



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, September 3, 2019
City Hall – 685 W. Montrose Street, Clermont, FL**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES
REPORTS
NEW BUSINESS**

Item 1 - Ordinance No. 2019-28
Table to November 5, 2019

Vacation Rental License Regulations

Item 2 - Ordinance 2019-06
South Lake Crossings PUD
Table to October 1, 2019

The applicant is requesting a rezoning to a Planned Unit Development (PUD) for a mixed use project on 743 +/- acres located east of the Us Hwy 27 and Schofield Road intersection.

Item 3 - Resolution No. 2019-21R
Walmart Conditional Use Permit

Consider request to amend a Conditional Use Permit to allow for an expansion to the existing Walmart Store located at 1450 Johns Lake Road.

Item 4 - Resolution No. 2019-22R
Conditional Use Permit

Consider Conditional Use Permit to allow a church use in the C-2 General Commercial zoning district for property located at 638 State Road 50.

Item 5 - Ordinance No. 2019-38
Amendment to the Land Development Code, Chapter 122, Section 122-358

Consider ordinance to amend the Land Development Code, Section 122-358, Affordable Housing Density Bonus under Chapter 122 Zoning.

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

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 3, 2019		
Agenda Item Name		
Ordinance No. 2019-28 Table to November 5, 2019		
Requested Action		
A workshop is scheduled in October with the City Council to discuss. Table until November 5, 2019.		
Staff Report		
City staff has been directed to draft an ordinance for short term rentals. A workshop with the City Council has been scheduled in October to discuss in more detail. Additional time is needed to finalize the ordinance.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Vacation Rental Lic Reg 122-360 Legal Ad Vacation Rental Lic Reg 122-360 Legal Ad.docx		

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. 2019-28

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 122 ZONING, ARTICLE V SUPPLEMENTARY DISTRICTS, SECTION 360 VACATION RENTAL LICENSE REGULATIONS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, July 2, 2019 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, July 23, 2019 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.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 17 and July 8, 2019



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 3, 2019		
Agenda Item Name		
Ordinance 2019-06 South Lake Crossings PUD Table to October 1, 2019		
Requested Action		
Table to date certain to October 1, 2019.		
Staff Report		
Staff and the applicant are working on finalizing the PUD ordinance and more time is needed to complete this task.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. SL Crossing Legal Ad	SL Crossing Legal Ad.pdf	

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
Carlie Zinker
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10089822
Phone: (352) 241-7331
Date: 08/09/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	08/19/2019	09/09/2019	\$1,899.24

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. 2019-06

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

1.75 miles south of Hartwood Marsh Road, East of US 27
Approx. 743 +/- Acres

LEGAL DESCRIPTION

Parcel 1:

Parcel A

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E, 2653.20 feet along the north line of said northeast 1/4 to a 2" iron pipe found at the northeast corner of said northeast 1/4 of said section 21, said northeast corner according to certified corner record #48106; thence S88°49'23"E along the north line of the northwest 1/4 of the aforesaid section 22, 670.44 feet to the point of beginning;

thence continue S88°49'23"E along said north line, 1976.14 feet; thence S88°49'23"E along the north line of the northwest 1/4 of the northeast 1/4 of said section 22, 1323.29 feet; thence S00°20'55"W along the west line of the northeast 1/4 of said northeast 1/4 of said section 22, 1314.56 feet; thence S89°00'54"E along the south line of said northeast 1/4 of the northeast 1/4 of said section 22, 1290.91 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence S00°19'09"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast 1/4 of section 22, 1310.25 feet to a point in the north line of the southeast 1/4 of said section 22, distant 33.00 feet on a bearing of N89°12'24"W, from a 5/8" iron rod and cap #PLS4779 found at the east 1/4 corner of said section 22, said east 1/4 corner according to certified corner record #084030; thence S00°27'16"W along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast 1/4 of said section 22, 2681.30 feet to a point in the north line of the northeast 1/4 of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of N89°12'03"W from a 4"x4" concrete monument #RLSL993 found at the northeast corner of said northeast 1/4 of section 27, thence N89°12'03"W along said north line, 2612.60 feet to a 4"x4" concrete monument found at the northeast corner of the northwest 1/4 of said section 27; thence N89°32'30"W along the north line of said northwest 1/4, 2614.54 feet to a 4"x4" concrete monument found in the east right-of-way line of Shell Pond Road, and being distant 33.00

feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest 1/4 of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest 1/4 of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest 1/4 of section 22, said northwest corner according to certified corner record #48107; thence S89°38'30"W along the east-west center section line of the aforesaid section 21, 1287.60 feet; thence, departing said east-west center section line, N00°00'00"E, 456.14 feet; thence N55°49'12"E, 1567.27 feet to an iron rod with cap #LB68 set at the northwest corner of the southwest 1/4 of the northwest 1/4 of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest 1/4 of the northwest 1/4, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom: those parcels described in Official Records Book #49, page 2162; Parcel 122 (fee simple); the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple): the northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 124 (fee simple): the northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the

westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567;

Parcel 129 (fee simple): the westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast 1/4 of the southeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 851, page 145E;

Parcel 130 (fee simple): the northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast 1/4 of the northeast 1/4 of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

and:

Parcel b

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast 1/4 of the aforesaid section 21, said northwest corner according to certified corner record #48105; thence N89°16'46"E along the north line of said northeast 1/4, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, inc. and shown on a "specific purpose survey" prepared by

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24

Daily Commercial

Advertising Receipt

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CITY OF CLERMONT
Carlie Zinker
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Account Number: 7101866
Order Number: 10089822
Phone: (352) 241-7331
Date: 08/09/19
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Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	08/19/2019	09/09/2019	\$1,899.24

Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 1210.47 feet; thence, departing said east-west center of section line, n00°00'00" e, 458.14 feet; thence n88°49'12" e, 1587.27 feet to the northwest corner of the southwest ¼ of the northwest ¼ of the aforesaid section 22; thence s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north

line of said northeast ¼, 2134.70 feet to the point of beginning.

Less and except

North Parcel (Cut Out Parcel)

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e along the north line of said northeast ¼, 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number cs#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line: s09°07'38" w, 226.88 feet; s08°14'05" w, 483.61 feet; s08°51'03" w, 111.11 feet; s08°15'58" w, 235.08 feet; s07°40'42" w, 73.87 feet; s08°15'45" w, 120.18 feet; s08°15'35" w, 293.65 feet; s07°52'00" w, 391.90 feet; s08°15'41" w, 126.07 feet; s09°13'52" w, 181.39 feet; s09°21'18" w, 192.16 feet; s08°48'22" w, 191.95 feet; s10°07'14" w, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of s15°39'01" e; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the

east-west center of section line of aforesaid section 21; thence, departing said east right-of-way line, n89°36'30" e along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17" e along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence, departing said west line run s89°00'54" e along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence n88°49'23" w along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence s89°16'46" w along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Being more particularly described as:

All those portions of sections 21, 22 and 23, township 23 south, range 26 east, Lake County, Florida, described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence n89°16'46" e, 2653.20 feet along the north line of said northeast ¼ to a 2" iron pipe found at the northeast corner of said northeast ¼ of said section 21, said northeast corner according to certified corner record #48106; thence s88°49'23" e along the north line of the northwest

¼ of the aforesaid section 22, 670.44 feet to the point of beginning; thence continue s88°49'23" e along said north line, 1976.14 feet; thence s88°49'23" e along the north line of the northwest ¼ of the northeast ¼ of said section 22, 1323.29 feet; thence s00°20'55" w along the west line of the northeast ¼ of said northeast ¼ of said section 22, 1314.86 feet; thence s89°00'54" e along the south line of said northeast ¼ of the northeast ¼ of said section 22, 1290.81 feet to the west right-of-way line of Five Mile Road (a 66' wide right-of-way as recorded in Official Records Book 357, page 21, of the Public Records of Lake County, Florida); thence s00°19'09" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of said northeast ¼ of section 22, 1310.25 feet to a point in the north line of the southeast ¼ of said section 22, distant 33.00 feet on a bearing of n89°12'24" w, from a 5/8" iron rod and cap #pls4779 found at the east ¼ corner of said section 22, said east ¼ corner according to certified corner record #084030; thence s00°27'16" w along said west right-of-way line, distant 33.00 feet westerly, by perpendicular measure, from the east line of the southeast ¼ of said section 22, 2681.30 feet to a point in the north line of the northeast ¼ of section 27, township 23 south, range 26 east, said point being distant 33.00 feet on a bearing of n89°12'03" w from a 4"x4" concrete monument #ris1993 found at the northeast corner of said northeast ¼ of section 27, thence n89°12'03" w along said north line, 2612.50 feet to a 4"x4" concrete monument found at the northeast corner of the northwest ¼ of said section 27; thence n89°32'30" w along the north line of said northwest ¼, 2614.54 feet to a 4"x4" concrete monument found in

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24

Daily Commercial

Advertising Receipt

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

Account Number: 7101866
Order Number: 10089822
Phone: (352) 241-7331
Date: 08/09/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	08/19/2019	09/09/2019	\$1,899.24

the east right-of-way line of Shell Pond Road, and being distant 33.00 feet on a bearing of S89°32'30"E from a 4"x4" concrete monument found at the northwest corner of said northwest ¼ of section 27; thence N00°23'38"E along said east right-of-way line, distant 33.00 feet easterly, by perpendicular measure, from the west line of the southwest ¼ of the aforesaid section 22, 2696.34 feet; thence N89°12'24"W, 33.00 feet to a 1-1/2" iron pipe found at the northwest corner of said southwest ¼ of said section 22, said northwest corner according to certified corner record #48107; thence N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of the aforesaid section 22, 1327.85 feet to an iron rod with cap #1668 set at the northwest corner of said southwest ¼ of the northwest ¼ of section 22; thence S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the point of beginning.

Less and except therefrom;

Those parcels described in Official Records Book 848, page 2162;

Parcel 122 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 2832.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Parcel 123 (fee simple):

The northerly 50.00 feet of the southerly 80.00 feet of the easterly 35.00 feet of the westerly 118.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state

of Florida.

Parcel 124 (fee simple):

The northerly 20.00 feet of the southerly 50.00 feet of the easterly 30.00 feet of the westerly 83.00 feet of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that parcel described in Official Records Book 845, page 567:

Parcel 129 (fee simple):

The westerly 35.00 feet of the easterly 523.26 feet of the northerly 50.00 feet of the southerly 80.00 feet of the southeast ¼ of the southeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Also less from said section 22, that Parcel described in Official Records Book 861, page 1458:

Parcel 130 (fee simple):

The northerly 50.00 feet of the southerly 900.00 feet of the westerly 35.00 feet of the easterly 93.00 feet of the southeast ¼ of the northeast ¼ of section 22, township 23 south, range 26 east, in the County of Lake, state of Florida.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, all in the Public Records of Lake County, Florida.

