles)
- b. Non-climate controlled and/or drive-up self-storage facilities
- c. Outside Storage as a principal use

(f) Design

All land development within the East Highway 50 and US 27 Special Overlay Area shall conform to the applicable provisions of this land development code and all other city codes. The following site/building design criteria are required in addition to, or in lieu of the applicable provision of the land development code. When in conflict, the provisions of the East Highway 50 and US 27 Special Overlay District shall take precedence.

1. Site circulation

- a. Access to a site shall maximize shared ingress and egress and minimize access from Highway 50 and US 27 to individual uses.
- b. Access within a site shall provide cross access between all adjoining parcels and uses, maximizing multiple options for internal circulation.
- c. A pedestrian circulation plan shall be required for all development proposals within the East Highway 50 and US 27 Special Overlay District. This plan shall demonstrate how each use is internally connected to ensure safe access for pedestrians.
- d. All uses within the Frontage Zone shall provide a direct pedestrian connection(s) to the sidewalk system on Highway 50 and US 27.

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2. Drive thru facilities

- a. Drive thru facilities should be located to have the minimal visual impact on Highway 50 and US 27 while ensuring safe vehicular movement on site. Drive thru lanes should not be front facing.
- b. Drive thru canopies colors materials, architectural details of the canopy supports shall be consistent with the principle building and building façade.
- c. All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as “neutral.”
- d. Canopies must be one color, consistent with the predominant color of the principal structure.
- e. Accent banding, which is color banding on all structures including canopies is prohibited
- f. A clearly defined pedestrian route shall be provided. Pedestrian routes travelling through the drive thru lanes shall be prohibited.

3. Building – Street Relationship

- a. The building setback from East Highway 50 and US 27 shall be as follows:

Minimum	10 feet
Maximum	60 feet
- b. Any commercial subdivision of two or more lots may allow buildings beyond the 60 feet maximum setback as long as 35 percent of the linear width of the master tract contains linear building frontage.

4. Landscaping

- a. All development in the State Road 50 Frontage Zone and US 27 shall be required to provide two rows of planted shrubs along the front property line adjacent to Highway 50. These shrubs shall initially be planted with a minimum of 36 inches material, intended to grow to 48 inches after one year to provide an opaque landscape screen. The shrubs shall be planted 30 inches on alternating centers between the two rows. This frontage planting requirement shall also be required on corner lots at intersections with public streets.

5. Convenience Stores with Gasoline Sales

- a. All convenience stores with gasoline sales shall have canopies and awnings where the form, pitch, colors, materials and architectural details used for the canopy roof shall be designed to appear as an extension of the roof covering the principle structure.



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- b. The colors materials, architectural details of the canopy supports shall be consistent with the principle building and building façade.
 - c. All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as “neutral.”
 - d. Canopies must be one color, consistent with the predominant color of the principal structure.
 - e. Accent banding, which is color banding on all structures including canopies is prohibited
 - f. A clearly defined pedestrian route, distinguished by varied paving treatments shall be provided between fueling pumps and the primary entrance(s) to the building.
 - g. The design elements of the pump island, canopy and the primary building shall be aesthetically compatible using the same colors, materials and architectural details
6. Water Retention and Detention Areas Natural and man-made bodies of water, which are located adjacent to public rights-of-way and are greater than 20,000 square feet in area shall be incorporated into the overall design of the project with one of the following:
- a. Provide a minimum of eight-foot sidewalk with trees an average of 50 feet on center and shaded benches a minimum of six-feet long, every 150 linear feet.
 - b. Provide public plaza/courtyard, 200 square feet minimum, shaded benches and picnic tables adjacent to the water body.
7. Corporate logo colors corporations commonly use colors as an identifying building feature, which is in contrast to the primary building colors, will be regulated as part of the adopted Architectural Design Standards.

Any areas of the building façade, which use colors identifying the color scheme of the corporate brand will be considered signage and shall be included into the calculation for signage.

8. Parking of Commercial and Recreational Vehicles

All commercial parking and loading areas shall be designed and located so as to ensure visually appealing projects.

- a. Overnight parking of commercial vehicles, tractor trailers, boats, recreational vehicles, campers, motor homes, lawn mowers, ATV's and golf carts shall be prohibited within the Overlay District.

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- b. No commercial or personal vehicle with signage placed thereon shall be parked in a manner along a public street to be visible as an advertising device.
- c. Exceptions: existing prior to the adoption of the overlay district existing commercial automotive dealerships, boat sales and commercial businesses with front facing repair bays are excluded until such time as 1) the business is no longer in operations for at least/greater than 6 months or 2) An application to amend the CUP is filed with the city. At which time, City Council may impose the new Overlay District zoning standards.

9. Storage areas, Service areas; Miscellaneous.

No outside freestanding display of products of any kind shall be permitted unless located in a fully screened enclosure which includes propane stations, newspaper boxes, vending machines or similar devices.

Shopping cart corrals are required where shopping carts are provided to customers. Shopping cart corrals must use screening to contain carts. Logos are prohibited from shopping corrals. Colors of the shopping corrals must be consistent with the primary building color. Shopping corrals must include a covered waste receptacle.

A minimum of one (1) cart return corral measuring a minimum 180 square feet shall be provided for every 100 parking spaces. Cart return corrals shall be of durable, non-metal, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. Cart storage adjacent to the building entry shall be within the building, or within designated, walled enclosures measuring a minimum of four (4) feet in height. The design of the walled enclosure shall be compatible with the primary building by incorporating similar fenestration and construction materials. Sidewalks necessary for pedestrian use shall not be permitted for cart storage. Landscaping may be necessary to visually enhance or otherwise camouflage the appearance of the corral.

10. Bicycle and transit facilities.

Individual projects shall create a safe enjoyable environment for pedestrians, motorists, and cyclists as well as encouraging transit ridership, at a minimum, by accomplishing the following:

- a. Accommodating bicycle and pedestrian facilities.
- b. Providing bicycle racks on each site at or near building entrances.



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- c. Designating transit access points and pick-up areas and transit shelters on-site, if determined to be necessary by the city or transit provider.
- d. Providing for future transit stops, if determined to be necessary by the city or transit provider, if a project contains new commercial uses totaling more than 100,000 square feet.
- e. Providing a sidewalk connection to the front entrance of any adjoining building to transit stops located adjacent to a site.

11. Outparcel/auxiliary uses.

When a development includes an outparcel site, the architecture of the outparcel buildings shall complement the architectural design of the non-outparcel buildings in types of colors, roof treatments and architectural details.

SECTION 5.

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6.

The text of Sections 2 and 3 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

SECTION 6.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

FIRST READING ON THE ____ DAY OF _____ 2018

SECOND READING ON THE ____ DAY OF _____ 2018



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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this _____ day of September, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10079099
Phone: (352) 241-7331
Date: 07/26/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/31/2018	07/31/2018	\$144.64

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2018-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 122 "ZONING"; ARTICLE III, "DISTRICTS OF THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT; RENUMBERING DIVISION 15, "PR PARKS AND RECREATION DISTRICTS; CREATING DIVISION 16 "SPECIAL OVERLAY DISTRICT", SECTIONS 122-290 THRU 122-300 SETTING FORTH THE INTENT; CREATING THE EAST HIGHWAY 50 AND US 27 SPECIAL OVERLAY DISTRICT OF A SPECIAL OVERLAY DISTRICT; PROVIDING THE BOUNDARY FOR THE DISTRICT, INTENT, APPLICABILITY, DEVELOPMENT ZONES, PERMITTED USES AND DESIGN; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, September 25, 2018 at 6:30 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City

Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10079099
July 31, 2018

Payment Info	
Ad Price	\$144.64
Tax	\$0.00
Sub Total	\$144.64
Prepaid Amount	\$0.00
Balance Due	\$144.64



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, August 7, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

Meeting Date							
Tuesday, August 7, 2018							
Agenda Item Name							
Ordinance No. 2018-30 <i>Land Development Code Amendment- Density</i>							
Requested Action							
Recommend approval							
Staff Report							
Description of the Request: Amend the Land Development Code to review development standards for obtaining a density bonus to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private marketplace. Background and Discussion: According to the National Low Income Housing Coalitions annual report, the Orlando MSA, of which Clermont is in part, currently ties for second worst in the country for available affordable housing, offering only 17 available and affordable units per 100 renters. This year, Florida's minimum wage increased 15 cents to \$8.25 an hour, which based on a 40-hour week, the annual income would be \$17,160 before taxes, which is well below the federal poverty level of \$24,250 for a multi-family household. The predominant employment characteristic of Clermont, is hospitality and retail, whose average wage is minimum wage. To this end, many of the large employers in Clermont are sizable in nature, though offering part-time employment as the bevy of positions offered. A 2016 study from the Harvard Joint Center for Housing found that 45 percent of renters in the Orlando MSA are renters with a median income of \$35,000. The average rent in Clermont is: <table border="1"><tr><td>1-bedroom</td><td>\$1,100</td></tr><tr><td>2 bedroom</td><td>\$1,600</td></tr><tr><td>3 bedroom</td><td>\$1,800</td></tr></table> The rent affordable to a minimum wage earner is only \$421.00 per month. According to the National Low Income Housing Coalitions report, a worker earning minimum wage of \$8.25 per hour must work 86 hours per week to afford a one-bedroom in the Orlando MSA area. Further reported is 44% of area residents are "cost-burdened" which means they pay more than 30% of income toward housing costs. Federal and state housing subsidies alone do not provide the flexibility to increase the inventory of affordable housing in Clermont. Across the United States, many local jurisdictions have passed ordinances requiring inclusionary housing. Inclusionary housing means that each residential development must include a set-aside, or portion of housing units that are designated as affordable. In the case of the City of Winter Park, the jurisdiction also charges a linkage fee to non-residential developments to address the demand for affordable housing created by jobs expected to be located in the city. In Florida, the cities of		1-bedroom	\$1,100	2 bedroom	\$1,600	3 bedroom	\$1,800
1-bedroom	\$1,100						
2 bedroom	\$1,600						
3 bedroom	\$1,800						

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Tallahassee, Key West, Jupiter, Orlando, and St. Petersburg have inclusionary housing ordinances. The City of Winter Park has a linkage fee.

Florida statutes provide justification for inclusionary zoning in Section 166.04151, which states:

Affordable Housing. - Notwithstanding any other provision of law, a municipality may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Intent

The proposed amendment will provide an opportunity for greater availability of affordable housing inventory through a density bonus and set-aside of floating units.

Specifically, this amendment proposes to:

- Allow for an increase in density along the Hooks Street Corridor, most proximate to major employment hubs and transit access. The increase in density would amend the current 12 du-acre and allow for a density bonus up to 20 du-acre with set aside of floating units for affordable housing.
- Allows for an increase in density along future annexed parcels within the Wellness Way area, excluding those properties fronting Hartwood Marsh. These properties are most proximate to future employment hubs and area of transit with access into the Orange County and Four Corners area. The increase in density would amend the current 12 du-acre and allow for a density bonus up to 25 du-acre with set asides of floating units for affordable housing.

Consistency with State Statutes

- Florida statutes provide justification for inclusionary zoning in Section 166.04151, which states:
 - o ***Affordable Housing.*** - Notwithstanding any other provision of law, a municipality may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances

Consistency with Comprehensive Plan

Objective 1.2: Affordable Housing. The City shall encourage and assist the private sector in the provision of safe, clean, and affordable housing for special needs populations of the City, including the workforce and low and moderate-income households.

Policy 1.2.1: The City shall coordinate with private investors, developers and landlords to ensure that all means of meeting the housing needs of very-low, low and moderate-income CITY OF CLERMONT COMPREHENSIVE PLAN HOUSING Ordinance #621-M Adopted June 23, 2009 III-2 households are explored and implemented through involvement in federal, state and local housing programs.

Policy 1.2.2: The City shall create local government partnerships with the private sector to improve the efficiency, affordability, availability, and supply of safe and sanitary housing within the City, placing emphasis on the needs of the elderly and very-low, low and moderate-income families.

Policy 1.2.4: The City shall add regulations in the Land Development Code to provide incentives for developments that provide affordable housing units. These incentives could include, but are not

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
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limited to, increased densities, flexibility in certain development regulations such as lot sizes, street frontage and setbacks and an expedited permitting process.

Policy 1.2.8: The City's Land Development Code shall require that sites for affordable housing are located in close proximity to a collector roadway or higher and provide access to the following facilities, services and/or activity centers through an interconnected system of sidewalks, bicycle paths/lanes and transit stops and amenities: Employment centers; Shopping centers that include stores offering household goods and services needed on a frequent and recurring basis; and Public parks, recreation areas, and/or open space

Implementation

The table below identifies the typical elements of an inclusionary housing ordinance and the proposed amendments to the City of Clermont Land Development Code. The complete proposed code amendment is attached.

Criteria	City of Clermont
Threshold for project size	A residential project in the Wellness Way Area annexed into the City (excluding properties fronting Hartwood Marsh Road) or Hooks Street Corridor seeking a residential bonus of greater than 12 du/units per acre.
Density Bonus	Current city code allows for up to 12 du/acre the density bonus for affordable housing would be any density greater than 12 du/acre: Hooks Street Corridor Up to 20 du/Acre provided the developer shall set aside one (1) of the following: 1) Five (5 %) of the bonus units for extremely low income households. 2) 10 (10%) of the bonus units for low income. 3) 15 (15%) of the bonus units for moderate income households 4) Another set-aside mixed deemed acceptable by the City Council Wellness Way Area (excluding properties on Hartwood Marsh Rd) Up to 25 du/acre provided the developers shall set aside one (1) of the following: 1) Option to set aside, Five (5 %) of the bonus units for extremely low income households. 2) Option to set aside, 10 (10%) of the bonus units for low income. 3) Option to set aside, 15 (15%) of the bonus units for moderate income households 4) Option to set aside, another set-

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
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	aside mixed deemed acceptable by the City Council
Definition of Affordable Units	Affordable is defined that the monthly housing costs must not exceed 30% of the household income. Unit affordability must be certified by the Economic Development and Development Services Department.
Target Household Income Levels	Moderate income (up to 100% of area median income AMI) AMI- Area Median Income Low income up to 80% AMI Extremely Low income up to 50% AMI Area Median Income: \$56,037 source 2016 U.S. Census Data
Length of Affordability	Perpetuity
Quality of Units	Floating units, designated units are prohibited, units must be of the same quality and design and should not appear different. Residents must have the access to the same amenities as market rate residents.
Management of Units	A management agreement is required between the applicant and the City, a community land trust or mutually agreeable instrument to the applicant and City.
Quality of Construction Materials for the Density Bonus	Affordable housing units must provide for high quality and durable construction materials. Incorporation of energy efficient and sustainable components to include appliances, building materials and outdoor landscape components. Elevators are required. Block construction of the first floor is required.
An administrative review is required to ensure that the proposed project and its intended occupants meet the standards and income requirements for affordable housing. All developers are required to schedule a pre-application meeting and complete an application for density bonus with the Economic Development Department. Annual verification of leased units as part of the density bonus is required from the date originally certified. The applicant must enter into a management agreement with the City, a community land trust, or other instrument mutually agreeable to the City and the applicant, to administer the affordable set-aside units. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing requirements, and other elements as determined by the Economic Development and Development Services Department. Projects may not pay a contribution in lieu of to attain a density bonus.	
Additional Analysis	

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, August 7, 2018
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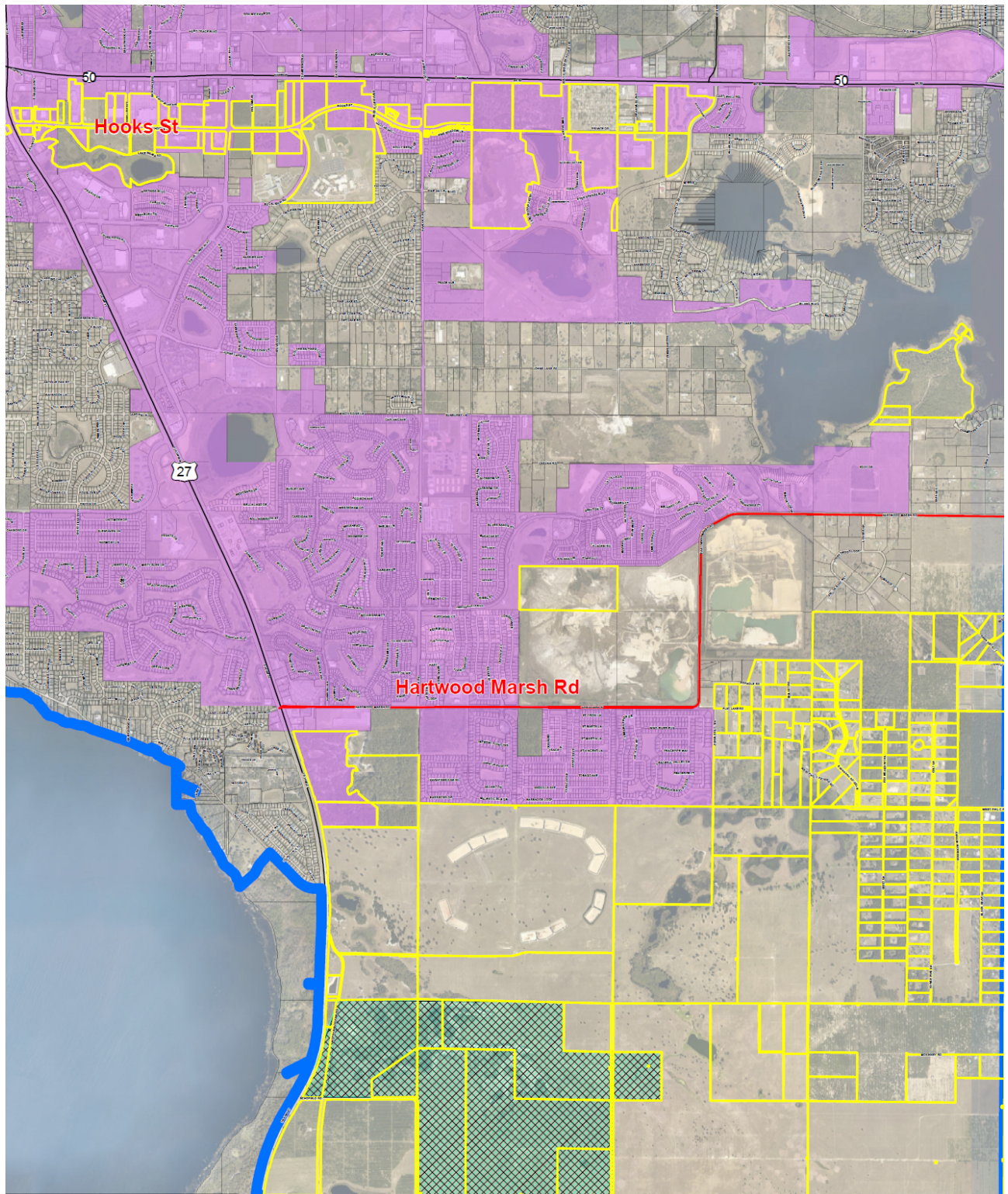
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Density Bonus Map	Density Bonus Map.docx
2.	2018-30 Affordable Housing Bonus Density Ord	2018-30 Affordable Housing Bonus Density Ord.doc
3.	ORDINANCE NO. 2018-30 July Legal Ad	ORDINANCE NO. 2018-30 July Legal Ad.pdf
4.	ORDINANCE NO. 2018-30 Sept Legal Ad	ORDINANCE NO. 2018-30 Sept Legal Ad.pdf

Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person 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 based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the Recording Clerk for the City's records.

Exhibit: In yellow areas considered for density bonus





CITY OF CLERMONT
ORDINANCE NO. 2018-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF CLERMONT BY ADDING SECTION 122-358 AFFORDABLE HOUSING DENSITY BONUS, UNDER CHAPTER 122 ZONING; SETTING FORTH STANDARDS AND REGULATIONS FOR THE CRITERIA FOR THE DENSITY BONUS; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on August 7, 2018 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to add Section 122-358, Affordable Housing Density Bonus, of the City of Clermont's Code of Ordinances;

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

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

Section 122-358 Affordable Housing Density Bonus

(a) It is the intent of the City to provide an opportunity for greater availability of affordable housing inventory through a density bonus and set-aside of floating units.

(b) Sites for affordable housing shall be located in close proximity to a collector roadway or higher and provide access to the following facilities, services and/or activity centers through an interconnected system of sidewalks, bicycle paths/lanes and transit stops and amenities: Employment centers; Shopping centers that include stores offering household goods and services needed on a frequent and recurring basis; and Public parks, recreation areas, and/or open space.

(c) Criteria for affordable housing density bonus in consideration of projects.



CITY OF CLERMONT
ORDINANCE NO. 2018-30

Criteria	City of Clermont
Threshold for project size	A residential project in the Wellness Way Area annexed into the City (excluding properties fronting Hartwood Marsh Road) or Hooks Street Corridor seeking a residential bonus of greater than 12 dwelling units per acre.
Density Bonus	Current city code allows for up to 12 dwelling units per acre the density bonus for affordable housing would be any density greater than 12 dwelling units per acre: Hooks Street Corridor Up to 20 dwelling units per acre provided the developer shall set aside one (1) of the following: 1) Five (5 %) of the bonus units for extremely low income households. 2) 10 (10%) of the bonus units for low income. 3) 15 (15%) of the bonus units for moderate income households 4) Another set-aside mixed deemed acceptable by the City Council Wellness Way Area (excluding properties on Hartwood Marsh Road) Up to 25 dwelling units per acre provided the developers shall set aside one (1) of the following: 1) Option to set aside, Five (5 %) of the bonus units for extremely low income households. 2) Option to set aside, 10 (10%) of the bonus units for low income. 3) Option to set aside, 15 (15%) of the bonus units for moderate income households 4) Option to set aside, another set-aside mixed deemed acceptable by the City Council
Definition of Affordable Units	Affordable is defined that the monthly housing costs must not exceed 30% of the household income. Unit affordability must be certified by the Economic Development and Development Services Department.



CITY OF CLERMONT
ORDINANCE NO. 2018-30

Target Household Income Levels	Moderate income (up to 100% of area median income Area Median Income) Low income up to 80% Area Median Income Extremely Low income up to 50% Area Median Income Area Median Income: \$56,037 source 2016 U.S. Census Data
Length of Affordability	Perpetuity
Quality of Units	Floating units, designated units are prohibited, units must be of the same quality and design and should not appear different. Residents must have the access to the same amenities as market rate residents.
Management of Units	A management agreement is required between the applicant and the City, a community land trust or mutually agreeable instrument to the applicant and City.
Quality of Construction Materials for the Density Bonus	Affordable housing units must provide for high quality and durable construction materials. Incorporation of energy efficient and sustainable components to include appliances, building materials and outdoor landscape components. Elevators are required. Block construction of the first floor is required.

(d) An administrative review is required to ensure that the proposed project and its intended occupants meet the standards and income requirements for affordable housing. All developers are required to schedule a pre-application meeting and complete an application for density bonus with the Economic Development Department.

(e) Annual verification of leased units as part of the density bonus is required from the date originally certified.

(f) The applicant must enter into a management agreement with the City, a community land trust, or other instrument mutually agreeable to the City and the applicant, to administer the affordable set-aside units. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing requirements, and other elements as determined by the Economic Development and Development Services Department.



CITY OF CLERMONT
ORDINANCE NO. 2018-30

- (g) Projects may not pay a contribution in lieu of to attain a density bonus.

SECTION 4.

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5.

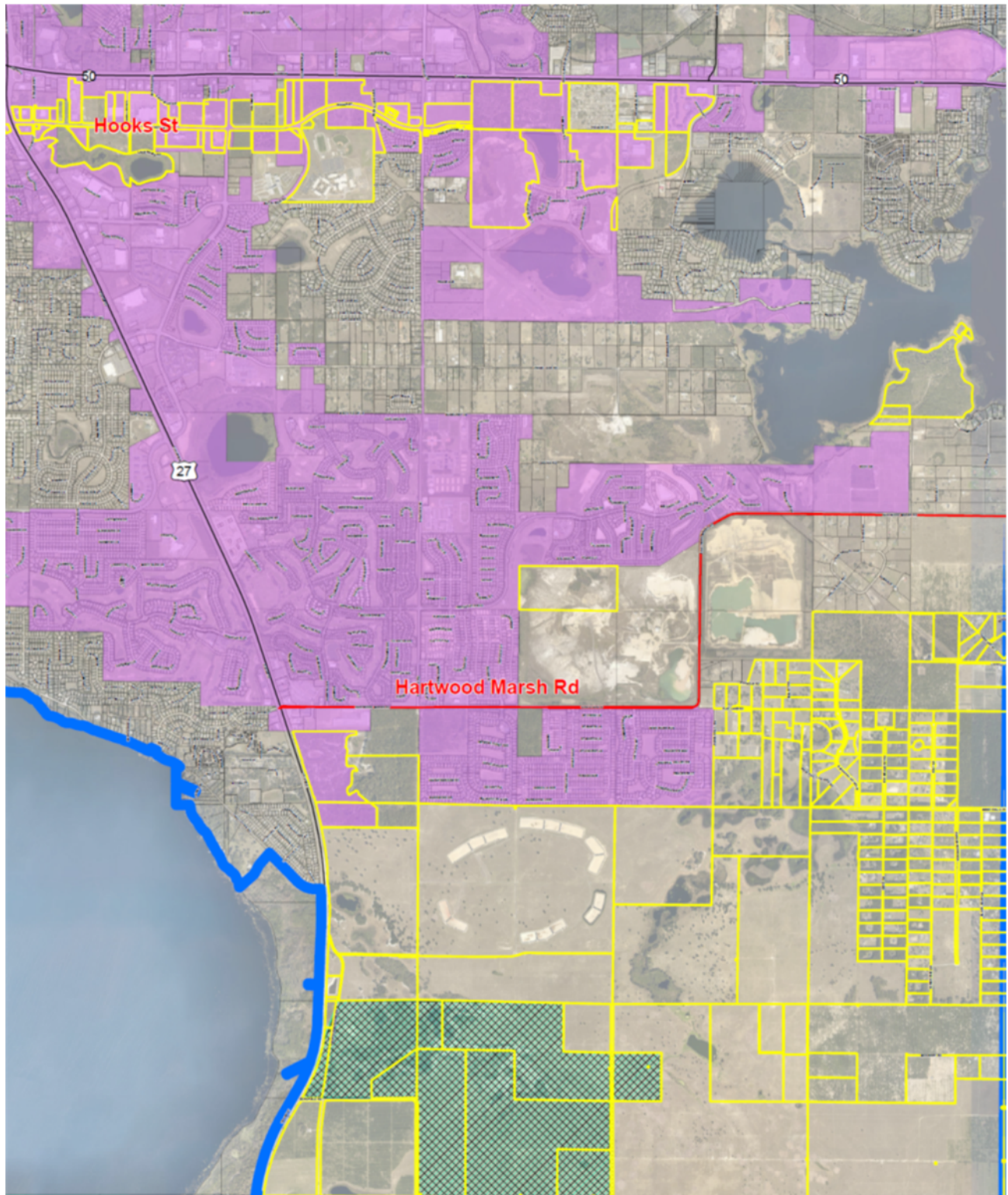
The text of Section 2 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

SECTION 6.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.

CITY OF CLERMONT
ORDINANCE NO. 2018-30

Exhibit: Possible Affordable Housing Density Bonus Areas highlighted in yellow





CITY OF CLERMONT
ORDINANCE NO. 2018-30

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of September, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Advertising Receipt

The Daily Commercial
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Leesburg, FL 34749-0007
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Cristina Andres
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Account Number: 7101866
Order Number: 10079096
Phone: (352) 241-7331
Date: 07/25/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/31/2018	07/31/2018	\$120.33

LEGAL NOTICE

office, (352) 241-7331, at least 48
hours prior to the public hearings.

Notice is hereby given that the City
Council of the City of Clermont will
consider the enactment of the follow-
ing proposed ordinance. All interested
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Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10079096
July 31, 2018

ORDINANCE NO. 2018-30

AN ORDINANCE OF THE CODE OF
ORDINANCES OF THE CITY COUNCIL
OF THE CITY OF CLERMONT, LAKE
COUNTY, FLORIDA, AMENDING THE
CODE OF ORDINANCES, CHAPTER
122 ZONING; ADDING SECTION
122-358 AFFORDABLE HOUSING
DENSITY BONUS; PROVIDING FOR
CODIFICATION; SEVERABILITY; EF-
FECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by
the Planning & Zoning Commission
on Tuesday, August 7, 2018 at 6:30
P.M.

A public meeting to consider the ordi-
nance will be held before the City
Council on Tuesday, September 25,
2018 at 6:30 p.m. for final enact-
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Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
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CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
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LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	09/11/2018	09/11/2018	\$120.33

LEGAL NOTICE

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Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10079097
September 11, 2018

ORDINANCE NO. 2018-30

AN ORDINANCE OF THE CODE OF
ORDINANCES OF THE CITY COUNCIL
OF THE CITY OF CLERMONT, LAKE
COUNTY, FLORIDA, AMENDING THE
CODE OF ORDINANCES, CHAPTER
122 ZONING; ADDING SECTION
122-358 AFFORDABLE HOUSING
DENSITY BONUS; PROVIDING FOR
CODIFICATION; SEVERABILITY; EF-
FECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by
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Balance Due	\$120.33



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Ordinance No. 2018-27 <i>FLU Text Amendment - Density</i>	
Requested Action	
Recommend approval of Ordinance 2018-27.	
Staff Report	
This is a staff initiated Future Land Use text amendment to encourage affordable and mixed income housing opportunities where they may not otherwise be provided by the private market place. The proposed text amendment is to allow a higher density through a density bonus program for a specific number of affordable housing units to be included in the overall project. The Commercial and Master Planned Development Future Land Use Category were the primary land use categories that would benefit directly with affordable housing locations in the City. The goal is to have housing stock close to employment areas, public transportation opportunities, walkable communities and from working, shopping, and entertainment venues. The most recent workforce housing project, the Woodwinds Apartment Community, offers housing for workforce employees at a rate that is affordable, based upon a slotted index of their income. The housing project has received great interest and high demand since affordable units in the Clermont area are lacking in number. Some of the recent apartment communities and residential developers have asked about higher density in exchange for affordable housing units added to the overall project. This practice is known as inclusionary housing. Inclusionary housing means that each residential development will include a set-aside, or portion of housing units that are designated as affordable. The number of bonus units will be pro-rated to the number of units offered for a specific income level. The income levels will be extremely low income households, low income households, or moderate income households of the Clermont's Area Median Income (AMI). The 2016 US Census Data for Clermont's AMI is \$56,037. Extremely low income would be up to 50% of the AMI (\$28,018), low income up to 80% of the AMI (\$44,830), and moderate income would be up to 100% of the AMI (\$56,037). Land Development Regulations would address the affordable housing bonus density in greater detail and the requirements of the program. This proposed text amendment provides the framework for the consideration to allow an increase in density, if certain criteria is met, in the Commercial and Master Planned Development Future Land Use Category. The proposed text amendment would provide an increase from 12 units per acre up to 25 units per acre in the Commercial and Master Planned Development Future Land Use Category. The following existing Comprehensive Plan Objective and Policies from Chapter III in the Housing Element support the proposed text amendment. Objective 1.2: <u>Affordable Housing</u>. The City shall encourage and assist the private sector in the provision of safe, clean, and affordable housing for special needs populations of the City, including the workforce and low and moderate-income households.	

Policy 1.2.1: The City shall coordinate with private investors, developers and landlords to ensure that all means of meeting the housing needs of very-low, low and moderate-income CITY OF CLERMONT COMPREHENSIVE PLAN HOUSING Ordinance #621-M Adopted June 23, 2009 III-2 households are explored and implemented through involvement in federal, state and local housing programs.

Policy 1.2.2: The City shall create local government partnerships with the private sector to improve the efficiency, affordability, availability, and supply of safe and sanitary housing within the City, placing emphasis on the needs of the elderly and very-low, low and moderate-income families.

Policy 1.2.4: The City shall add regulations in the Land Development Code to provide incentives for developments that provide affordable housing units. These incentives could include, but are not limited to, increased densities, flexibility in certain development regulations such as lot sizes, street frontage and setbacks and an expedited permitting process.

Policy 1.2.8: The City's Land Development Code shall require that sites for affordable housing are located in close proximity to a collector roadway or higher and provide access to the following facilities, services and/or activity centers through an interconnected system of sidewalks, bicycle paths/lanes and transit stops and amenities: Employment centers; Shopping centers that include stores offering household goods and services needed on a frequent and recurring basis; and Public parks, recreation areas, and/or open space.

The evidence provided in the existing Housing Element of the Comprehensive Plan and the growing need for affordable housing in our community supports the requested text amendment. The text amendment sets the stage for future affordable housing opportunities that are currently non-existent due to high development costs and housing density limited to 12 units per acre. Therefore, staff recommends approval of the text amendment to change the density of Commercial and Master Planned Development Future Land Use Categories to encourage affordable housing opportunities in the City of Clermont.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|---|
| 1. | Ord 2018-27 FLU Text Change Density | Ord 2018-27 FLU Text Change Density.doc |
| 2. | Exhibit A - Future Land Use Element 2018 Affordable Housing Addition | Exhibit A - Future Land Use Element 2018 Affordable Housing Addition.docx |
| 3. | Legal Ad Proof 2018-27 | Legal Ad Proof 2018-27.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2018-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO AMEND THE MAXIMUM DENSITY FOR THE COMMERCIAL AND MASTER PLANNED DEVELOPMENT FUTURE LAND USE CATEGORIES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on August 13, 1991, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statutes 163.3187; and

WHEREAS, the Planning and Zoning Commission, acting as the Local Planning Agency, held a public hearing and made recommendations to the City Council for amendments to the plan; and

WHEREAS, the City Council of the City of Clermont held public hearings on the proposed amendments to the plan in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ORDAINED and enacted by the City Council of the City of Clermont, Florida that:

SECTION 1.

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Element is hereby amended as shown in Exhibit A.



CITY OF CLERMONT
ORDINANCE NO. 2018-27

SECTION 2.

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

SECTION 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.



CITY OF CLERMONT
ORDINANCE NO. 2018-27

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of September, 2018.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT
COMPREHENSIVE PLAN

CHAPTER I
FUTURE LAND USE ELEMENT

Adopted June 23, 2009
Amended February 28, 2017
Amended September 25, 2018

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CHAPTER I
FUTURE LAND USE

GOAL 1: Ensure that the character, magnitude and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.

Objective 1.1: Discourage Urban Sprawl. The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency.

Policy 1.1.1: Urban services such as water and sewer shall not be extended outside the Lake County/Clermont Joint Planning Area (JPA) without a companion land use plan amendment modifying the boundary and amending the land uses. An exception may be considered where public health, safety and welfare require a community water system or the extension of water service to ensure safe potable water.

Policy 1.1.2: The City shall prioritize its capital improvements funding by assigning first priority to the renewal, reuse and/or rehabilitation of existing facilities or to the replacement of existing obsolete or worn out facilities.

Policy 1.1.3: The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate locations.

Objective 1.2: Future Land Use Map Series. The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City by adopting a Future Land Use Map Series included as **Appendix A** of this element that contains the Future Land Use Map (FLUM), Future Transportation Map and Natural Resources Map, which together form the basis for consideration of future land use plan amendments. The Future Land Use Map Series, along with the City's land development regulations, shall reduce or eliminate existing land uses that are inconsistent with the community's character.

Policy 1.2.1: The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

Policy 1.2.2: The land development regulations shall include provisions to reduce or eliminate land uses that are inconsistent with the City's character and future land use, including those uses that are inconsistent with hazard mitigation recommendations in the Lake County emergency management plan.

Policy 1.2.3: The City shall discourage the continuation of nonconforming uses to the extent established in the land development regulations. Redevelopment of the property will be allowed only if it is consistent with the FLUM and the zoning district.

Policy 1.2.4: The adopted FLUM contains and identifies appropriate locations for the following land use categories which were established to prevent urban sprawl, provide for the protection of natural and historic resources and maximize economic development:

Future Land Use Categories	Maximum Density/Intensity (per gross acre)
Conservation	Not Developable
Parks	N/A
Public Facilities/Institutional	0.25 FAR
Residential	
Low-Density	3 units per acre
Medium-Density	8 units per acre
High-Density	12 units per acre
Office	1.0 FAR
Mixed-Use	
Residential/Office	12 units per acre/0.25 FAR
Master Planned Development	12 – 25 units per acre/0.25 FAR
Downtown Mixed-Use	12-40 units per acre/3.0 FAR
Commercial	12 – 25 units per acre/0.25 FAR
Industrial	1.0 FAR

Objective 1.3: Conservation Land Use Category. The conservation category is established for the long-term protection and preservation of publicly or privately owned lands that contain valuable and threatened natural resources, such as wetlands, floodplains and unique ecological communities.

Policy 1.3.1: Only passive open space and passive recreational activities shall be allowed in the conservation category, limited to resource-enhancing facilities such as multi-purpose trails, bike paths and natural land restoration projects. Interactive areas/facilities may be allowed as long as they are provided and managed consistent with goals, objectives and policies of this element as well as the goals, objectives, policies, standards and criteria set forth in the Conservation Element.

Policy 1.3.2: Lands designated as conservation on the FLUM may be counted toward meeting the adopted level of service standards for recreation and open space for the City.

Policy 1.3.3: If it is impractical to designate the area containing conservation resources as conservation land use due to size, location or other factors, the City shall have the option of obtaining a conservation easement from the property owners to protect the area. Areas covered by a conservation easement shall be treated the same as areas designated as conservation land use on the FLUM.

Policy 1.3.4: No development is permitted within the conservation category, except where state and/or federal agencies having jurisdiction already allow development rights. The applicant shall bear the burden of proof in determining that development shall not adversely impact conservation resources. Site alteration, where allowed, shall be limited to 10 percent of the entire site.

Objective 1.4: Parks Land Use Category. The parks category is established to provide sufficient space for public and private parks that are open to the public for active and passive recreation use.