Parcel 2:

The land referred to herein below is situated in the County of Lake, state of Florida, and is described as follows:

That part of sections 21 and 22, township 23 south, range 26 east, Lake County, Florida described as follows:

Commence at a 1-1/4" iron pipe found at the northwest corner of the northeast ¼ of the aforesaid section 21, said northwest corner according to certified corner record #48106; thence N89°16'46"E along the north line of said northeast 518.50 feet to the east right-of-way line of Bradshaw Road as maintained by Lake County, said east right-of-way line as filed surveyed by Donald W. McIntosh associates, Inc. and shown on a "specific purpose survey" prepared by Donald W. McIntosh associates, Inc., drawing number C#02-203, survey date 02/27/02, and to the point of beginning; thence, departing said north line of said northeast ¼, run the following fourteen (14) courses and distances along said east right-of-way line; S09°07'38"W, 226.88 feet; S08°14'05"W, 483.61 feet; S08°51'03"W, 111.11 feet; S08°15'58"W, 235.08 feet; S07°40'42"W, 73.97 feet; S08°15'45"W, 120.18 feet; S08°15'35"W, 293.65 feet; S07°52'00"W, 391.90 feet; S08°15'41"W, 126.07 feet; S08°13'52"W, 181.39 feet; S08°21'18"W, 192.16 feet; S08°45'22"W, 191.95 feet; S10°07'14"W, 16.87 feet to the point of curvature of a curve concave easterly having a radius of 36.00 feet and a chord bearing of S15°39'01"E; thence southerly along the arc of said curve through a central angle of 51°32'31" for a distance of 32.38 feet to a non-tangent line being the east-west center of section line of

aforesaid section 21; thence, departing said east right-of-way line, N89°26'30"E along said east-west center of section line 2498.07 feet to the northwest corner of the southwest ¼ of aforesaid section 22; thence, departing said east-west center of section line, N00°23'17"E along the west line of the southwest ¼ of the northwest ¼ of said section 22, 1327.85 feet to the northwest corner of said southwest ¼ of the northwest ¼ of the aforesaid section 22; thence departing said west line run S89°00'54"E along the north line of said southwest ¼ of the northwest ¼, 679.40 feet; thence, departing said north line, N00°00'00"W, 1325.72 feet to the north line of the northwest ¼ of the northwest ¼ of said section 22; thence N88°49'23"W along said north line, 670.44 feet to a 2" iron pipe found at the northeast corner of the northeast ¼ of the aforesaid section 21, said northeast corner according to certified corner record #48106; thence S89°16'46"W along the north line of said northeast ¼, 2134.70 feet to the point of beginning.

Together with the beneficial easements contained in that certain declaration of easement and agreement regarding road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 997, and that certain declaration of easement and agreement regarding Road and utility improvements dated May 25, 2006 and which is recorded on June 2, 2006 in Official Records Book 3175, page 1023, all in the Public Records of Lake County, Florida.

Contains 743.00 acres more or less.

From: Urban Transition UT
To: Planned Unit Development PUD

Payment Info	
Ad Price	\$1,899.24
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24

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This request will be considered by the Planning & Zoning Commission on Tuesday, September 3, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, September 24, 2019 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) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10089822
August 19, 2019 &
September 09, 2019

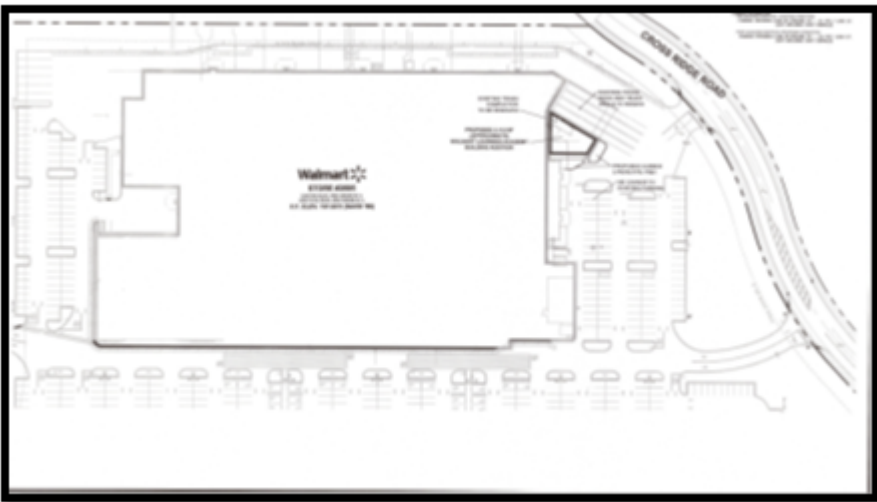
Payment Info	
Ad Price	\$1,899.24
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Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, September 3, 2019	
Agenda Item Name	
Resolution No. 2019-21R <i>Walmart Conditional Use Permit</i>	
Requested Action	
Recommend approval of Resolution No. 2019-21R.	
Staff Report	
The applicant, CPH Inc is requesting an amendment to the Conditional Use Permit (Resolution 1316 and Resolution 2016-12) to allow for an increase to the building square footage. The property is located at 1450 Johns Lake Rd. The zoning is zoned (PUD) Planned Unit Development with permitted uses that includes general retail and grocery sales, liquor store, garden center, professional offices, personal services, restaurants, gas station, and a Tire and Lube Express Center.  The City Council approved on June 14, 2016 a request to amend the Conditional Use Permit (Resolution No. 1316) to allow a 3,905 square foot addition for a liquor store (Resolution 2016-12) and on July 23, 2019, approval was granted to allow a self-service Budget Truck Rental use at this location. Currently, the existing Walmart Store is limited to 222,590 square feet. The applicant is proposing to build a 3,112 square-foot office expansion to the east side of the building. The proposed office space is for employee training and only accessible from inside the main building. Combining the existing allowable square footage of 222,590 and the proposed addition of 3,112 square feet, the new proposed building size will be limited to 230,000 square feet. Staff has reviewed the application as submitted and finds 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 provisions specified. Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2019-21R.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	CUP RES 2019-21R	CUP RES 2019-21R.pdf
2.	Location Map	Location Map.pdf
3.	Site Plans	Site Plans.pdf
4.	W131073 - LSP-6090 - L-1.0 LANDSCAPE PLAN - 2695	W131073 - LSP-6090 - L-1.0 LANDSCAPE PLAN - 2695.pdf
5.	Application	Application.pdf
6.	WALMART CUP Legal AD	WALMART CUP.pdf



CITY OF CLERMONT
RESOLUTION NO. 2019-21R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT (RESOLUTION 1316 AND 2016-12) TO ALLOW FOR AN EXPANSION TO THE EXISTING BUILDING IN A PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held on September 3, 2019, recommended approval of this amendment to the Conditional Use Permit to allow for an expansion to the existing Walmart Building; at the following location:

LOCATION:
Walmart Supercenter
1450 John's Lake Road
(Alternate Key 3836309)

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 an amendment to the Conditional Use Permit is to allow for an increase to the existing Wal-Mart Store, 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. 2019-21R

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 have 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 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.
8. 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.
9. 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 an automotive/truck rental services business be located at the existing Wal-Mart Super-Center that will include general retail sales, a garden center, liquor store, grocery store, pharmacy, personal services, professional offices, restaurants, a gas station, and a Tire and Lube Express. The maximum permitted floor space is 230,000 square foot. The 3,112 square foot building addition shall be consistent with the Conceptual Site Plan dated 7/29/2019 (Exhibit A) as prepared by CPH, Inc.

SECTION 3. Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the Site Review Committee prior to Construction Plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.



CITY OF CLERMONT
RESOLUTION NO. 2019-21R

2. The permittee/developers shall provide ground cover on all out parcel and disturbed areas, where construction is not immediately intended. Ground cover shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with Best Management Practices (BMP) of the United States Department of Agriculture Soil Conservation Service.
3. All excavated material shall be stored in a location approved by the City Engineer.
4. Ingress and egress to the site for construction shall be determined by the City Engineer.

SECTION 4. Transportation Improvements

1. Sidewalks shall be required along all public road frontages, including U.S. Highway 27, in accordance with Florida Department of Transportation and City Codes.
2. Based upon results of the traffic study, the City may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction of that portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.
3. Citrus Tower Boulevard shall be constructed from Hooks Street to Johns Lake Road prior to issuance of the Certificate of Occupancy for the Wal-Mart Supercenter.
4. The right-of-way for the frontage road shall be dedicated prior to Construction Plan approval. The frontage road shall be constructed from Citrus Tower Boulevard to the north property line prior to issuance of a Certificate of Occupancy.
5. A signal warrant analysis for the intersection of U.S. Highway 27 and Johns Lake Road shall be completed and submitted to Florida Department of Transportation prior to Construction Plan approval. The Certificate of Occupancy for the Wal-Mart store will not be issued until the signal is installed and operational.
6. A signal shall be installed and operational at the intersection of Citrus Tower Boulevard and Johns Lake Road prior to the issuance of a Certificate of Occupancy.
7. Dual southbound left-turn lanes from U.S. Highway 27 onto Johns Lake Road shall be constructed prior to issuance of a Certificate of Occupancy. An additional eastbound lane with appropriate turn lanes shall be constructed on Johns Lake Road between U.S. Highway 27 and Citrus Tower Boulevard.
8. A mass transit stop shall be provided on site in accordance with the Lost Lake Reserve Development of Regional Impact and Planned Unit Development.



CITY OF CLERMONT
RESOLUTION NO. 2019-21R

SECTION 5. Utilities and Storm water

1. Restaurants will be required to install grease traps at a size to be determined by the Environmental Services Director.

SECTION 6. Landscaping and Miscellaneous Site Improvements

1. Side slopes of the water retention areas shall be sodded and landscaped with trees. Trees shall be provided in the water retention areas that are appropriate for the soils and hydrology of the area.
2. The project shall be plumbed for reuse water with purple piping. Until such time as reuse water is available, irrigation water shall be provided for by well.
3. Cardboard recycling dumpsters shall be in dumpster enclosures constructed per Code.

SECTION 7. Signage

1. All signs for the project shall be monument signs and their size and height, and so forth, shall be in accordance with the approved Lost Lake Planned Unit Development and the pending sign revision ordinance.
2. Only the lettering of the brand name on the fascia of the gas station canopy may be lit.

SECTION 8. Architectural Design Standards

1. Architectural Plans for all buildings must be approved by the Site Review Committee prior to Construction Plan approval.
2. All structures shall be designed and constructed in accordance with the following design standards and the pending Architectural Design Ordinance unless otherwise approved by the City of Clermont Site Review Committee.

Façades and Exterior Walls:

1. Ground floor façades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Façades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.



CITY OF CLERMONT
RESOLUTION NO. 2019-21R

3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10-foot wide landscape buffer along the rear of the grocery and retail stores. All storage of pallets, cardboard boxes, and so forth, shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral, or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

1. Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:
 - a. canopies or porticos;
 - b. overhangs;
 - c. recesses/projections;
 - d. arcades;
 - e. peaked roof forms;
 - f. arches;
 - g. architectural details such as tile work and moldings which are integrated into the building structure and design;



CITY OF CLERMONT
RESOLUTION NO. 2019-21R

- h. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Signage:

- 1. Neon tubing shall not be used in building signage unless within the framework of an enclosure. The blue background color for the Wal-Mart Supercenter signs shall be reduced to a limited area around the lettering. This area is to be determined by staff during Site Plan Review.
- 2. Signage may include store identification including garden center and contractor pickup, and so forth, but not advertising such as “We Sell for Less” or “Low Prices”, and so forth.

Lighting:

- 1. Light poles shall not be painted in primary colors. Parking lot lights shall be aimed straight down and be enclosed in a shroud so that light will not project out in an upward or horizontal direction.

Outdoor storage:

- 1. All materials stored outside must be within an opaque enclosure.
- 2. All landscape materials stored outside must be within an enclosure. If the enclosure is not opaque, the enclosure shall consist of columns of the same material as the primary structure with ornamental metal fencing as screening.
- 3. All fencing shall be ornamental metal; chain link fencing is prohibited.

Outdoor display:

- 1. Outdoor display will only be allowed by the garden center; this area shall be clearly delineated on the Site Plan. Outdoor display shall be separated into two categories: daily display and seasonal display. Daily display is to be taken into the store at the end of each business day, while seasonal display may remain outside overnight. Outdoor storage of inventories of fertilizer and landscaping materials, or any other inventory, is prohibited. Flowers that are displayed outside must be on movable carts and brought in after business hours. Parking spaces cannot be used for any outdoor display or storage of inventory.

Miscellaneous:

- 1. Cart corrals or returns shall be provided for in the parking lot. No advertising shall be allowed on the cart corrals.

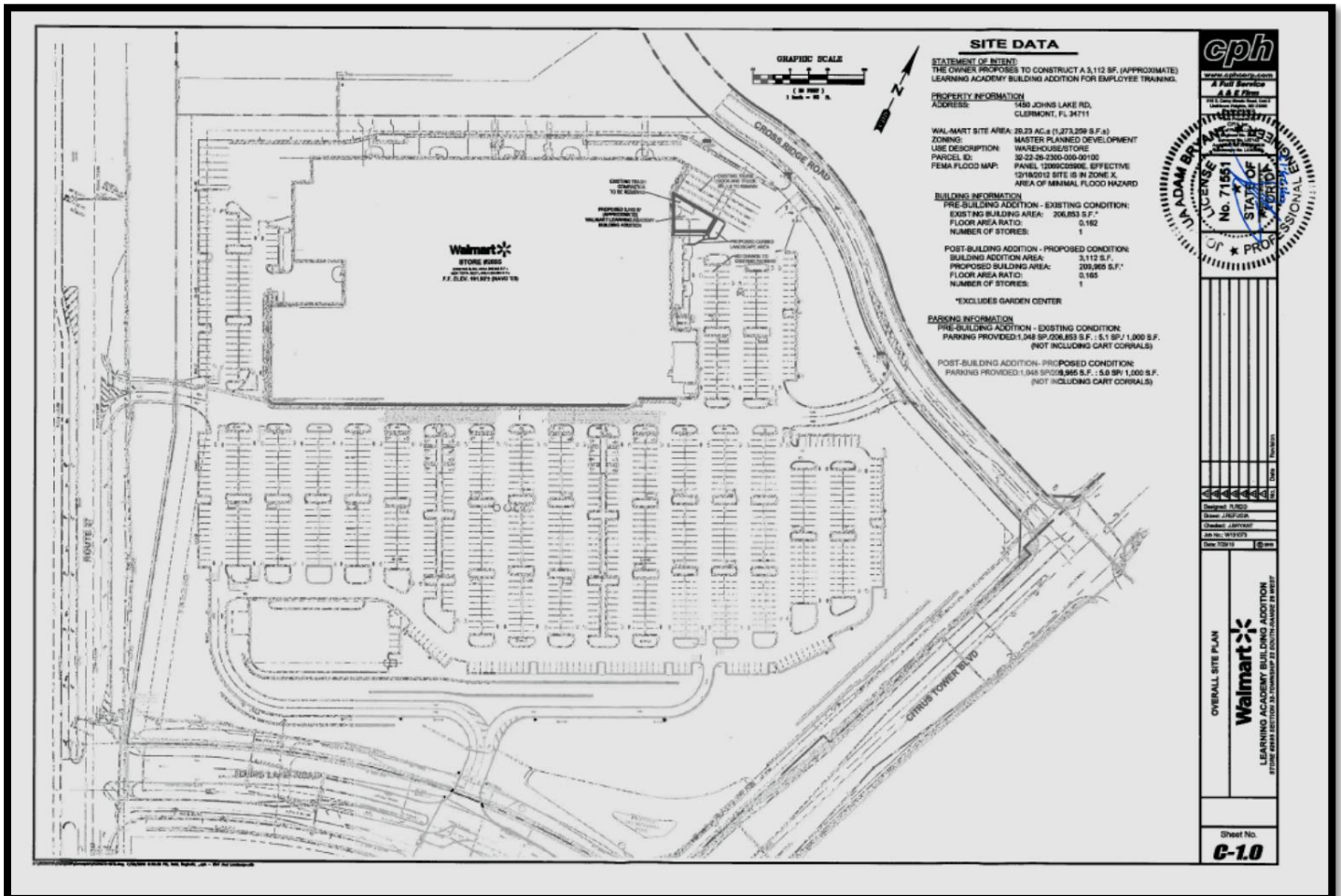


CITY OF CLERMONT
RESOLUTION NO. 2019-21R

2. Outdoor storage of inventory in trailers or other storage systems shall be restricted to the six (6) parking spaces identified for this use on the approved Site Plan, and can only be utilized during the months of October through January.
3. All fencing, including fencing around water retention areas, shall be ornamental metal; chain link fencing is prohibited.

**CITY OF CLERMONT
RESOLUTION NO. 2019-21R**

Exhibit A - Conceptual Site Plan





CITY OF CLERMONT
RESOLUTION NO. 2019-21R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of September, 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

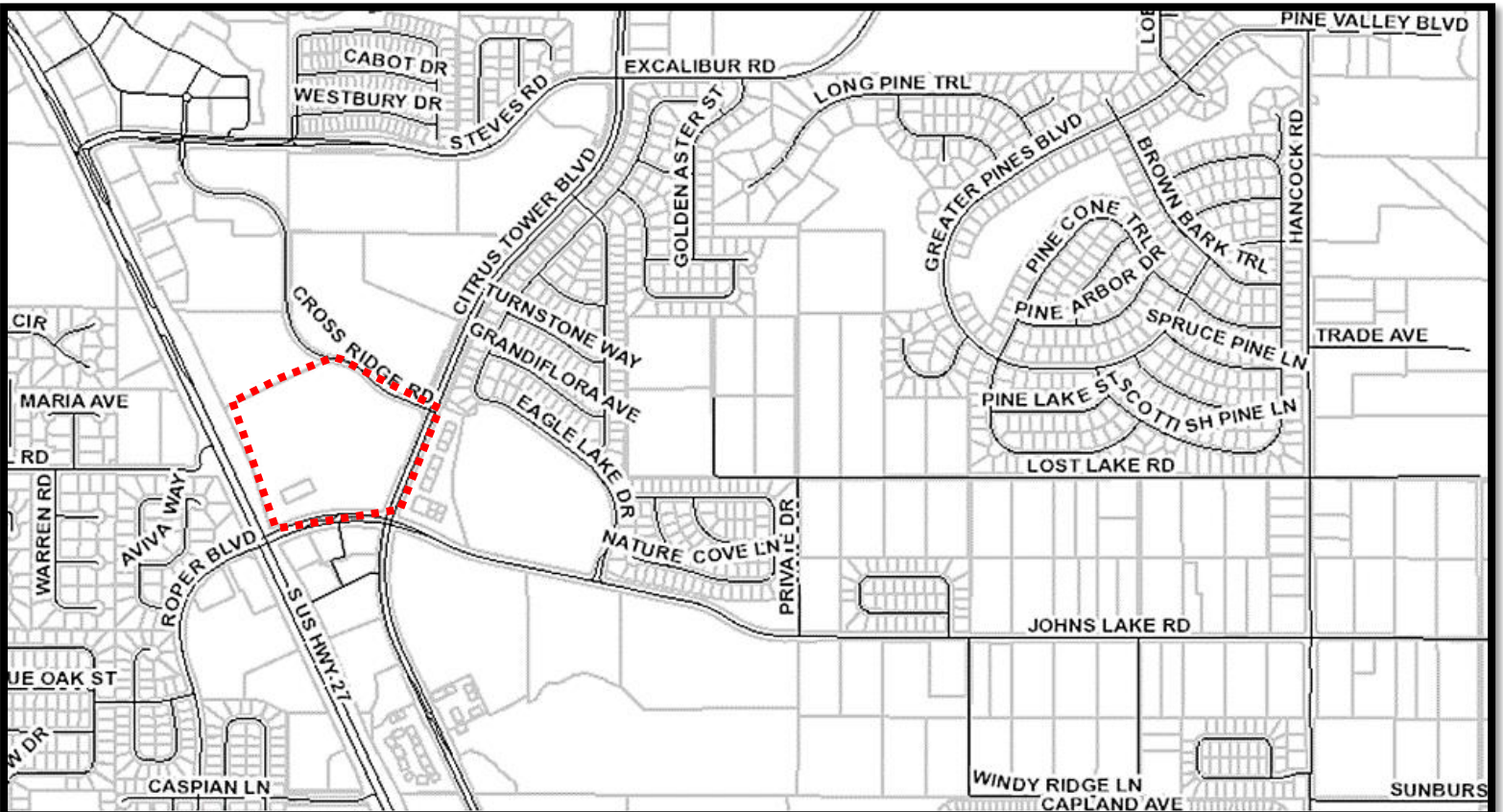
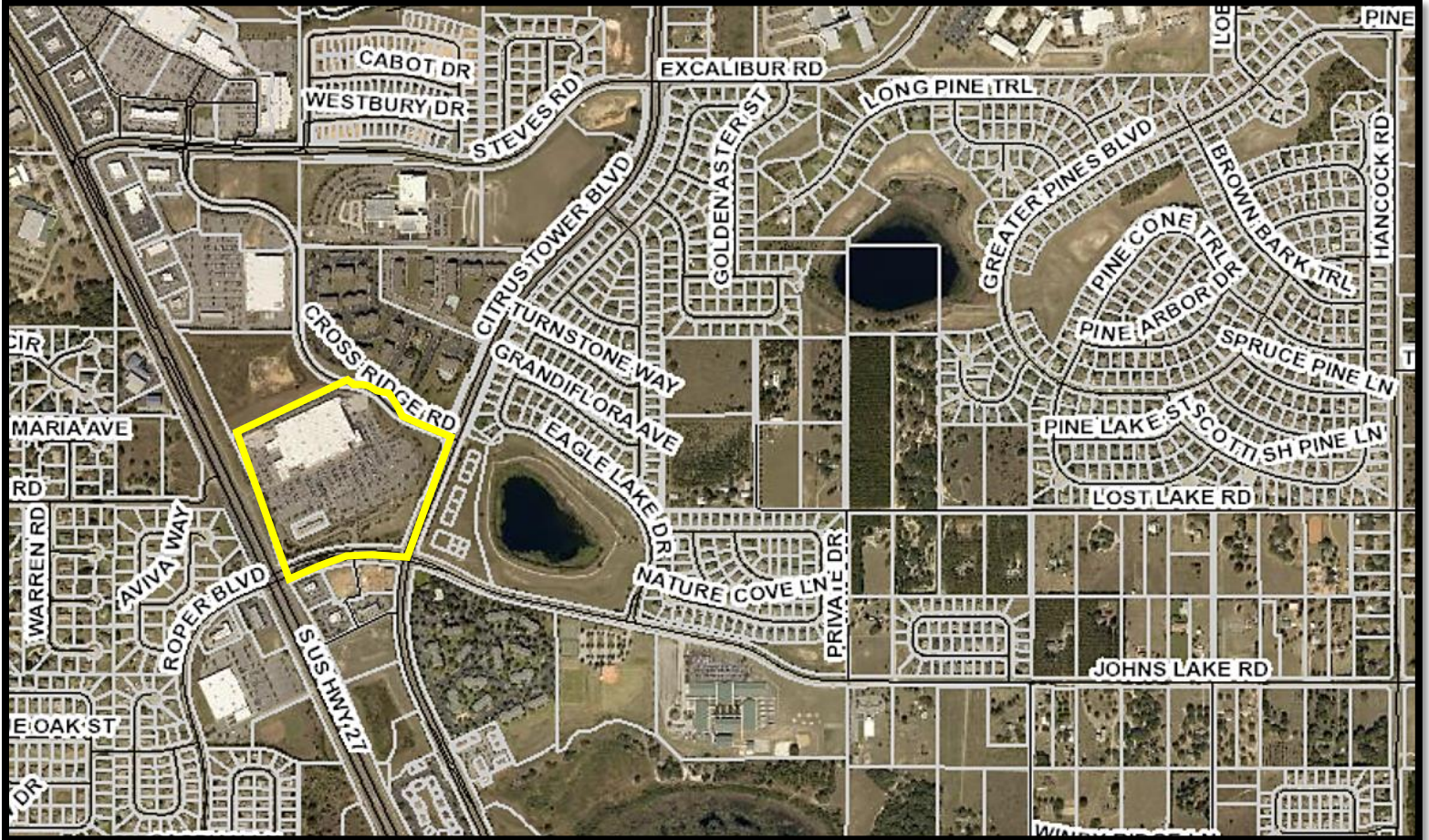
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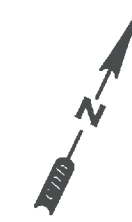
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