Policy 1.4.1: The parks land use category is intended to accommodate existing public parks and recreation areas as well as committed public and semi-public open spaces. The maximum intensity of buildings on site shall be 0.25 Floor-Area-Ratio (FAR).

Policy 1.4.2: Not all parks and recreational facilities are required to be shown as parks on the FLUM. Park and recreation uses shall be allowed in other categories as support uses.

Objective 1.5: Public Facilities/Institutional Land Use Category. The public facilities/institutional category is established for publicly-owned institutional parcels and privately-owned, non-profit institutional parcels meeting threshold sizes established herein.

Policy 1.5.1: The public/institutional land use designation is intended to accommodate public and semi-public services including government administration buildings; public schools and not-for-profit educational institutions; hospital facilities and supportive health care units; arts, cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; public and semi-public open spaces and other similar activities. The maximum intensity of institutional activity shall be 0.25 FAR.

Policy 1.5.2: Churches and religious institutions on parcels greater than two acres shall be designated as public facilities/institutional future land use category on the FLUM, except those within the master planned development and the downtown mixed-use land use categories.

Policy 1.5.3: Public and private schools on parcels greater than five acres shall be designated as public facilities/institutional future land use category on the FLUM, except those within the master planned development and the downtown mixed-use land use categories.

Policy 1.5.4: The City shall monitor the need for increased land area for public/institutional uses and shall ensure that this land use designation on the FLUM is expanded to accommodate the development of public and semi-public facilities such as government administration buildings; fire, police and rescue services; educational institutions and similar public uses.

Objective 1.6: Residential Land Use Categories. The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of low, medium and high residential densities at a maximum density of up to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public

utilities (i.e., telephone switching stations, lift stations, drainage infrastructure and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations. Based on current land use trends, the City estimates that the mix of uses in the residential categories will be about 85 percent residential and 15 percent public facilities/institutional and recreation uses.

Policy 1.6.1: Low-Density Residential. Areas delineated on the FLUM for low-density residential development shall accommodate a maximum density of up to three dwelling units per acre and shall be comprised primarily of single-family detached homes on individual lots.

Policy 1.6.2: Medium-Density Residential. Areas delineated on the FLUM for medium-density residential development shall accommodate a maximum density of up to eight units per acre. Permitted housing types include single-family detached homes, including zero-lot-line and cluster developments, duplexes, townhomes, condominiums and apartments.

Policy 1.6.3: High-Density Residential. Areas delineated on the FLUM for high-density residential development shall accommodate a maximum density of 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning. Permitted housing types include single-family detached homes, including zero-lot-line and cluster developments, duplexes, townhomes, condominiums and apartments. Nursing homes, assisted living facilities and independent living facilities shall be permitted in the high-density residential land use as a planned unit development (PUD) consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Policy 1.6.4: Performance standards for residential uses shall include, but are not limited to, the following:

- The land development regulations shall include performance standards for high-density and multi-family residential uses that control the location of proposed buildings in relation to the overall dimension of the site, provide sufficient on-site/structured parking where applicable, and provide open space and recreation amenities.
- The land development regulations shall contain requirements for significant open space, landscaping and buffers to effectively screen multi-family developments from low-density residential zoning districts.
- Multi-family residential developments of more than 50 units shall provide recreational facilities to meet the needs of the population of the development.
- Grid street networks are highly encouraged to serve residential developments and provide connectivity throughout the City. Cul-de-sacs and gated developments are discouraged.
- Themes are encouraged for residential developments to include cohesive streetscape design, signage, landscape architecture and streetscape furniture to create an identity for the neighborhoods in the City.

Objective 1.7: Mixed-Use Land Use Categories. The mixed-use categories are established to accommodate a mixture of residential, office and commercial uses as single uses on separate parcels or as a mix of uses within a single development. The maximum density for residential uses shall be 12 units per acre, except in the Downtown Mixed Use Category, which may allow a bonus density of up to 40 units per acre through a Community Benefit Agreement as provided for in the Land Development Code, Section 122, Division 12 CBD/Central Business District. The maximum density for residential uses shall be 12 units per acre in the Master Planned Development Use Category except for lands which may allow a bonus density of up to 25 units per acre through an affordable housing component, as provided for in the Land Development Code, Section 122, Division 16 Special Overlay District. Densities higher than eight units per acre in the Residential/Office Category shall require a conditional use permit. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.7.1: Residential/Office. The residential/office category is intended to provide for a mixture of predominantly residential uses, while allowing for professional offices that are consistent with the general character of the adjacent residential uses. Based on current land use trends, the City estimates that the mix of uses in the residential/office category will be 65 percent residential and 35 percent non-residential. The maximum intensity for office development shall be 0.25 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.2: Planned Development. The master planned development category is intended to provide for two existing approved developments of regional impact (DRI), King's Ridge DRI and Lost Lake Reserve DRI, the Black West proposed mixed-use development subject to a utility and annexation agreement approved by the City and new master planned, mixed-use projects that shall be applied only upon City Council approval of a development agreement that specifies the allowable types and distribution of land uses and the maximum number/density of residential units, and which demonstrates that public facilities and services meet the requirements of the City's Concurrency Management System. The maximum intensity for office and commercial uses shall be 0.25 FAR; 1.0 FAR for industrial uses; and 0.25 FAR for institutional uses. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.3: Downtown Mixed-Use. The downtown mixed-use category is intended to provide for a mixture of residential and business uses, as well as cultural and tourist facilities, recognized as characteristic of the City's established downtown central business district. Based on current land use trends, the City estimates that the mix of uses will be 70 percent office and commercial uses and 30 percent residential, public facilities/institutional and recreation uses. The maximum intensity for office, commercial and institutional uses shall be 3.0 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.

Policy 1.7.4: Nursing homes, assisted living facilities and independent living facilities shall be permitted in all mixed-use land use categories as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Policy 1.7.5: Performance standards for mixed-use developments shall include, but are not limited to, the following:

- Mixed-use developments are encouraged to incorporate town or village centers that are sized to serve the needs of residents in the development within a quarter-mile of the center.
- Unified architectural and streetscape themes are encouraged for all mixed-use developments.
- A mixed-use development may include a mixture of land uses on the same site and/or in the same building.
- For a mixed-use building, only retail sales and services and restaurants are permitted on the ground floor.

Objective 1.8: Office Land Use Category. The office category is established to provide for office uses in areas that transition to residential neighborhoods. Uses allowed in addition to offices are supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.8.1: Residential uses are not allowed in the office category.

Policy 1.8.2: Nursing homes, assisted living facilities and independent living facilities shall be permitted in all mixed-use land use categories as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Objective 1.9: Commercial Land Use Category. The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.9.1: The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent residential, public facilities/institutional and recreation uses.

Policy 1.9.2: The maximum intensity of commercial development shall be limited to 0.25 FAR. The maximum density for residential uses shall be 12 units per acre, except for lands which may allow a bonus density of up to 25 units per acre through an affordable housing component, as provided for in the Land Development Code, Section 122, Division 16 Special Overlay District. Densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning.

Policy 1.9.3: Hotels and hospitals shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 3.0 FAR.

Policy 1.9.4: Nursing homes, assisted living facilities and independent living facilities shall be permitted in the commercial land use category as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Objective 1.10: Industrial Land Use Category. The industrial category is established to provide sufficient land for existing and anticipated future industrial needs and requisite support services.

Policy 1.10.1: Residential uses are not allowed in the industrial category.

Policy 1.10.2: Uses allowed in the industrial category include manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses which shall be regulated through appropriate land development regulations. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.

Policy 1.10.3: The maximum intensity of industrial development shall be limited to 1.0 FAR.

Objective 1.11: Smart Growth Principles. New development in the City shall comply with “Smart Growth” principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl. The following policies shall be incorporated into the City’s land development regulations prior to the next required Evaluation and Appraisal Report.

Policy 1.11.1: Development in the Downtown Mixed-Use land use category, and where appropriate in the Residential/Office and Master Planned Development categories, shall provide pedestrian-friendly street design (buildings close to street; porches, windows and doors; tree-lined streets; hidden parking lots; garages in rear; narrow, slow-speed streets).

Policy 1.11.2: New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

Policy 1.11.3: New Development in the Downtown Mixed-Use, and where appropriate in the Residential/Office and Master Planned Development categories, shall provide a mix of shops, offices, apartments and homes on site and provide mixed-use within neighborhoods, within blocks and within buildings.

Policy 1.11.4: Developments that require site plan review and approval shall be evaluated on the use of site and building design that emphasizes beauty, aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

Objective 1.12: Public Facilities and Services. Development, redevelopment, land use plan amendments and changes to the zoning of a site shall be coordinated with the availability of adequate services and facilities, including assurance that land is available for the needed utility facilities and services.

Policy 1.12.1: The Lake-Sumter Metropolitan Planning Organization’s transportation concurrency management system (TCMS) and Traffic Impact Study Methodology Guidelines, Volume I: Lake County Checkbook TCMS dated May 28, 2008, and as amended, shall serve as the City’s transportation concurrency management system.

Policy 1.12.2: All development orders or permits, including any redevelopment activities, shall be issued only if there are public facilities and services available with sufficient

capacities to maintain the level of service standards concurrent with the impacts of the proposed development. Prior to the issuance of a building permit, the City shall verify with its utility department that adequate water supplies will be available to serve new development no later than the anticipated date of issuance of the certificate of occupancy.

Policy 1.12.3: The City shall encourage requests for voluntary annexation into the City when those lands are logical extensions of the existing City limits, when services can be properly provided and when proposed uses are compatible with the City's comprehensive plan.

Policy 1.12.4: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently.

Policy 1.12.5: The City shall ensure the availability of suitable land for public services and facilities necessary to support proposed development and shall approve sites for such facilities and services concurrent with the approvals for the development requiring the services and facilities.

Policy 1.12.6: The City shall require new development to provide necessary services and facilities or to pay a fair share of the cost of those services and facilities through impact fees, special assessments, exactions, conveyance of land or easements or pro-rata agreements.

Policy 1.12.7: The City shall continue to require dedication of adequate rights-of-way for use as roadways, stormwater management and by utility companies for new construction, service extensions or facility improvements.

Policy 1.12.8: Private or public electric utilities needed to support the future land use categories may be permitted as conditional uses in all land use designations except for residential, conservation or parks categories.

Policy 1.12.9: Small-scale, site-specific, or off-grid electrical generation systems serving single users or small clusters of users and which use alternative energy sources shall be allowed in all land use categories without exception. Such alternative systems shall be allowed to connect to an available electrical energy distribution system to sell excess power to an electric utility provider. All substations adjacent to residential neighborhoods or visible from a public roadway shall be required to provide landscaping and buffering to minimize visual and noise impacts.

Objective 1.13: Natural Resources. Natural resources shall be protected through identification, classification, coordination with resource planning and management plans prepared pursuant to Chapter 380, F.S., and limitations on use consistent with the degree of protection required.

Policy 1.13.1: The protection of natural resources shall be accomplished by one or more of the following techniques, based on the degree of protection required:

- Limitations on development density and intensity;
- Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site;
- Limitations on building coverage or impervious surface coverage;

- Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; and
- Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources.

Policy 1.13.2: The City's determination of the degree of natural resource protection required shall be part of the development application and review process and may result in conditions on development approvals.

Policy 1.13.3: The land development regulations shall provide for the protection of potable water wellfields by designating appropriate activities and land uses allowed within wellhead protection areas and environmentally sensitive land to protect these areas from adverse impacts of development.

Policy 1.13.4: The City shall include standards and procedures in its land development regulations that consider topography and soil types in the review of proposed development projects.

Policy 1.13.5: The development approval process shall ensure that new development and redevelopment is consistent with natural drainage patterns. The approval process shall require appropriate stormwater management systems consistent with the adopted drainage level of service, natural drainage patterns and soil conditions.

Policy 1.13.6: Flood plains and floodways in the City shall be identified and development shall be limited, consistent with FEMA requirements.

Policy 1.13.7: The City of Clermont is not located within the Green Swamp Area of Critical State Concern; however, a portion of this resource is located within the Lake County/Clermont JPA. The City shall utilize both formal and informal modes of coordination with the Florida Department of Community Affairs, St. Johns River Water Management District, Florida Department of Environmental Protection, Lake County and other appropriate state and local agencies that have jurisdictional authority or responsibility for regulation and management of the Green Swamp Area of Critical State Concern.

Policy 1.13.8: The City shall ensure the preservation of natural communities and listed animal species habitat through land acquisition of natural areas and open space.

Objective 1.14: Historic Resources. Important historic and archaeological resources of the City of Clermont shall be protected through identification, classification and regulation of development consistent with the degree of protection required for the resource.

Policy 1.14.1: The City, through its adopted historic preservation ordinance, will protect significant historic, cultural and archaeological resources.

Policy 1.14.2: The City shall identify and inventory sites of historical significance.

Policy 1.14.3: The City's land development regulations shall provide for the protection of significant historic resources from the impacts of development and redevelopment.

Policy 1.14.4: Historic resources and their environments shall be considered for inclusion in public acquisition programs for appropriate passive recreation and for open space and conservation.

Policy 1.14.5: If City construction activities reveal a suspected historical or pre-historic archaeological site, the City shall determine the extent and nature of the site and report such findings to the state by a master site file application. The City shall mitigate any impacts to the site if the site is determined to be relatively intensive in cultural remains, or significant to the archaeological or historical record. Such determination of site extent, nature and significance shall be made by a professional archaeologist as recognized by the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation.

Policy 1.14.6: The City shall negotiate with landowners prior to the development review process, to avoid disturbance of known historical and pre-historic sites.

Policy 1.14.7: The City shall support private, nonprofit groups that endeavor to preserve historic resources and request the assistance of the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation, in identifying sources of funding and programs as a means to identify, designate, protect and preserve pre-historic sites and historic resources in Clermont.

Objective 1.15: Redevelopment and Renewal of Blighted Areas. The City shall encourage redevelopment of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) through redevelopment programs and through maintaining land development regulations that contain standards and procedures to encourage redevelopment where desirable.

Policy 1.15.1: The City shall continue to implement the recommendations for the Clermont community redevelopment area.

Policy 1.15.2: The City shall implement Housing Element directives for renewal and revitalization of substandard housing target areas within time-frames identified in the element.

Policy 1.15.3: The City shall utilize available government programs such as, but not limited to, the community development block grant program, for renewal and revitalization of substandard housing sites as identified in the Housing Element.

Objective 1.16: Plan Implementation. The City shall maintain land use and development regulations to address issues identified in this and other plan element goals, objectives and policies.

Policy 1.16.1: Proposed residential developments shall be required to meet state subdivision requirements and the City's land development regulations with regard to platting and providing improvements such as roads, drainage and other facilities and services. All divisions of land, whether requiring a subdivision plat or not, shall be required to meet concurrency management and access requirements as stated in this comprehensive plan.

Policy 1.16.2: Zoning districts in the City's land development regulations shall implement the future land use categories adopted in the comprehensive plan, including the types of uses and the densities and intensities of uses.

Policy 1.16.3: It is the intent of the City of Clermont to ensure that adequate open space is provided through the following:

- active or passive recreation sites;
- landscaped buffers;
- protected natural resource lands;
- protected environmentally sensitive lands;
- areas devoted to drainage and stormwater retention;
- landscaping requirements; and
- minimum open space requirements for master-planned developments.

Policy 1.16.4: The City shall maintain and enhance the safety and efficiency of the arterial and collector road system and minimize transportation conflicts associated with development by coordinating the FDOT driveway permitting process, limiting development access to the transportation system and increasing interconnection between adjacent developments.

Policy 1.16.5: All development shall provide for safe, convenient, and appropriately designed traffic circulation on the site, including provisions for needed parking.

Policy 1.16.6: The City shall maintain in the land development regulations procedures and standards for planned developments to encourage mixed-use projects, to encourage traditional neighborhood development, and to encourage and allow innovative site design and development approaches.

Policy 1.16.7: The land development regulations shall determine where buffers shall be required between adjacent land uses. Buffers may be either prescriptive standards or variable and shall be defined in the land development regulations. Buffers may serve one or more of the following purposes: provide functional separations between dissimilar uses; provide landscaping adjacent to parking lots and other vehicle use areas; and provide protection from uses that may have some degree of incompatibility that can be mitigated wholly or partially to protect against light, glare, noise or appearance.

Policy 1.16.8: Public schools are an allowable use in all land use categories except conservation, parks and industrial. Public technical/training schools may be located in the industrial category. The location of schools shall be proximate to existing and planned urban residential areas to the extent possible and shall be located based on siting criteria that includes but is not limited to school size, land area, land use compatibility, environmental impacts, availability of public utilities, transportation impacts and public safety. The following criteria shall apply:

- Public elementary schools shall be sited primarily in residential areas that include housing types and densities to meet the school's enrollment capacity with students who are predominately within walking distance of the school.
- Public middle and high schools may be sited in areas with a mix of land uses, including commercial.

- Access to public school sites should be from a collector road for middle and high schools or a collector or local road for elementary schools. Ingress and egress should not create detrimental impacts on roads adjacent to the site. Approaches to the site should be safe for pedestrians, bicycles, cars and buses.
- Public utilities shall be available to the site.

Policy 1.16.9: The City shall encourage the co-location of public facilities, such as parks, libraries and community centers, with schools to the maximum extent feasible.

Policy 1.16.10: Development regulations shall require street, pedestrian and transit layouts that discourage non-residential through-traffic in residential neighborhoods, but that encourage energy and time-efficient access points and interconnections between residential areas.

Advertising Receipt

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CITY OF CLERMONT
Cristina Andres
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CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078801
Phone: (352) 241-7331
Date: 07/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF CLERMONT NOTICE OF PROPOSED AMENDMENT TO COMPREHEI	07/28/2018	09/11/2018	\$220.24

**CITY OF CLERMONT
NOTICE OF PROPOSED AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2018-27**

The City of Clermont will hold public hearings on Tuesday, August 7, 2018 at 6:30 pm before the Planning and Zoning Commission and on Tuesday, August 14, 2018 at 6:30 pm before the City Council (transmittal hearings), and on Tuesday, September 25, 2018 at 6:30 pm before the City Council (final adoption hearing) to consider proposed changes to the Future Land Use Element of the City's adopted comprehensive plan.

Ordinance #2018-27:
An ordinance of the City Council of the City of Clermont, Lake County, Florida, amending the Comprehensive Plan for the City of Clermont, Florida, pursuant to the local government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes by adopting a text amendment to the Future Land Use Element of the Comprehensive Plan to amend the maximum density for the Commercial and Master Planned Development future land use categories; setting forth the authority for adoption of the Comprehensive Plan Amendment; setting forth the purpose and intent of the Comprehensive Plan Amendment; establishing the legal status of the Comprehensive Plan Amendment; providing for severability, conflict and an effective date.

The public hearings will be in the Council chambers of City Hall, 685 W. Montrose St., and are open to public comment. Please call (352) 241-7309 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (first floor, City

Hall) between 8 am and 5 pm. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearing will need a record of the proceedings and may need to ensure a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearing.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078801
July 28, 2018 &
September 11, 2018

Payment Info	
Ad Price	\$220.24
Tax	\$0.00
Sub Total	\$220.24
Prepaid Amount	\$0.00
Balance Due	\$220.24



CITY OF CLERMONT

AGENDA ITEM

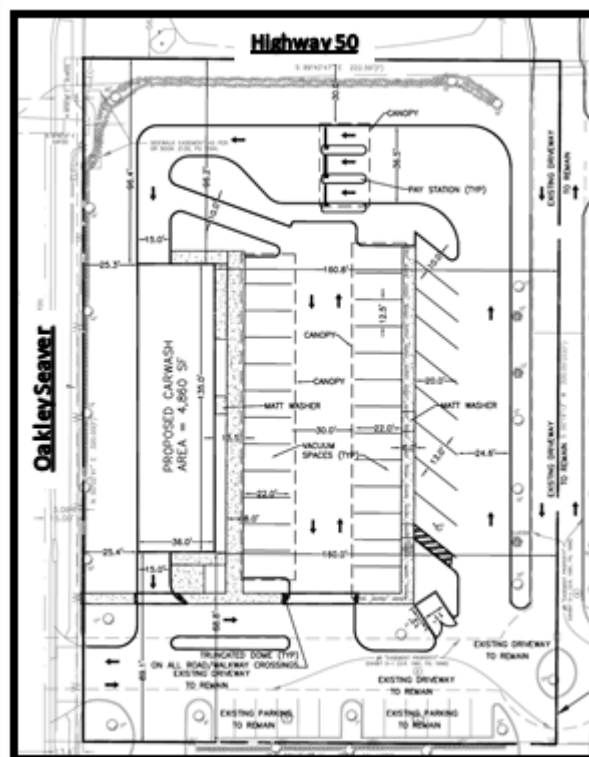
Page 1 of 1

Meeting Date			
Tuesday, August 7, 2018			
Agenda Item Name			
2018 FRDAP Children's Grant Presentation			
Requested Action			
Staff Report			
Discussion of 2018 Florida Recreational Development Assistance Program (Children's) grant application in the amount of \$200,000 for the improvements to Felter Park.			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			

AGENDA ITEM

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution No. 2018-14R Withdrawn <i>King's Car Wash CUP</i>	
Requested Action	
Recommend denial of a request for a conditional use permit for a carwash at the subject site.	
Staff Report	

This case was continued from the June 5, 2018 Planning and Zoning Meeting. The applicant, Aspire Engineering, Inc., is requesting a conditional use permit for an automotive carwash facility in the C-2 General Commercial district. Section 122-224 of the Land Development Code permits this type of use only through a conditional use permit. The property is located at the southeast corner of SR 50 and Oakley Seaver Drive. The property is approximately 1.63 acres in size and is the former PNC Bank site. The existing bank building will be demolished if the carwash is approved, and the site will be redeveloped.



The applicant is proposing a 4,860 square foot express tunnel carwash building with self-service outdoor vacuum spaces. The applicant has indicated that the noise producing vacuum equipment will be placed inside of the building to reduce noise outside. Overhead canopies will be installed over the twenty-five (25) vacuum spaces and the pay stations. The project will access from the current access points on SR 50 and Oakley Seaver Drive. The hours of operation will be 7 AM to 7 PM, seven days a week. The applicant has not identified any variance requests and will redevelop the site to meet the City's Architectural Standards and Land Development Code.

Staff has reviewed the application in accordance with the Land Development Code and has reviewed the existing carwash facilities within the City. Staff has identified the nearest carwash is located at the next traffic light, approximately ¼ mile to the west, the Mister Carwash facility. Other carwash facilities are also located throughout the SR 50 corridor. The levels of service range from the small basic carwash facility as an accessory use with a convenience/gas station to a larger, more comprehensive facility on an outparcel. These numbers do not include the carwash services offered by the automotive dealerships that are located along SR 50 as well.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards that need to be met. Staff has reviewed the proposed carwash facility with the standards and finds the proposed use does not meet the general criteria for granting the conditional use permit. The areas of concern from the proposed carwash facility are: 1) the intensity and character of the development is not compatible with the surrounding development and the proposed development is usually associated with excessive noise and having high traffic generations 2) the view and aesthetics does not appear to blend in and complement the existing development pattern in the area, and 3) the proposed landscaping does not offer adequate screening of certain aspects of the facility that would appear to be undesirable to the public. The proposed use may be considered undesirable at the particular location. Therefore, staff recommends denial of the request for a conditional use permit for a carwash facility in the C-2 General Commercial zoning district.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Withdrawal Letter 8-2-18	Withdrawal Letter 8-2-18.pdf	
2. Legal Ad Proof	Legal Ad Proof.pdf	

John E. Kruse

From: Aspire Engineering, Inc. <aspireeng@yahoo.com>
Sent: Thursday, August 02, 2018 12:12 PM
To: John E. Kruse
Cc: Ray Caito
Subject: Re: King's Carwash -Clermont --Resolution 2018-14R -Request for Continuance

John;

On request out client, we would like to withdraw the above application. Please let me know if you have any questions. Thanks

thanks John. have a good day!

Ravi Alur, P.E., LEED AP
Aspire Engineering, Inc.
1023 Professional Park Drive
Brandon, FL 33511
Tel. (813)571-2850
Fax:(813)571-1753
E-mail: aspireeng@yahoo.com

On Wednesday, June 6, 2018 10:10 AM, John E. Kruse <jekruse@clermontfl.org> wrote:

Ravi,

Your request for continuance until August 7, 2018 was approved last night at the Planning and Zoning Commission.

John

From: Aspire Engineering, Inc. <aspireeng@yahoo.com>
Sent: Monday, June 04, 2018 9:54 PM
To: John E. Kruse <jekruse@clermontfl.org>
Cc: Ray Caito <rcaito@creativeconvenience.com>
Subject: King's Carwash -Clermont --Resolution 2018-14R -Request for Continuance

John:

We request a continuance to our Planning and Zoning Board Meeting (scheduled for June 5th) for the above project. Please continue our meeting to the next date as we are working with the neighbors to resolve some of the issues and our client is getting a land use attorney involved to address some of the City issues.

Thank you and if you have any questions, please call me at 813-610-3246.

Please confirm the receipt of this email.

Ravi Alur, P.E., LEED AP
Aspire Engineering, Inc.
1023 Professional Park Drive
Brandon, FL 33511
Tel. (813)571-2850
Fax:(813)571-1753
E-mail: aspireeng@yahoo.com

Website: <https://www.clermontfl.gov/>

PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10076904
Phone: (352) 241-7331
Date: 05/15/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	05/29/2018	06/05/2018	\$167.68

LEGAL NOTICE

Ad No: 10076904
May 29, 2018 &
June 05, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow an automotive car wash in the C-2 General Commercial zoning district.

LOCATION

Southeast corner of SR 50 and
Oakley Seaver Drive
Former PNC Bank Site
Alternate Key #3800830

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, June 5, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 12, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



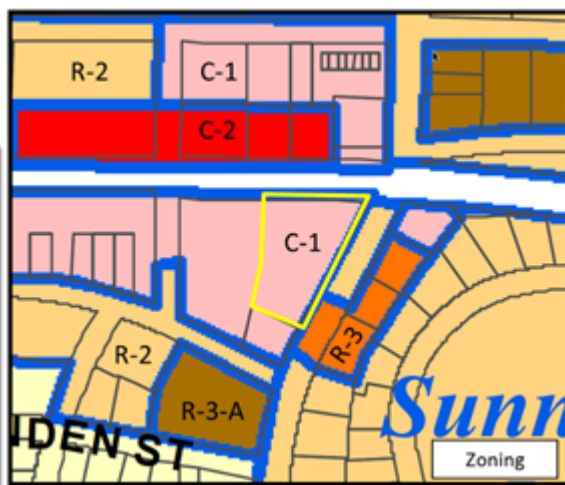
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution No. 2018-11 7-Eleven East Ave	
Requested Action	
Recommend denial of Resolution No. 2018-11.	
Staff Report	

The applicant, S&ME Inc., is requesting a conditional use permit for a convenience store with gas pumps in the C-1 Light Commercial district. Section 122-204 of the Land Development Code permits this type of use only through a conditional use permit. The property is located at the southwest corner of SR 50 and East Ave. The property is approximately one acre in size. The applicant is proposing a 3,000 square foot convenience store with 8 fueling islands and 16 fueling positions. The project will access from SR 50 (Right in entrance only) and entrance/exit on East Ave. The applicant has not identified any variance requests and will develop the site to meet the City's Architectural Standards and Land Development Code. The granting of the conditional use permit does not appear to adversely affect the City's Comprehensive Plan.



The current zoning of the property is C-1 Light Commercial and the purpose of this district is to provide light retail sales and services that would not be detrimental to adjacent residential districts. An analysis of the current service stations along the Highway 50 corridor within a mile of the site revealed that they are substantially smaller in size relative to the number of fueling positions the applicant is proposing. The existing service stations range from four fueling positions up to eight fueling positions. The applicant is proposing 16 fueling positions, which is the same number as the WaWa service station and the existing 7-11 Mobil station at US 27 and Hwy 50 intersection area. These stations are located in the C-2 General Commercial zoning designation.

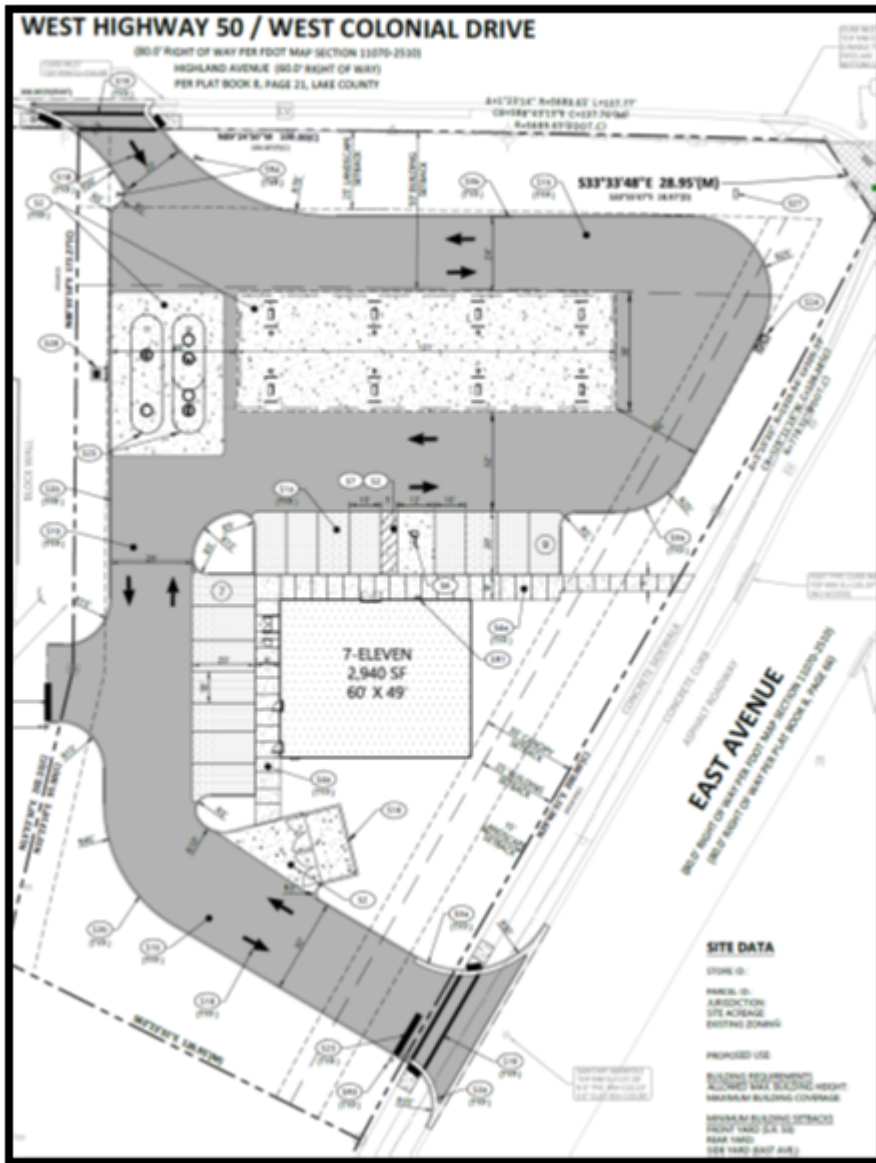
The proposed use is one of the highest trip generators, according to the Institute of Traffic Engineers (ITE). The proposed

convenience store will generate approximately 1,835 daily trips, 115 AM Peak Hour Trips, and 145 PM Peak Hour Trips. These numbers are not adjusted for pass-by trips, or vehicles that will stop on the way to a predetermined selected destination. With the proposed access points and current roadway configuration, all of the traffic will exit onto East Avenue. It is evident that the addition of this use at this location will generate more daily trips at the intersection and on the roads serving the proposed development.

A previous Conditional Use Permit application, Resolution No. 1380, was submitted for a 7,000 square foot retail building in 2004. The City Council denied the request. The minutes cite concerns from property owners in the area and the City Council's concern with access to the property.

Staff has reviewed the proposal and is very concerned about the current traffic situation at SR 50 and East Avenue. This segment of SR 50 is a known constricted corridor between 12th street to the West and Bloxam Street to the East. The Lake-Sumter MPO has placed this segment on the 2017 List of Priority Projects, Table 5 Planning Study Projects. This segment is item 11 and is designated for a Complete Streets study in fiscal year 2018/2019. This intersection is also known to have a high occurrence of pedestrian conflict with vehicles. The crash study data at SR 50 and East Avenue between 2012-2016 had 32 crashes, 19 of which included property damage and 13 with injuries. The Lake County School Board and City of Clermont has a school crossing guard available at this location to assist with passage of children to and from school. In addition, East Avenue is ranked 1 on Table 5 of the Planning Study Projects and funding is under way for a Complete Streets study starting this year. This is a clear indication that pedestrians, bicyclist and motorist are having a challenging time with the current intersection.

Staff has reviewed the application and has evidence that the proposed use will be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. The proposed use will have a significant impact on the existing transportation network, especially East Avenue. Staff understands that another use, such as a restaurant that may be permitted at this location could generate similar traffic volumes. Staff's main concern is that all of the traffic will exit onto East Avenue with no other form of egress from the site, which could dissipate the traffic flow. The proposed use with 16 fueling stations is not compatible in the C-1 Light Commercial zoning district. Therefore, staff recommends denial of the request for a convenience store with gas pumps in the C-1 Light Commercial zoning district.



Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2018-11 CUP 7-11 East Ave DRAFT	2018-11 CUP 7-11 East Ave DRAFT.doc	
2. 1043321 - 7-Eleven Clermont - Preliminary Site Layout	1043321 - 7-Eleven Clermont - Preliminary Site Layout.pdf	
3. 7-11 East Ave Elevations	7-11 East Ave Elevations.pdf	
4. 7-Eleven East Ave Maps	7-Eleven East Ave Maps.pdf	
5. Directional Photos 7-11 East Ave	Directional Photos 7-11 East Ave.pdf	

6.	LSMPO Comments_7-Eleven Methodology_4-30-2018	LSMPO Comments_7-Eleven Methodology_4-30-2018.pdf
7.	7-11 Continuance Request Aug 2018	7-11 Continuance Request Aug 2018.pdf
8.	1043321 - 7-Eleven Clermont - CUP Application. exe	1043321 - 7-Eleven Clermont - CUP Application. exe.pdf
9.	7-11 CUP Ad	7-11 CUP Ad.pdf
10.	Legal Ad August 2018	Legal Ad August 2018.pdf



**CITY OF CLERMONT
RESOLUTION NO. 2018-11**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A CONVENIENCE STORE WITH FUEL SALES IN THE C-1 LIGHT COMMERCIAL ZONING DISTRICT.

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended BLANK of this Conditional Use Permit to allow for a convenience store with fuel sales; at the following location:

LOCATION:

Southwest corner of SR 50 and East Avenue
Alternate Key #1619432

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for a Conditional Use Permit to allow for a convenience store with fuel sales; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.



**CITY OF CLERMONT
RESOLUTION NO. 2018-11**

4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by S&ME, dated 04/02/2018. Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
12. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
13. The facility shall be equipped with an alternate generated power capacity for motor fuel dispensing, in accordance with Florida Statutes.



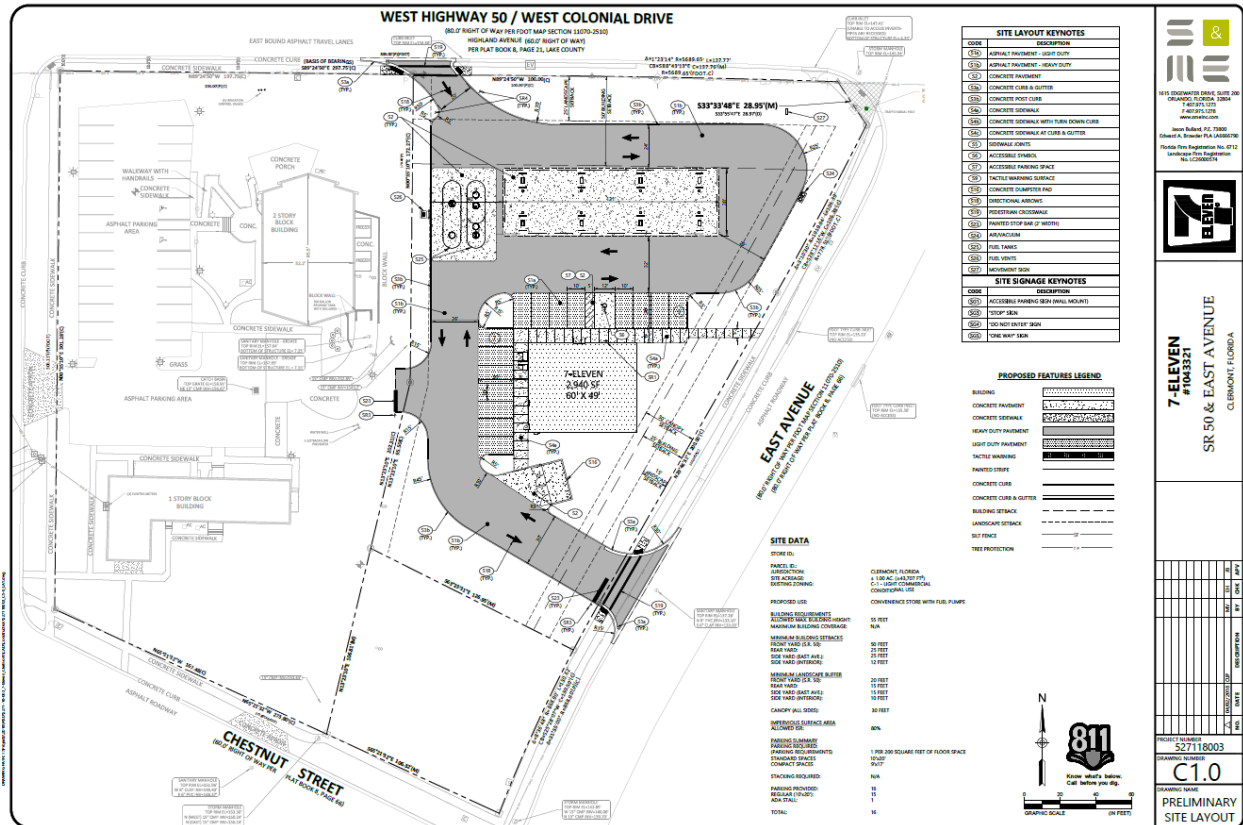
CITY OF CLERMONT
RESOLUTION NO. 2018-11

Section 2 – Land Use

1. Permitted uses shall include a convenience store with up to eight fuel islands for 16 fueling stations. Other permitted uses in the C-1 Light Commercial zoning district are also permitted.
2. A traffic study shall be required to address level of service (LOS) for the area, including any connection to State Road 50 and East Avenue, as needed per Code or policy. If the study identifies a deficiency in the LOS of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.
3. The site shall be developed according to the City of Clermont Land Development Codes and all buildings must meet the City of Clermont Architectural Standards.
4. Signage on the canopy shall be limited to four (4) square feet per canopy face and shall be limited to the fuel brand. No pricing of fuel shall be allowed on the canopy.

CITY OF CLERMONT
RESOLUTION NO. 2018-11

Conceptual Site Plan:





CITY OF CLERMONT
RESOLUTION NO. 2018-11

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

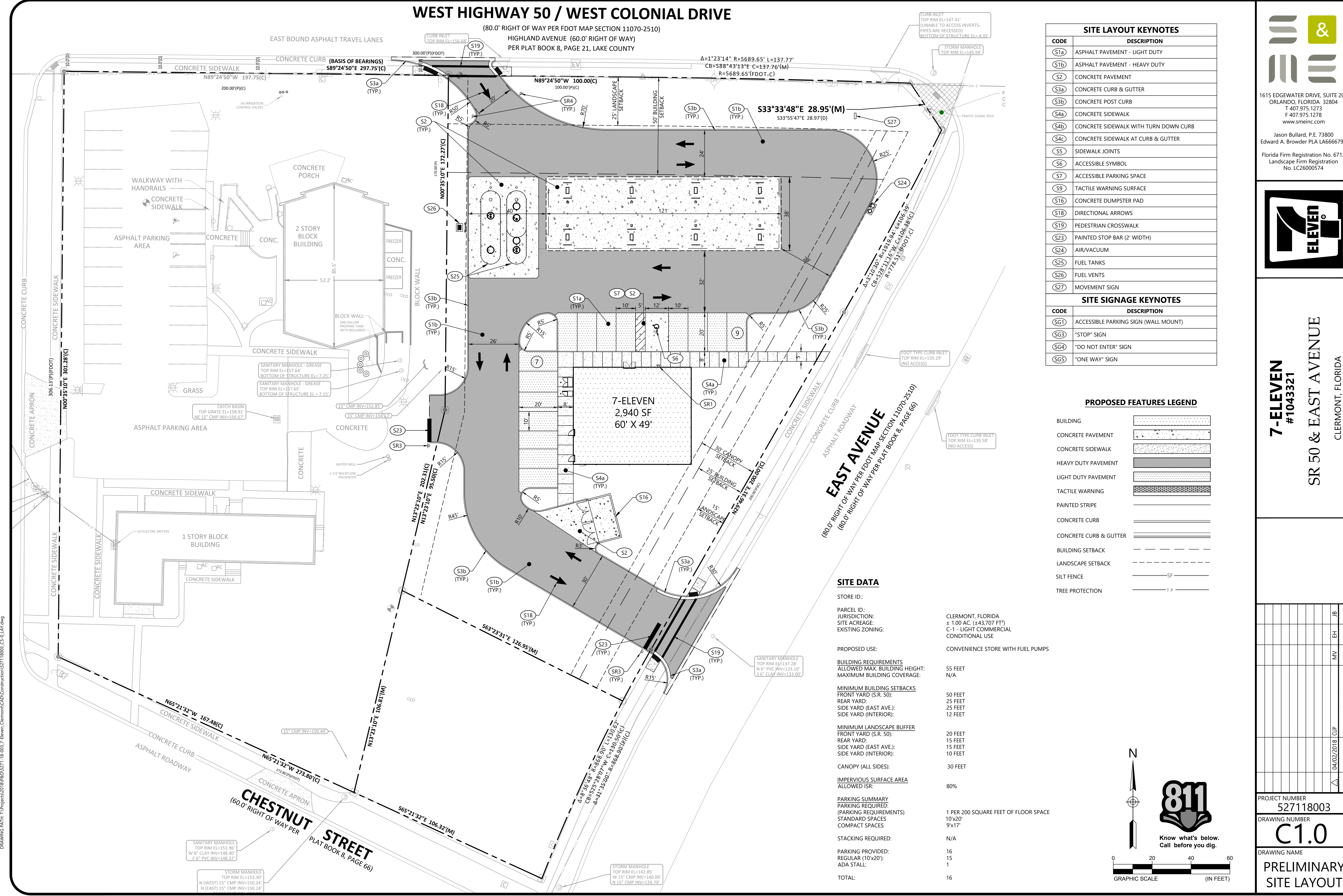
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

WEST HIGHWAY 50 / WEST COLONIAL DRIVE

(80.0' RIGHT OF WAY PER FDOT MAP SECTION 11070-2510)

HIGHLAND AVENUE (60.0' RIGHT OF WAY)
PER PLAT BOOK 8, PAGE 21, LAKE COUNTY

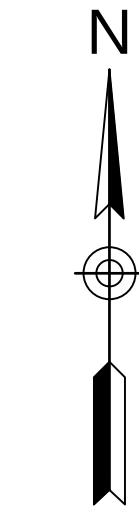


SITE LAYOUT KEYNOTES	
CODE	DESCRIPTION
(S1a)	ASPHALT PAVEMENT - LIGHT DUTY
(S1b)	ASPHALT PAVEMENT - HEAVY DUTY
(S2)	CONCRETE PAVEMENT
(S3a)	CONCRETE CURB & GUTTER
(S3b)	CONCRETE POST CURB
(S4a)	CONCRETE SIDEWALK
(S4b)	CONCRETE SIDEWALK WITH TURN DOWN CURB
(S4c)	CONCRETE SIDEWALK AT CURB & GUTTER
(S5)	SIDEWALK JOINTS
(S6)	ACCESSIBLE SYMBOL
(S7)	ACCESSIBLE PARKING SPACE
(S9)	TACTILE WARNING SURFACE
(S16)	CONCRETE DUMPSTER PAD
(S18)	DIRECTIONAL ARROWS
(S19)	PEDESTRIAN CROSSWALK
(S23)	PAINTED STOP BAR (2' WIDTH)
(S24)	AIR/VACUUM
(S25)	FUEL TANKS
(S26)	FUEL VENTS
(S27)	MOVEMENT SIGN
SITE SIGNAGE KEYNOTES	
CODE	DESCRIPTION
(SG1)	ACCESSIBLE PARKING SIGN (WALL MOUNT)
(SG3)	"STOP" SIGN
(SG4)	"DO NOT ENTER" SIGN
(SG5)	"ONE WAY" SIGN

PROPOSED FEATURES LEGEND	
BUILDING	[Pattern]
CONCRETE PAVEMENT	[Pattern]
CONCRETE SIDEWALK	[Pattern]
HEAVY DUTY PAVEMENT	[Pattern]
LIGHT DUTY PAVEMENT	[Pattern]
TACTILE WARNING	[Pattern]
PAINTED STRIPE	[Pattern]
CONCRETE CURB	[Pattern]
CONCRETE CURB & GUTTER	[Pattern]
BUILDING SETBACK	[Pattern]
LANDSCAPE SETBACK	[Pattern]
SILT FENCE	[Pattern]
TREE PROTECTION	[Pattern]

SITE DATA

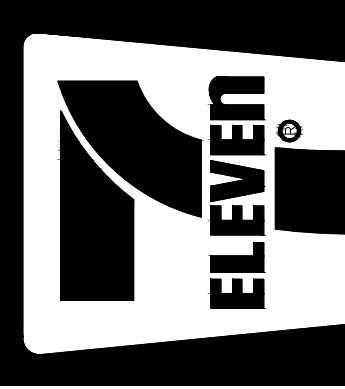
STORE ID:	
PARCEL ID:	
JURISDICTION:	CLERMONT, FLORIDA
SITE ACREAGE:	± 1.00 AC. (±43,707 FT ²)
EXISTING ZONING:	C-1 - LIGHT COMMERCIAL CONDITIONAL USE
PROPOSED USE:	CONVENIENCE STORE WITH FUEL PUMPS
BUILDING REQUIREMENTS	
ALLOWED MAX. BUILDING HEIGHT:	55 FEET
MAXIMUM BUILDING COVERAGE:	N/A
MINIMUM BUILDING SETBACKS	
FRONT YARD (S.R. 50):	50 FEET
REAR YARD:	25 FEET
SIDE YARD (EAST AVE.):	25 FEET
SIDE YARD (INTERIOR):	12 FEET
MINIMUM LANDSCAPE BUFFER	
FRONT YARD (S.R. 50):	20 FEET
REAR YARD:	15 FEET
SIDE YARD (EAST AVE.):	15 FEET
SIDE YARD (INTERIOR):	10 FEET
CANOPY (ALL SIDES):	30 FEET
IMPERVIOUS SURFACE AREA	
ALLOWED ISR:	80%
PARKING SUMMARY	
PARKING REQUIRED:	1 PER 200 SQUARE FEET OF FLOOR SPACE
(PARKING REQUIREMENTS)	10'x20'
STANDARD SPACES	9'x17'
COMPACT SPACES	
STACKING REQUIRED:	N/A
PARKING PROVIDED:	
REGULAR (10'x20):	16
ADA STALL:	15
	1
TOTAL:	16



1615 EDGEWATER DRIVE, SUITE 200
ORLANDO, FLORIDA 32804
T 407.975.1273
F 407.975.1278
www.smeinc.com

Jason Bullard, P.E. 73800
Edward A. Browder PLA LA6666790

Florida Firm Registration No. 6712
Landscape Firm Registration
No. LC26000574



7-ELEVEN
#1043321
SR 50 & EAST AVENUE
CLERMONT, FLORIDA

NO.	DATE	DESCRIPTION	BY	CHK	APV
	04/02/2018	CUP	WV	EH	JB

PROJECT NUMBER
527118003
DRAWING NUMBER
C1.0
DRAWING NAME
PRELIMINARY
SITE LAYOUT

DRAWING PATH: T:\Projects\32018\982\5271-18-003_7-Eleven, Clermont\CAD\Construction\527118003_C5-01.dwg

4/10/2018 10:33:29 AM

E

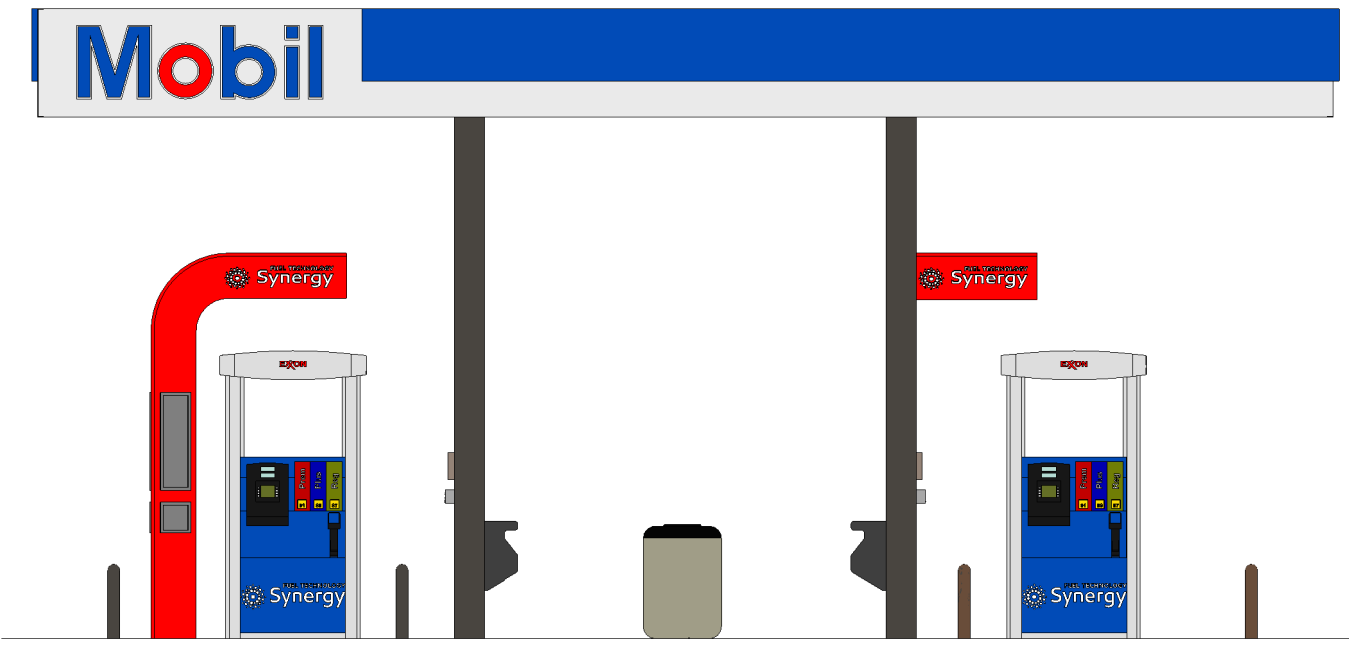
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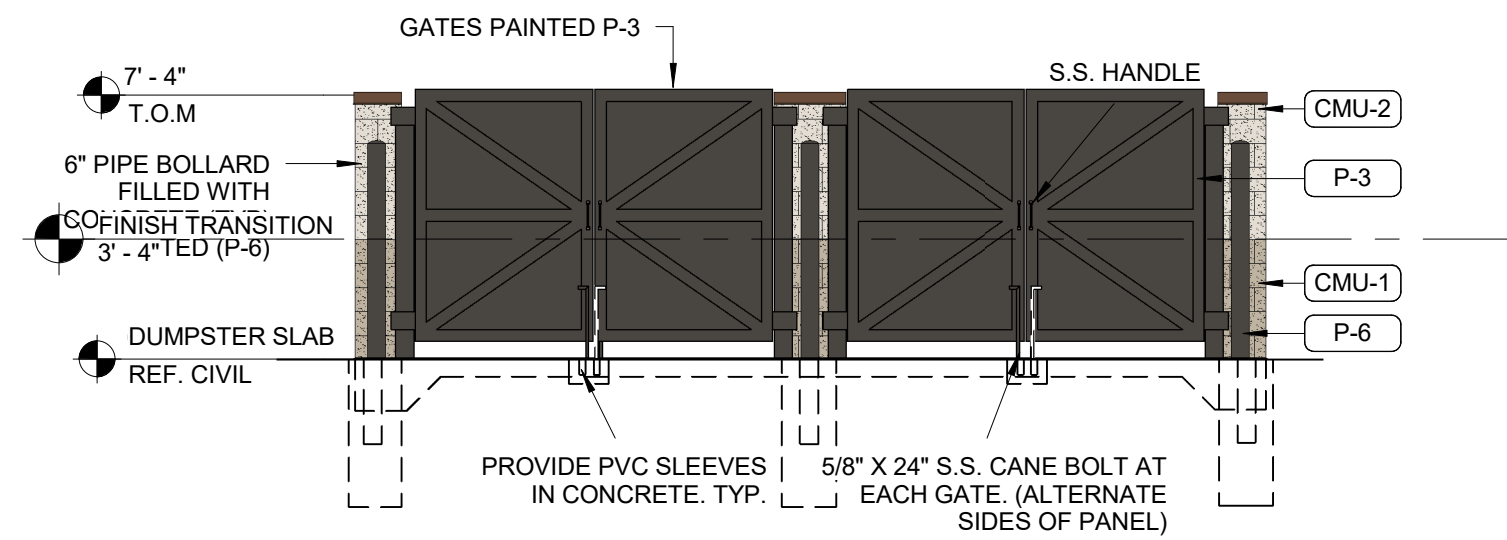
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A

C:\User\hbrame\Documents\18059 Clermont FL_r16_hbrame@batesarchitects.rvt

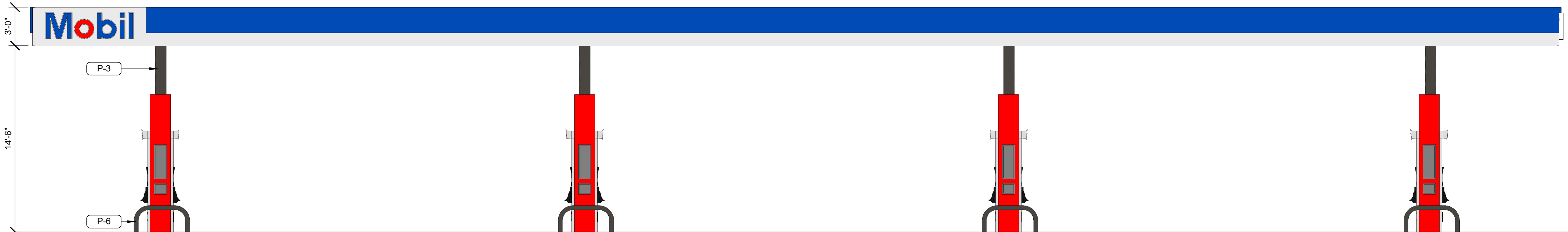


7 FUELING CANOPY-SHORT
3/16" = 1'-0"

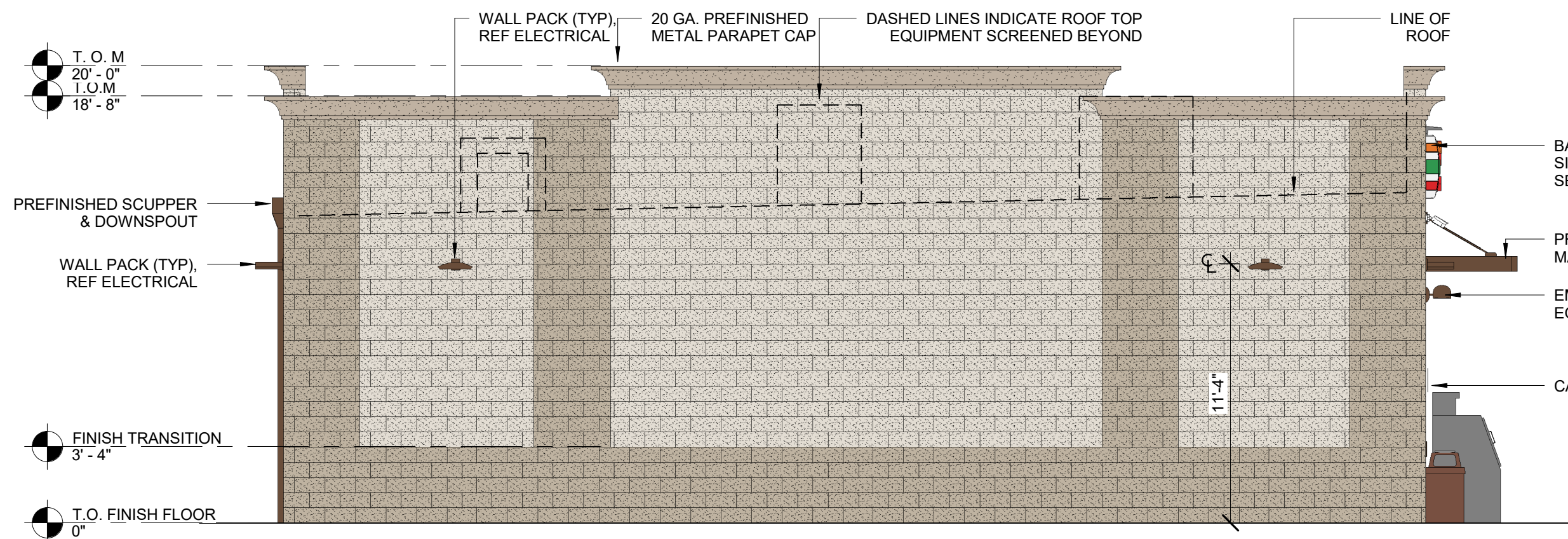


6 GATE ELEVATION DUMPSTER ENCL.
3/16" = 1'-0"

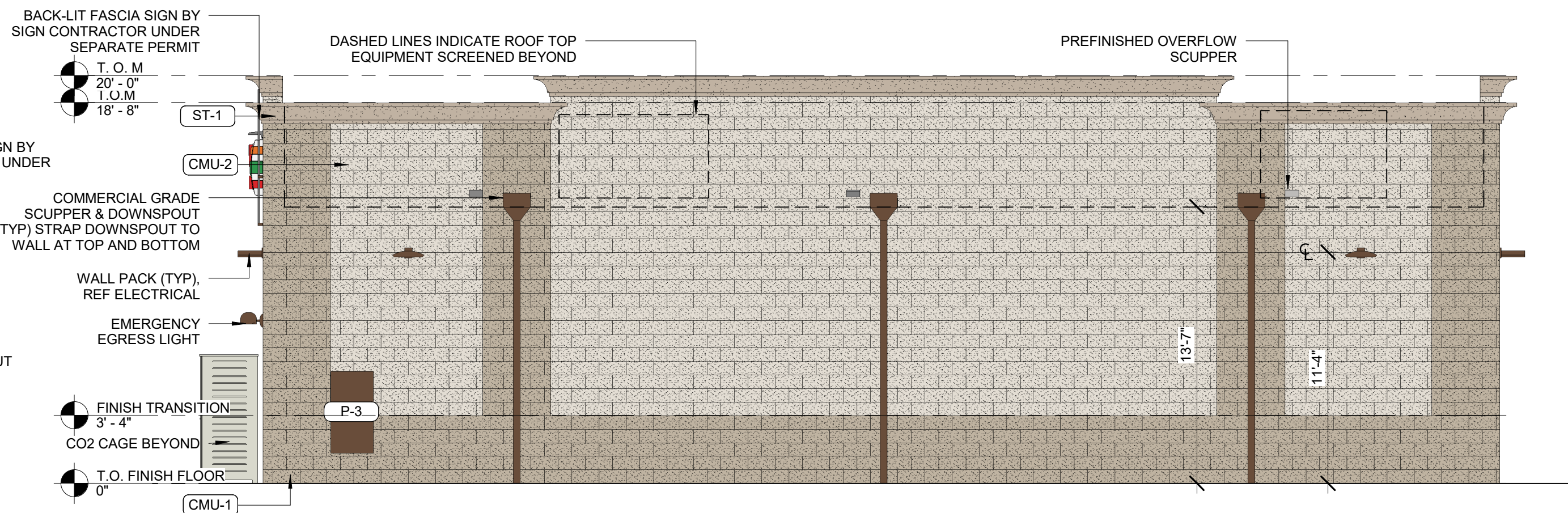
EXTERIOR MATERIALS SCHEDULE			
(NOT ALL MATERIALS IN SCHEDULE ARE USED)			
NO.	MATERIAL	MANUFACTURER	COLOR
C-1	PREFINISHED ALUMINUM CANOPY	MAPES LUMISHADE CANOPY	BRAINSTORM BRONZE ENAMEL
CMU-1	MASONRY BLOCK	TBD	PAINTED (P-1)
CMU-2	MASONRY BLOCK	TBD	PAINTED (P-2)
MR-1	MEMBRANE ROOFING	DUROLAST	WHITE
P-1	PAINTED CMU BLOCK	SHERWIN WILLIAMS	BALANCED BEIGE - SW 7037
P-2	PAINTED CMU BLOCK	SHERWIN WILLIAMS	AESTHETIC WHITE - SW 7035
P-3	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, GRAVEL GUARDS, AND LIGHT POLES	SHERWIN WILLIAMS	SEAL SKIN SW 7675
P-6	EXTERIOR BOLLARDS	SHERWIN WILLIAMS	SEAL SKIN SW 7675
S-1	ALUMINUM STOREFRONT GLAZING	KAWNEER	DARK BRONZE
ST-1	STUCCO CORNICHE	PAINTED STUCCO	BALANCED BEIGE - SW 7037



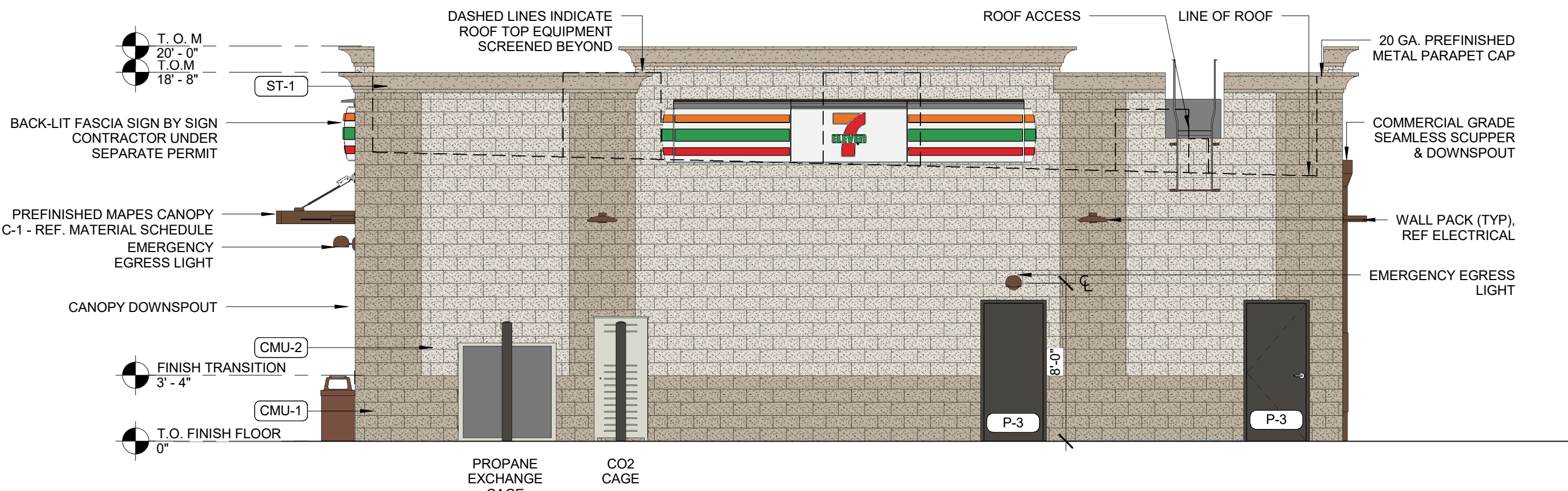
5 FUELING CANOPY-LONG
3/16" = 1'-0"



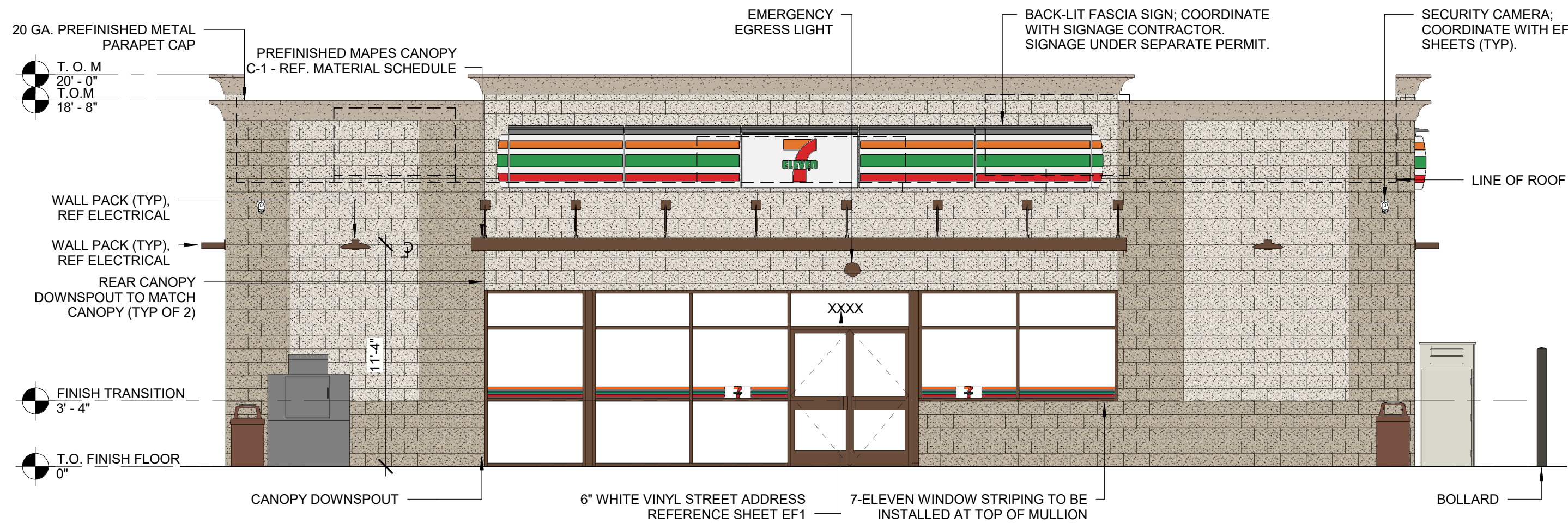
4 EAST FACING ELEVATION
3/16" = 1'-0"



3 SOUTH FACING ELEVATION
3/16" = 1'-0"



2 WEST FACING ELEVATION
3/16" = 1'-0"



1 NORTH FACING ELEVATION
3/16" = 1'-0"

bates

106 N 37TH STREET, SUITE C
ROGERS, ARKANSAS 72756
WWW.BATESARCHITECTS.COM
TEL: 479.633.8165

Florida Certificate of Authority #AA236003602
Copyright 2018 Bates & Associates, Architects

Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to the Architect.

Contractor is responsible for confirming and correlating dimensions at job site. The Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

STORE #:
1043321

CONSTRUCTION MANAGER
CREIGHTON CONSTRUCTION & MANAGEMENT, LLC
900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

TENANT
7-ELEVEN INC.
3200 HACKBERRY ROAD, IRVING, TX 75063

7-ELEVEN STORE
SR 50 & EAST AVENUE
CLERMONT, FL 34711

CREIGHTON CONSTRUCTION & MANAGEMENT, LLC

900 SW PINE ISLAND ROAD, SUITE 202
CAPE CORAL, FL 33991

NOT FOR
CONSTRUCTION

04/10/2018
Architect Name - RYAN M. FAUST
Architect Number - AR97905

THE SEAL AND SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED AND WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

REVISIONS
NO. DATE DESCRIPTION

PROJECT NUMBER: 18059
RELEASE DATE: 04/10/2018

REVIEW BOARD ELEVATIONS

R0.01

Exhibit - Location Map
7-Eleven @ SR 50 and East Ave.

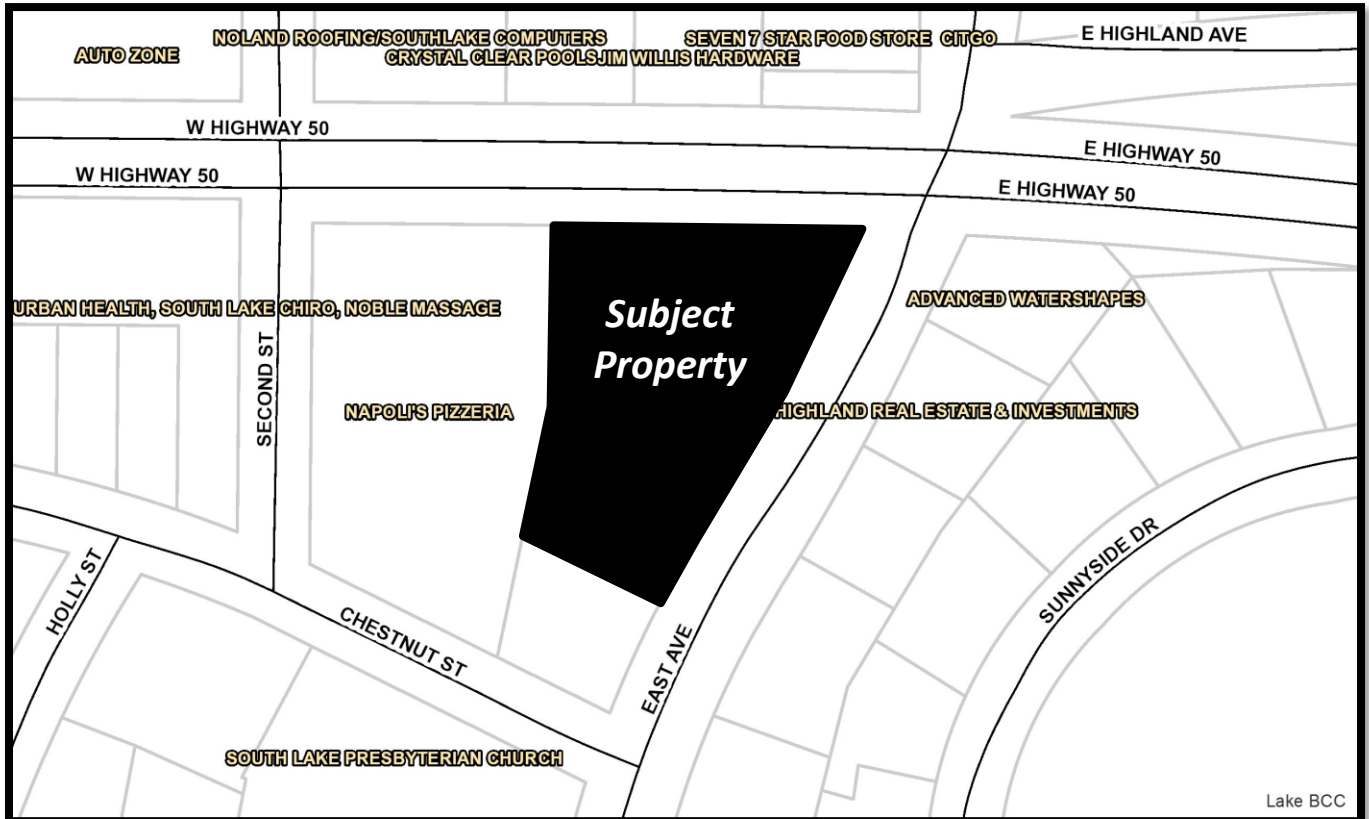
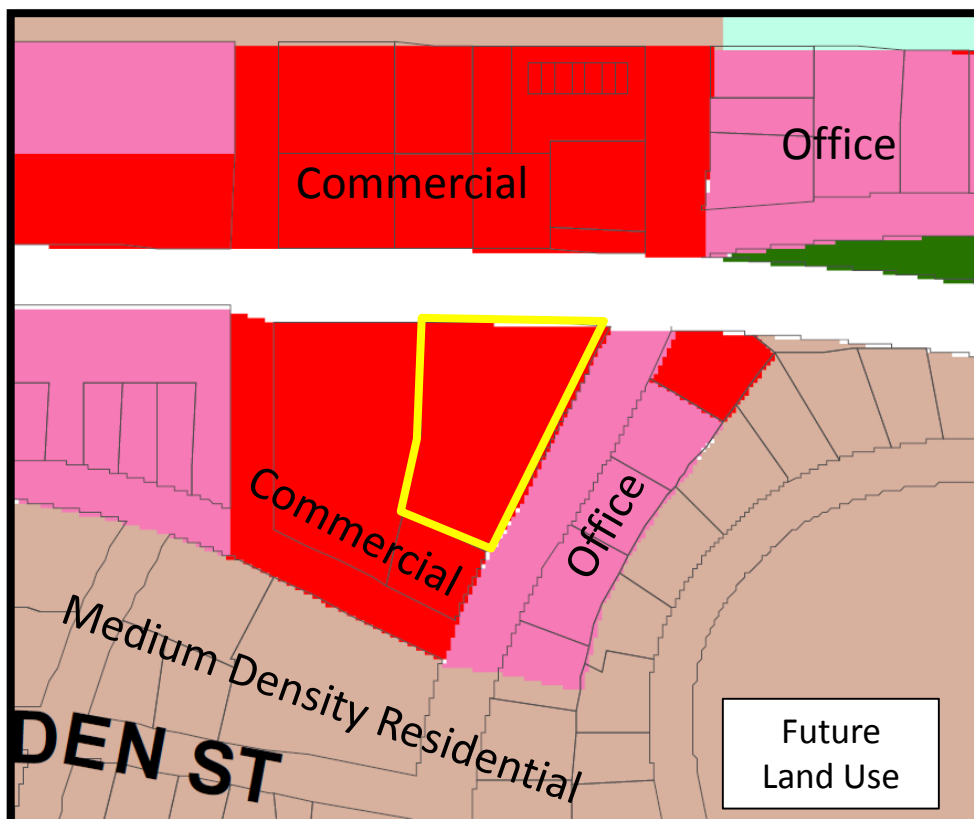
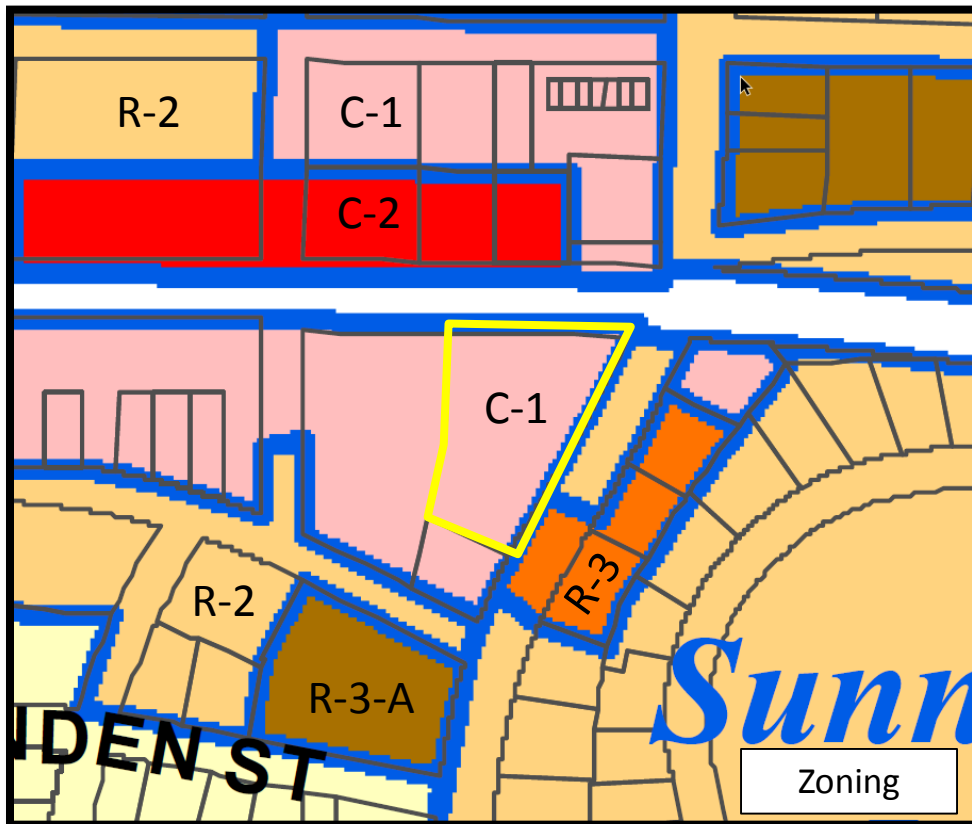


Exhibit – Zoning and Future Land Use Map
7-Eleven @ SR 50 and East Ave



7-Eleven @ East Ave. & SR 50



North



East

7-Eleven @ East Ave. & SR 50



Site

South



Site

West



April 30, 2018

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

RE: 7-Eleven on SR 50 and East Avenue, Traffic Impact Study Methodology

Mr. Kruse,

The Lake~Sumter MPO has reviewed the document submitted for the 7-Eleven on SR 50 and East Avenue Traffic Impact Study Methodology dated April 24, 2018. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The site is located on the southwest quadrant of the intersection of SR 50 and East Avenue, approximately 0.93 miles west of US 27, in the City of Clermont, in central south Lake County, Florida.
2. The project is a 2,940 square foot 7-Eleven convenience store with gas pumps.
3. Access to the property is proposed to be via two (2) access points. One (1) access will be on SR 50 (to the west of East Avenue) and will be a right in/right out. The second access will be off of East Avenue on the east side of the property.
4. No proposed buildout date was provided but is assumed to be 2018.
5. The proposed convenience store with gas pumps land use (ITE LU 853) will generate approximately 1,835 daily trips, 115 AM Peak Hour Trips, and 145 PM Peak Hour Trips. These calculations were done using the ITE 10th Edition rates.
6. However, after pass-by trips are subtracted from the full trip generation, the net new trips will be approximately 624 Daily Trips, 39 AM Peak Hour trips and 49 PM Peak Hour trips, this project qualifies for a Tier 1 Traffic Impact Study, which is acknowledged in the Methodology document.
7. Only the PM Peak Hour was proposed for analysis.
8. The project distribution will be determined using FSUTMS and the CFRPM (V6.1) as indicated in the model plot in the Appendix.
9. The study area radius was not shown in the document but calculates to be $2.76/2 = 1.38$ miles from the site.