SITE DATA

STATEMENT OF INTENT:
THE OWNER PROPOSES TO CONSTRUCT A 3,112 SF. (APPROXIMATE) LEARNING ACADEMY BUILDING ADDITION FOR EMPLOYEE TRAINING.

PROPERTY INFORMATION
ADDRESS: 1450 JOHNS LAKE RD,
CLERMONT, FL 34711

WAL-MART SITE AREA: 29.23 AC.± (1,273,259 S.F.±)
ZONING: MASTER PLANNED DEVELOPMENT
USE DESCRIPTION: WAREHOUSE/STORE
PARCEL ID: 32-22-28-2300-000-00100
FEMA FLOOD MAP: PANEL 12069C0590E, EFFECTIVE 12/18/2012 SITE IS IN ZONE X, AREA OF MINIMAL FLOOD HAZARD

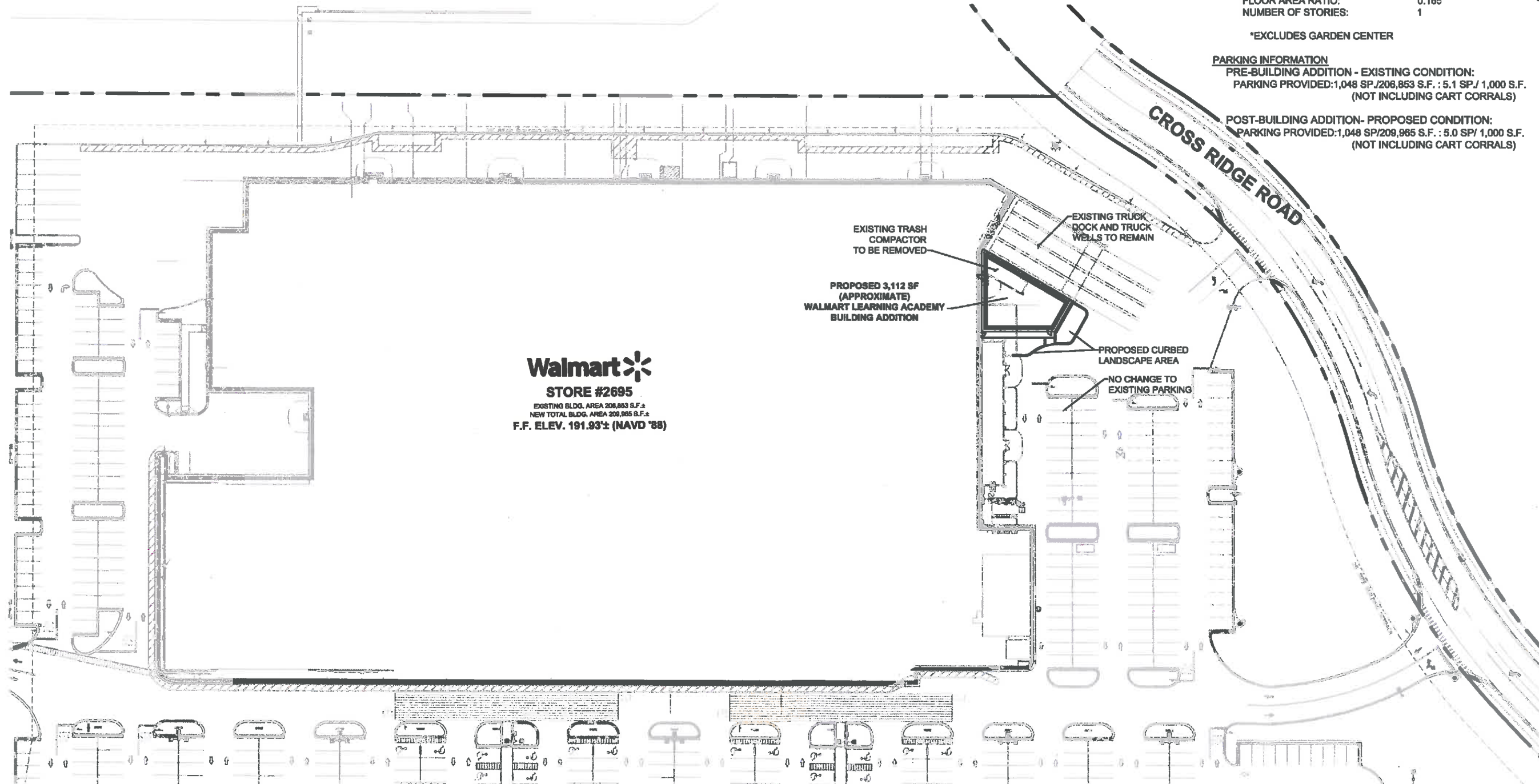
BUILDING INFORMATION
PRE-BUILDING ADDITION - EXISTING CONDITION:
EXISTING BUILDING AREA: 206,853 S.F.*
FLOOR AREA RATIO: 0.162
NUMBER OF STORIES: 1

POST-BUILDING ADDITION - PROPOSED CONDITION:
BUILDING ADDITION AREA: 3,112 S.F.
PROPOSED BUILDING AREA: 209,965 S.F.*
FLOOR AREA RATIO: 0.165
NUMBER OF STORIES: 1

*EXCLUDES GARDEN CENTER

PARKING INFORMATION
PRE-BUILDING ADDITION - EXISTING CONDITION:
PARKING PROVIDED: 1,048 SP./206,853 S.F. : 5.1 SP./1,000 S.F. (NOT INCLUDING CART CORRALS)

POST-BUILDING ADDITION - PROPOSED CONDITION:
PARKING PROVIDED: 1,048 SP./209,965 S.F. : 5.0 SP./1,000 S.F. (NOT INCLUDING CART CORRALS)



Walmart
STORE #2695
EXISTING BLDG. AREA 206,853 S.F.±
NEW TOTAL BLDG. AREA 209,965 S.F.±
F.F. ELEV. 191.93± (NAVD '88)

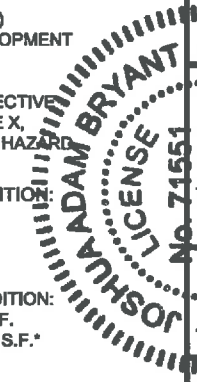
EXISTING TRASH COMPACTOR TO BE REMOVED

PROPOSED 3,112 SF (APPROXIMATE) WALMART LEARNING ACADEMY BUILDING ADDITION

EXISTING TRUCK DOCK AND TRUCK WELLS TO REMAIN

PROPOSED CURBED LANDSCAPE AREA

NO CHANGE TO EXISTING PARKING



www.cphcorp.com
A Full Service A & E Firm
518 E. Camp Meade Road, Unit 2
Linthicum Heights, MD 21088
P.O. Box 111111

Plans Prepared By:
CPH, Inc.
Professional Engineer License:
No. 71551
Survey No. 12143
Professional Seal No. 12143

JO SHUA ADAM BRYANT
LICENSE No. 71551
STATE OF FLORIDA
PROFESSIONAL ENGINEER

No.	Date	Revision
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Designed: R.REID
Drawn: J.REFUGIA
Checked: J.BRYANT
Job No.: W131073
Date: 7/28/19

Walmart
LEARNING ACADEMY BUILDING ADDITION
STORE #2695 SECTION 22-TOWNSHIP 22 SOUTH-RANGE 26 WEST

1. The Landscape Contractor shall be responsible for all materials and all work as called for on the Landscape Plans and in the Landscape Specifications. In the event of variation between quantities shown on plant list and the plans, the plans shall control. The Landscape Contractor shall verify all quantities and report any discrepancies at the time of bidding.
2. The Landscape Contractor shall review architectural/engineering plans and become thoroughly familiar with surface and subsurface utilities.
3. Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. Locations of existing buried utility lines shown on the plans are based upon best available information and are considered to be approximate. It shall be the responsibility of the contractor (1) to verify the locations of utility lines within and adjacent to the work area (2) to protect all utility lines during the construction period (3) to repair any and all damage to utilities, structures, site furnishings, etc. which occurs as a result of the construction (4) To field adjust the location of proposed trees and palms 10' of the center of the utility lines. Notify the Landscape Architect if a 10' offset does not function.
4. The work shall be coordinated with other trades to prevent conflicts. Coordinate the planting with the irrigation work to assure availability and proper location of irrigation lines and plants.
5. Contractor shall ensure that there are no visual obstructions to vehicle lines of sight and traffic controls. Contractor shall field adjust tree and/or large shrub locations to avoid any such obstructions.
6. Trees shall be maintained by the owner to avoid future such obstructions by pruning trees and/or shrubs as necessary utilizing horticulturally sound techniques.
7. All planting shall be performed by personnel familiar with planting procedure and under the supervision of a qualified planting foreman.
8. All plant material shall be graded Florida No. 1 or better as outlined under Grades and Standards for Nursery Stock, Part I and II, published by the Florida Department of Agriculture and Consumer Services.
9. The minimum acceptable size of all plants, measured after pruning, with branches in normal positions, shall conform to the measurements specified on the plant list or as indicated on the landscape drawing. Height and spread dimensions refer to main body of the plant and not extreme branch tip to tip. Trunk caliper (trunk diameter) is measured 6 inches from the ground on trees up to and including 4 inches in caliper, and 12 inches from the ground for larger trees. Since trunks are seldom round, the average of the largest diameter and that perpendicular to it is referred to as caliper. When the plant list description calls out DBH or caliper at DBH, it shall govern over the caliper definition in this note.
10. The Landscape Architect or Owner shall have the right, at any stage of the operations, to reject any and all work and materials which, in his opinion, do not meet with the requirements of these specifications.
11. Except as otherwise specified, the Landscape Contractor's work shall conform to accepted horticultural practices as used in the trade.
12. Plants shall be protected upon arrival at the site, by being thoroughly watered and properly maintained until planted.
13. TOPSOIL