Comments Regarding the Traffic Impacts Study Methodology:

1. Due to there being three (3) Elementary schools in the area (Cypress Ridge Elementary, Clermont Elementary, and South Lake Montessori) an AM Peak Hour analysis should be included along with the PM Peak Hour analysis.

"Promoting Regional Transportation Partnerships"

www.LakeSumterMPO.com

225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170

2. The trip generation calculations, including the pass-by trip percentage, are acceptable.
3. The 'Project Trip Distribution' should be adjusted. The trips to the west seem to be lower than expected. Also, the trips to the north seem to be higher than expected. The text shows 10% trips to the south but the model output in the appendix doesn't show any trips to the south. Thus some manipulation of the trips was conducted by the consultant. I suggest some further manipulation to show a more realistic distribution of the trips referred to above.
4. Although the project trips are relatively low, this area of SR 50 is constrained and needs to be analyzed carefully. Therefore, please add the following to the analysis:

Roadway Segments:

- East Avenue from Minnehaha Avenue to SR 50

Intersections:

- SR 50 at CR 561
- SR 50 at 5th Street
- SR 50 at 8th Street
- SR 50 at Bloxam Avenue
- SR 50 at Grand Hwy.

These additions are within the study area.

5. Please note the recommended multimodal accommodations below, particularly #2 and #3.

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Maintain the provision of continuous pedestrian facilities along all major streets and upgrade if needed. These pedestrian facilities should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager
Phone: (352) 315-0107 Ext. 3

"Promoting Regional Transportation Partnerships"

www.LakeSumterMPO.com

225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170

John E. Kruse

From: Tedrow, Tara L. <Tara.Tedrow@lowndes-law.com>
Sent: Friday, May 25, 2018 9:05 AM
To: John E. Kruse
Subject: 7-11 on East: Continuance Request

Good morning, John! Please accept this email as a formal request to continue our P&Z hearing to August, since there is no hearing in July. That would put our P&Z hearing on August 7 and our City Council hearing on August 28. Thank you so much for your time and assistance so far!

Regards,

Tara L. Tedrow
Land Use & Commercial Real Estate Attorney Lowndes, Drosdick, Doster, Kantor & Reed
215 N Eola Dr, Orlando, FL 32801
407-418-6361

Sent from my iPhone

This email message has been delivered safely and archived online by Mimecast. For more information please visit <http://www.mimecast.com>



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 3/21/2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): 7-Eleven SR 50 East Avenue (Pre-app 1/3/18)

APPLICANT: S&ME, Inc.

CONTACT PERSON: Jason Bullard

Address: 1615 Edgewater Drive - Suite 200

City: Orlando State: Florida Zip: 32804

Phone: (407) 975-1273 Fax:

E-Mail: jbullard@smeinc.com

OWNER: Salvatore's, Inc.

Address: 151 W Highway 50

City: Clermont State: Florida Zip: 34711

Phone: Fax:

Address of Subject Property: WEST HIGHWAY 50 CLERMONT FL 34711

General Location: The property is located at the southwest corner of S.R. 50 and East Avenue.

Legal Description (include copy of survey): See Attached Survey.

Land Use (City verification required): C-1 Light Commercial

Zoning (City verification required): Commercial

CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the CUP application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, and is not an approved site plan for construction.*
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be scheduled for public hearings the following month. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning & Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

Page 2

In addition to the attached application, the applicant shall provide the follow information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

City of Clermont Development Services Department 685 W. Montrose St. P.O. Box 120219 Clermont, FL. 34712-0219 (352) 394-4083 Fax: (352) 394-3542
--



March 30, 2018

Curt Henschel
City of Clermont
685 W. Montrose St.
Clermont, FL, 34711

Reference: 7-Eleven 104331 - S.R. 50 and East Ave. – Conditional Use Justification Letter

Dear Mr. Henschel:

This letter is in reference to the Conditional Use Permit application for the proposed 7-Eleven facility (convenience store with fuel pumps) located at the southwest corner of West S.R. 50 and East Avenue. The subject parcel, 24-22-25030000800100, is zoned C-1 Light Commercial. Within the C-1 Light Commercial zoning district convenience store and fuel sales uses are allowed as a conditional use. The proposed 7-Eleven facility would include a ±3,109 square foot convenience center and sixteen (16) fueling stations.

The existing surrounding parcels have uses and zoning classifications that are consistent and compatible with this request and proposed use. Immediately west of the site is zoned Light Commercial and is being used for a Restaurant. North of the subject parcel, directly across S.R. 50 there is a Light Commercial parcel currently being used as a convenience store with fueling stations. The other three parcels north of S.R. 50 are General commercial with various retail uses. The southeast corner of the intersection of S.R. 50 and East Avenue is zoned Light Commercial and is used for retail. Along East Avenue adjacent to the site the parcels are zoned R-3 Residential/Professional district. They are developed with residential and office uses.

The subject parcel is located on the southwest corner of West State Road 50 and East Avenue. State Road 50 is an Urban Principal Arterial road. East Ave is an Urban Major Collector road. The proposed development of the subject parcel is compatible with the roadway classifications and existing development along the roadways. The roadways support the siting of a convenience store with gas pumps as they are both high-volume commercial corridors and the subject parcel is located at a commercial node, intersections of the two corridors. The proposed development of a 7-Eleven facility (convenience store with fuel pumps) at the subject parcel is consistent with current C-1 Light Commercial zoning and is also compatible with the existing development uses.

Sincerely,



S&ME, Inc.

Jason Bullard, P.E.
Senior Project Manager

Florida Department of State

DIVISION OF CORPORATIONS



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity NameFlorida Profit Corporation
SALVATORE'S, INC.**Filing Information**

Document Number	P02000030525
FE/EIN Number	03-0416921
Date Filed	03/14/2002
Effective Date	03/13/2002
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	03/31/2005

Principal Address151 W HIGHWAY 50
CLERMONT, FL 34711 UN

Changed: 04/01/2012

Mailing Address5660 CR 561
CLERMONT, FL 34714

Changed: 04/28/2008

Registered Agent Name & AddressTIRRI, ANTHONY
5660 COUNTY ROAD 561
CLERMONT, FL 34714

Name Changed: 03/31/2005

Address Changed: 04/29/2010

Officer/Director Detail**Name & Address**

Title D

TIRRI, JEAN
150 carr sector central
carolina, pr 00979 PR

Title ST

TIRRI, ANTHONY
5660 CR 561
CLERMONT, FL 34714

Annual Reports

Report Year	Filed Date
2015	04/28/2015
2016	08/31/2016
2017	04/24/2017

Document Images

04/24/2017 -- ANNUAL REPORT	View image in PDF format
08/31/2016 -- ANNUAL REPORT	View image in PDF format
04/28/2015 -- ANNUAL REPORT	View image in PDF format
03/21/2014 -- ANNUAL REPORT	View image in PDF format
02/24/2013 -- ANNUAL REPORT	View image in PDF format
04/01/2012 -- ANNUAL REPORT	View image in PDF format
01/22/2011 -- ANNUAL REPORT	View image in PDF format
04/29/2010 -- ANNUAL REPORT	View image in PDF format
04/27/2009 -- ANNUAL REPORT	View image in PDF format
04/28/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
04/27/2006 -- ANNUAL REPORT	View image in PDF format
03/31/2005 -- REINSTATEMENT	View image in PDF format
03/11/2003 -- ANNUAL REPORT	View image in PDF format
03/14/2002 -- Domestic Profit	View image in PDF format

March 23rd, 2018

S&ME, Inc.
1615 Edgewater Drive, Ste. 200
Orlando, FL 32804

RE: Letter of Authorization
Salvatore's, INC.

1043321-7-Eleven Clermont
Clermont, FL
Parcel ID: 24-22-25-030000800100

To Whom It May Concern:

I am authorizing Creighton Construction & Development. ("Creighton") and S&ME, Inc.(S&ME), as agent for Owner, to communicate and submit all required information as necessary in obtaining governmental approvals and permits for the above-referenced project.

Please note that S&ME is expressly prohibited from entering into any agreements on behalf of Owner, or any of its affiliates, that bind Owner financially, with the exception of standard application and permit costs, or that convey or restrict property rights.

Any reproduced copy of this signed original shall be deemed to be an original counterpart of this Letter of Authorization.

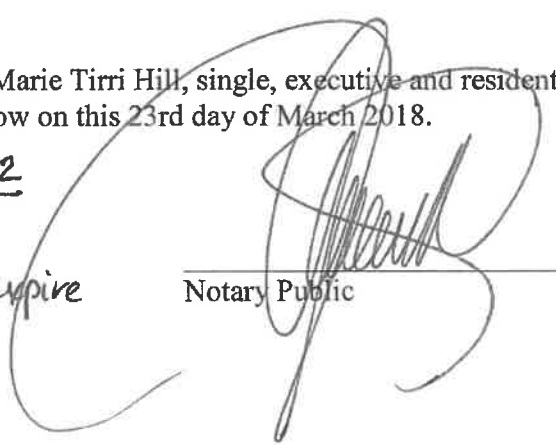
Sincerely,


Salvatore's, Inc.
Jean Tirri
President

Sworn to me by Jean Marie Tirri Hill, single, executive and resident of Carolina, Puerto Rico, whom I personally know on this 23rd day of March 2018.

AFF. # 8402

My Commission expire
never.



Notary Public



Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10075878
Phone: (352) 241-7331
Date: 04/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	04/24/2018	05/15/2018	\$173.52

LEGAL NOTICE

City Clerk

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a convenience store with fuel sales in the C-1 Light Commercial zoning district.

Ad No: 10075878
April 24, 2018 &
May 15, 2018

LOCATION

Southwest corner of SR 50
and East Avenue
Alternate Key #1619432

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, May 1, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 22, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC

Payment Info	
Ad Price	\$173.52
Tax	\$0.00
Sub Total	\$173.52
Prepaid Amount	\$0.00
Balance Due	\$173.52

Advertising Receipt

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078766
Phone: (352) 241-7331
Date: 07/13/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a i	07/31/2018	08/21/2018	\$164.76

LEGAL NOTICE

July 31, 2018 &
August 21, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a convenience store with fuel sales in the C-1 Light Commercial zoning district.

LOCATION

Southwest corner of SR 50
and East Avenue
Alternate Key #1619432

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 28, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078766

Payment Info	
Ad Price	\$164.76
Tax	\$0.00
Sub Total	\$164.76
Prepaid Amount	\$0.00
Balance Due	\$164.76



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution No. 2018-22R <i>South Lake Montessori School Conditional Use Permit</i>	
Requested Action	
Recommend denial of Resolution No. 2018-22R.	
Staff Report	
The applicant is requesting to amend a Conditional Use Permit (Resolution No. 2016-03) to allow a six (6) foot high fence instead of the intensified landscaping along the south eastern property line where children play outside as required by the stated conditions of the Resolution as granted in the R-3 Residential/Professional zoning district. The property is located at 983 West Desoto Street and the current use is a Montessori School.  The applicant has requested and has been granted several amendments to the original conditional use permit adopted by Resolution No. 1199 on May 22, 2001 to allow a school at 983 West Desoto Street. In 2010 an amendment (Resolution 2010-11) was granted for the school expansion with up to 50 students. The latest Conditional Use Permit amendment was adopted on February 23, 2016 by (Resolution No. 2016-03) to allow for a school facility expansion and maximum student population of 65 students at this location. As part of any Conditional Use Permit amendment request, updates to the site are normally required. The site update requirements may include landscaping improvements, drainage, impact fees, architecture and all pertinent codes. The approval conditions of Resolution No. 2016-03 (5) required landscaping be intensified along the south eastern property line where children play outside. The applicant would like to amend this condition to allow a six (6) feet high fence instead of the required landscaping.	

In June of 2018 this parcel was brought in front of the Clermont Special Magistrate because of code compliance issues. The parcel was found to be out of compliance because the lack of a landscape buffer along the south property line and a curbing issue within the parking lot. The owner has agreed to install the required curbing, but is requesting to omit the required landscape buffer along the southern property line.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards that need to be met. Staff has reviewed the proposed amendment request as presented to amend the existing Conditional Use Permit (Resolution No. 2016-03) and finds that staff cannot support any further amendment request to the existing Conditional Use Permit as granted for this location.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Res. 2018-22R	2018-22R CUP FINAL.docx
2.	South Lake Montessori School Location Map	South Lake Montessori School Location Map.pdf
3.	Surrounding Conditions Photos	Surrounding Conditions Photos.pdf
4.	CUP Application	CUP Application.pdf
5.	2018-22R Legal AD	2018-22R Legal AD.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-22R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO AMEND (RESOLUTION NO. 2016-03) TO ALLOW A SIX-FOOT-HIGH FENCE INSTEAD OF LANDSCAPING AS REQUIRED BY THE STATED CONDITIONS OF RESOLUTION AS GRANTED IN THE R-3 RESIDENTIAL/PROFESSIONAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended denial of this Conditional Use Permit to amend (Resolution No. 2016-03) to allow a six-foot-high fence instead of landscaping as required along the south eastern property line where children for a school facility in the R-3 Residential/Professional zoning district at the following location:

LOCATION:
983 West Desoto Street
(Alternate Key 1758670)

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for a Conditional Use Permit to amend (Resolution No. 2016-03) to allow a six (6) foot high fence instead of required landscaping along the south eastern property line of subject property in the R-3 Residential/Professional zoning district, be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

SECTION 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. Formal construction plans, incorporating all conditions stated in this permit shall be submitted for review and approved by the site review committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.



CITY OF CLERMONT
RESOLUTION NO. 2018-22R

4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
7. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
8. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
9. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
10. A slab survey shall be submitted after the form boards have been installed and before the concrete has been poured. This is to ensure the setbacks and location of the building will conform to the Land Development Regulations.
11. The student population shall be a maximum of 65 students, as well as four staff members (or as required by Florida State staffing requirements). A student roster shall be provided to the City for inspection when requested for compliance to this condition.
12. All impact fees must be paid per City standards prior to issuing any Certificate of Occupancy.
13. Should this use cease operation for more than 180 days, a new Conditional Use Permit shall be required for a same or similar operation.
14. In the event that parking at this site proves inadequate, the City reserves the right to open the Conditional Use Permit for further review and additional conditions which may include additional parking requirements or revocation of the Conditional Use Permit.



CITY OF CLERMONT
RESOLUTION NO. 2018-22R

SECTION 2. Land Use

1. The property is approved for use as a children's school facility as well as any permitted uses in the R-3 zoning district.
2. All conditions within Resolution No. 2016-03 and Resolution No. 1199 shall remain in effect unless otherwise noted by this conditional use permit or updated with an approved site plan.
3. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.
4. The applicant shall install "NO RIGHT TURN" signs exiting the parcel along the north driveways.
5. A six (6) foot high decorative fence that will provide an opaque screen shall be installed along the south eastern property line where children play outside.

SECTION 3. Transportation Improvements

1. Sidewalks shall be required along all public road frontages in accordance with City codes.

SECTION 4. Architectural Design Standards

1. All structures shall be designed and constructed in accordance with the Architectural Standards of the City of Clermont.



CITY OF CLERMONT
RESOLUTION NO. 2018-22R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

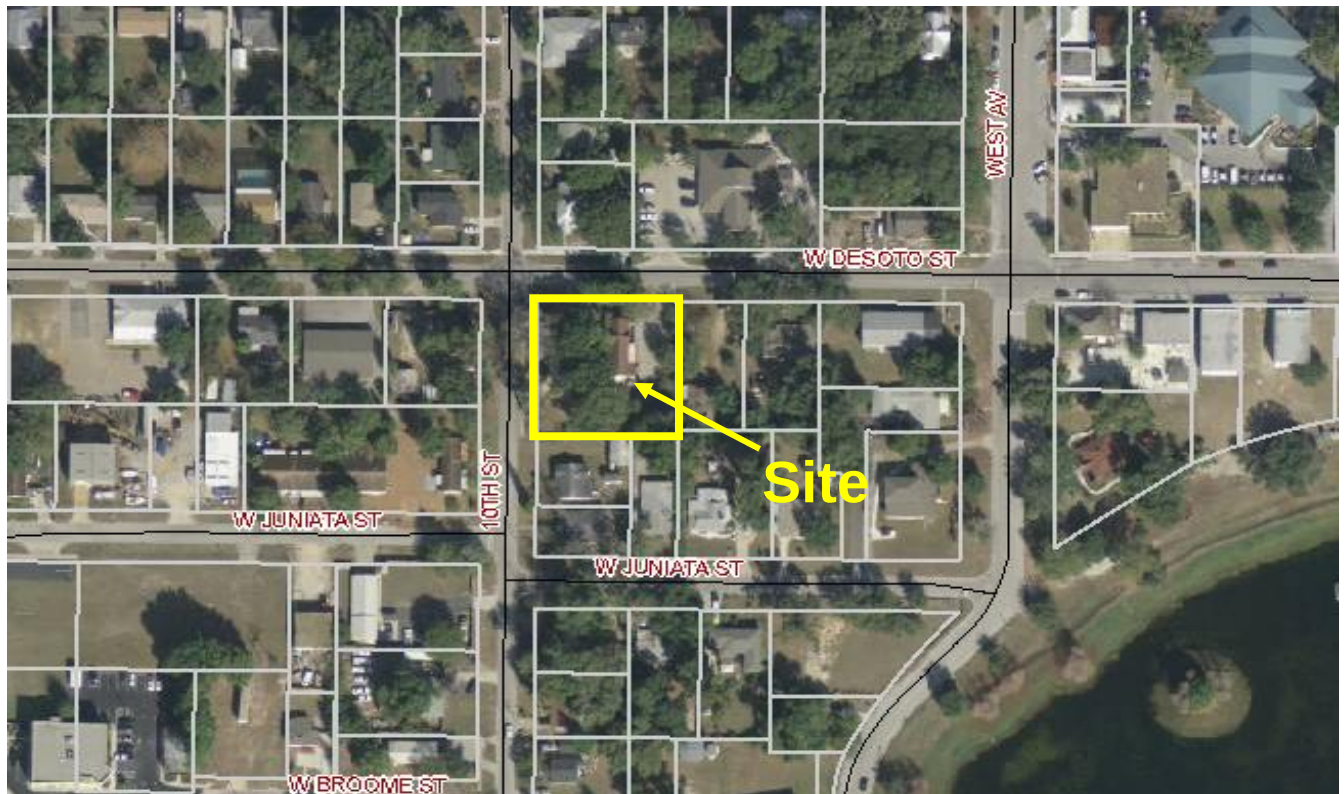
ATTEST:

Tracy Ackroyd Howe, City Clerk

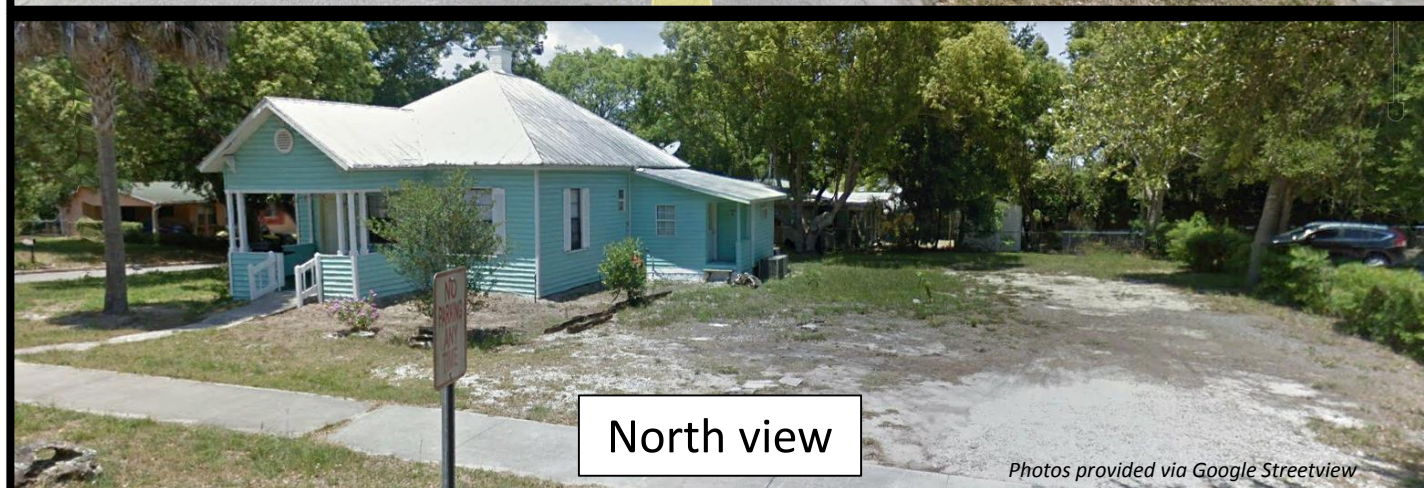
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

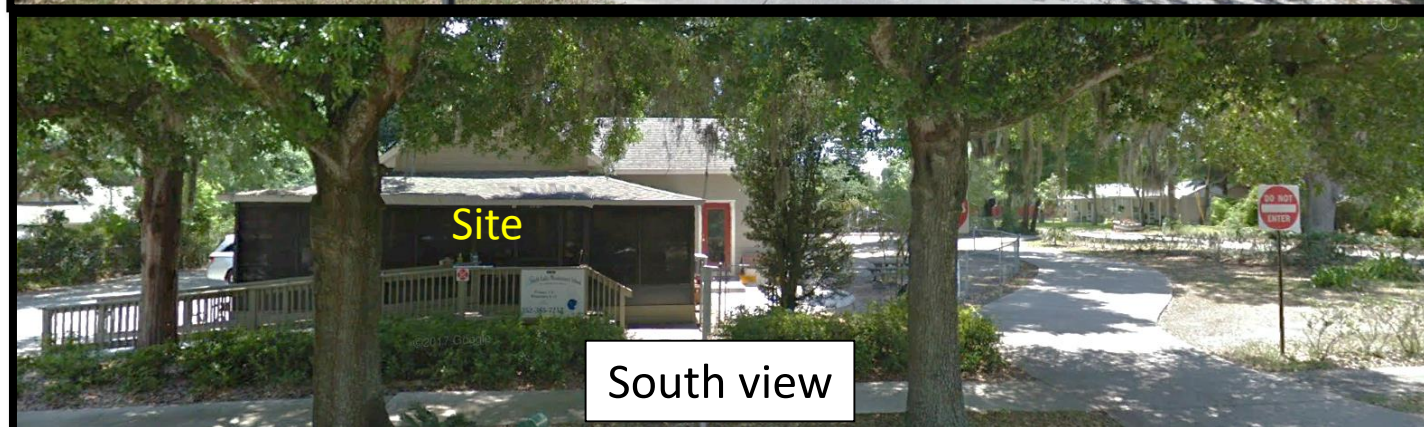
South Lake Montessori School Location Map



South Lake Montessori School – Surrounding Conditions



Photos provided via Google Streetview





CUP 1806 - 0001
Fee \$ 845.00

**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: May 25, 2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): South Lake Montessori School

APPLICANT: Jimmy D. Crawford, Esq.

CONTACT PERSON: Jimmy Crawford or Jennifer Cotch

Address: 1201 W. Hwy 50, Suite A

City: Clermont State: Florida Zip: 34711

Phone: 352-394-7408 Fax: _____

E-Mail: jcrawford@lncmlaw.com / jcotch@lncmlaw.com

OWNER: Richard Judkins and Janis Sheldon

Address: 17521 State Road 19

City: Groveland State: FL Zip: 34736

Phone: 352-243-0993 Fax: _____

Address of Subject Property: 983 West Desoto St, Clermont, FL 34711

General Location: Southeast corner of Desoto St and 10th St., downtown Clermont

Legal Description (include copy of survey): Clermont Lots 10, 11, 12, N 10 FT of Lots 13, 14, 15 BLK 97, PB 8 PG 17

Land Use (City verification required): Downtown MU

Zoning (City verification required): R-3 Residential/Professional



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

The Owner is requesting to amend a condition in its current CUP ordinance. Section 2- Land Use of the CUP requires landscaping to be intensified along the south eastern property line where children play outside.

The Owner has installed a six foot high stockade fence that blocks the neighbors view of the children playing outside better than additional landscaping and also keeps the children contained on the property.

The Owner wants to ensure compliance with its CUP and therefore is requesting the amendment.

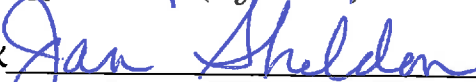
Jimmy D. Crawford, Esq.

Applicant Name (print)

X 
Applicant Name (signature)

Janis Sheldon

Owner Name (print)

X 
Owner Name (signature)

***** NOTICE *****

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10079130
Phone: (352) 241-7331
Date: 07/26/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a i	07/31/2018	08/21/2018	\$173.52

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request to amend a Conditional Use Permit (Resolution No. 2016-03) to allow a six-foot high fence instead of landscaping as required by the stated conditions of the Resolution as granted in the R-3 Residential/Professional zoning district; at the following location:

Ad No: 10079130
July 31, 2018 &
August 21, 2018

LOCATION

983 West Desoto Street
(Alternate Key 1758670)

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 28, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

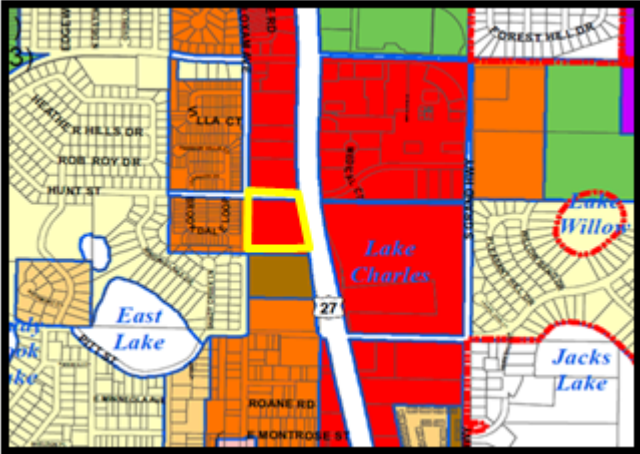
Payment Info	
Ad Price	\$173.52
Tax	\$0.00
Sub Total	\$173.52
Prepaid Amount	\$0.00
Balance Due	\$173.52



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution No. 2018-29R <i>Clermont Storage Conditional Use Permit</i>	
Requested Action	
Recommend denial of Resolution No. 2018-29R	
Staff Report	
The applicant, is requesting a Conditional Use Permit for a self-storage facility with more than 20,000 square feet of floor space located in the C-2 zoning district.. The Land Development Code, Section 122-223 requires a conditional use permit for any business establishment that occupies more than 20,000 square feet and Section 122-224 requires a Conditional Use Permit for any self-storage facility in the C-2 General Commercial zoning district. The subject property is located on the west side of Highway 27, south of Hunt Street and Bloxam Avenue. The site is approximately 5.66 +/- acres and is currently vacant. The applicant is proposing construction of a mixed use project that will include a self -storage facility and a retail business on site. The entire site will be required to comply with the Land Development Regulations for C-2 General Commercial zoning and meet the City's Architectural Design Standards.   The proposed development as designed will provide direct access to U S Highway 27 and will be required to meet any traffic impact requirements for FDOT permit approval. The proposed self-storage facility will be gated and secured. Any fencing along or adjacent to roadways shall be ornamental metal or decorative vinyl/pvc. No outside storage will be allowed. The self -storage facility usually generates less traffic than traditional retail and commercial during peak hours. In addition, the proposed storage facility is considered a less intense use with a minimum impact to the surrounding areas. The proposed use will have less demand for utilities and other infrastructure. The project will be required to comply with the Clermont Land Development Codes that requires commercial and retail uses to provide a buffer that minimizes their impact on abutting residential uses and properties. When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires	

specific development standards that need to be met. Staff has reviewed the Conditional Use Permit and believes that the proposed use is in direct conflict with the proposed State Road 50 and Highway 27 Overlay Ordinance that is being created to limit certain types of uses and provide a specific and uniform design standards for properties within the commercial corridor. The intent of the Overlay is to establish high quality and uniform development with a positive visual ambiance. The purpose of the Overlay Ordinance is to establish and promote orderly growth within the commercial corridor along with the achievement of the goals, objectives and policies of the city's comprehensive plan. Although, other self storage facilities have been granted a Conditional Use Permit in the C-2 zoning district, the proposed application as submitted will be in conflict with the proposed State Road 50 and Highway 27 Overlay Ordinance. Therefore, staff recommends **denial** of the Conditional Use Permit for a self-storage facility over 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution No. 2018-29R.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CUP RES 2018-29R	2018-29R CUP.doc	
2. Location Map	Location Map.pdf	
3. Site Plan-1	Site Plan-1.pdf	
4. 2018-07-20_Clermont Elevations Revised	2018-07-20_Clermont Elevations Revised.pdf	
5. CUP Application	CUP Application.pdf	
6. CUP CLERMONT STORAGE	CUP CLERMONT STORAGE.pdf	
7. Directional Photos	Directional Photos.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2018-29R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A SELF-STORAGE FACILITY OCCUPYING MORE THAN 20,000 SQUARE FEET OF FLOOR SPACE

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended approval of this Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space; at the following location:

LOCATION:

Vacant property on the west side of U.S. Highway 27,
South of Hunt Street and Bloxam Avenue
(Alternate Key 3799279)

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for a Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

SECTION 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.



CITY OF CLERMONT
RESOLUTION NO. 2018-29R

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A), prepared by Florida Engineering Group, dated May 28, 2018. Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
12. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

SECTION 2. Land Use

1. The Conditional Use permit is to allow for a self-storage facility occupying more than 20,000 square feet of floor space.
2. The site may also be used for any permitted use in the C-2 General Commercial zoning district.
3. The site shall be developed according to the City of Clermont Land Development Codes and all building must meet the City of Clermont Architectural Standards.



CITY OF CLERMONT
RESOLUTION NO. 2018-29R

4. The self-storage facility shall be gated and will be secured from the General Public. Any fencing shall be ornamental metal or decorative PVC/vinyl.
5. No outside storage will be allowed.
6. Interior lighting on the site shall be directed downward into the site and shall not spill over onto adjacent properties.
7. No outside speaker systems will be allowed.
8. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.
9. A minimum five-foot wide sidewalk shall be constructed along each street right-of-ways adjacent to parcel that meet Americans with Disabilities Act requirements and provide pedestrian access. Sidewalk construction shall be coordinated with Lake County Public Works for any Lake County designated streets.
10. Building elevations for all sides shall comply with City of Clermont Architectural Design Standards.