- Topsoil shall be natural, friable, fertile, fine loamy soil possessing characteristics of representative topsoil in the vicinity that produces heavy growth. Friable shall have a pH range of 5.5 to 7.4, free from subsoil, objectionable weeds, litter, sods, stiff clay, stones larger than 1-inch in diameter, stumps, roots, trash, toxic substances, or any other material which may be harmful to plant growth or to proper planting or growing. Topsoil shall contain a minimum of three percent organic material. 6" Topsoil shall be placed in all trees & landscape areas.
14. All tree pits shall be excavated to size and depth in accordance with the Florida Grades & Standards for Nursery Stock, unless shown otherwise on the drawings, and backfilled with the specified planting soil. The Landscape Contractor shall test fill at tree pits with water before planting to assure proper drainage/percolation is available.
15. The Landscape Contractor shall be responsible for proper watering of all plants. All plants shall be thoroughly watered at time of planting and kept adequately watered for plants to thrive as defined by Florida Grades and Standards for Nursery stock until time of acceptance. It shall be the Landscape Contractor's responsibility to assure that plants are not over watered.
16. It shall be the Landscape Contractor's responsibility to prevent plants from falling or being blown over, to re-straighten and replant all plants which lean or fall and to replace all plants which are damaged due to lack of proper guying or staking. The Landscape Contractor shall be legally liable for any damage sustained by instability of any plant material.
17. All Palms to be staked as indicated per Palm staking details. All other trees to be stabilized utilizing 8" lodge poles per tree planting details.
18. Plants blown down by high winds, within the guaranteed period, shall not be cause for additional expense to the Owner, but shall be the responsibility of the Landscape Contractor. Damaged plants shall be replaced by the Landscape Contractor at no additional cost to the Owner.
19. Sod shall be of a species specified on the drawings and originate from a commercial turf grower. It shall be a dense stand of live turf, reasonably free of weeds, well matted with grass roots in rectangles 12 inches by 24 inches or 12 inch wide rolls in a length consistent with the equipment and methods used to handle the rolls and place the sod. Any netting containing the root sod shall be certified by the manufacturer to be bio-degradable. The soil and root mat shall be a minimum of 1-1/2 inch thick and must hold together during placement. Sod shall be placed adjacent to one another to avoid gaps and overlaps. Joints shall be staggered between the rows. Sod placed on slopes exceeding 3:1 shall be pinned with turf staples. Sod turf, shall have been mowed a minimum of one week prior to cutting and delivery, so that the length of the turf is no longer than 4 inches at time of delivery. Place sod within 48 hours of cutting the sod. The sod shall be kept moist throughout the 48 hour period to maintain the health and viability of the sod. Submit a letter of certification to the Owner's CE Representative, at time of delivery, as to the source of the sod, the time it was cut, the species and cultivars produced, last mowing date, and that the sod is free of fire ants. Sod which has been cut for longer than 48 hours after being cut shall not be used unless specifically authorized by Owner's CE Representative.
20. It shall be the Contractor's responsibility to measure and determine the exact quantity of sod required for a complete job at the time of bidding. The Contractor shall be responsible for additional cost due to the Contractor's under estimating of the quantity of sod for the original bid area.
21. The Landscape Contractor shall insure adequate vertical drainage in all plant beds, planters, and sod areas. Vertical drilling through any compacted fill to native soil shall be accomplished to insure drainage. If we'll drained fill is necessary to assure positive drainage, this issue shall be brought up by the Landscape Contractor at time of bidding.

22. UNSUITABLE SUBSOILS
Locations containing unsuitable subsoil shall be treated by one or more of the following:

- A. Where unsuitability is deemed by Owner or Owner's Representative to be due to excessive compaction caused by heavy equipment and where natural subsoil is other than ASHTO classification of A6 or A7, loosen such areas with spikes, discing, or other means to loosen soil to condition acceptable to Owner. Loosen soil to minimum depth of 12 inches with additional loosening as required to obtain adequate drainage. Contractor may introduce peat, moss, sand, or organic matter into the subsoil to obtain adequate measures shall be considered as incidental, without additional cost to Owner.
- B. Where unsuitability is deemed by Owner or Owner's Representative to be due to presence of boards, mortar, concrete, grouted aggregate base, or other construction materials in sub grade and where natural subsoil is other than ASHTO classification of A6 or A7, remove such materials and objectionable material. Such remedial measures shall be considered as incidental, without additional cost to Owner.
- C. Where unsuitability is deemed by Owner to be because natural subsoil falls into ASHTO classification of A6 or A7 and contains moisture in excess of 30 percent, then installation of sub drainage system or other means described elsewhere in Specifications shall be used. Where such conditions have not been known or revealed prior to planning time and they have not been recognized in preparation of The Drawings and Specifications, then Owner shall issue pricing order to install proper remedial measures.
- D. Planting beds where existing subsoil is determined by Owner to be unsuitable for plant growth in accordance paragraph 23. Unsuitable subsoil herein shall be excavated to a minimum depth of 12 inches or as needed to provide adequate drainage. Replace excavated soil with planting soil.

23. The Landscape Contractor shall insure that his work does not interrupt established or projected drainage patterns.

24. The Landscape Contractor shall prune, shape and remove dead foliage/limbs from existing plant material to remain. Conform with the Landscape Architect or Owner's extant work required at time of Bidding.

25. Mulch - All plant beds shall be top dressed with 3" shredded hardwood mulch (or approved equal). Cypress mulch not permitted. A 5" diameter mulch ring is to be placed around trees located in soil areas or outside of planting beds.

26. Transplanted Material - The Landscape Contractor shall be responsible for determining and evaluating which plant materials are suitable for transplanting and shall verify this with the Landscape Architect or Owner. The Landscape Contractor shall take all reasonable and particularly accurate measures to assure the successful transplanting of determined plant materials. The Landscape Contractor shall be responsible for replacing any relocated plant materials which die if such measures are not taken, as determined by the Landscape Architect or Owner. Replacement plants shall be of identical species and size if required.

27. MAINTENANCE PRIOR TO FINAL INSPECTION AND ACCEPTANCE:

Maintenance shall commence after each plant is planted and the maintenance period shall continue until the job or specific phase of the job is accepted by the Landscape Architect or Owner. Extreme care shall be taken to instruct the Owner or his representatives in general maintenance procedures.

Plant maintenance shall include watering, pruning, weeding, cultivating, mulching, tightening, and repairing of guys, replacement of sick or dead plants, resetting plants to proper grades or upright positions and restoration of the planting saucer and all other care needed for proper growth of the plants.

During the maintenance period and up to the date of final acceptance, the Landscape Contractor shall do all seasonal spraying and/or dusting of trees and shrubs. Upon completion of all planting, an inspection for acceptance of work will be held. The Landscape Contractor shall notify the Landscape Architect or Owner for scheduling of the inspection 10 days prior to the anticipated date.

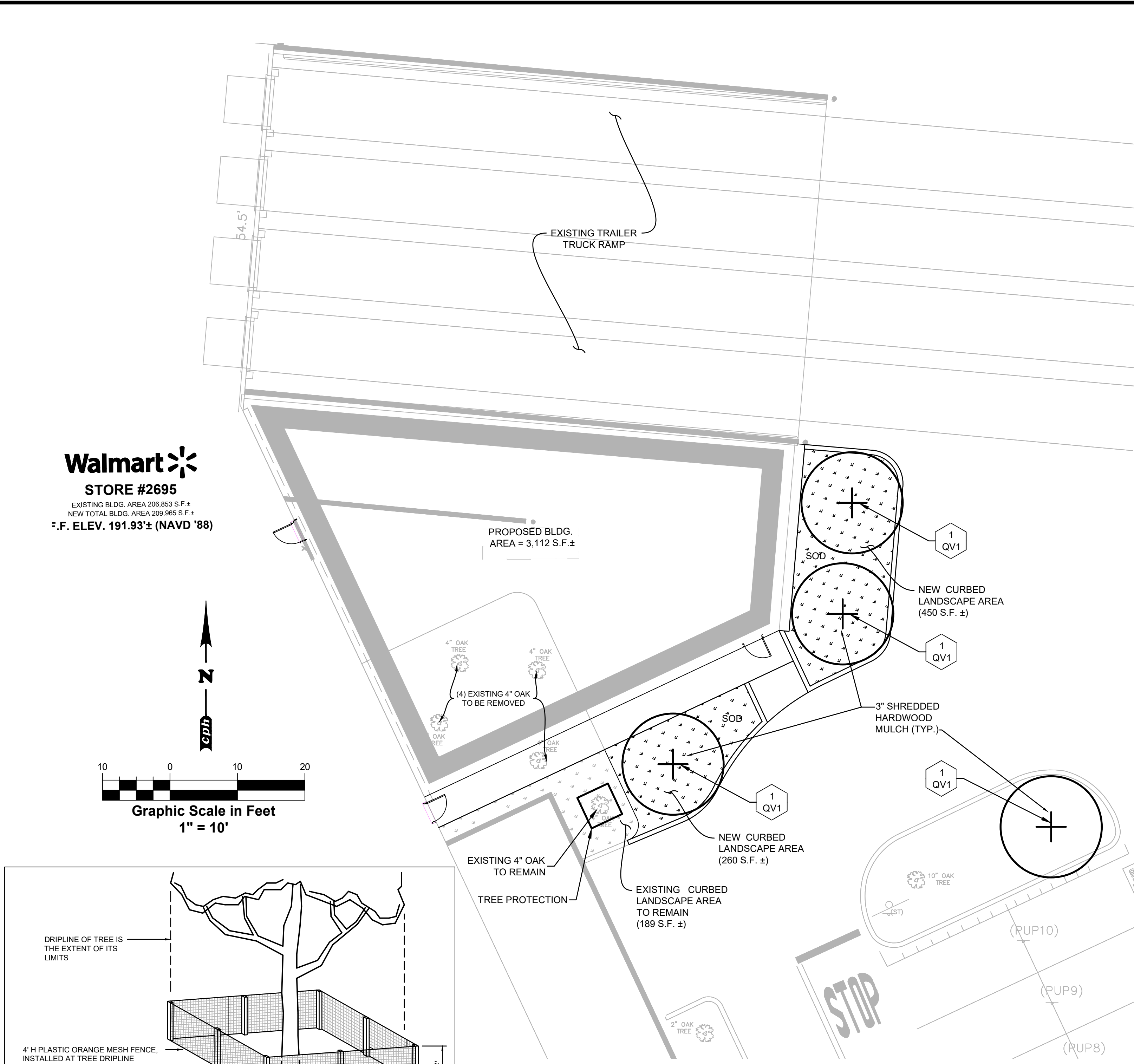
At the time of the inspection, if all of the materials are acceptable, a written notice will be given by the Landscape Architect or Owner to the Landscape Contractor Stating the date when the Maintenance Period ends.

GUARANTEE AND REPLACEMENT:

All plant materials shall be guaranteed for one (1) year from the time of final inspection and interim acceptance shall be alive and in satisfactory growth for each specific kind of plant at the end of the guaranteed period.

At the end of the guarantee period, any plant required under this contract that is dead or not in satisfactory growth, as determined by the Owner or the Landscape Architect, shall be removed and replaced. Replacement plants shall have an extended guarantee, as noted above, from time of replacement.

All replacements shall be planted of the same kind and size as specified on the plant list. They shall be the responsibility of the Landscape Contractor.