CITY OF CLERMONT
RESOLUTION NO. 2018-29R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 14th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

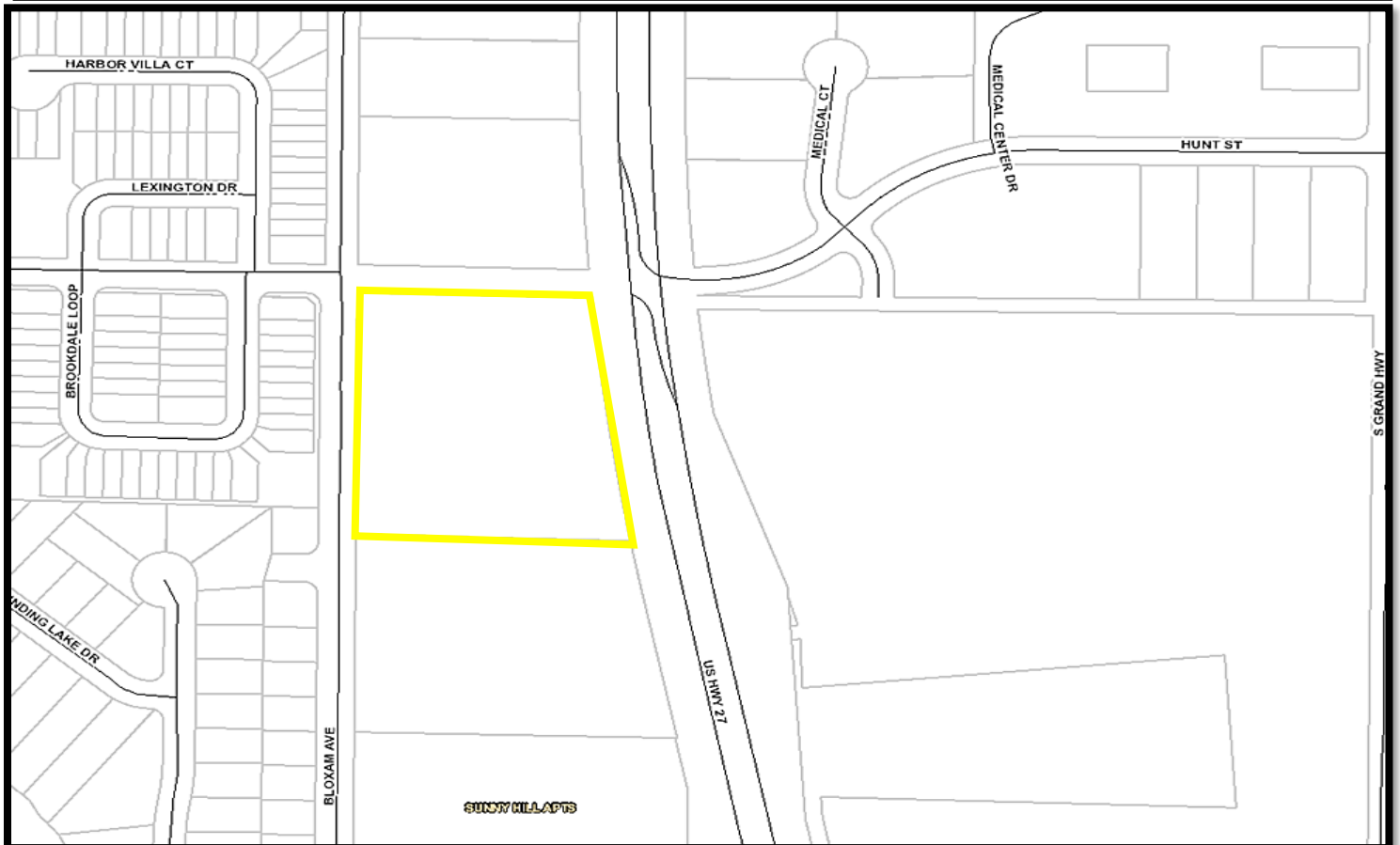
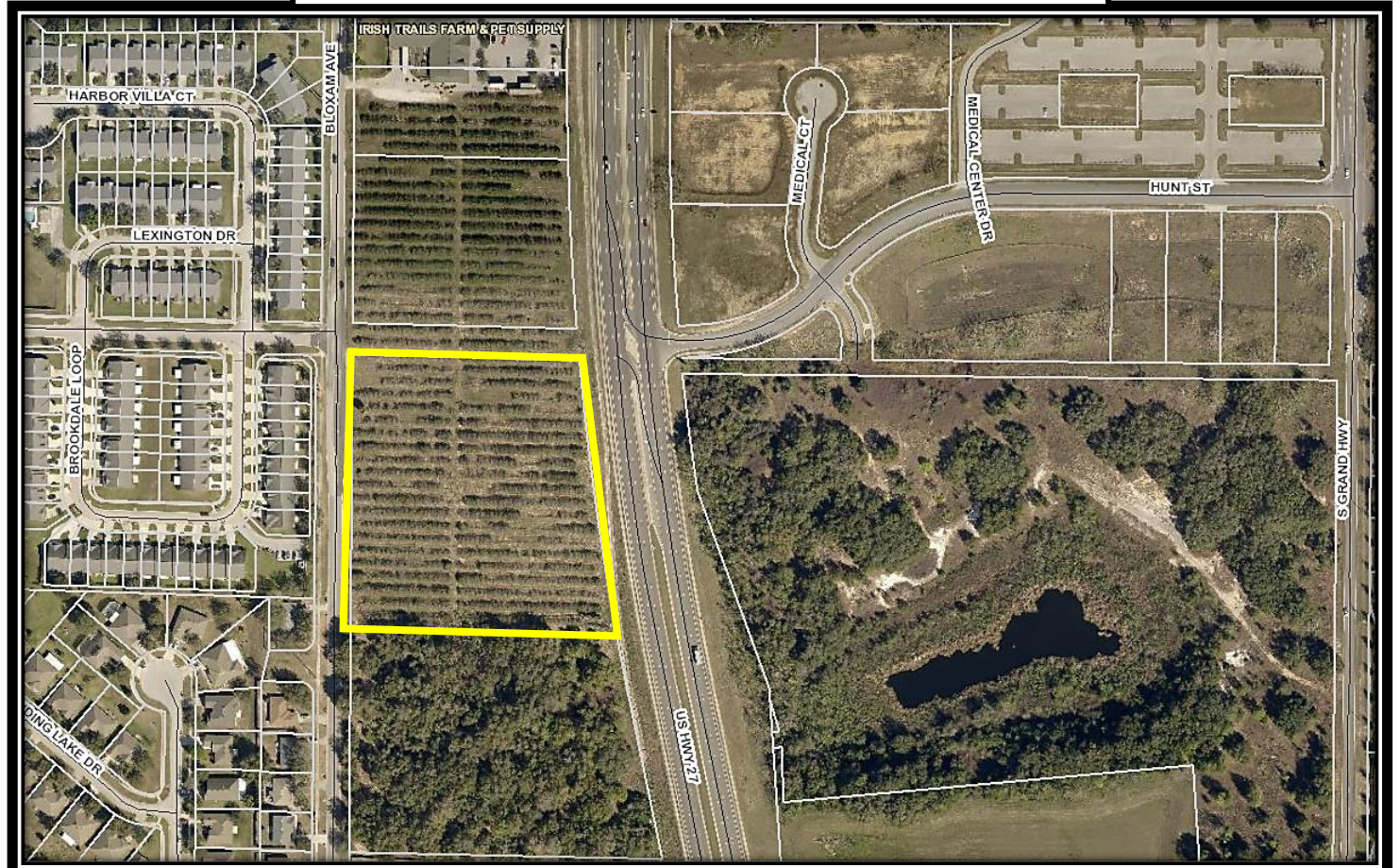
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Clermont Storage Facility Location Map



◆ SITE STRIPING & SIGNAGE KEYNOTES

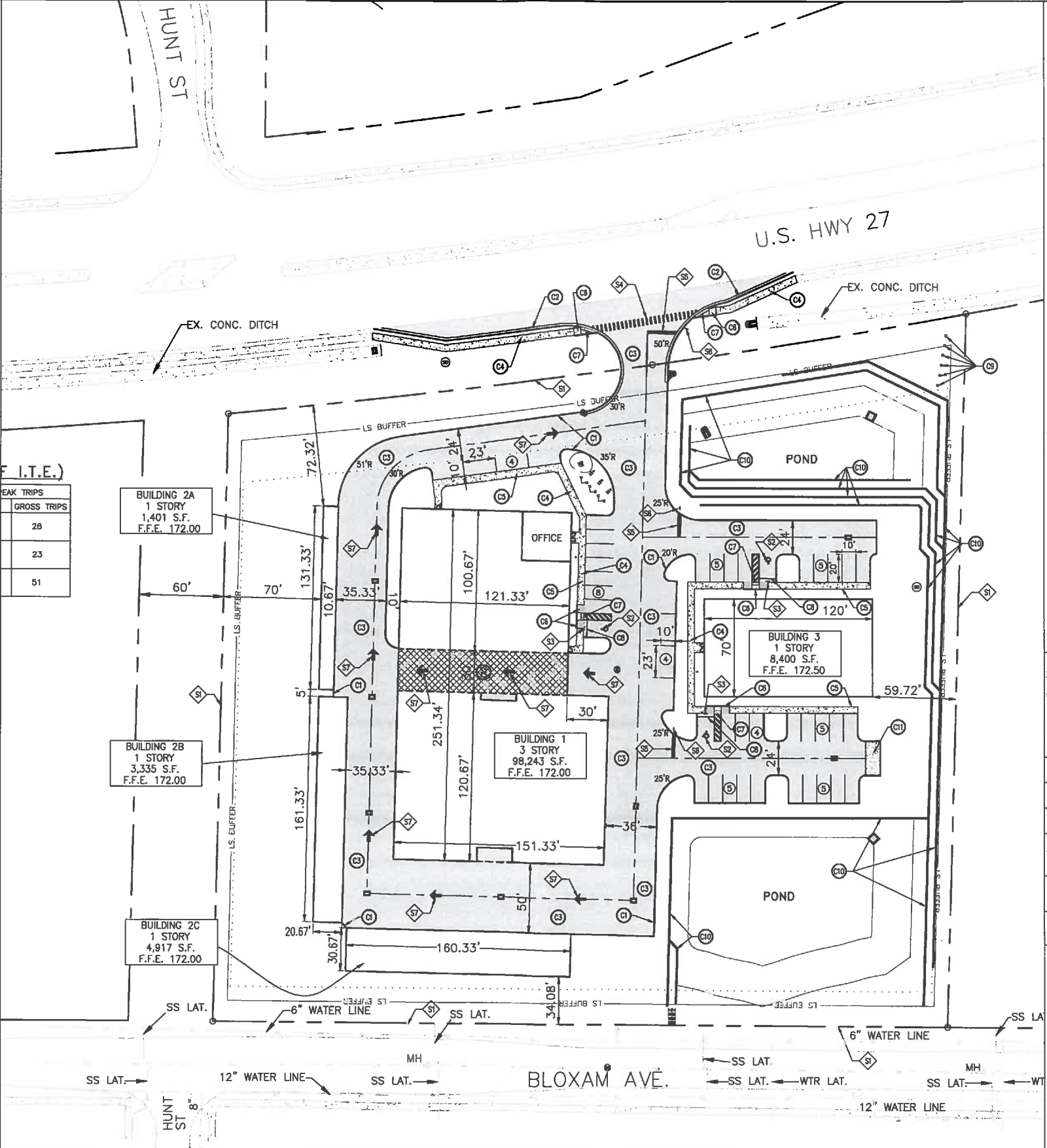
- S1. PROPERTY BOUNDARY.
S2. HANDICAP PARKING STALL, TYPICAL.
S3. HANDICAP SIGN.
S4. CROSSWALK.
S5. 24" THERMOPLASTIC STOP BAR.
S6. 30"x30" R1-1 HIGH INTENSITY REFLECTORIZED "STOP" SIGN.
S7. DIRECTIONAL ARROWS PER F.D.O.T. INDEX No. 17348, TYPICAL.
S8. "DO NOT ENTER" SIGN.

① SITE CONSTRUCTION KEYNOTES

- C1. 6" HEAD CURB, TYPICAL.
C2. F.D.O.T. TYPE "F" CURB AND GUTTER.
C3. ASPHALT PAVEMENT, MEDIUM-DUTY IN DRIVE AISLES, LIGHT-DUTY IN PARKING SPACES.
C4. CONCRETE SIDEWALK, TYPICAL.
C5. MONOLITHIC CURB & SIDEWALK, TYPICAL.
C6. F.D.O.T. CURB CUT RAMPS PER INDEX No. 304, FOR HANDICAP ACCESS.
C7. DETECTABLE WARNING SURFACE PER FLORIDA BUILDING CODE 2004.
C8. WHEELSTOP PER F.D.O.T. INDEX No. 300, TYPICAL.
C9. EXISTING BILLBOARD SIGN POLES
C10. RETAINING WALL (MAX. 6' HIGH)
C11. ENCLOSED DUMPSTER PAD LOCATION.
C12. 30' WIDE DRIVE THROUGH (FIRST FLOOR, PRIMARY BUILDING).

TRIP GENERATION DATA: (PER 9TH EDITION OF I.T.E.)

TRIP GENERATION	ITE CODE	SIZE	UNITS	AVERAGE DAILY TRIPS		P.M. PEAK TRIPS	
				RATE	GROSS ADT	RATE	GROSS TRIPS
MINI WAREHOUSE	151	107,898 S.F.	1,000 S.F.	2.50	270	0.26	28
SPECIALTY RETAIL CENTER	826	8,400 S.F.	1,000 S.F.	44.32	372	2.71	23
TOTAL	CUSTOM	116,296 S.F.	1,000 S.F.	8.80	642	2.97	51



SITE DATA

PROPERTY LOCATION: U.S. HWY 27 N, CLERMONT FL 34711
PROJECT AREA: 5.66± ACRE
EXISTING ZONING: C-2 (GENERAL COMMERCIAL DISTRICT)
PROPERTY FUTURE LAND USE: COMMERCIAL
EXISTING USE: ORANGE GROVE
PROPOSED USE: STORAGE FACILITY/ RETAIL
ALLOWABLE FAR: 1.00
PROPOSED FAR: 0.47
PROPOSED BUILDING 1 GROSS FLOOR AREA: 98,243 S.F.
PROPOSED BUILDING 2A GROSS FLOOR AREA: 1,401 S.F.
PROPOSED BUILDING 2B GROSS FLOOR AREA: 3,335 S.F.
PROPOSED BUILDING 2C GROSS FLOOR AREA: 4,917 S.F.
PROPOSED BUILDING 3 GROSS FLOOR AREA: 8,400 S.F.
TOTAL PROPOSED BUILDING AREA FOR F.A.R. CALCULATION: 116,296 S.F.

BUILDING SETBACKS (REQUIRED)				BUILDING SETBACKS (PROPOSED)			
FRONT	(EAST)	30'		FRONT	(EAST)	>72'	
SIDE	(NORTH)	12'		SIDE	(NORTH)	70'	
SIDE	(SOUTH)	12'		SIDE	(SOUTH)	>59'	
REAR	(WEST)	25'		REAR	(WEST)	>34'	

MAXIMUM ALLOWABLE BUILDING HEIGHT		BUILDING HEIGHT PROPOSED	
55'		BUILDING 1: 3-STORIES < 55'	
		BUILDING 2: 1-STORY < 55'	
		BUILDING 3: 1-STORY < 55'	

BUFFER YARDS

PROPOSED USE	FRONT (EAST)	REAR (WEST)	ABUTTING USE	REQUIRED BUFFER	PROPOSED BUFFER
STORAGE FACILITY	12'	12'	ARTERIAL	20'	20'
STORAGE FACILITY	12'	12'	VACANT	10'	10'
STORAGE FACILITY	12'	12'	SINGLE FAMILY	15'	15'

PARKING

PARKING REQUIRED	118,790 S.F.		N/A SPACES
STORAGE FACILITY	8,400 S.F.	(1 SPACE PER 200 S.F.)	42 SPACES
RETAIL*			42 SPACES
TOTAL PARKING REQUIRED			84 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			2 SPACES

PARKING PROVIDED	42 SPACES
STANDARD PARKING SPACES	42 SPACES
HANDICAP PARKING	2 SPACES
TOTAL PARKING PROVIDED	44 SPACES

SITE AREA CALCULATIONS (PROPOSED)

BUILDING FOOTPRINT	52,137 ± S.F.		
PAVING	57,737 ± S.F.		
SIDEWALK	3,102 ± S.F.		
IMPERVIOUS AREA	112,976 ± S.F.	2.59 AC.	45.8 %
PERVIOUS AREA	133,574 ± S.F.	3.07 AC.	54.2 %
TOTAL SITE AREA	246,550 ± S.F.	5.66 AC.	100.00 %

MAXIMUM IMPERVIOUS COVER ALLOWED	80 %
IMPERVIOUS COVER PROPOSED	45.8 %

FLOOD ZONE
FLOOD ZONE X PER FEMA F.I.R.M. PANEL 12069C0590E DATED: 12/18/2012

SOILS
B - Candler Sand HSG "A"

WETLAND STATEMENT
THERE ARE NO JURISDICTIONAL WETLANDS WITHIN THE PROJECT SITE.

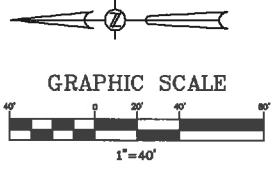
HAZARDOUS MATERIALS STATEMENT
DURING CONSTRUCTION, WHEN COMBUSTIBLES ARE BROUGHT ONTO THE SITE IN SUCH QUANTITIES AS DEEMED HAZARDOUS BY THE FIRE DEPARTMENT, ACCESS ROADS & A SUITABLE TEMPORARY SUPPLY OF WATER ACCEPTABLE TO THE FIRE DEPARTMENT SHALL BE PROVIDED & MAINTAINED.

LIGHTING NOTE
LIGHTING SHALL COMPLY WITH CITY OF CLERMONT LAND DEVELOPMENT CODE EXCEPT AS OTHERWISE APPROVED BY THIS CONDITIONAL USE PLAN.

SIGNAGE NOTE
SIGNAGE SHALL COMPLY WITH CITY OF CLERMONT LAND DEVELOPMENT CODE DESIGN STANDARDS EXCEPT AS OTHERWISE APPROVED BY THIS CONDITIONAL USE PLAN.

SITE NOTES

- ALL CURB RADII ARE TO BE 5.0', TYPICAL, UNLESS NOTED OTHERWISE. EXCEPTION: RADII @ ISLANDS ARE TO FIT ISLAND WIDTHS, UNLESS NOTED OTHERWISE.
- LANDSCAPE ISLAND NOSE NOT TO EXCEED THE PARKING STALL DEPTH &/OR PROTRUDE INTO DRIVE ISLES, TYPICAL.
- LOWER CASE TEXT DENOTES SURVEY &/OR EXISTING CONDITION INFORMATION.



PROJECT NO. 17-122
SCALE 1"=40'
DATE MAY 28, 2018
SHEET NO. C-3
SHEET 3 OF 9

2018

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY (ENGINEER, P.E. ON DATE) USING A DIGITAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

CLERMONT STORAGE FACILITY
U.S. HIGHWAY 27 N
CLERMONT FL, 34711

Engineering the Future

5127 S. Orange Avenue, Suite 200
Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325
www.feg-inc.us

CONDITIONAL USE SITE PLAN

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
JNT	JNT	SJS	SJS

DATE	REVISIONS	BY	CHECKED



PERSPECTIVE: SOUTHEAST
N.T.S.

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

PERSPECTIVE VIEW 05-21-2018

ELEVEN
18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE



PERSPECTIVE: NORTHEAST

N.T.S.

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711
VIEW FROM U.S. HWY 27 05-21-2018

ELEVEN
18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

41'-6"
39'-0"



SOUTH ELEVATION

1/16" = 1'-0"

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

SOUTH ELEVATION 05-21-2018

ELEVEN

18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

41'-6"
39'-0"



EAST ELEVATION

1/16" = 1'-0"

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

EAST ELEVATION 05-21-2018

ELEVEN
18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

41'-6"
39'-0"



NORTH ELEVATION

1/16" = 1'-0"

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

NORTH ELEVATION 05-21-2018

ELEVEN

18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

41'-6"
39'-0"



WEST ELEVATION

1/16" = 1'-0"

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

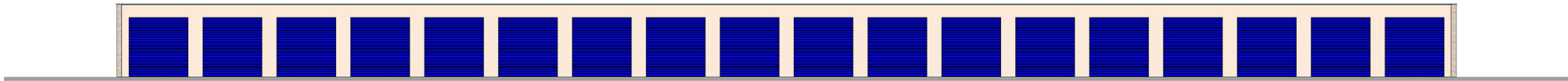
WEST ELEVATION 05-21-2018

ELEVEN
18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

10' - 4"



EXTERIOR STORAGE FRONT ELEVATION

1/16" = 1' - 0"

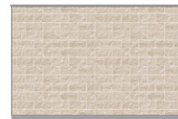
10' - 4"



EXTERIOR STORAGE REAR ELEVATION

1/16" = 1' - 0"

10' - 4"



EXTERIOR STORAGE SIDE ELEVATIONS

1/16" = 1' - 0"

FLAGSHIP DEVELOPMENT

GOLDENROD

GOLDENROD RD. ORLANDO, FL
EXTERIOR STORAGE ELEVATIONS 05-21-2018

ELEVEN
18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

1. INSULATED PANEL

• PANEL: CF ARCHITECTURAL

• FINISH: TEXTURED WHITE
2. EIFS

• MANUFACTURER: DRYVIT

• COLOR: VAN DYKE
3. EIFS

• MANUFACTURER: DRYVIT

• COLOR: LIGHT STONE
4. EIFS

• MANUFACTURER: DRYVIT

• PAINT: FIESTA ORANGE
5. SPLIT FACE BLOCK

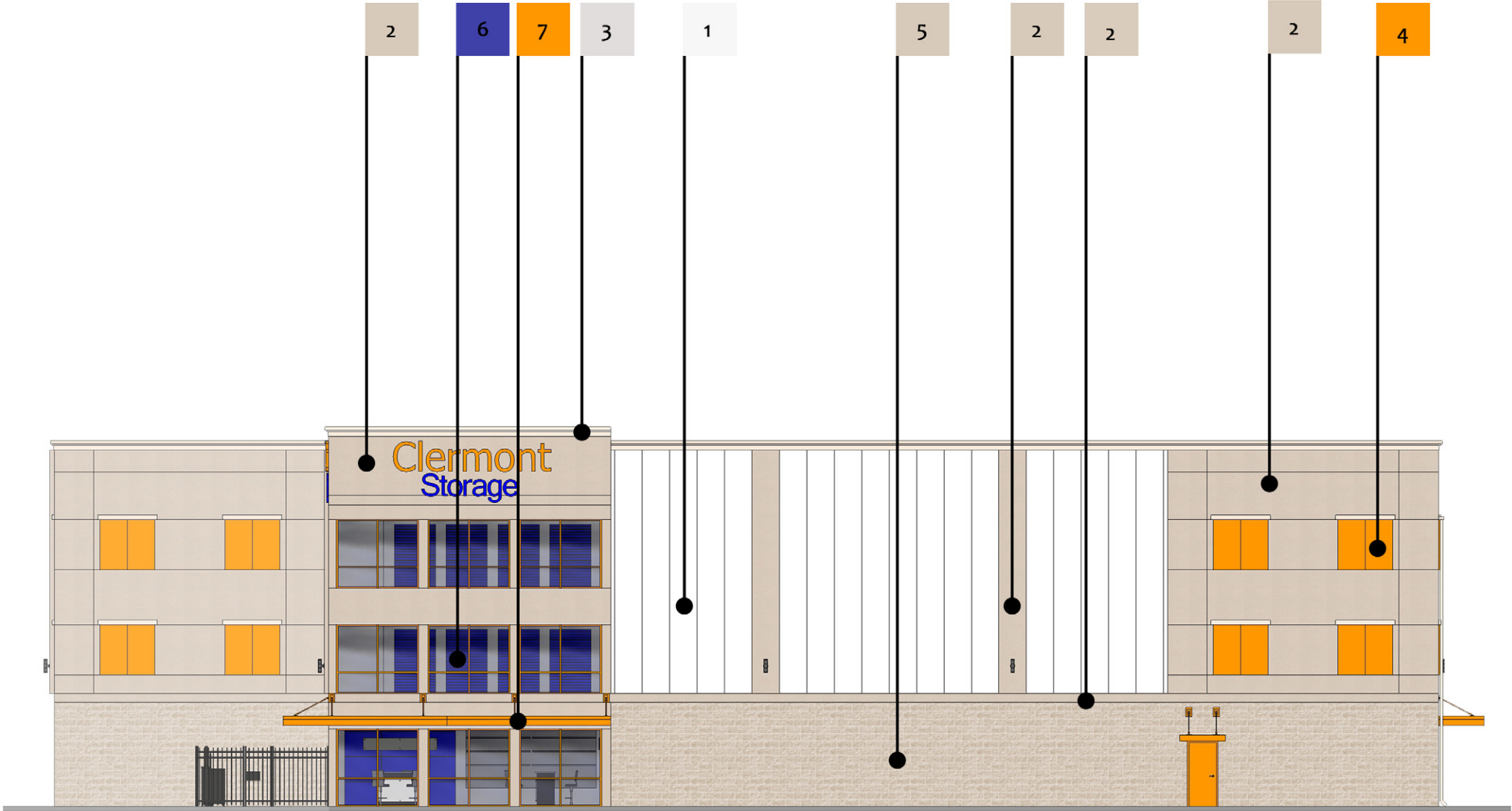
• PAINT: VAN DYKE
6. ROLL-UP DOOR

• PAINT: ROYAL BLUE
7. AWNING

• PAINT: FIESTA ORANGE
- ON WEST FACADE, PANELS

TO BE PAINTED TO MATCH COLUMN

COLOR



MATERIAL OUTLINE

1/16" = 1'-0"

FLAGSHIP DEVELOPMENT

CLERMONT

BLOXAM AVE. CLERMONT, FL 34711

MATERIAL OUTLINE 05-21-2018



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 5/29/2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): CLERMONT STORAGE FACILITY

APPLICANT: BEELINE CENTER, L.L.C.

CONTACT PERSON: TOM HARB

Address: 3700 34th STREET, SUITE 300

City: ORLANDO State: FLORIDA Zip: 32805

Phone: (407)422-4272 Fax: (407)422-9664

E-Mail: TOMHARB@HARBCO.COM

OWNER: Orlaith Acton et al

Address: 1135 East Ave.

City: Clermont State: FL Zip: 34711

Phone: _____ Fax: _____

Address of Subject Property: U.S. Highway 27 N, Clermont, FL 34711

General Location: WEST SIDE OF U.S. HWY 27 JUST SOUTH OF THE

INTERSECTION OF U.S. HWY 27 AND HUNT ST. IN THE CITY OF CLERMONT, FL.

Legal Description (include copy of survey): _____

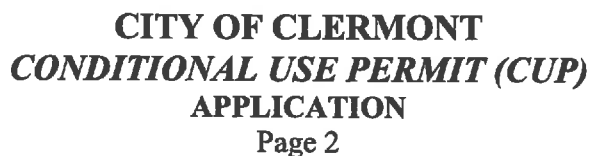
CLERMONT LOTS 1 & 2 BLK LYING W/LY LINE OF R/W OF HWY 27 -- LESS

S 110 FT OF LOT 2 -- PB 3 PG 5 ORB 1888 PG 279 ORB 2815 PG 2020

(ALK 3799279)

Land Use (City verification required): EXISTING: (ORANGE GROVE) / FUTURE: (COMMERCIAL)

Zoning (City verification required): C-2 (GENERAL COMMERCIAL DISTRICT)



SEE ATTACHED NARRATIVE REQUEST LETTER.

Owner Name (signature)
Developer/Buyer

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-0219
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078804
Phone: (352) 241-7331
Date: 07/26/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a i	07/31/2018	08/07/2018	\$170.60

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space.

Ad No: 10078804
July 31, 2018 &
August 07, 2018

LOCATION

Vacant property on the west side of U.S. Highway 27, south of Hunt Street and Bloxam Avenue (Alternate Key 3799279)

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 14, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$170.60
Tax	\$0.00
Sub Total	\$170.60
Prepaid Amount	\$0.00
Balance Due	\$170.60

Clermont Storage CUP

X Bloxam Ave Clermont, Florida



West View

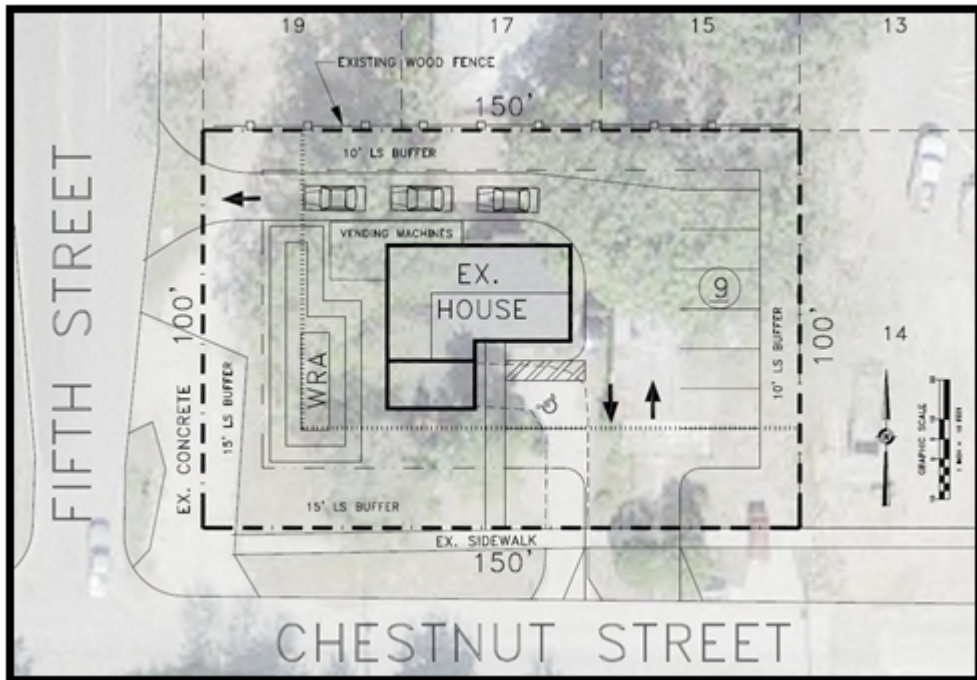


East View

AGENDA ITEM

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution No. 2018-30R <i>Childs Ice Machine Conditional Use Permit</i>	
Requested Action	
Recommend approval of Resolution No. 2018-30R.	
Staff Report	

The applicant/owner, is requesting a Conditional Use Permit to allow a commercial ice machine in the C-1 Light Commercial zoning district. The property is .34 acres and is located at 492 Chestnut Street. The owner currently has a single family home on lot that will be converted to a full service hair salon. The hair salon is a permitted use in the C-1 Light Commercial zoning district. Staff considers the ice machine use as uncertain, and the Land Development Code, Section 122-204 requires a Conditional Use Permit for cases where classification is uncertain. The City Council approved a Conditional Use Permit on August 28, 2012 (Resolution No 2012-29) to allow a commercial ice machine at this site. The previous permit became null and void because substantial construction work did not begin within two (2) years of the Conditional Use Permit approval.



The applicant is proposing to convert the single family home to a full service hair salon to be used in conjunction with the drive-thru commercial ice vending machine. The commercial ice vending machine which is about 5 feet by 6 feet is proposed for the northwest corner of the house. Because this is a drive-thru and pick-up ice machine, staff considers the stacking of about eight cars to be sufficient for the proposed use. The adjacent property to the North, East and West is zoned C-1 Light Commercial and the current zoning to the South is R-2 Medium Density. The site

will be required to comply with the Land Development Code for C-1 zoning that include parking, landscape improvements and any building/fire codes required for proposed change of use.

When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards that need to be met. Staff has reviewed the proposed request to allow a commercial ice machine in the C-1 Light Commercial zoning district and finds the proposed use does meet the general criteria for granting a conditional use permit. Staff has reviewed the application in accordance with the Land Development Code and finds that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified.

Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2018-30R.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2018-30R CUP FINAL	2018-30R CUP FINAL.doc
2.	Location Map	Location Map.pdf
3.	Childs CUP Conceptual Site Plan	Childs CUP Conceptual Site Plan.pdf
4.	Directional Photos	Directional Photos.pdf
5.	Kooler Ice 1000 Series	Kooler Ice 1000 Series.pdf
6.	Nighttime Illumination Photo	Nighttime Illumination Photo.jpg
7.	Side The Road Salon 6-12-18	Side The Road Salon 6-12-18.pdf
8.	CUP-Application 5-2018	CUP-Application 5-2018.pdf
9.	CUP CHILDS ICE MACHINE	CUP CHILDS ICE MACHINE.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-30R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A COMMERCIAL OUTDOOR ICE MACHINE IN THE C-1 LIGHT COMMERCIAL ZONING DISTRICT

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended approval of this Conditional Use Permit to allow a commercial outdoor ice machine in the C-1 Light Commercial zoning district, at the following location:

LOCATION:

492 Chestnut Street, Clermont, Florida
(Alternate Key 1612489)

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for a Conditional Use Permit to allow a commercial ice machine in the C-1 Light Commercial zoning district, be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

SECTION 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.



CITY OF CLERMONT
RESOLUTION NO. 2018-30R

6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by McCoy & Associates, dated June, 2018 (Exhibit A). Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
12. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

SECTION 2. Land Use

1. This Conditional Use permit is to allow one (1) commercial outdoor ice machine that must be placed within the C-1 Light Commercial building setbacks.
2. The site may also be used for any permitted use in the C-1 Light Commercial zoning district, provided parking is in accordance with the Land Development Code. Any commercial business or change of use, must comply with all applicable building, fire and land development codes.
3. The site shall be developed according to the City of Clermont Land Development Codes and all building must meet the City of Clermont Architectural Standards.



CITY OF CLERMONT
RESOLUTION NO. 2018-30R

4. Interior lighting on the site shall be directed downward into the site and shall not spill over onto adjacent properties.
5. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site. The site shall comply with landscape and parking requirements according to the Clermont Land Development Code.
7. If at a future date, parking or stacking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
8. Wall type signage is only permitted on the commercial ice machine, size and number of signs must conform with the Land Development Code.
9. Monument signage and entry or directional signage shall be in accordance with the single occupancy commercial signage requirements of the Clermont Land Development Code for the site. Any change of use for the property, shall only use the existing monument signage; no additional monument signs shall be allowed.



CITY OF CLERMONT
RESOLUTION NO. 2018-30R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

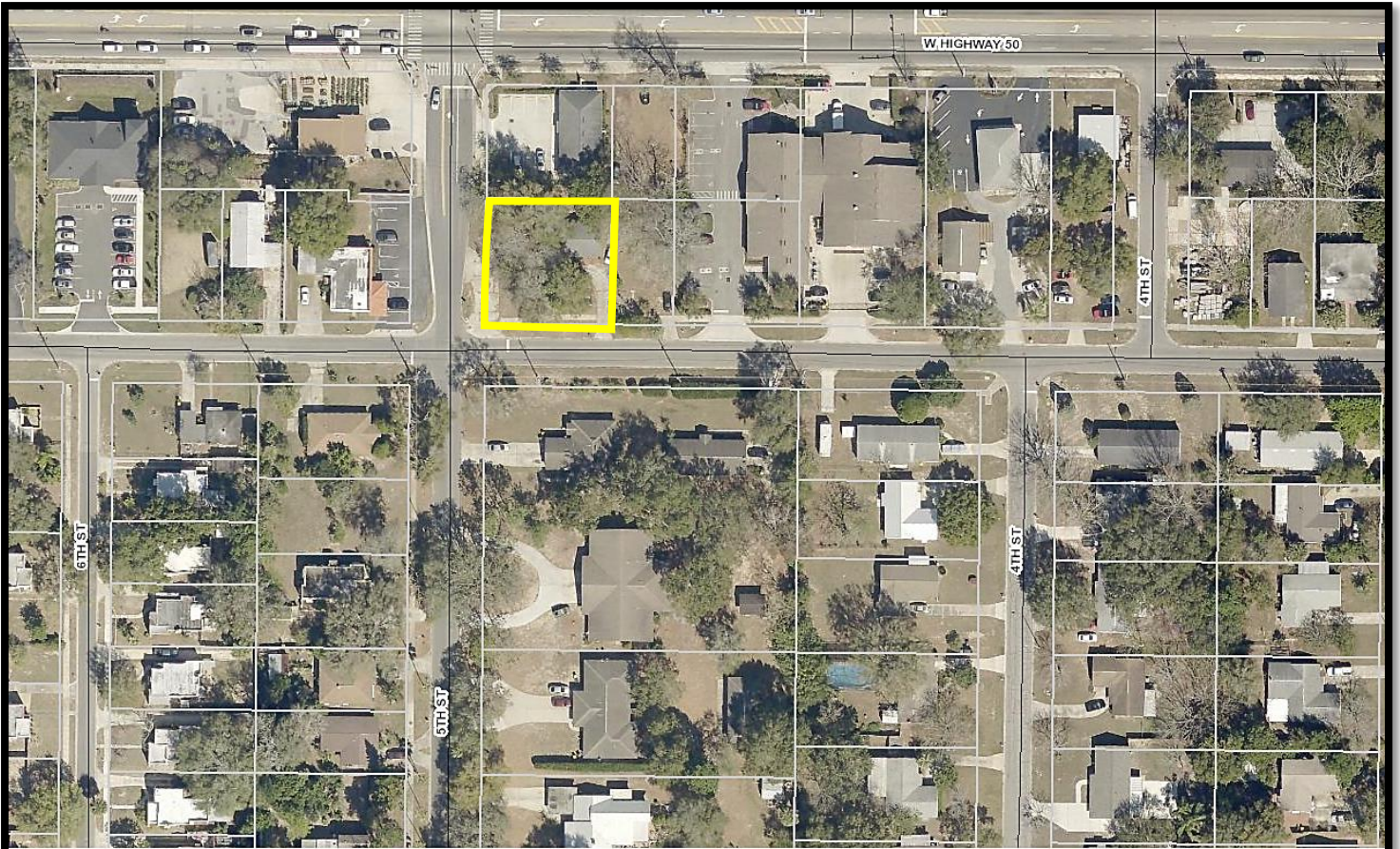
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

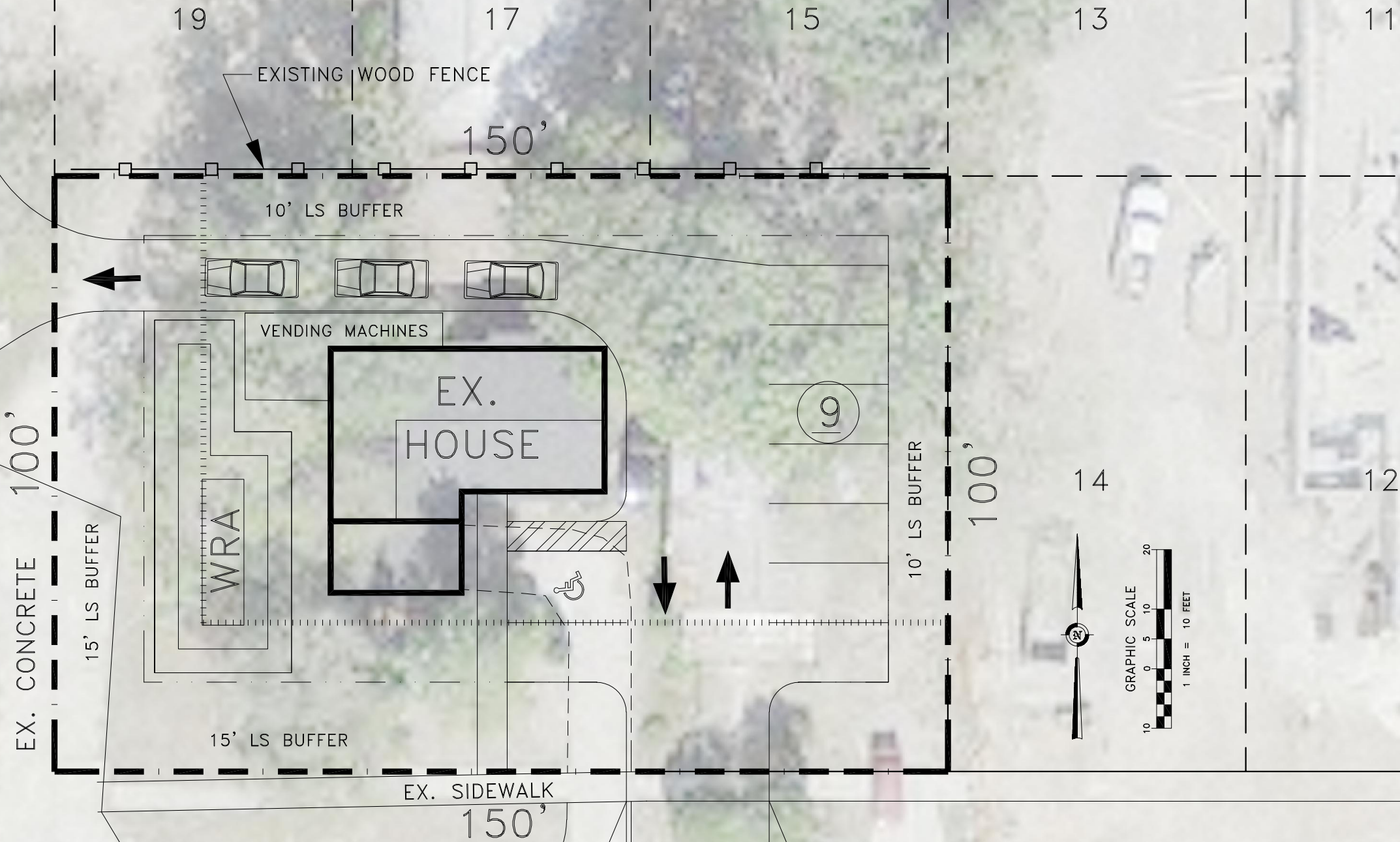
Location Map



THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMON-LAW COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEER'S WRITTEN CONSENT.

FIFTH STREET

CHESTNUT STREET



Description:

Lots 16, 18 and 20, Official Map of the City of Clermont,
according to the plat thereof, as recorded in Plat Book 8, Page 17,
Public Records of Lake County, Florida.

RICK McCOY
STATE OF FLORIDA
PROFESSIONAL ENGINEER
NO. 38725

NOT VALID WITHOUT
SIGNATURE AND ORIGINAL RAISED SEAL

CONCEPTUAL SITE PLAN

CHILDS SALON/VENDING ENTERPRISE

Sec. 22; Twp. 22S; Rge. 25E, City of Clermont, Lake County, FL.

OWNER: Carla Childs

492 Chestnut Street, Clermont, FL 34711

Mc McCOY & ASSOCIATES

ENGINEERS & LAND PLANNERS

606 SOUTH MAIN AVE. MINNEOLA, FL 34715

(352) 394-5756 FAX (352) 394-5756

CA#: 6574

NO. DATE DESCRIPTION

REVISIONS

JOB NO.

18-010

DATE

June 2018

DES. BY:

DWN. BY:

CHK'D BY:

APP'D BY:

SHEET

1 OF 1

Childs Vending Machine CUP



The IM1000 - Series II Ice Vending Machine

The IM1000 combines outstanding style, production and technology to provide Retailers with an eye catching machine that **automatically bags and dispenses** a 10lb bag of fresh ice - on demand - quickly and conveniently! Accessible and convenient to your customers, the IM1000 earns income for your business 24 Hours a Day – even when your business is not open - and without an attendant!

- Protect and **INCREASE YOUR ICE SALES AND PROFITS** while preserving and controlling your ice pricing for your customers (This is especially important in this economic climate with gasoline prices rising higher and threatening to reach new highs!)
- **ATTRACT NEW CUSTOMERS** to your business with its sharp, eye-catching design and offer a **HIGHER QUALITY** and **MORE CONVENIENT** product to your existing customers.
- It is easy and enjoyable to use and can offer cash, credit and debit **PAYMENT OPTIONS**
- It is **ACCESSIBLE 24/7** for **ADDED CONVENIENCE** for your customers
- Will **REDUCE “STOCK OUTS”** and the time and need to take delivery and monitor inventory for your ice sales (or eliminate the time and resources needed to bag ice in the store).
- Can be placed outside where your existing “ice merchandiser” is located (or elsewhere) at minimal cost, and operates without significantly increasing your utility costs, and will virtually **ELIMINATE THEFT AND WALK OFFS**.
- **CAN BE MONITORED 24/7** with our Remote Access System (“Ice Talk”) without physically being at the machine.

“Profit margins with a Cooler Ice machine are significantly higher...”



Convenience and Emerging Consumer Buying Habits

The future of bagged ice delivery to the consumer is changing, and providing ice to the consumer that is FRESH, ON-DEMAND, via vending machines is steadily emerging as the new, preferred way for consumers to purchase ice and water.

PROFIT MARGINS WITH THE KOOLER ICE MACHINE ARE SIGNIFICANTLY HIGHER, ESPECIALLY OVER TIME AS START-UP AND FINANCING COSTS ARE RETIRED.

Additionally, with the increasing presence and growth of the “free-standing” ice and water vending machine industry, retailers must find a way to compete – or lose business to them. The cost could be more than just ice sales, but secondary sales of other convenience items as well.

The IM1000 was **designed with the retailer in mind** with its smaller size and more affordable price. Now, you can not only compete, you can **make ice an asset!**

Automatically makes, stores, bags and dispenses Ice!

The IM1000 is compact in design and can fit readily at most storefronts and against buildings. The IM1000 design features an 850lb insulated storage bin that allows you to have approximately 75 10lb bags of ice ready to vend when you begin the day. As ice is vended from the unit, the Scotsman ice maker immediately starts to produce more ice until the storage bin is replenished. The insulated storage bin keeps the ice frozen without the need for a refrigeration unit offering a significant reduction in operating costs!

The owner has the ability to choose from two different ice makers, so the machine production capacity can be customized to meet the anticipated sales at your individual location, instead of having to work with a “one size fits all” model - offering owners further cost efficiency.



Scotsman Model #	Max 24hr Production	Maximum Production*	Storage Bin Capacity	Unit Width	Unit Depth	Unit Height	Unit Weight
C1448	1553 lbs	80-90 Bags	800-850 lbs	55"	65"	99"	1,745 lbs
C1848	1909 lbs	110-120 Bags	800-850 lbs	55"	65"	99"	1,755 lbs

*Maximum Production assumes starting with full bin of ice.

The IM1000 Offers an Advanced Remote Access Monitoring System....“Ice Talk”

The IM1000 is equipped with a cellular based monitoring system which allows you to track hourly, weekly and monthly sales data in an easy to use format. You can store and run reports, as well as export specific data into an Excel spreadsheet to develop your own charts and graphs. The system allows you to program multiple contacts for notifications or alerts via e-mail or text, and records all alerts on the website for a complete history of the machine's operator performance. And – there are no hard-wire connections or third party contractors needed.

Other Features Include:

- Notification by e-mail or text if the machine is “Out of Bags”, “Out of Ice”, if “Door is Open” or if there is any problem with a machine component or ice maker that would cause it to interrupt the business.
- Access to bag inventory and sales data at all times.
- Ability to remotely vend a bag of ice, as well as re-set the bill validator, via your phone or computer.

Meet Our Partners - Their Components Make Our Product Great!

- **Scotsman Ice Systems** is a world leader in Commercial Ice Makers. Their line of Prodigy C1448 and C1848 ice makers provide excellent reliability and performance and Scotsman provides unmatched service, parts and support. The Scotsman Ice Makers provide a 3 year full warranty with a 5 year warranty on the Condenser, Evaporator and Compressor.
- **Siemens Electronics** is a world leader in automation products. Siemens PLC's are used to control all machine functions and communicate with the Ice Talk control module. An LCD monitor display on the inside front door of the machine provides notices and sales data conveniently.

The Kooler Ice IM1000 - Series II Machine Specifications:

- High Strength Aluminum Alloy Corrosion Free Frame
- Stylish Backlit Graphics
- Food Grade Plastic Storage Bin
- 220 Volt Single Phase Power, 60 Amp Service
- 3/4" Supply and Drain Line Hook Ups
- Allows Easy Access to All Components
- Bag Tracking System on All Kooler Ice Bags (For Added Consumer Safety)
- Adjustable Vend Rate (Allows Owners to Set and Change Pricing)
- Easy Water Filter Changing Operation
- Easy Bag Changing Operation (Holds Up to 350 Bags At Once)
- Machine has 1 - 10lb button (Optional 16lb Vend Button Available)
- 850lbs Bin Capacity
- Ice Talk Remote Access Communication



Optional Machine Features:

- **Water Vending:** Filtered Water or RO (Reverse Osmosis) System dispensed in 1 or 5 Gallon vends.
- **Credit Card Reader (E-port):** Researchers say that over 60% of Americans use a credit card for all of their retail purchases. This option offers an additional "convenience factor".
- **Heating Unit:** Recommended for units that will be located in areas where temperatures can go below freezing on occasion, or regularly.
- **20lb Vend Button:** Allows the machine to offer the option of vending (2) 10lb bags of ice as a single vend by pressing the button for the 20lb option.
- **Coupons:** Provides retailers the ability to run promotions and give away free bags of ice.



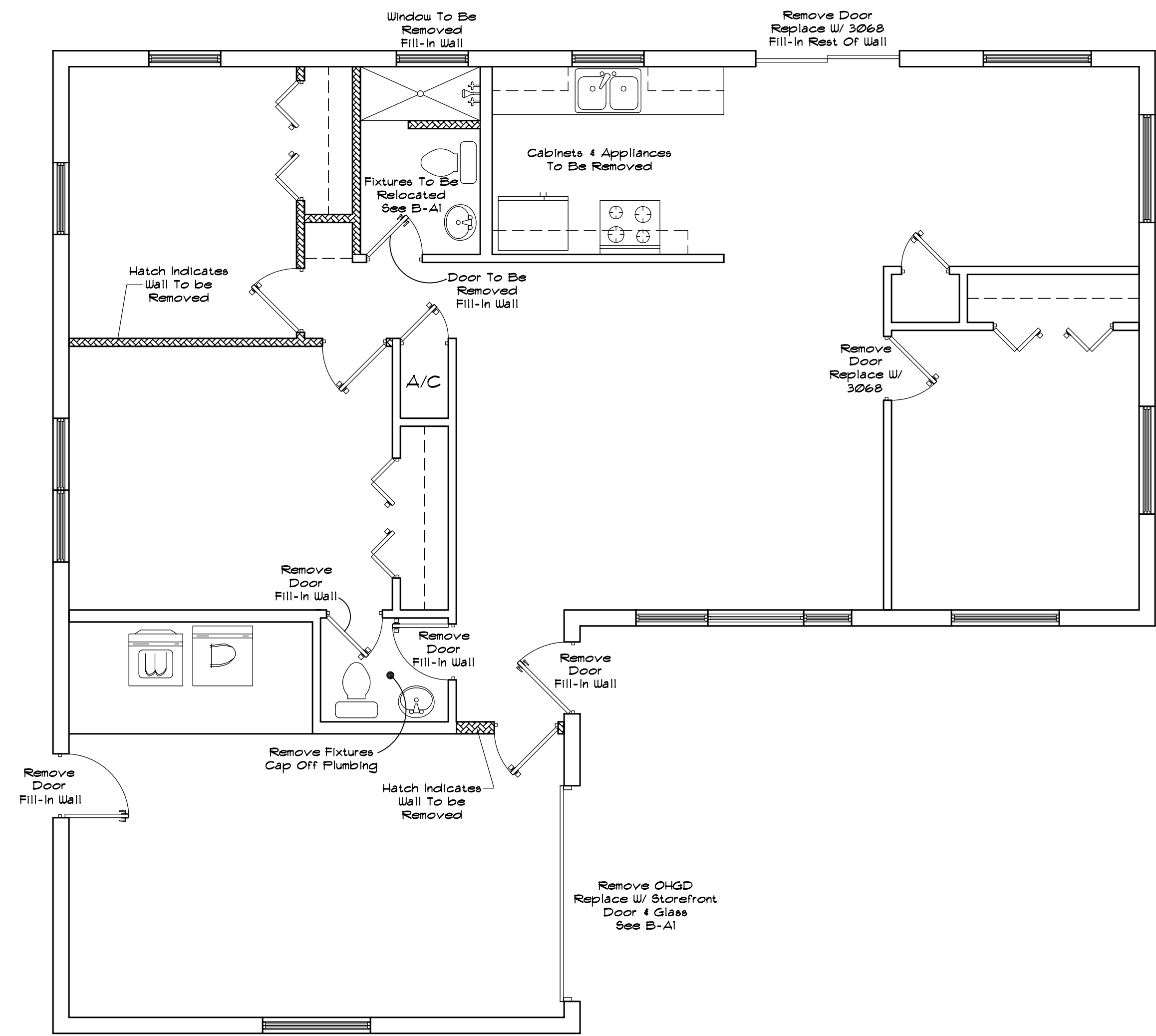
Because the Kooler Ice machines produce ice on site, the need for an ice delivery truck is eliminated, therefore reducing the "carbon foot print". **Our machines help protect the environment** while providing a safer, more convenient, higher quality product than what is available through today's packaged ice system. That's a "Win/Win" for everyone!

For more information please contact us at:

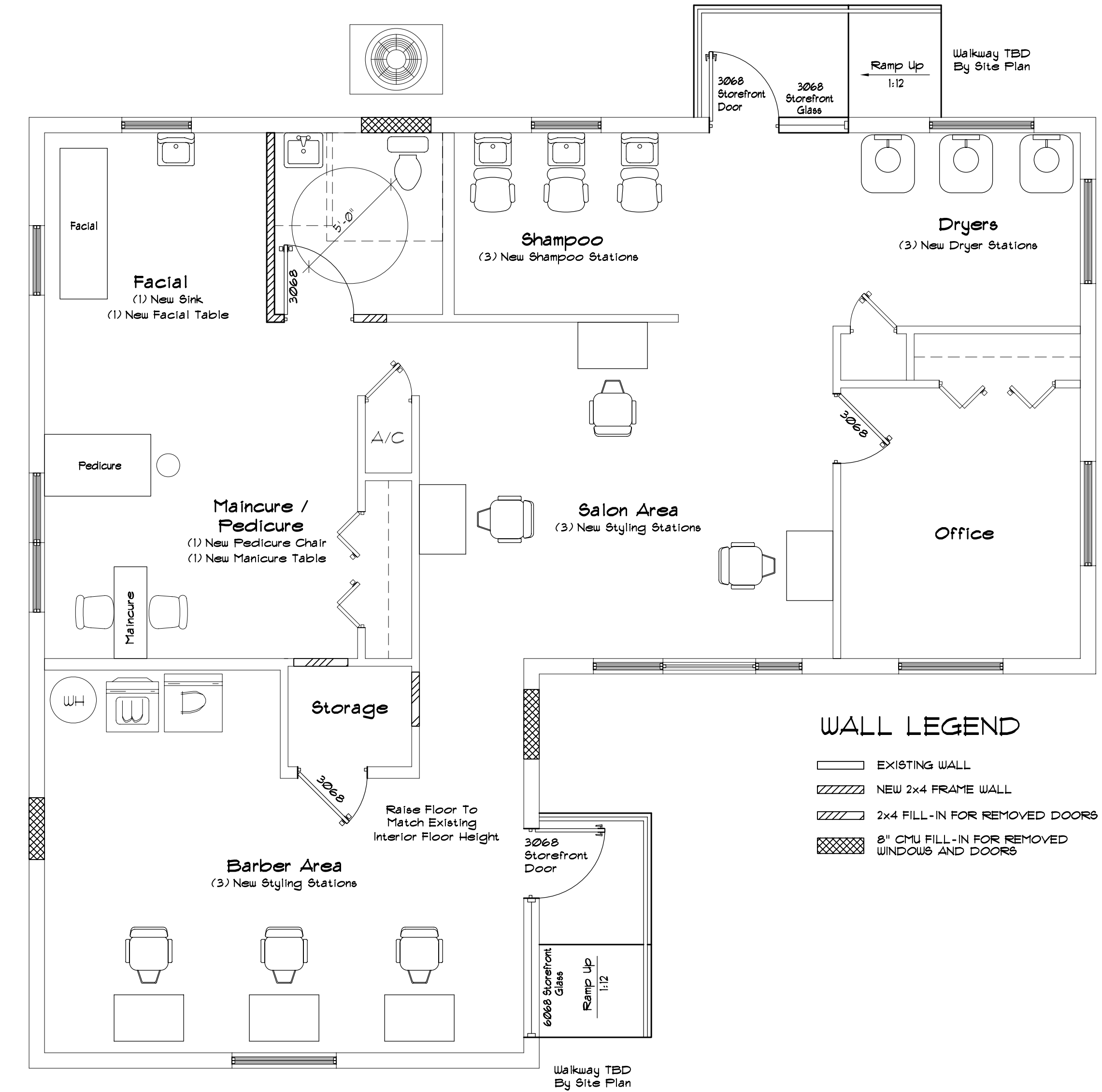


www.koolerice.com
1-800-858-3025
1-478-956-1423
510 Dunbar Road
Byron, GA 31008





A
A1 EXISTING/DEMO PLAN
SCALE: 1/4" = 1'-0"



- WALL LEGEND**
- EXISTING WALL
 - NEW 2x4 FRAME WALL
 - 2x4 FILL-IN FOR REMOVED DOORS
 - 8" CMU FILL-IN FOR REMOVED WINDOWS AND DOORS

B
A1 PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'-0"

PRELIMINARY SET OF PLANS
NOT FOR CONSTRUCTION

LAKE DRAFTING
AND GRAPHICS INC.
GROVELAND, FLORIDA 34736
PHONE (352)394-182

PLAN REVIEW		DATE
REV	DESCRIPTION	
1	REVISIONS & EXISTING FLOOR PLAN	09/27/2018
2	PRELIMINARY PROPOSED LAYOUT	06/07/2018
3	DESIGN REVIEW CHANGES	06/07/2018
4		
5		
6		
7		
8		

NEW REMODEL FOR
"Side The Road Salon"
492 Chestnut Street
Clermont, FL 34111
LAKE COUNTY

SQUARE FOOTAGE	
INTERIOR SPACE	1,478
TTL UNDER ROOF	1,478
DATE:	6-12-18
DRAWN BY:	dw
SCALE:	AS NOTED
JOB #	2977
SHEET #	
A1	



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the CUP application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, and is not an approved site plan for construction.*
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be scheduled for public hearings the following month. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning & Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS

Page 2

In addition to the attached application, the applicant shall provide the follow information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

City of Clermont Development Services Department 685 W. Montrose St. P.O. Box 120219 Clermont, FL. 34712-0219 (352) 394-4083 Fax: (352) 394-3542
--



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: May 17, 2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Childs Salon / Vending

APPLICANT: Carla Childs Berger

CONTACT PERSON: Carla Childs Berger

Address: 492 Chestnut Street

City: Clermont State: FL Zip: 34711

Phone: 813-763-4356 Fax: _____

E-Mail: nenedom@hotmail.com

OWNER: Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 492 Chestnut Street, Clermont, FL 34711

General Location: Northeast Corner of Fifth & Chestnut Streets

Legal Description (include copy of survey): Lots 16, 18, 20, Block 44, Plat Book 8, Page 17, OR Book 972, Page 99,

Land Use (City verification required): Commercial

Zoning (City verification required): UE, Urban Estate Low Density Residential

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL 34712-0219
(352) 304-4082 Fax: (352) 304-2542

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078921
Phone: (352) 241-7331
Date: 07/19/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	07/31/2018	08/28/2018	\$150.16

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a commercial outdoor Ice Machine in a C-1 Light Commercial Zoning District.

LOCATION

492 Chestnut Street
Alternate Key 1612489

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 28, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

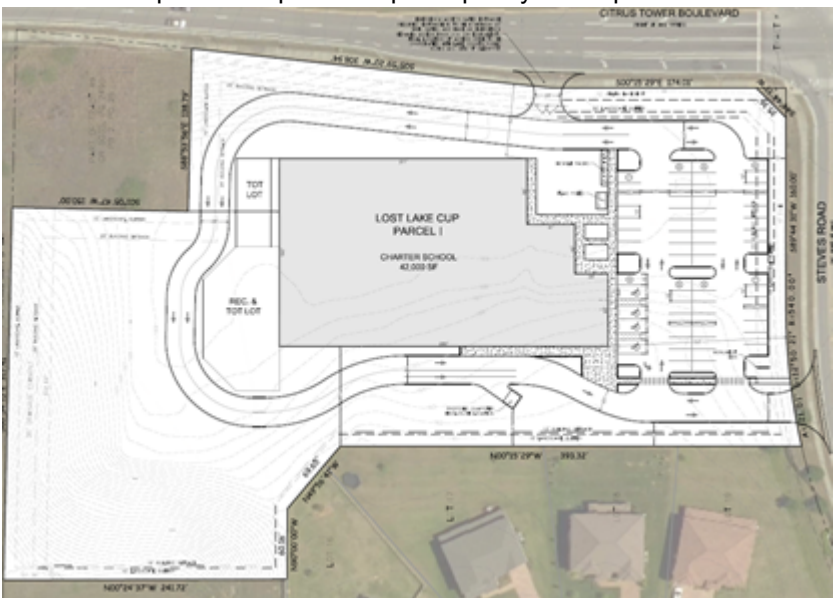
Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078921
July 31, 2018 &
August 28, 2018

Payment Info	
Ad Price	\$150.16
Tax	\$0.00
Sub Total	\$150.16
Prepaid Amount	\$0.00
Balance Due	\$150.16



AGENDA ITEM

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Resolution 2018-27R <i>Citrus Tower Charter School CUP</i>	
Requested Action	
Recommend denial of Resolution No. 2018-27R.	
Staff Report	
The applicant, Summit Construction Management Group, is requesting a Conditional Use Permit (CUP) to construct a K-8 charter school on 5.04 +/- acres located at the northwest corner of Steves Road and Citrus Tower Boulevard. The property is currently vacant and part of the Lost Lake DRI, identified as Parcel "I". Parcel I in the Master Plan Development (Resolution No. 2010-24) can only be used for worship and daycare. In addition to worship uses the parcel can also include daycare and primary educational uses associated with the church; however, daycare and educational uses shall be subject to a conditional use approval by the City. The applicant has applied for a conditional use permit for a standalone charter school without a worship component on Parcel "I".	
The applicant is proposing a single-story building, up to 42,000 square feet. The maximum school capacity will be up to 700 students, grades K-8. Based upon the latest conceptual site plan, the site will have one access point from Steves Road and an emergency only access point from Citrus Tower Boulevard. The school does not provide any transportation and it will be parent drop-off and pick-up only. This portion of Steves Road is a two-lane collector road.	
	
The school's hours of operation will be from 6:00 am till 6:00 pm. Drop-off generally spans from 6:30 am till 8:00 am. For pickup, each parent is given a pick-up window of time for their children based upon grade level and release time. Kindergarten-2nd grade is released and picked-up first, followed by 3rd to 5th grade and finally 6th to 8th grade is released. Each drop-off/pickup window is separated by 30 minutes to minimize traffic on the road. The school will not be operated	

year round and will follow the traditional public school schedule. The school will offer an afterschool program until 6 pm for working parents. The applicant has indicated that the facility will not be leased out on the weekend for other organizations or uses, such as a church. The initial enrollment will be approximately 400 students with the addition of an upper grade level progressing yearly until the 700 student capacity is reached. The site can accommodate up to 116 vehicles in the stacking area with 62 parking spaces. The applicant has indicated a school resource officer will be provided by the operator.

The applicant's traffic consultant, in the submitted traffic impact analysis, identified the addition of a westbound ingress right-turn lane and monitoring the current eastbound left-turn lane on Steves Road. To assist with operational issues at the school driveway, a traffic officer may aid with exiting lefts from the school in the morning, if the need arises. A less desirable option would be to temporarily close off the exiting left turn lane from the school in the morning and direct all exiting traffic westbound on Steves Road. The school resource officer will not direct traffic in the streets. An off-duty sheriff would be hired to perform this function.

The Lake Sumter MPO indicated several areas of concern with the traffic resulting from the proposed charter school. These concerns focused on the traffic condition in the area with the existing schools and citizens' concerns, stacking analysis may be too low onsite, and that the traffic counts should be conducted when school is in session in September 2018 to get an accurate idea of the impacts.

Staff has identified three schools within ½ a mile of the site and two additional schools within 1 mile of the site. The three schools within ½ a mile, East Ridge High School, East Ridge Middle School, and Real Life Christian Academy have a total enrollment up to 4,200 students (East Ridge High School: 2400, East Ridge Middle School: 1100, and Real Life Christian Academy: 700). The two additional schools, Family Christian Center School (600 students) and Lost Lake Elementary School (1000 students) add another 1600 students for a total of 5800 students that are being transported within a mile of the proposed charter school site.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does not meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following areas of concern for the proposed charter school at the requested location: 1) traffic from the charter school will cause the existing transportation network to be severely impacted, and 2) the location of the child drop-off and pickup is approximately fifty feet from the adjacent residential properties, which may pose a compatibility issue with the existing residential use, especially noise and lights during drop-off and pickup. Therefore, staff recommends denial of the request for a Conditional Use Permit for a charter school.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RES 2018-16R Citrus Tower Charter School		RES 2018-16R Citrus Tower Charter School.docx
2. Citrus Tower Charter Maps		Citrus Tower Charter Maps.pdf
3. Directional Photos Citrus Tower Charter School		Directional Photos Citrus Tower Charter School.pdf
4. Site Plan		CUP-01 Rev 6-26-18.pdf
5. School Landscape Plan		L1.0-LANDSCAPE LAN.pdf

6.	Northern Landscape Plan	L1.01-LANDSCAPE PLAN.pdf
7.	LSMPO Comments_Citrus Tower Charter School TIA Methodology_6-4-2018	LSMPO Comments_Citrus Tower Charter School TIA Methodology_6-4-2018.pdf
8.	Change in student number to 700	Change in student number to 700.pdf
9.	CUP Date Request and modification	CUP Date Request and modification.pdf
10.	Application	SCH355 Clermont CUP Application- Summit signature.pdf
11.	Legal Ad Proof	Legal Ad Proof.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A K-8 CHARTER SCHOOL IN THE LOST LAKE DRI PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held August 7, 2018 recommended **approval** of this Conditional Use Permit to allow for a K-8 Charter School, at the following location:

LOCATION:

Northwest corner of Citrus Tower Blvd. and Steves Road
Vacant land (5.04 +/- acres)
Alternate Key 3846870

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit to allow a K-8 charter school in the Planned Unit Development Zoning District, the subject parcel, Parcel I, is part of the Lost Lake DRI Master Plan;

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:

This application for Conditional Use Permit to allow a K-8 charter school in the Planned Unit Development Zoning District, the subject parcel, Parcel I, is part of the Lost Lake DRI Master Plan, be granted subject to the following conditions:

SECTION 1. General Conditions

1. The conditions as set forth in this Conditional Use Permit (CUP) shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the conceptual site plan prepared by Kimley-Horn, revision date of 06/26/18. Formal construction plans, incorporating all conditions stated in this CUP shall be submitted for review and approved



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits. The conceptual site plans submitted with the CUP application are not the approved construction plans.

4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
7. The Conditional Use Permit must be executed and processed through the office of the City Manager within 90 days of its date of grant by the City Council or the permit shall become null and void.
8. A slab survey shall be submitted after the form boards have been installed and before the concrete has been poured. This is to ensure the setbacks and location of the building will conform to the Land Development Regulations.
9. A Traffic Study must be completed and approved by the City of Clermont, Lake-Sumter Metropolitan Planning Organization (MPO), and Lake County, in compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS). If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.
10. The owner shall submit an annual report to the City of Clermont, no later than February 15 of each year, on the monitoring of the intersection of Steves Road at Citrus Tower Boulevard. The results of the monitoring will be to see if the eastbound left turn causes the Level of Service (LOS) of the intersection to deteriorate below acceptable standards. If it is determined additional traffic improvements are warranted, the developer will make adjustments in school operations to reduce eastbound left turns at the intersection to an acceptable LOS during peak hours or assist in the improvements through their proportional share. This annual report shall conclude five years after the school is in operation or upon reaching full enrollment, whichever comes last.
11. The City Police Department may determine that control of traffic movements is required for safety on Steves Road, and upon notification, the school shall be responsible to provide such service, independent of the City Police. Off-duty officers may be utilized.



CITY OF CLERMONT
RESOLUTION NO. 2018-27R

12. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the CUP for further review and additional conditions. The public address (PA) system shall be modified to reduce or eliminate the outside noise levels to those acceptable per code.
13. Trash dumpster collections shall not start before 7:00 A.M or occur after 7 P.M.
14. Sidewalks shall be required along all public road frontages in accordance with City codes.
15. A full-time school resource officer, paid by the operator of the school, shall be provided. The City shall not be responsible for providing an officer or occur any cost related to providing school security at the site.

Section 2 – Land Use

1. The property is approved for use as a charter school facility with a maximum 700 students (K-8). High School grades (9-12) shall not be allowed. The property may also be used for a worship site, as indicated in Resolution No. 2010-24.
2. The building shall not exceed 45,000 square feet and shall conform to the City's Architectural Standards.
3. The landscape buffer along the western property line adjacent to the single-family residential lots shall have an enhanced landscape buffer. The enhanced landscape buffer, at a minimum, shall consist of 30% more plantings and a six-foot high vinyl fencing to match the existing conditions. Other landscape buffers shall also be adhered to as applicable.
4. The building shall be constructed in a manner that closely resembles the architectural style and elevation as presented in Sheet Number A-200, Elevations, prepared by LAI Design Associates, LLC, dated 04/25/2018.
5. Child afterschool extracurricular activities shall not be allowed past 6:30 P.M. without approval by the City Council.
6. The hours of operation shall be Monday through Friday, 6:00 A.M. until 6:30 P.M. No school activities shall occur on the weekend.

CITY OF CLERMONT RESOLUTION NO. 2018-27R

Exhibit – Preliminary Conceptual Site Plan

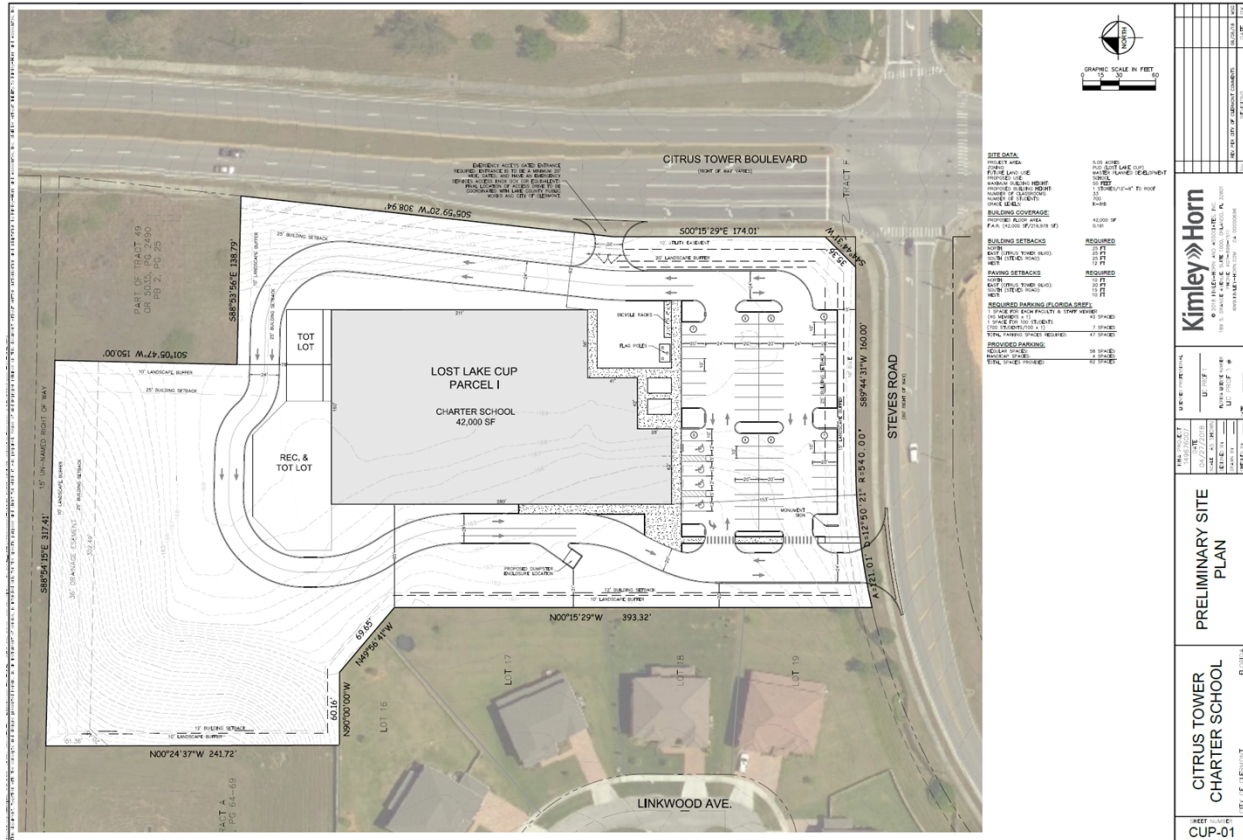


Exhibit – Elevations





CITY OF CLERMONT
RESOLUTION NO. 2018-27R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of August, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Citrus Tower Charter School

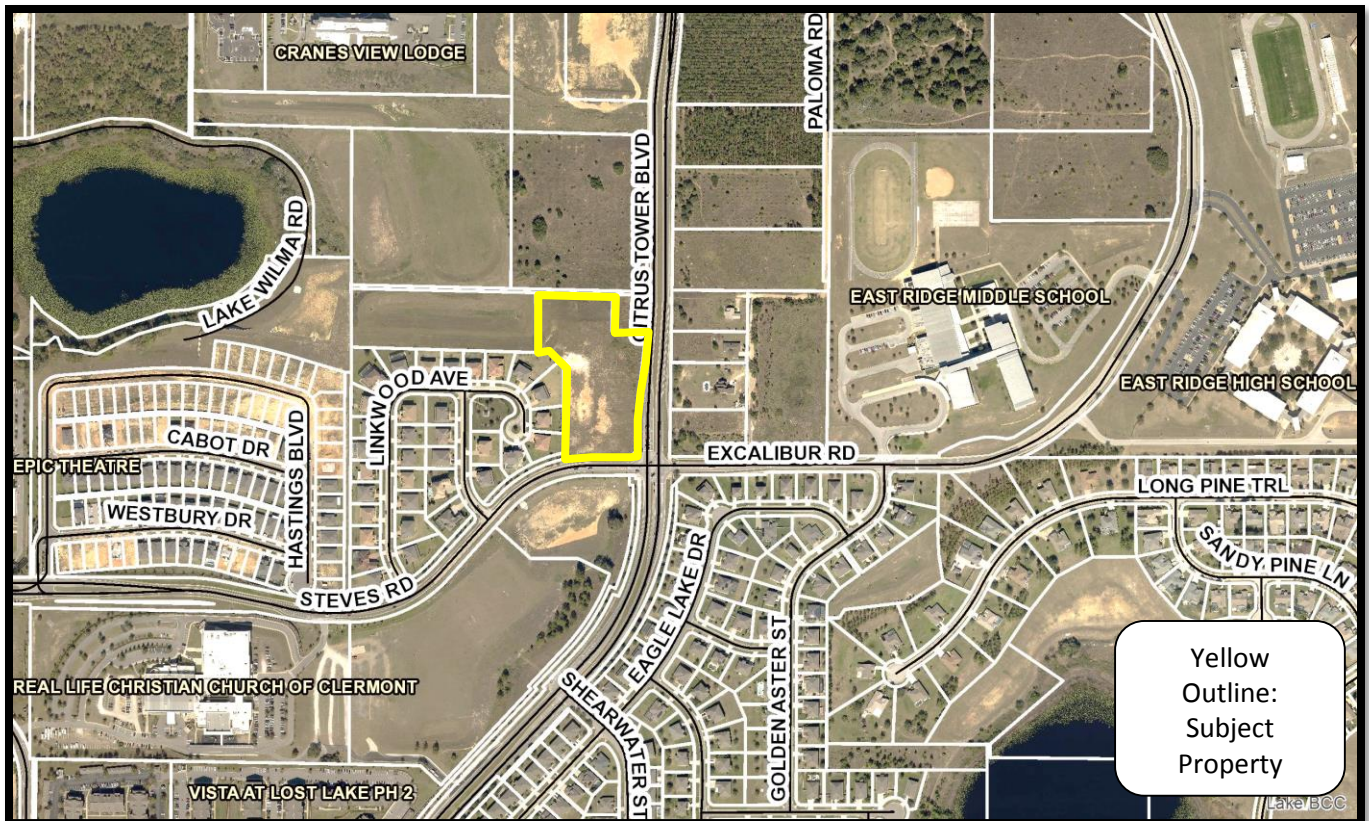
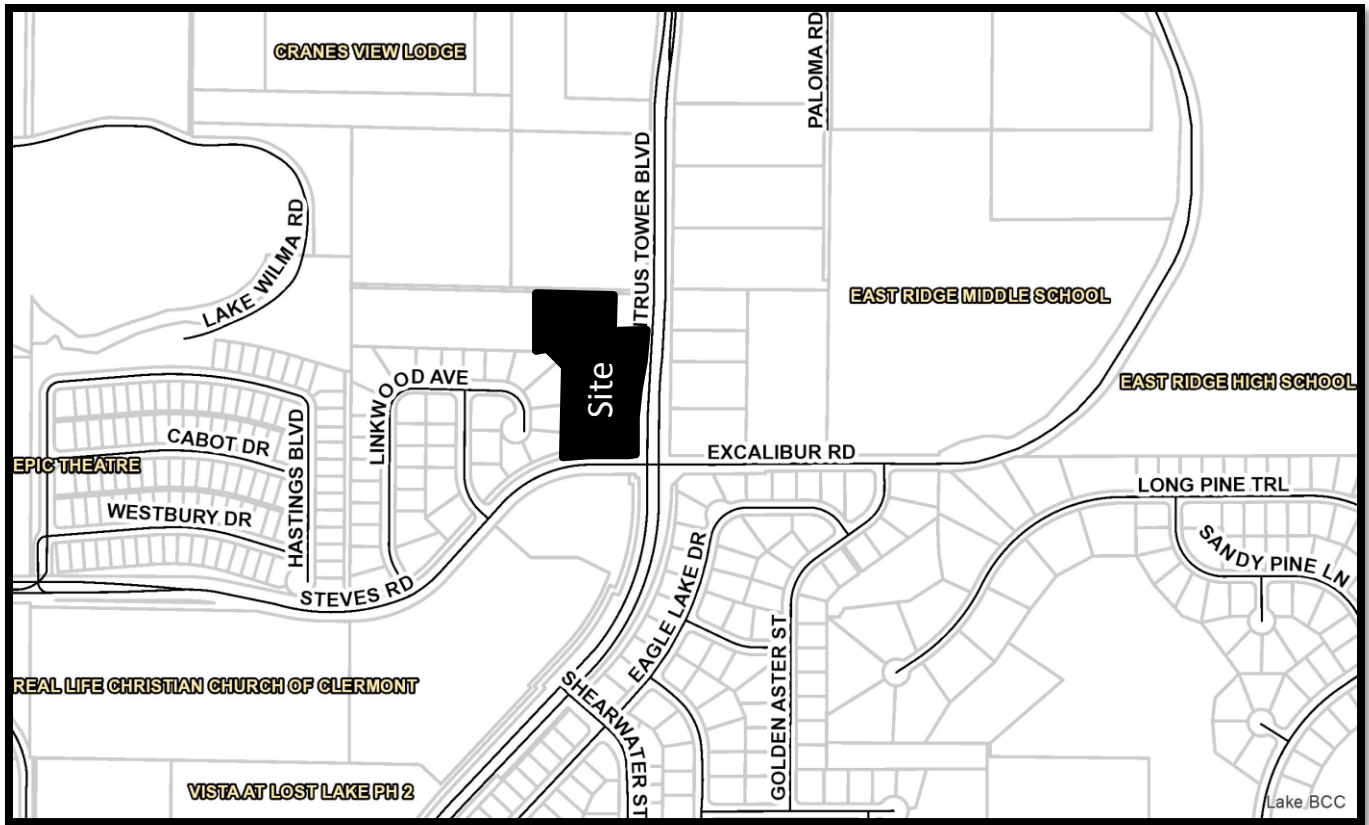