TREE PROTECTION DETAIL

TREE BARRICADE APPROVAL
OBTAIN CITY APPROVAL OF TREE BARRICADES PRIOR TO BEGINNING CLEARING OPERATIONS
OR ANY SITE DEVELOPMENTS

TREE PROTECTION NOTES:

1. Four (4) foot high orange mesh construction fencing shall be installed encompassing the drip line of each tree, or one foot in diameter for each inch of trunk diameter, whichever is greater. When surveyed fencing shall be moved to the edge of the tree protection areas (TPA) as indicated on plans and be maintained throughout completion of construction.
2. Where the TPA occurs within 10 feet of the tree trunk, a trenching device shall be used to sever tree roots. Root raking shall not occur before roots have been cleanly severed.
3. All equipment and/or materials are prohibited within the TPA, including but not limited to cement wash-out, chemicals, fuel or equipment servicing.
4. Grade changes shall not occur within the TPA. No fill shall be added, removed or stored within the TPA with exception of prescribed potting soil (see item 10).
5. Brush and weeds occurring within the TPA shall be cleared by hand or utilizing only the mower of a light wheeled farm tractor (less than 60 hp). During such activities soil profiles shall not be disturbed.
6. Roto-tilling, disk, root raking or other clearing methods that disturb the soil profile are expressly prohibited.
7. Utility lines and/or irrigation lines shall not occur within the TPA.
8. Saved trees shall be pruned to remove dead and damaged wood, correct structural defects and to provide access and visibility.
9. Pruning shall be completed under direct observation by the Designated Forester of CPH Engineers, Inc. or owner designated ISA certified arborist and be accompanied by an arborist with five years or more experience pruning live oaks to ISA standards. Arborist must obtain approval from the owner prior to commencement of pruning activities. Two week advance notification is required.
10. Landscaping within TPA shall not disturb existing soil profiles. Eight inches of potting soil shall be imported and evenly spread to provide a planting medium within TPA.

PLANT LIST

SYM	COMMON NAME	BOTANICAL NAME	DESCRIPTION	QTY
<u>TREES</u>				
QV1	HIGH RISE OAK	QUERCUS VIRGINIANA 'HIGH RISE'	4 "CAL., 10' HT., 6' SPRD.	4
✓EX	EXISTING TREES			

GROUNDCOVERS

SOD	ST. AUGUSTINE GRASS	STENOTAPHRUM SECUNDATUM	SOLID SOD	*
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* - CONTRACTOR TO VERIFY QUANTITY AND MATCH EXISTING ON-SITE SOD SPECIES

NOTE:
PLANT DESCRIPTIONS ARE FOR MINIMUM ACCEPTABLE SPECIFICATIONS. ALL CRITERIA LISTED FOR CONTAINER SIZE, CALIPER, HEIGHT, SPREAD, ETC. MUST BE MET FOR PLANT MATERIAL ACCEPTANCE. FOR EXAMPLE, IF A THREE GALLON SHRUB DOES NOT MEET THE HEIGHT OR SPREAD SPECIFICATION, IT WILL NOT BE ACCEPTED.

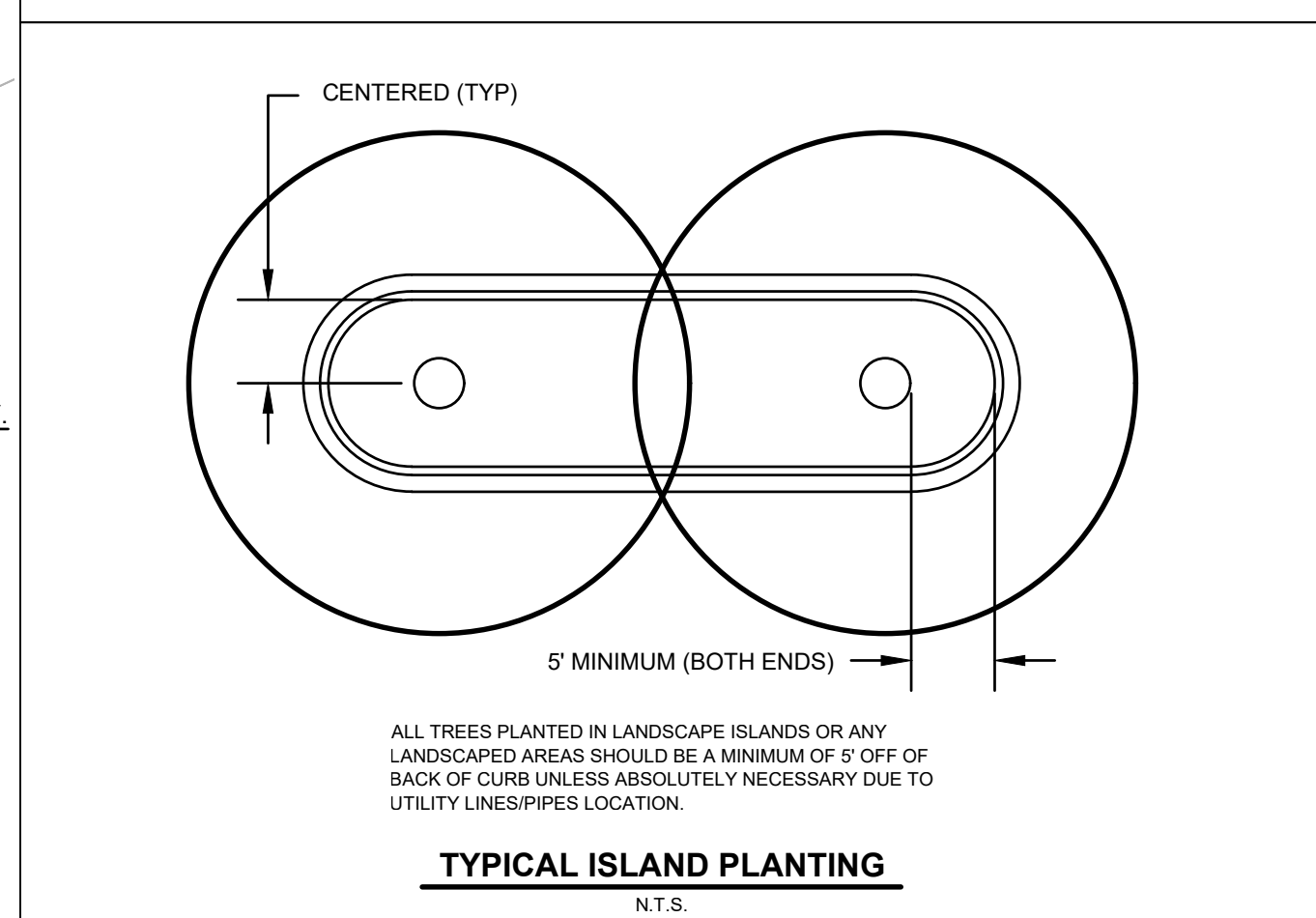
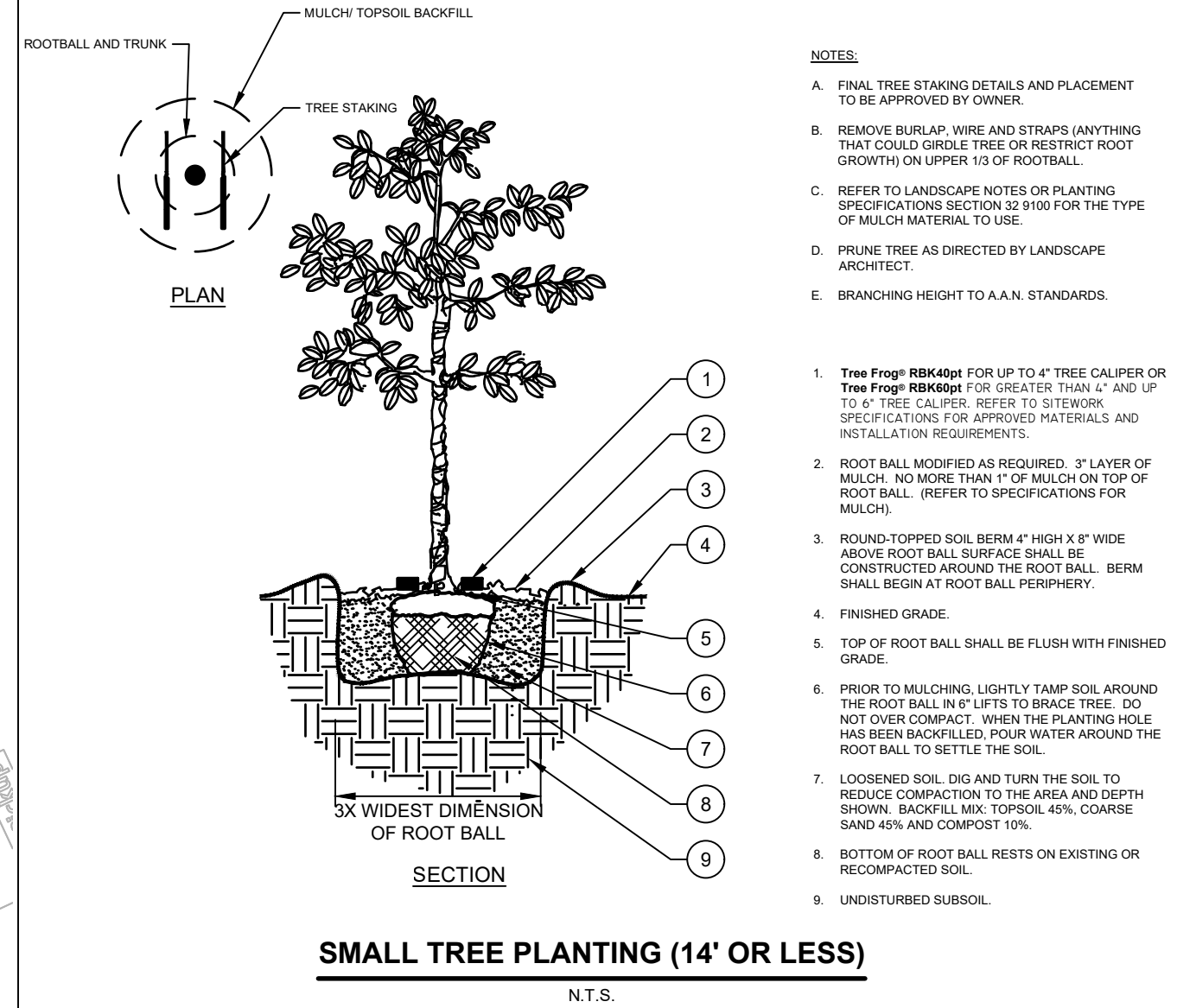
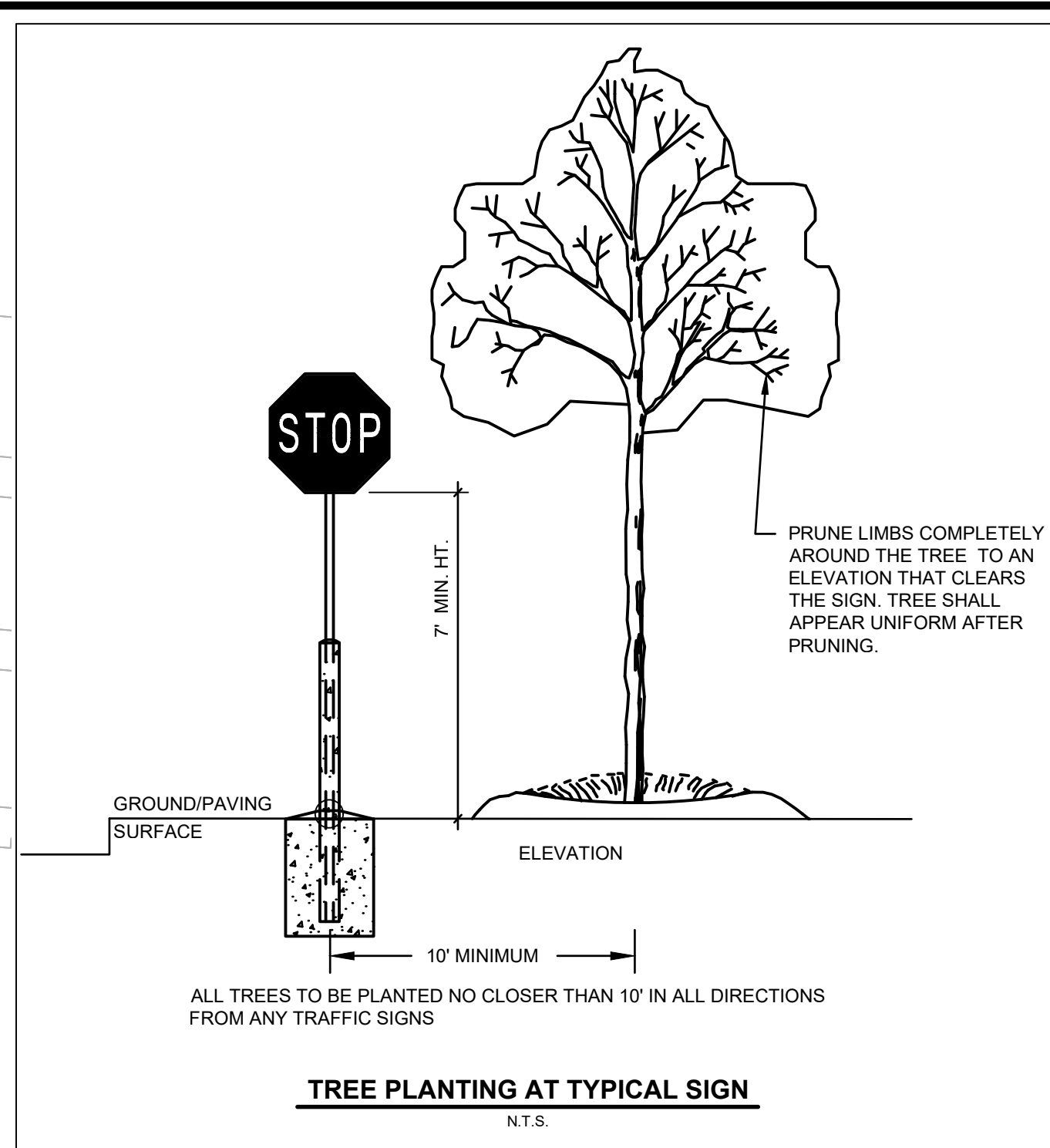
IF SPECIFIED PLANTS ARE UNAVAILABLE AT TIME OF CONSTRUCTION, CONTRACTOR MAY REPLACE SPECIFIED PLANTS WITH PLANTS APPROVED BY LANDSCAPE ARCHITECT AND CITY STAFF.

ALL OPEN SPACE AREAS WITHIN THE PROPERTY SHALL BE SODDED UNLESS PAVED, SEEDED AND MULCHED OR PLANTED WITH SHRUBS AND GROUND COVER.

ALL LANDSCAPED AREAS WILL BE 100% IRRIGATED WITH A CENTRAL AUTOMATIC IRRIGATION SYSTEM INCLUDING A RAIN SENSOR

CONTRACTOR TO MODIFY EXISTING IRRIGATION SYSTEM TO ENSURE ADEQUATE IRRIGATION FOR ALL NEW PLANT MATERIAL.

CONTRACTOR SHALL REPLACE ANY EXISTING SOD OR OTHER PLANT MATERIALS DAMAGED DURING CONSTRUCTION IN AREAS THAT ARE OUTSIDE PROPOSED LANDSCAPE AS SHOWN ON THE PLAN.



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www.sunshine811.com



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 7/22/19

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Wal-Mart #2695 Learning Academy

APPLICANT: CPH, Inc.

CONTACT PERSON: Mark Socha

Address: 500 W. Fulton Street

City: Sanford State: FL Zip: 32771

Phone: 407-322-6841 Fax: 407-330-0639

E-Mail: msocha@cphcorp.com

OWNER: Wal-Mart Stores East, L.P.

Address: 2001 S.E. 10th Street

City: Bentonville State: AR Zip: 72716

Phone: 479-273-4000 Fax: 479-273-8380

Address of Subject Property: 1450 Johns Road Clermont, FL 34711

General Location: N.E. Corner of Hwy 27 and Johns Lake Road

Legal Description (include copy of survey): See Attached

Land Use (City verification required): Master Planned Development

Zoning (City verification required): PUD

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

Legal Description

Lot 1, WAL-MART SUPERCENTER AT CLERMONT STORE NO. 2695-02, a subdivision according to the map or plat thereof, as recorded in Plat Book 53, Page 99, of the Public Records of Lake County, Florida.

LESS AND EXCEPT that portion conveyed by that certain Special Warranty Deed recorded in Official Records Book 3591, Page 1275, of the Public Records of Lake County, Florida

Description of Request

Applicant requests to construct a 3,112 square-foot building addition to the existing Walmart retail store located at 1450 Johns Lake Road. The building addition will be used as a Walmart "Learning Academy," which is an employee training space exclusively for Walmart Associates. This Learning Academy is not open to the public or customers and they will have no access to it. The proposed building addition will be located on the east side of the existing building, south of the existing truck well. An existing trash compactor will be removed in the area of the proposed addition. The proposed addition will not impact any existing parking spaces and pervious areas impacted by the expansion will be compensated for adjacent to the new building wall. No negative impacts to the existing development or surrounding area will result from the proposed building addition.

Advertising Receipt

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

CITY OF CLERMONT
Carlie Zinker
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10090134
Phone: (352) 241-7331
Date: 08/21/19
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	08/26/2019	09/17/2019	\$177.68

LEGAL NOTICE

Ad No: 10090134
August 26, 2019 &
September 17, 2019

Notice is hereby given that the City of Clermont will consider a request for an amendment to a Conditional Use Permit (Resolution 1316 and Resolution No. 2016-12) to allow for an expansion to the existing Wal-Mart building.

LOCATION

Walmart Supercenter
1450 Johns Lake Road
(Alternate Key # 3836309)

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

The Planning & Zoning Commission will consider the request on Tuesday, September 3, 2019 at 6:30pm., and

The City Council will consider the request at a public hearing on Tuesday, September 24, 2019 at 6:30pm.

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

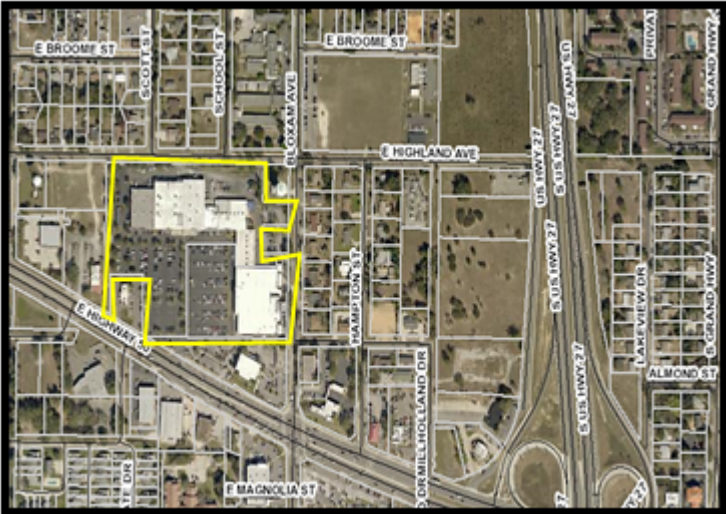
All interested parties will be given an opportunity to express their views on this matter.

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	\$177.68
Tax	\$0.00
Sub Total	\$177.68
Prepaid Amount	\$0.00
Balance Due	\$177.68

AGENDA ITEM

Meeting Date	
Tuesday, September 3, 2019	
Agenda Item Name	
Resolution No. 2019-22R <i>Conditional Use Permit</i>	
Requested Action	
Recommend approval of Resolution No. 2019-22R	
Staff Report	
The applicant is requesting a Conditional Use Permit (CUP) to allow a church use in the C-2 General Commercial zoning district, The Land Development Code, Section 122-224 requires a Conditional Use Permit. The subject property is located in the South Lake Plaza, a multi-tenant shopping center with retail, office, restaurants and other commercial uses.  The applicant proposes to occupy approximately 2,400 square feet of vacant building space. The church intends to have 54 seats for Sunday morning service at 9:00 am to 1:00 pm, and will hold a Tuesday and Friday evening bible study and worship service from 7:30 pm to 9:30 pm. The Land Development Code, Section 98-14 requires one space per four seats, the proposed use with 54 seats will require approximately 14 parking spaces. With the existing businesses operating at normal business hours, and the church operating at typical non-business hours, staff finds there will not be any parking issues on site. The proposed church will be located in the rear of the plaza. Staff has reviewed the application and finds 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 provisions specified. Therefore, staff recommends approval of the Conditional Use Permit to allow a church use with the conditions contained in Resolution No. 2019-22R.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CUP RES 2019-22R	CUP RES 2019-22R.pdf	
2. Location Map	Location Map.pdf	
3. Site Plan	Site Plan.pdf	
4. Application	Application.pdf	
5. Legal AD	Legal AD.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CHURCH USE IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held September 3, 2019 recommended approval of this Conditional Use Permit to allow for a church use in the C-2 General Commercial zoning district; at the following location:

LOCATION:
South Lake Shopping Plaza
638 Highway 50
(Alternate Key# 1746833 & 1746841)

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 church use in the C-2 General 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 further 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. 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 or require further conditions as deemed appropriate.



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

5. 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.
7. 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.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. 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 Clermont Development Services Department.
10. Should approved uses cease operation for more than one year, a new Conditional Use Permit shall be required for the same or similar operations.
11. 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.
12. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
13. Should the church use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.
14. Should a new business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the church, the church would not contest said use within 500 feet of the church.

SECTION 2. Land Use

1. This Conditional Use Permit shall grant approval for a church use and any other permitted use in the C-2 General Commercial zoning district.



CITY OF CLERMONT
RESOLUTION NO. 2019-22R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of September, 2019.