Exhibit – Future Land Use & Zoning Map – Citrus Tower Charter School

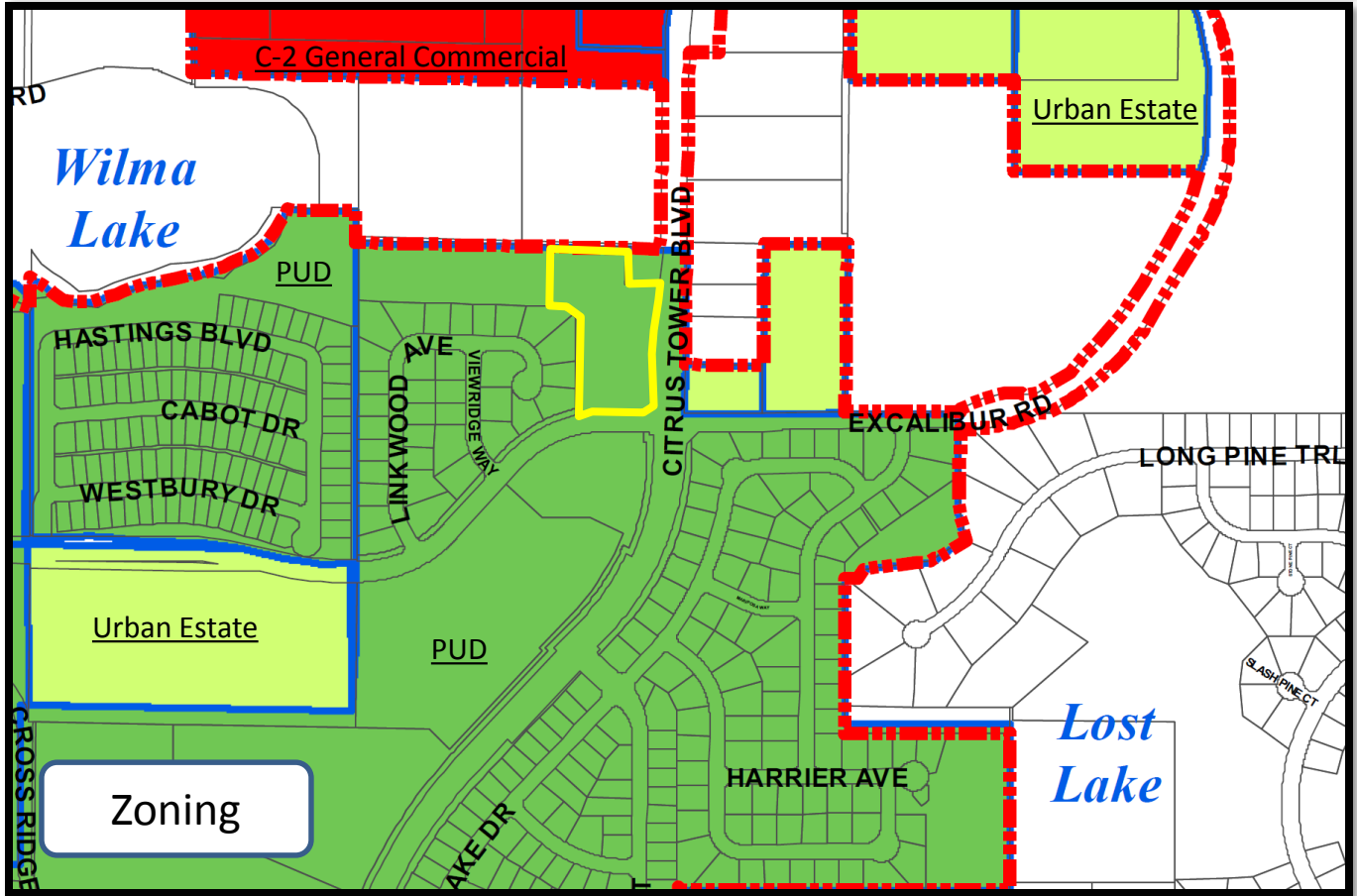
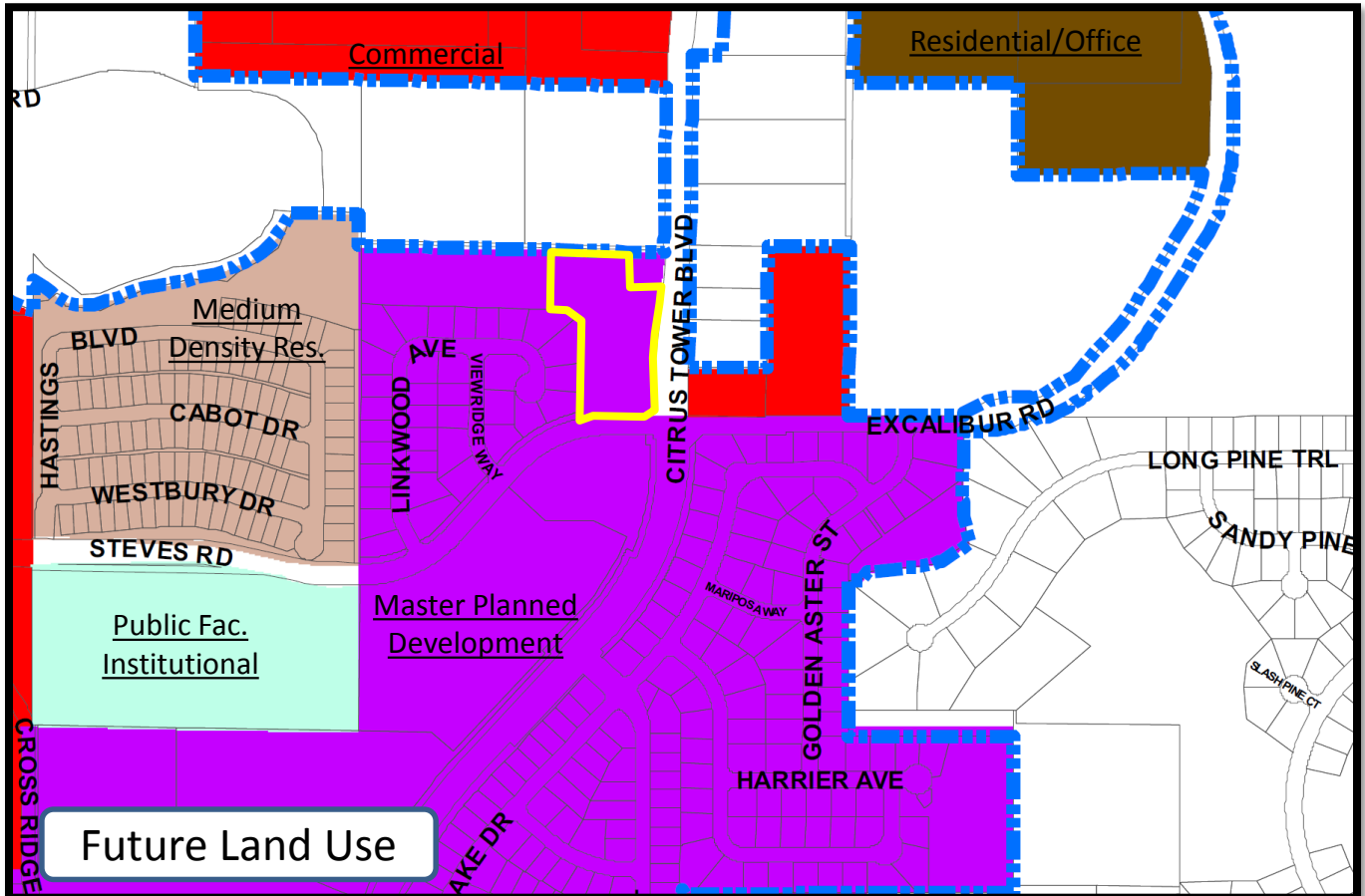
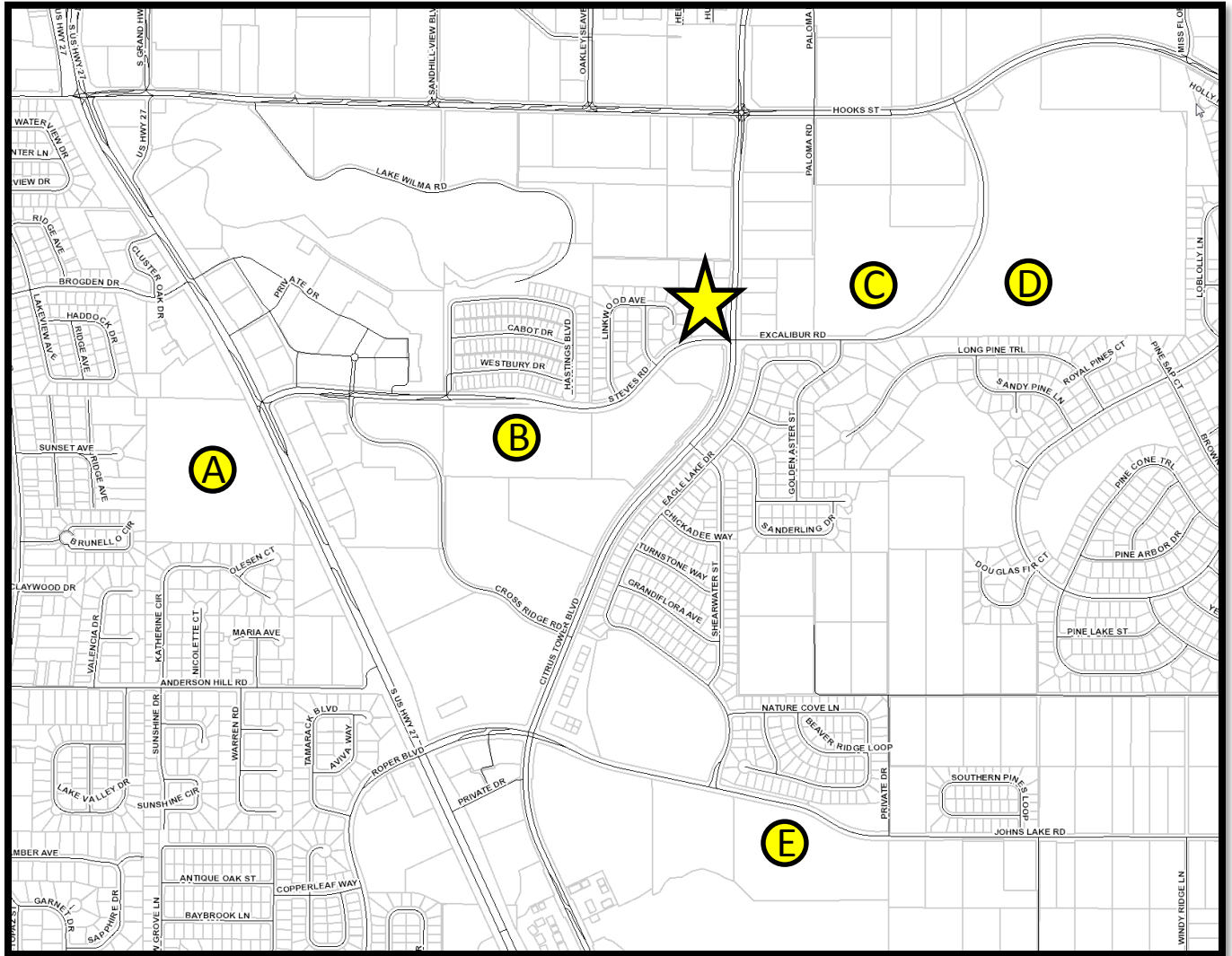


Exhibit – Site & Current School Locations– Citrus Tower Charter School



Proposed Charter School Location

Location	School	Capacity
A	Family Christian Center (K-12)	600
B	Real Life Christian Academy (K-12)	700
C	East Ridge Middle School	1100
D	East Ridge High School	2400
E	Lost Lake Elementary	1000

Citrus Tower Charter School

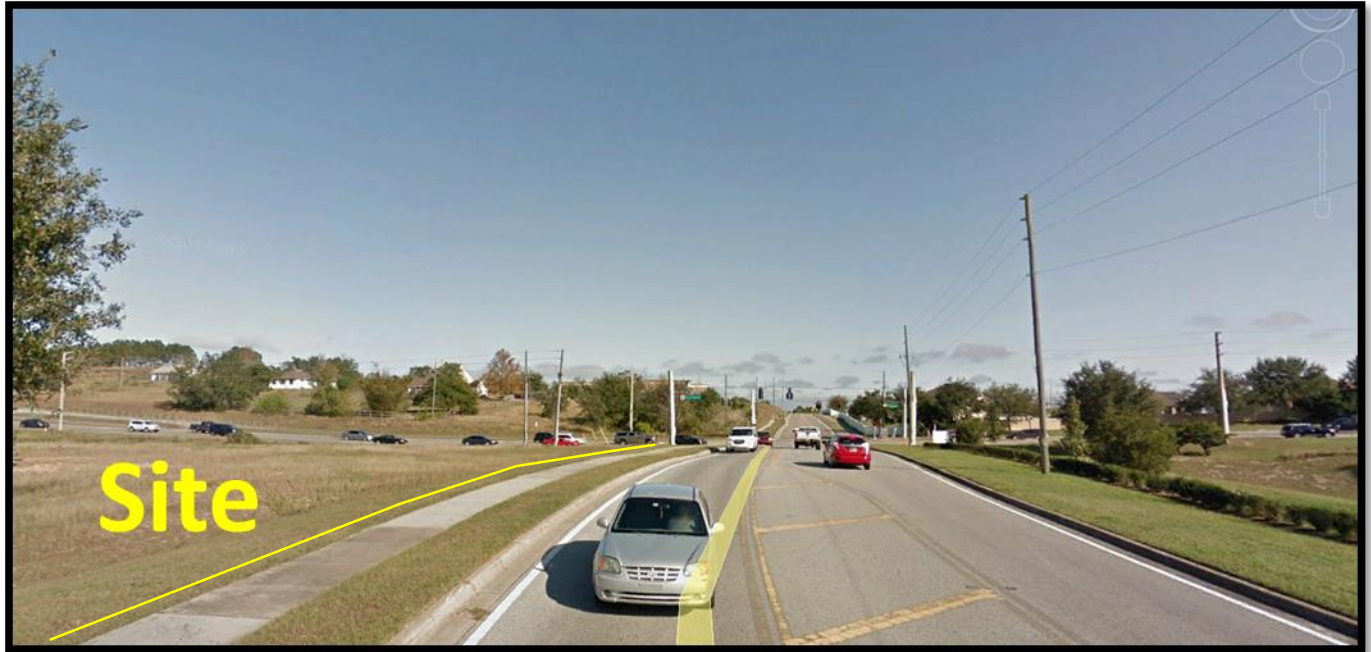


North from Steves Road & Citrus Tower Road

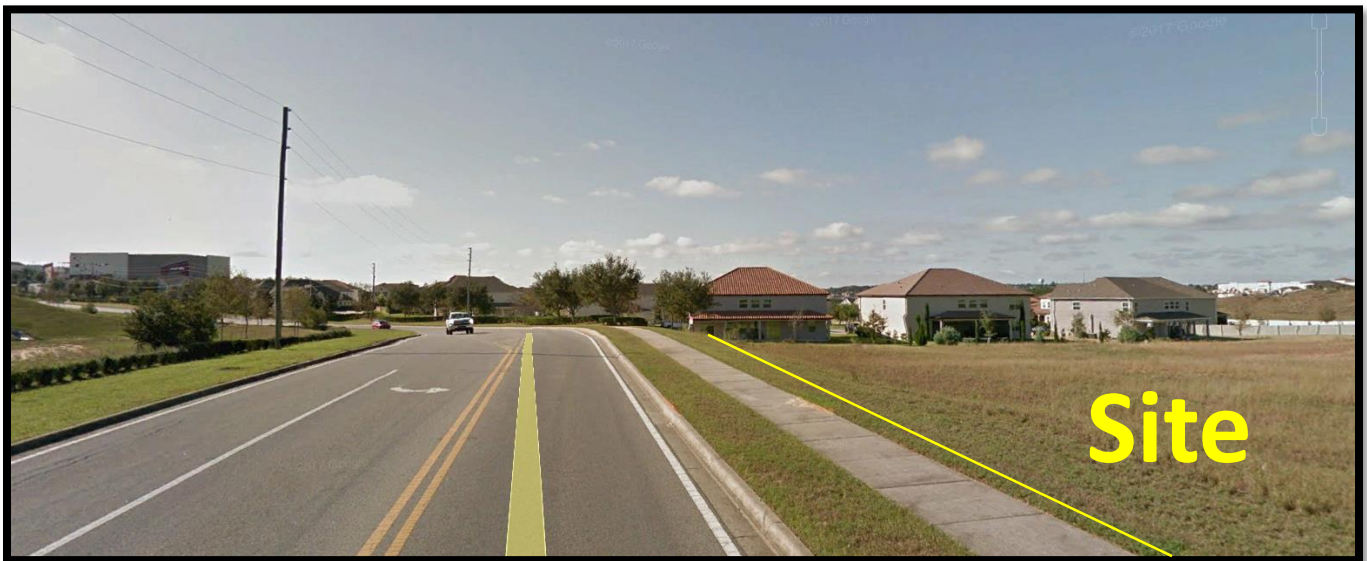


South from Citrus Tower Road & Steves Road

Citrus Tower Charter School

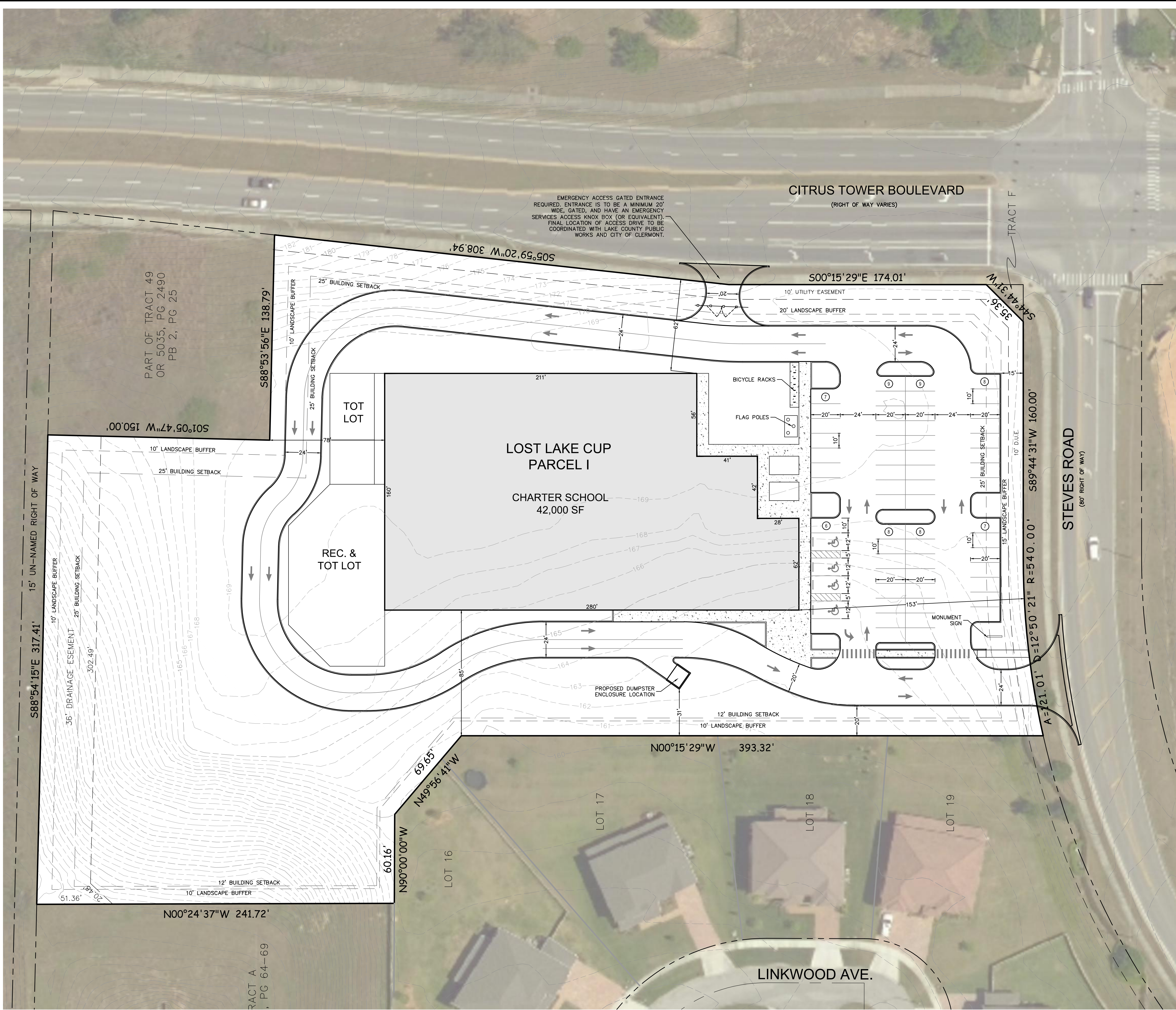


East along Steves Road

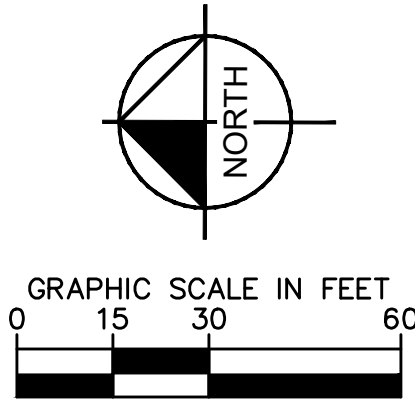


West along Steves Road

Plotted By: Gillespie, Matthew Street Set: C-U-P Layout: CUP-01-SITE June 26, 2018 06:32:18pm K:\ORL-Civil\149676007-Citrus Tower Charter School\CADD\CUP\PlanSheets\CUP-01-SITE.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SITE DATA:		
PROJECT AREA:	5.05 ACRES	
ZONING:	PUD (LOST LAKE CUP)	
FUTURE LAND USE:	MASTER PLANNED DEVELOPMENT	
PROPOSED USE:	SCHOOL	
MAXIMUM BUILDING HEIGHT:	55 FEET	
PROPOSED BUILDING HEIGHT:	1 STORIES/12'-8" TO ROOF	
NUMBER OF CLASSROOMS:	33	
NUMBER OF STUDENTS:	700	
GRADE LEVELS:	K-8th	
BUILDING COVERAGE:		
PROPOSED FLOOR AREA	42,000 SF	
F.A.R. (42,000 SF/219,978 SF)	0.191	
BUILDING SETBACKS		REQUIRED
NORTH:	25 FT	
EAST (CITRUS TOWER BLVD):	25 FT	
SOUTH (STEVES ROAD):	25 FT	
WEST:	12 FT	
PAVING SETBACKS		REQUIRED
NORTH:	10 FT	
EAST (CITRUS TOWER BLVD):	20 FT	
SOUTH (STEVES ROAD):	15 FT	
WEST:	10 FT	
REQUIRED PARKING (FLORIDA SREF):		
1 SPACE FOR EACH FACULTY & STAFF MEMBER (40 MEMBERS x 1)	40 SPACES	
1 SPACE FOR 100 STUDENTS (700 STUDENTS/100 x 1)	7 SPACES	
TOTAL PARKING SPACES REQUIRED:	47 SPACES	
PROVIDED PARKING:		
REGULAR SPACES:	58 SPACES	
HANDICAP SPACES:	4 SPACES	
TOTAL SPACES PROVIDED	62 SPACES	



CITRUS TOWER
CHARTER SCHOOL

CITY OF CLERMONT

FLORIDA

PRELIMINARY SITE
PLAN

KHA PROJECT
149676007

DATE
04/27/2018

SCALE AS SHOWN

DESIGNED BY

DRAWN BY

CHECKED BY

LICENSED PROFESSIONAL

LIC PROF 1

FLORIDA LICENSE NUMBER
LIC PROF 1 #

DATE: ---

Kimley»Horn

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189 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM CA 00000696

SHEET NUMBER
CUP-01

REV PER CITY OF CLERMONT COMMENTS

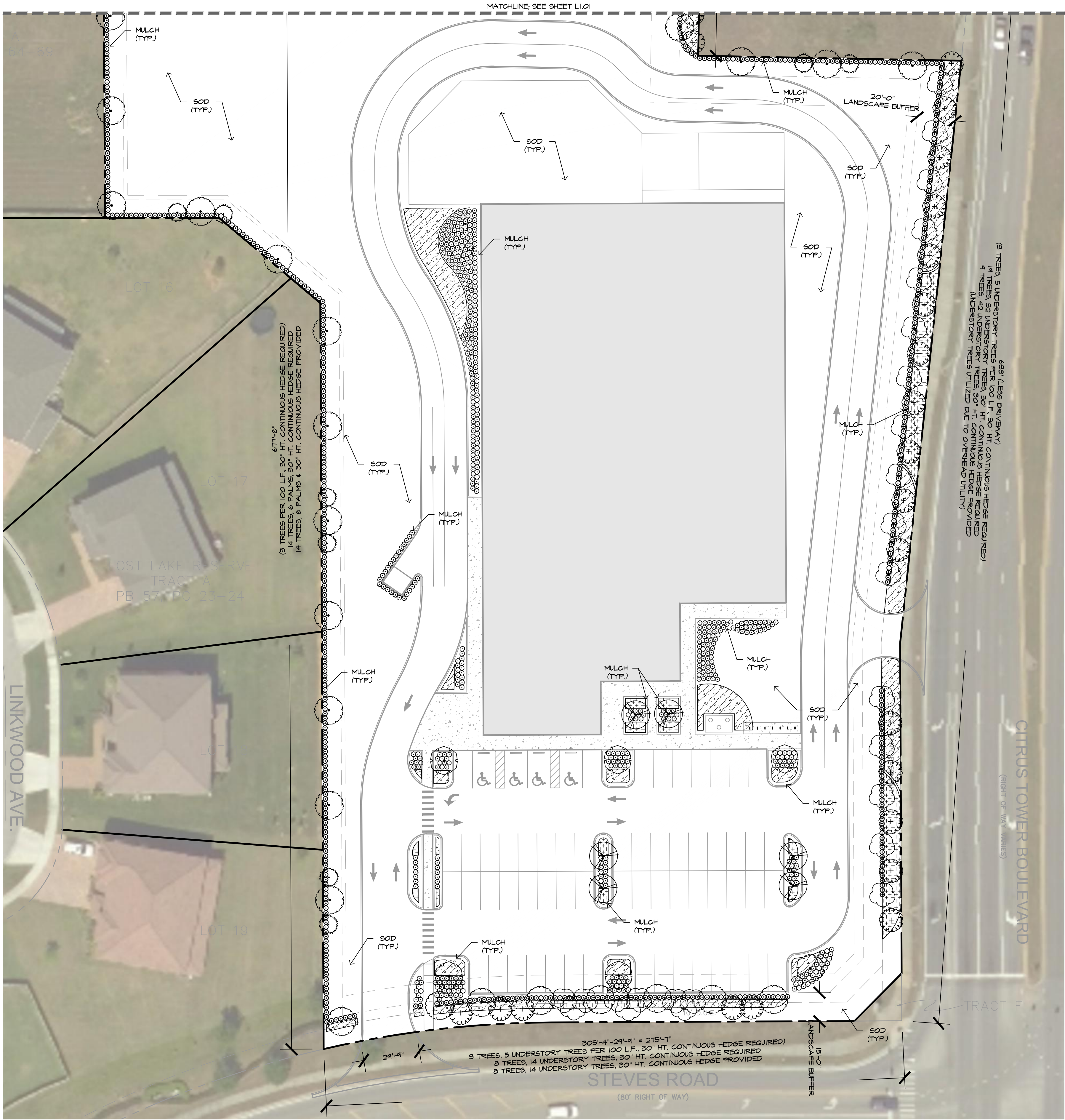
06/26/18

ISS

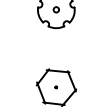
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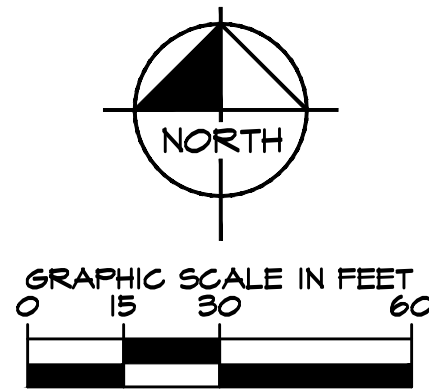
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BY

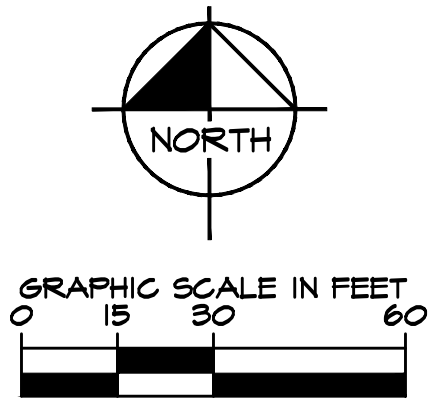
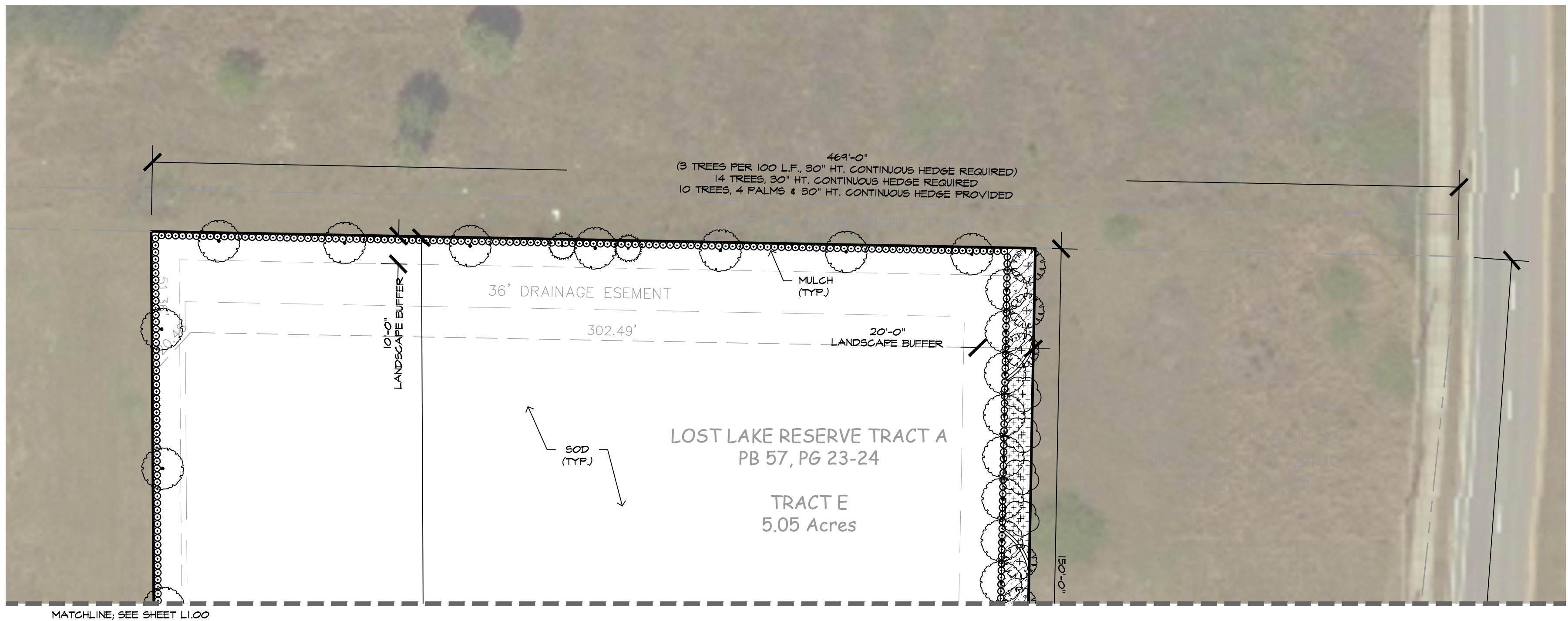


PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CAL.	SIZE
	AF	6	ACER RUBRUM 'FLORIDA FLAME' STRAIGHT, SINGLE LEADER, FULL, FL #1	FLORIDA FLAME RED MAPLE	F6	3" CAL MIN	14' HT., 6' SPR.
	EL	27	ELAEOCARPUS DECIPiens 'LITTLE EMPEROR' STRAIGHT, SINGLE LEADER, FULL TO BASE, FL #1	DWARF JAPANESE BLUEBERRY TREE	F6	2" CAL MIN	8' HT MIN
	LY	24	LAGERSTROEMIA X 'YUMA' MULTI-TRUNK, 4 TRUNK MIN., FULL, FL #1	GRAPE MYRTLE	F6	4" CAL. TOT.	8' HT MIN
	QV	41	QUERCUS VIRGINIANA STRAIGHT, SINGLE LEAVER, FULL, FL #1	SOUTHERN LIVE OAK	F6	3" CAL MIN	14' HT., 6' SPR.
	SP	10	SABAL PALMETTO STRAIGHT, SLICK, HURRICANE CUT, FL #1	SABAL PALM	F6	-	8' CT
	UD	6	ULMUS PARVIFOLIA 'DRAKE' STRAIGHT, SINGLE LEADER, FULL, FL #1	DRAKE ELM	F6	3" CAL MIN	14' HT., 6' SPR.
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SPACING	SIZE
	PM	25	PODOCARPUS MACROPHYLLUS FULL TO BASE, CLOSELY MATCHING	PODOCARPUS	T 6AL	30" OC	30" HT MIN
	RA	67	RHAPHIOLEPIS INDICA 'ALBA' FULL	WHITE INDIAN HAWTHORN	T 6AL	30" OC	24" HT MIN
	SA	149	SCHEFFLERA ARBORICOLA FULL	GREEN SCHEFFLERA	3 6AL	30" OC	24" HT MIN
	TD	242	TRIPSACUM FLORIDANUM FULL	FLORIDA SAMAGRASS	3 6AL	30" OC	24" HT MIN
	VO	772	VIBURNUM ODORATISSIMUM FULL	SWEET VIBURNUM	3 6AL	30" OC	24" HT MIN
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	SPACING
	DB	444	DIANELLA TASMANICA 'BLUEBERRY' VARIEGATED, FULL	BLUEBERRY FLAX LILY	3 6AL	18" FULL	30" OC
	JB	1,431	JUNIPERUS CONFERTA 'BLUE PACIFIC' FULL	BLUE PACIFIC JUNIPER	3 6AL	14" SPRD MIN	24" OC
MISC.	QTY	BOTANICAL/COMMON NAME		SPECIFICATIONS			
MULCH	TBD	FLORIMULCH		SHREDDED, GRADE 'B', 3" DEPTH MINIMUM			
SOD	TBD	PASPALUM NOTATUM 'PENSACOLA' / PENSACOLA BAHIA GRASS		ROLLED TIGHT, 100% WEEED/INSECT/DISEASE FREE			



CITRUS TOWER CHARTER SCHOOL	LANDSCAPE PLAN	KHA PROJECT 149676007	DATE 04/27/2018	SCALE AS SHOWN	DESIGNED BY MTF	DRAWN BY MTF	CHECKED BY MTF	DATE: _____	LIC. PROF. 1	FLORIDA LICENSE NUMBER LIC. PROF. 1 #	LIMLEY»Horn	© 2016 KIMLEY-HORN AND ASSOCIATES, INC. 189 S. ORANGE AVENUE, SUITE 1000, ORLANDO, FL 32801 PHONE: 407-898-1571 WWW.KIMLEY-HORN.COM CA 00000696	No.	REVISIONS	DATE	BY	
SHEET NUMBER L1.0																	



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	GAL	SIZE
	AF	6	ACER RUBRUM 'FLORIDA FLAME' STRAIGHT, SINGLE LEADER, FULL, FL #1	FLORIDA FLAME RED MAPLE	F6	3' GAL MIN	14' HT., 6' SPR.
	EL	27	ELAEAGARUS DECIPiens 'LITTLE EMPEROR' STRAIGHT, SINGLE LEADER, FULL TO BASE, FL #1	DWARF JAPANESE BLUEBERRY TREE	F6	2' GAL MIN	8' HT MIN
	LY	29	LAGERSTROEMIA X 'YUMA' MULTI-TRUNK, 4 TRUNK MIN, FULL, FL #1	GRAPE MYRTLE	F6	4' GAL. TOT.	8' HT MIN
	QV	41	QUERCUS VIRGINIANA STRAIGHT, SINGLE LEADER, FULL, FL #1	SOUTHERN LIVE OAK	F6	3' GAL MIN	14' HT., 6' SPR.
	SP	10	SABAL PALMETTO STRAIGHT, SLICK, HURRICANE CUT, FL #1	SABAL PALM	F6	-	8' GT
	UD	6	ULMUS PARVIFOLIA 'DRAKE' STRAIGHT, SINGLE LEADER, FULL, FL #1	DRAKE ELM	F6	3' GAL MIN	14' HT., 6' SPR.
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
	PM	25	PODOCARPUS MACROPHYLLUS FULL TO BASE, CLOSELY MATCHING	PODOCARPUS	1 GAL	30" OC	30" HT MIN
	RA	67	RIHAPHOLEPS INDICA 'ALBA' FULL	WHITE INDIAN HAWTHORN	1 GAL	30" OC	24" HT MIN
	SA	149	SCHEFFLERA ARBORICOLA FULL	GREEN SCHEFFLERA	3 GAL	30" OC	24" HT MIN
	TD	242	TRIPSACUM FLORIDANUM FULL	FLORIDA SAMAGRASS	3 GAL	30" OC	24" HT MIN
	VO	772	VIBURNUM ODORATISSIMUM FULL	SWEET VIBURNUM	3 GAL	30" OC	24" HT MIN
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE	SPACING
	DB	449	DIANELLA TASMANICA 'BLUEBERRY' VARIEGATED, FULL	BLUEBERRY FLAX LILY	3 GAL	18" FULL	30" OC
	JB	1,431	JUNIPERUS CONFERTA 'BLUE PACIFIC' FULL	BLUE PACIFIC JUNIPER	3 GAL	14" SPRD MIN	24" OC
MISC.	QTY	BOTANICAL/COMMON NAME			SPECIFICATIONS		
MULCH	TBD	FLORIMULCH			SHREDDED, GRADE 'B', 3" DEPTH MINIMUM		
SOD	TBD	PASPALUM NOTATUM 'PENSACOLA'/ PENSACOLA BAHIA GRASS			ROLLED TIGHT, 100% WEED/INSECT/DISEASE FREE		

LANDSCAPE REQUIREMENTS (CLERMONT LAND DEVELOPMENT CODE)		REQUIRED	PROVIDED
VEHICULAR USE AREA SEC. 118-30	10 PERCENT VUA AREA TO BE LANDSCAPED 1 TREE PER PARKING ISLAND	51,995 SF - 10 = 5,199.5 SF 12 TREES	6,666 SF 12 TREES
BUFFER YARDS SEC. 118-37			
EAST: (ABUTTING PROPERTIES) 469' LENGTH, 10' WIDE, CONTINUOUS HEDGE EAST: (ADJACENT TO COLLECTOR ROAD) 633', 20' WIDE, CONTINUOUS HEDGE	3 TREES PER 100 LF 3 TREES, 5 UNDERSTORY PER 100 LF	469' x 100 x 3 = 14 TREES 633' x 100 x 3 = 19 TREES 633' - 100 x 5 = 32 UNDERSTORY TREES	10 TREES, 4 PALMS 9 TREES, 10 UNDERSTORY TREES DUE TO OVERHANG UTILITY
SOUTH: (ADJACENT TO LOCAL ROAD) 275.75', 15' WIDE, CONTINUOUS HEDGE	3 TREES, 5 UNDERSTORY PER 100 LF	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 275.75' x 100 x 3 = 8 TREES 275.75' - 100 x 5 = 14 UNDERSTORY TREES	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 8 TREES 14 UNDERSTORY TREES
WEST: (ABUTTING PROPERTIES) 677.67' LENGTH, 10' WIDE, CONTINUOUS HEDGE	3 TREES PER 100 LF	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 678' x 100 x 3 = 20 TREES	SHRUBS AND GROUNDERCOVER = 50% OF BUFFER 14 TREES, 6 PALMS
FOUNDATION LANDSCAPING SEC. 118-37	60 PERCENT OF FAÇADE, 3' WIDTH	860 LF x 0.6 x 3 = 1,584 SF	1,754 SF

Kimley»»Horn

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PHONE: 407-898-1511
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LICENSED PROFESSIONAL

LIC PROF 1

FLORIDA LICENSE NUMBER
LIC PROF 1 #

FE:

KHA PROJECT
140676007

143070007

DAIE
04/27/2018

SCALE AS SHOW

DESIGNED BY _____

DRAWN BY _____

CHECKED BY _____

LANDSCAPE PLAN

CITRUS TOWER
CHARTER SCHOOLCITY OF CLERMONT
FLORIDA

SHEET NUMBER
L1.01



June 4, 2018

Mr. John E. Kruse, AICP
Senior Planner
Development Services Dept.
685 W. Montrose St.
Clermont, FL 34711

**RE: Citrus Tower Charter School, Traffic Impact Analysis (TIA)
Methodology**

Mr. Kruse,

The Lake~Sumter MPO has reviewed the document submitted for Citrus Tower Charter School, Traffic Impact Analysis (TIA) Methodology dated May 29, 2018. The Lake~Sumter MPO offers the following Observations and Comments:

Observations Regarding the Project:

1. The site is located on the northwest quadrant of the intersection of Steves Road and Citrus Tower Blvd., approximately 0.75 miles east of US 27, in the City of Clermont, in central south Lake County, Florida.
2. The project is a 700 student charter school.
3. Access to the property is proposed to be via one (1) access point on Steves Road on the south side of the property.
4. The proposed buildout date is 2019.
5. The proposed land use, Charter Elementary School (ITE LU 537), will generate approximately 1,295 daily trips, 748 AM Peak Hour Trips, and 98 PM Peak Hour Trips. These calculations were done using the ITE 10th Edition rates. Confirmation of these calculations are forthcoming.
6. No information was provided regarding possible after-school care.
7. Only the AM Peak Hour was proposed for analysis.
8. The project distribution was determined using FSUTMS and the CFRPM (6.0) and then a hand adjustment was done using engineering judgement. The adjustments made are acceptable.
9. The study area radius derived from the proposed roadway segment and intersections for study calculates to be about 1.5 miles from the site.
10. There have been several concerned parents who have contacted the LSMPO regarding the traffic conditions in this area that are related to the existing schools just east of this proposed project.
11. A historical growth rate of 3.34% is proposed based on BEBR Population Studies.
12. A turn lane analysis is proposed. Note that there is only a 250' distance in the westbound direction on Steves Road from the site entrance/exit to Citrus Tower Boulevard.

"Promoting Regional Transportation Partnerships"

www.LakeSumterMPO.com

**225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170**

Comments Regarding the Traffic Impacts Study Methodology:

1. Please note that the study area, roadway segments and intersections included for study are at the discretion of the local jurisdiction and can be expanded at their request.
2. It was not mentioned in the document as to whether or not after school care for students was anticipated. Please indicate if after school student care will be provided.
3. As a follow-up to the comment #2 above, there are two other schools in the immediate area (East Ridge Middle School and East Ridge High School). Whether or not there will be after school student care, a PM Peak Hour analysis should be considered along with the AM Peak Hour analysis.
4. As mentioned in Observation #10 above there is local concern regarding the traffic conditions in this area. This situation will be a consideration during the review process. Therefore it is requested that traffic counts should be conducted when school is in session in September 2018 in order to get an accurate idea of the impacts.
5. The following roadway segments should be added to the list for analysis:
 - US 27 from SR 50 to Hartwood Marsh Road.
 - Grand Hwy. from SR 50 to Hooks Street.
 - Hooks Street from US 27 to Hancock Road.
 - Excalibur Road from Citrus Tower Boulevard.
6. The following intersections should be added to the list for analysis:
 - Citrus Tower Boulevard at US 27.
 - Citrus Tower Boulevard at Hooks Street.
 - Hooks Street at Grand Hwy.
 - Hooks Street at Excalibur Road.
 - Hooks Street at Hancock Road.
7. The 2018 Lake County annual traffic counts will be available in early July 2018. Please use these most recent counts in the analysis.
8. The trip generation calculations, including the pass-by trip percentage, are acceptable. Please provide an in depth Table that shows the land use code, land use units, trip generation rates, AM and PM trip generation total trips as well as the in and out trips.
9. Please provide a comparison of the traffic count growth rates to the 3.34% derived from the BEBR Population Studies.
10. The 'Stacking Analysis' is assuming that 25% of vehicles will arrive onsite and occupy available storage before drop-off. This will be closely looked at since there are currently queuing problems with the adjacent schools. The 25% may be too low since the drop off time is typically shorter than the peak hour.
11. Please note the recommended multimodal accommodations below, particularly #2 and #3.

Recommended Multimodal Accommodations:

1. Please consider a safe, secure and convenient system for pedestrians and bicyclists which provide direct non-motorized access, linkages, and through-cuts between common origins and destinations.
2. Maintain the provision of continuous pedestrian facilities along all major streets and upgrade if needed. These pedestrian facilities should be direct and interconnect with all other modes of transportation within the project and onto adjacent properties.
3. Require the developer to provide ramps and curb cuts throughout the pedestrian system for physically challenged persons.

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225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170

Should you have any questions please contact me by email at or by phone at (352)315-0170 ext. 3.

Thank You,

Brian R. Hutt

Brian R. Hutt
Lake~Sumter MPO
TMS Project Manager

"Promoting Regional Transportation Partnerships"

www.LakeSumterMPO.com

225 W. Guava St. Suite 211, Lady Lake, Florida 32159
Phone (352) 315-0170

John E. Kruse

From: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Sent: Tuesday, June 26, 2018 8:55 AM
To: John E. Kruse
Cc: Todd Lucas; Taylor, James
Subject: RE: Citrus Tower Charter School - CUP Official Request

John,

Also to clarify, the school capacity will be for 700 children and not 600 children as originally proposed.

I will be revising the concept plan to show 42,000 SF for the building, the emergency gated access entrance off Citrus Tower, and the school children number revised to 700.

You should have a PDF of the revised concept plan this afternoon.

Thanks,

Matthew Gillespie, P.E. | (FL, AL)

Kimley-Horn | 189 S. Orange Ave, Ste 1000, Orlando, FL 32801

Direct: 407-409-7007 | Mobile: 256-541-6482 | Main: 407-898-1511

Connect with us: [Twitter](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [Kimley-Horn.com](#)

Celebrating 11 years as one of FORTUNE's 100 Best Companies to Work For

From: John E. Kruse [mailto:jekruse@clermontfl.org]
Sent: Tuesday, June 26, 2018 8:45 AM
To: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Cc: Todd Lucas <todd.lucas@summitcmgroup.com>; Taylor, James <James.Taylor@kimley-horn.com>
Subject: RE: Citrus Tower Charter School - CUP Official Request

Thank you Matthew. I will make the notes in the file.

John

From: Gillespie, Matthew <Matthew.Gillespie@kimley-horn.com>
Sent: Tuesday, June 26, 2018 8:43 AM
To: John E. Kruse <jekruse@clermontfl.org>
Cc: Todd Lucas <todd.lucas@summitcmgroup.com>; Taylor, James <James.Taylor@kimley-horn.com>
Subject: Citrus Tower Charter School - CUP Official Request

John,

Thank you for speaking with me yesterday.

As discussed, this email serves as the official CUP request to place the proposed Citrus Tower Charter School project on the August 7th Planning & Zoning Board Meeting with the City Council Meeting on August 28th.

The Traffic Impact Study will lag behind a little due to coordination's with Lake County MPO, but it will be submitted to the City no later than July 16th.

The charter school square footage to be officially requested for approval is 42,000 SF. This will allow us some additional room beyond the preliminary footprint (40,000 sf) in case we need it during the construction plans development phase.

Should you have any questions or require anything further, please contact me.

Thanks,

Matthew Gillespie, P.E. | (FL, AL)

Kimley-Horn | 189 S. Orange Ave, Ste 1000, Orlando, FL 32801

Direct: 407-409-7007 | Mobile: 256-541-6482 | Main: 407-898-1511

Connect with us: [Twitter](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [Kimley-Horn.com](#)

Celebrating 11 years as one of FORTUNE's 100 Best Companies to Work For

Website: <https://www.clermontfl.gov/>

PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

John E. Kruse

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Sent: Tuesday, June 26, 2018 8:43 AM
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Cc: Todd Lucas; Taylor, James
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Matthew Gillespie, P.E. | (FL, AL)

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**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 04-25-2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Renaissance Charter School at Lake County

APPLICANT: Summit Construction Management Group

CONTACT PERSON: Todd Lucas

Address: 421 S. Summerlin Ave.

City: Orlando State: Florida Zip: 32801

Phone: 407-697-9616 Fax: 267-331-4889

E-Mail: todd.lucas@summitcmgroup.com

OWNER: Lost Lake Reserve LC

Address: P.O. Box 3737

City: Lake Wales State: Florida Zip: 33589-3737

Phone: _____ Fax: _____

Address of Subject Property: Citrus Tower Blvd. Clermont, FL. 34711

General Location: Northwest corner of intersection Citrus Tower blvd and Steve's road

Legal Description (include copy of survey): See attached documents

Land Use (City verification required): _____

Zoning (City verification required): _____



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

Page 2

In addition to the attached application, the applicant shall provide the follow information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

City of Clermont Development Services Department 685 W. Montrose St. P.O. Box 120219 Clermont, FL. 34712-0219 (352) 394-4083 Fax: (352) 394-3542
--



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the CUP application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, and is not an approved site plan for construction.*
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be scheduled for public hearings the following month. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning & Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

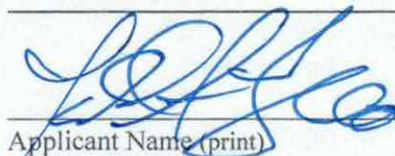
** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

Construction of a single story K-8 Public Charter School of approximately 40,000 s.f. The existing PUD zoning at this location allows for private church school and we are requesting a zoning modification to allow a public charter school, as this location is already approved for an educational use, we feel that the change to public charter school is compatible with the current zoning


Applicant Name (print)

X TODD LUCAS
Applicant Name (signature)

Owner Name (print)

X _____
Owner Name (signature)

* * * * * **NOTICE** * * * * *

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078798
Phone: (352) 241-7331
Date: 07/17/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	07/31/2018	08/21/2018	\$167.68

LEGAL NOTICE

Ad No: 10078798
July 31, 2018 &
August 21, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow up to a 45,000 square foot charter school on Parcel I of the Lost Lake Reserve PUD, Resolution 2010-24.

LOCATION

Northwest corner of Citrus Tower
Blvd. and Steves Road
Vacant land (5.04 +/- acres)
Alternate Key 3846870

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, August 28, 2018 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, August 7, 2018	
Agenda Item Name	
Ordinance No. 2018-26 <i>Bell Ceramics Rezoning</i>	
Requested Action	
Recommend approval of Ordinance 2018-26.	
Staff Report	
This request is an administrative request for the former Bell Ceramics Site that is approximately 6.96 +/- acres in size. The property is located between Second Street and East Ave, north of Palm Street. 	
This property is owned by the City of Clermont and was acquired in November 2003. The property is zoned R-2 Medium Density Residential and was acquired with the current zoning in place. The Clermont City Council recently approved to move forward on designing and constructing a public boat ramp facility on the property. In order to have the use of the property match the zoning, it was determined that PR Parks and Recreation zoning designation would be the most appropriate. Section 122-280 of the Land Development Code indicates the purpose of a parks and recreation district is to designate and ensure that publicly owned areas of the city are preserved for park, open space, and recreational purposes for the benefit of the residents and the overall environment. The permitted uses include publicly owned recreational facilities that may include both active and passive facilities. The proposed public boat ramp facility would be a permitted use in this zoning designation. Therefore, staff recommends approval of the rezoning request from R-2 Medium Density Residential to PR Parks and Recreation zoning district.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2018-26 Bell Ceramic Ord	2018-26 Bell Ceramic Ord.doc
2.	Bell Ceramics Maps	Bell Ceramics Maps.pdf
3.	Bell Ceramics Legal Ad	Bell Ceramics Legal Ad.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-26

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

A parcel of land bounded and described as follows:

Bounded on the West by the centerline of Second St as shown in Sunset heights according to the Plat thereof as recorded in Plat Book 5 Page 42, Public records of Lake County, Florida and the Northerly extension of said Second St. to the shores of Lake Minneola. Thence run Northeasterly along the shores of Lake Minneola to a point on the northerly extension of the West right of way line of East Ave. on said plat. Thence run Southerly along said extension and West right of way line of East Ave. to a point on the Northeast corner of the S30' of Lot 1 Blk 5 said Sunset Heights. Thence run Westerly to the North right of way line of Palm St. said plat. Thence run Southwesterly along said right of way to the centerline of Second St. said plat.

LOCATION

Northeast corner of the intersection of Second Street and Palm Street
(Former Bell Ceramics Site)
Alternate Key 3785878 & 3870644

**From: R-2 Medium Density Residential District
To: PR Parks and Recreation District**

SECTION 2.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 3.

Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning

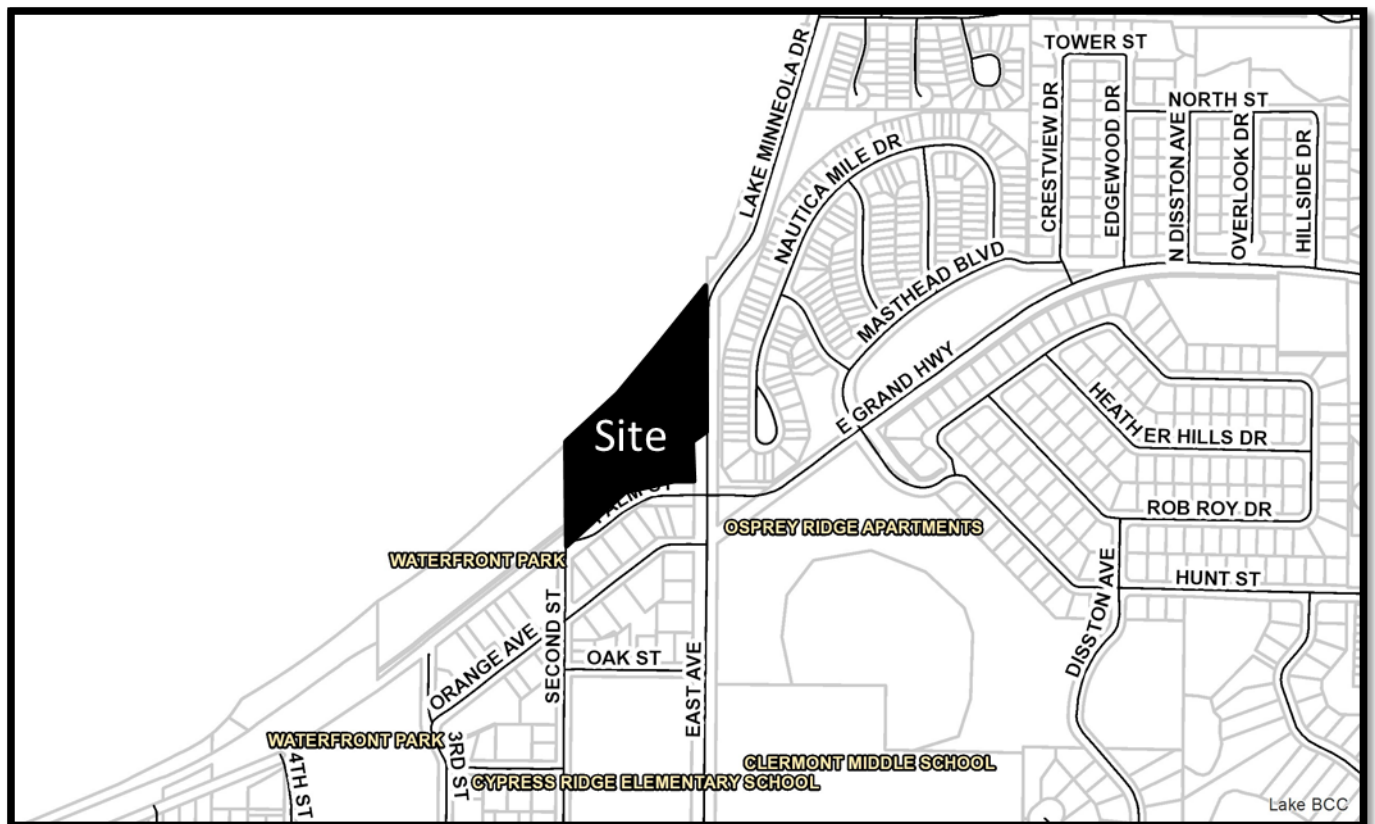
CITY OF CLERMONT
ORDINANCE NO. 2018-26

and effect from the Section to which such holding shall apply.

SECTION 4.

The provisions of this Ordinance shall be effective as provided by law.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-26

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 11th day of September, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map Bell Ceramics Boat Ramp Site

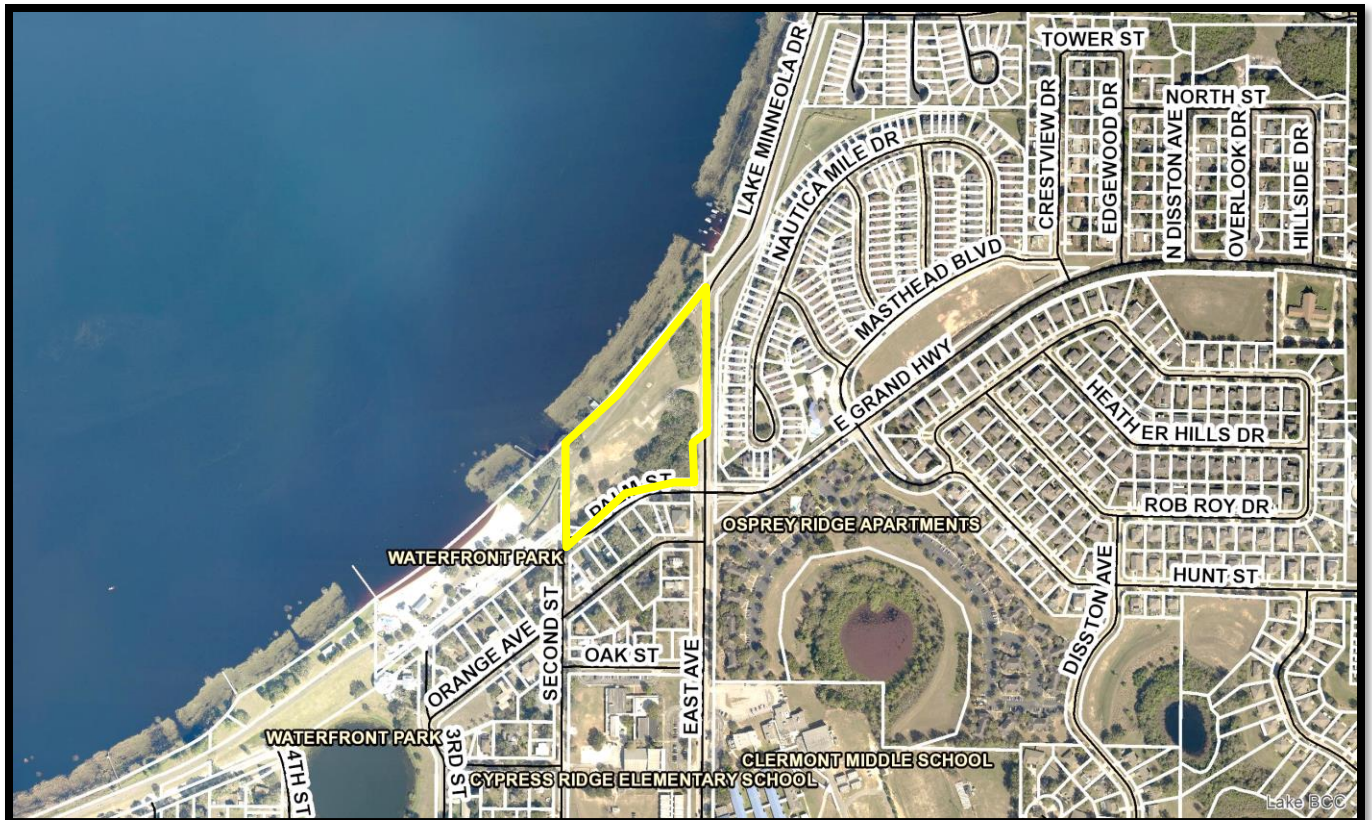
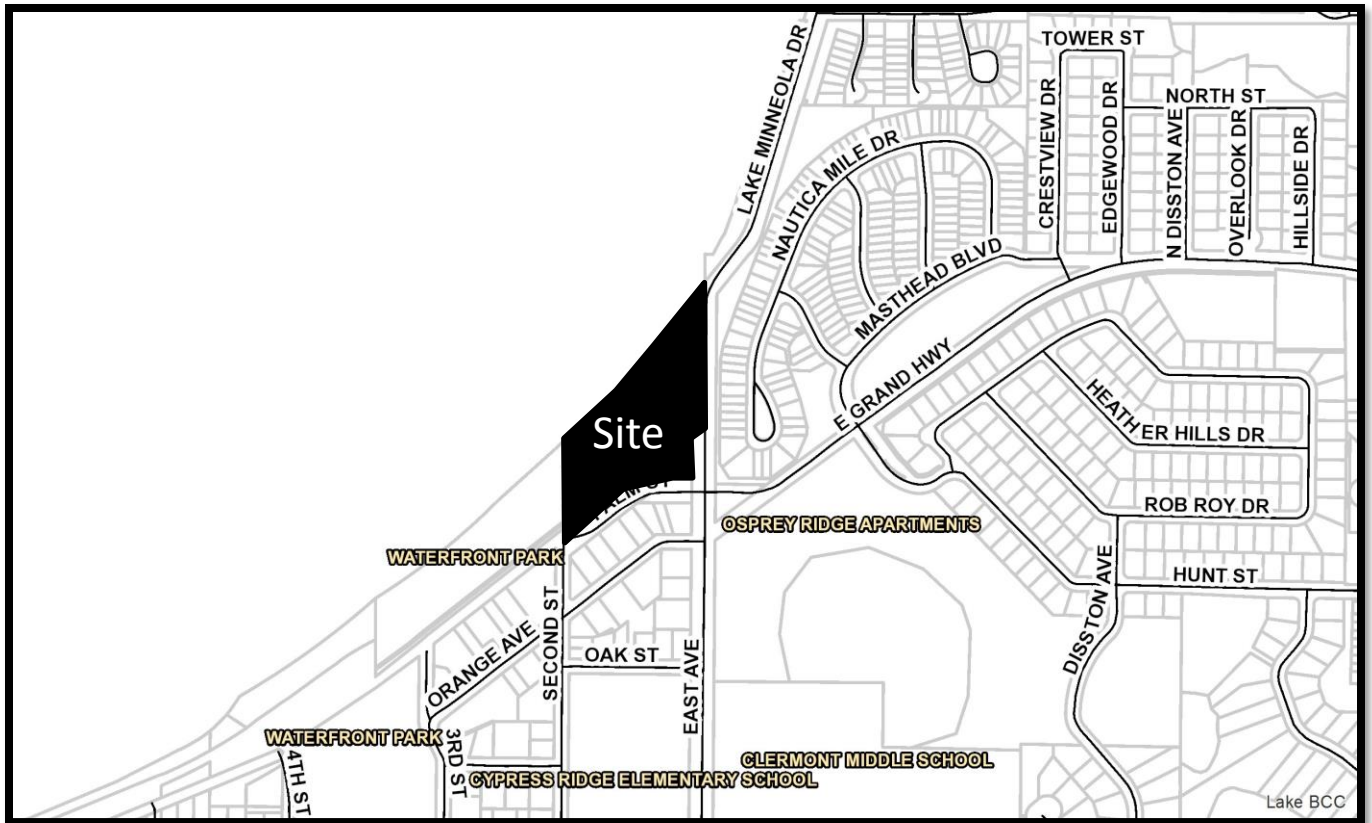


Exhibit - Zoning Map
Bell Ceramics Boat Ramp Site

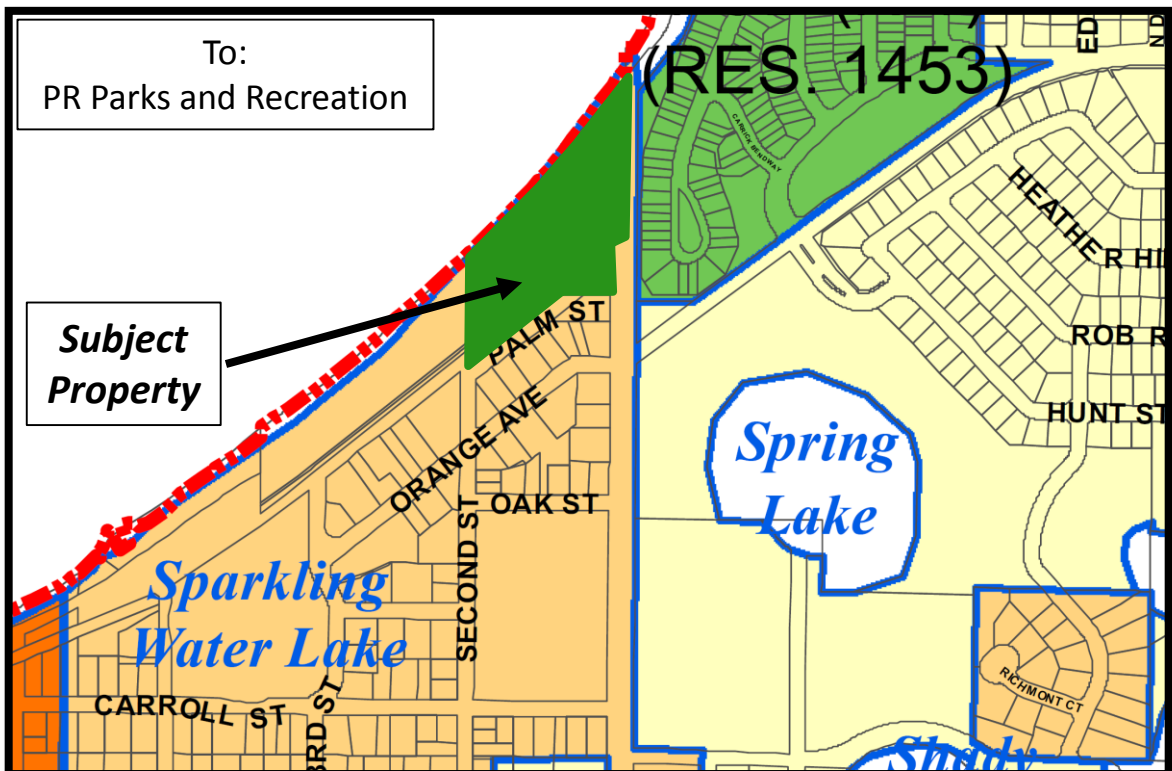
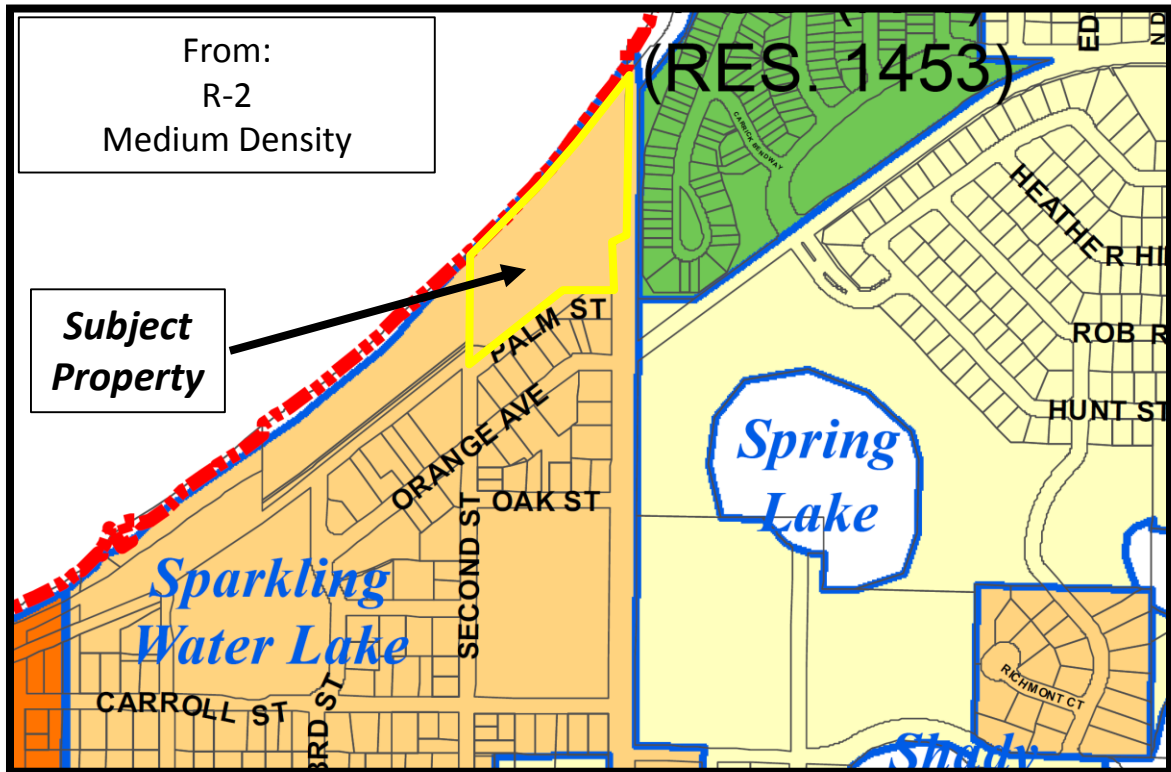
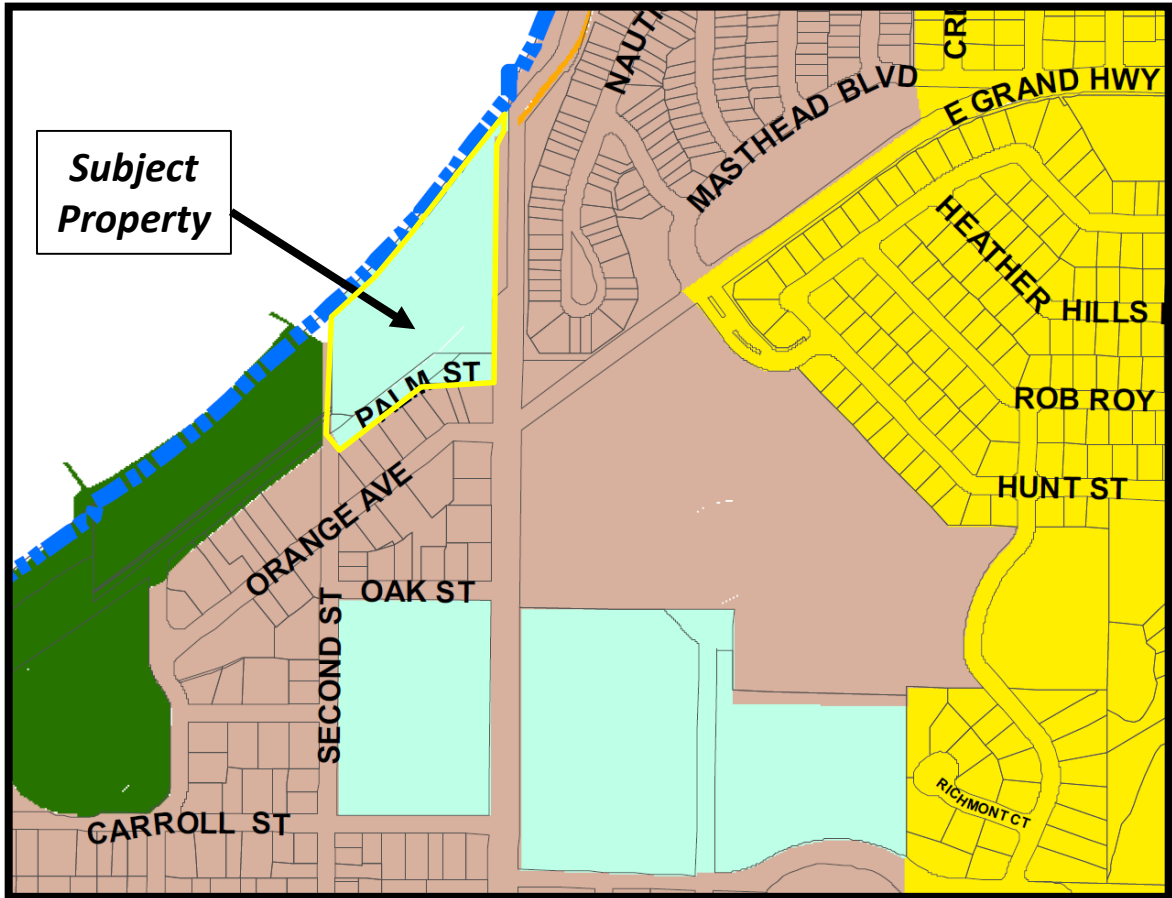


Exhibit – Future Land Use Map Bell Ceramics Boat Ramp Site



Legend

-  City Limits
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Residential/Office
-  Office
-  Downtown MU
-  Commercial
-  Conservation
-  Industrial
-  Master Planned Development
-  Parks
-  Public Fac/Institutional

Advertising Receipt

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10078600
Phone: (352) 241-7331
Date: 07/13/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	07/31/2018	08/28/2018	\$284.48

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the enactment of following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2018-26

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

Northeast corner of the intersection of Second Street and Palm Street (Former Bell Ceramics Site)
Alternate Key 3785878 & 3870644

LEGAL DESCRIPTION

A parcel of land bounded and described as follows:

Bounded on the West by the centerline of Second St as shown in Sunset heights according to the Plat thereof as recorded in Plat Book 5 Page 42, Public records of Lake County, Florida and the Northerly extension of said Second St. to the shores of Lake Minneola. Thence run Northeasterly along the shores of Lake Minneola to a point on the northerly extension of the West right of way line of East Ave. on said plat. Thence run Southerly along said extension and West right of way line of East Ave. to a point on the Northeast corner of the S30' of Lot 1 Blk 5 said Sunset Heights. Thence run Westerly to the North

right of way line of Palm St. said plat. Thence run Southwesterly along said right of way to the centerline of Second St. said plat.

From: R-2 Medium Density Residential District
To: PR Parks and Recreation District

This request will be considered by the Planning & Zoning Commission on Tuesday, August 7, 2018 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, September 11, 2018 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078600
July 31, 2018 &
August 28, 2018

Payment Info	
Ad Price	\$284.48
Tax	\$0.00
Sub Total	\$284.48
Prepaid Amount	\$0.00
Balance Due	\$284.48