CITY OF CLERMONT

Gail Ash, Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map



SOUTH LAKE SHOPPING CENTER

8-26-2009

1" = 100'

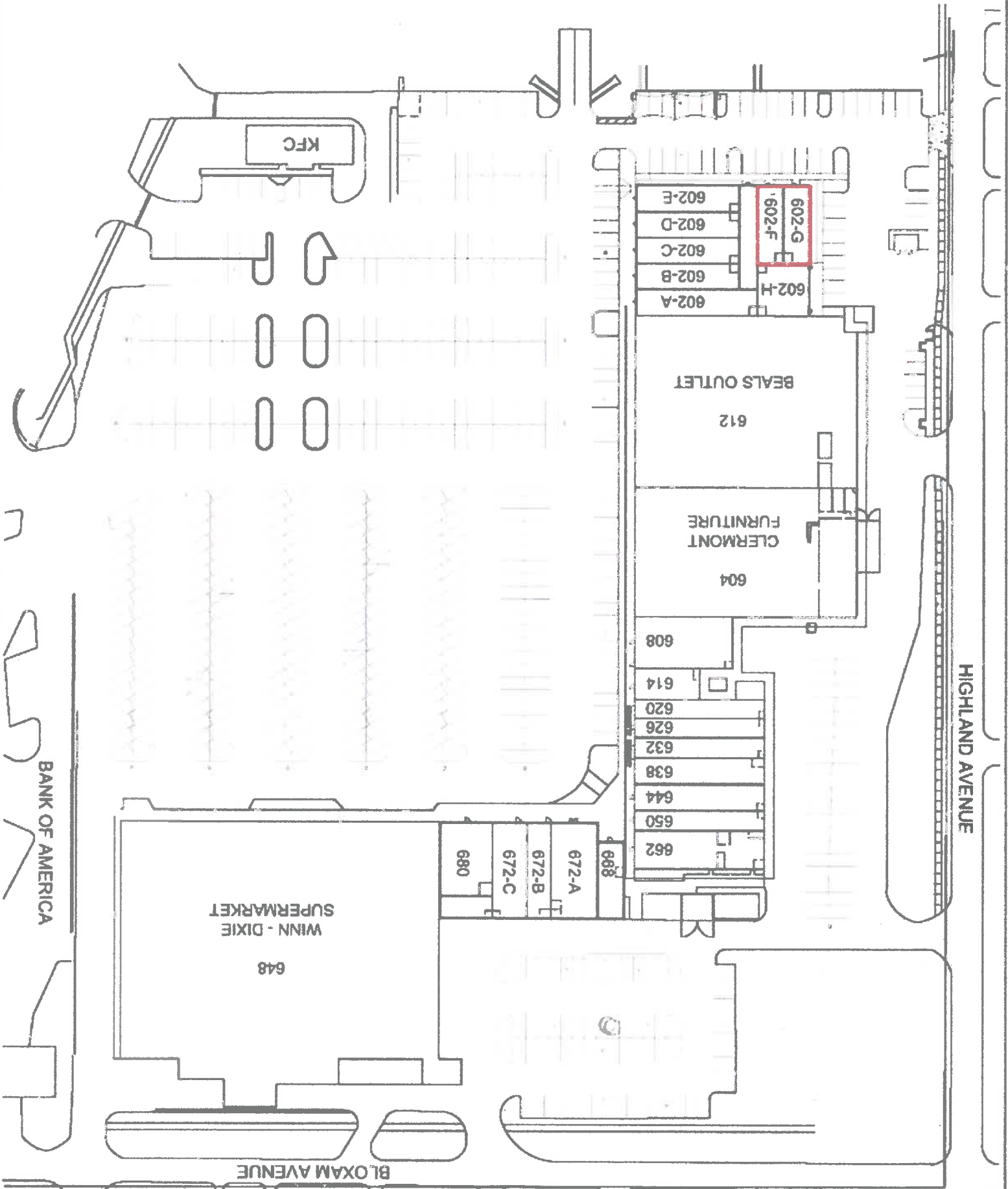
DATE

SCALE

SHOPPING CENTER UNITS

TITLE

NORTH



CUP 1908-0001
Resolution No. 2019-22R



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 7/31/19

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Church

APPLICANT: Iglesia Evangelica Emanuel Inc

CONTACT PERSON: Evelyn Peraza

Address: 448 Mayaguez Rd

City: Polk City State: FL Zip: 33868

Phone: 321-276-7309 Fax: _____

E-Mail: evelynoside.msn.com

OWNER: Hurtak Family Partnership

Address: 525 P.E. 58th ST

City: miami State: FL Zip: 33137

Phone: _____ Fax: _____

Address of Subject Property: _____

General Location: South Lake Plaza, Suite 2002

Legal Description (include copy of survey): A11 Key # 1746833 & 1746841

Land Use (City verification required): Commercial

Zoning (City verification required): C-2 General Commercial



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.

I'm requesting a conditional use permit for a church
we are 54 people.

Services will be as follow.

Tuesday 7:00 pm - 9:00 pm

Friday 7:00 pm - 9:00 pm

Sunday 9:00 am - 1:00 pm

we are in suite 602-G and 602-F. 2400 sq ft

Blanca E. Piraza

Applicant Name (print)

x [Signature]

Applicant Name (signature)

x James McHurtak

Owner Name (print)

x [Signature]

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. 34712-0219
(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
Carlie Zinker
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10090178
Phone: (352) 241-7331
Date: 08/22/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a l	08/27/2019	09/17/2019	\$167.68

LEGAL NOTICE

Ad No: 10090178
August 27, 2019 &
September 17, 2019

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a church use in the C-2 General Commercial Zoning District, at the following location:

LOCATION

South Lake Shopping Plaza
(AK 1746833 & 1746841)

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, September 3, 2019 at 6:30pm, and

The City Council will consider the request at a public hearing on Tuesday, September 24, 2019 at 6:30pm.

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

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, September 3, 2019		
Agenda Item Name		
Ordinance No. 2019-38 <i>Amendment to the Land Development Code, Chapter 122, Section 122-358</i>		
Requested Action		
Recommend approval of Ordinance 2019-38.		
Staff Report		
The staff initiated update to Chapter 122 Zoning, Section 122-358; Affordable Housing Density Bonus will amend Ordinance No. 2018-30 to provide the intent and qualifying criteria standards and regulations for affordable housing bonus density units in certain areas. It is the intent of the City to provide opportunities for greater availability of affordable housing inventory. The purpose of the Ordinance is to encourage affordable and mixed income housing opportunities where it may not otherwise be provided by the private marketplace. The Ordinance will determine the percentage of units required to be set aside for affordable housing based on qualifying criteria for project. The Ordinance will also define the household income limits as calculated in the relation to the Area Media Income (AMI) with adjustments for family size and housing cost to income relationship. Affordability shall be determined on an annual basis as defined each year by the U.S. Department of Housing and Urban Development (HUD) for 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. 2019-38 Affordable Housing Bonus Density Clean (003)	2019-38 Affordable Housing Bonus Density Clean (003).pdf	
2. ORDINANCE NO 2019-38 Legal Ad	ORDINANCE NO 2019-38.pdf	



**CITY OF CLERMONT
ORDINANCE NO. 2019-38**

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; AMENDING SECTION 122-358 AFFORDABLE HOUSING DENSITY BONUS; 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 September 3, 2019 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 to set-aside floating units as defined in sub-section (e) below. The purpose is to encourage affordable and mixed income housing opportunities where they may not otherwise be accessible by the private marketplace.

(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.



CITY OF CLERMONT
ORDINANCE NO. 2019-38

(c) A density bonus may be granted only when the applicant presents clear and convincing evidence that the proposed design, density, intensity and mix of uses will result in superior development that is compatible with the surrounding neighborhoods and achieves the criteria for approval provided in this section. A density bonus shall not be considered an entitlement. The maximum available density bonus may not be permitted for some projects.

(d) Any density bonus shall require City Council approval.

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

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 Criteria	The 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: (1) Hooks Street Corridor: <u>May qualify for a maximum with bonus of 20 dwelling units per acre provided the project meet the criteria for approval. The developer must set aside a percentage of the bonus units for affordable housing. The affordable units must include a mixture of different unit sizes and types. Requirements for Residential Density Bonuses:</u> 1) Ten (10 %) of the bonus units for very low-income households. (up to 30% of AMI) 2) Fifteen (15%) of the bonus units for low-income households. (up to 50% of AMI) 3) Twenty (20%) of the bonus units for moderate-income households. (up to 80% of AMI) 4) Another set-aside mixed deemed acceptable by the City Council (2) Wellness Way Area: (excluding properties on Hartwood Marsh Road) <u>May qualify for a maximum with bonus of 25 dwelling units per acre provided the project meet the criteria for approval. The developer must set aside a percentage of the bonus units for affordable housing. The units must include a mixture of different unit sizes and types.</u>



CITY OF CLERMONT
ORDINANCE NO. 2019-38

	<u>Requirements for Residential Density Bonuses:</u> 1) Option to set aside, Fifteen (15%) of the bonus units for very low-income households. (up to 30% of AMI) 2) Option to set aside, Twenty (20%) of the bonus units for low-income households. (up to 50% of AMI) 3) Option to set aside, Twenty-Five (25%) of the bonus units for moderate income households, (up to 80% of AMI) 4) Option to set aside, another set-aside mixed deemed acceptable by the City Council
Definitions of Affordable Units and Floating Units:	Affordable housing is defined, as the monthly housing costs must not exceed 30% of the total household income. <u>“Floating Units” are changed to maintain conformity and to ensure the affordable units are indistinguishable from and interchangeable with market-rate units. Floating refers to those units that re rented to the tenants that meet the AMI requirements and can be located anywhere within the project. Qualifying units may not be permanently designated for AMI eligible tenants.</u>
Target Household Income Levels:	**To be determined on a yearly basis by the Area Median Income (AMI) for the City of Clermont as defined each year by the U.S. Department of Housing and Urban Development (HUD). Income limits are calculated in relation to Area Median Income (AMI) with adjustments for family size and housing cost- to-income relationship as shown in sub-section (f) below.
Length of Affordability:	Perpetuity. The number of units required for the initial qualification for the density bonus must be maintained in perpetuity for the life of the project.
Quality of Units:	Floating units must be of the same quality and design and should not appear different. Residents must have the access to the same amenities as all other residents of the project.



CITY OF CLERMONT
ORDINANCE NO. 2019-38

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. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing requirements, and other elements as determined by the City Manager or his/her designee. This agreement must be recorded and obligate all successors and assigns.
<u>**Low income households and levels of Affordability</u>	<u>The U.S. Department of Housing and Urban Development (HUD) defines and calculates different levels of AMI for geographic areas by household sizes. Below is an illustration of how Housing and Urban Development has designed the three levels of affordability for the Median Family Income.</u>

(f) Translating incomes into affordable housing cost (example)

Household Size Maximum Income	Very Low Income (30% of AMI)	Low Income (50% of AMI)	Moderate Income (80% of AMI)
One –Person	14,600	24,300	38,850
Two –Person	16,910	27,800	44,400
Three –Person	21,330	31,250	49,950
Four –Person	25,750	34,700	55,500
Five –Person	30,170	37,500	59,950
Six –Person	34,590	40,300	64,400
Seven –Person	39,010	43,050	68,850
Eight –Person	43,430	45,850	73,300

(g) Affordable rents for housing units vary by the number of bedrooms in the housing unit. This is because the income limits vary by the household size, and the number of bedrooms affects how many people a unit can comfortably house.

(h) The table below provides the maximum rents considered affordable, based on the maximum income allowed for the household size, income limits and housing unit size or bedrooms allowed to provide comfortable and safe housing. Each household will require income and affordable rent certification based on their actual income and household size. Annual verification of leased units as part of the density bonus is required from the date originally certified and must be certified by the City Manager or his/her designee.



CITY OF CLERMONT
ORDINANCE NO. 2019-38

Number of Bedrooms	Affordable Rent at 30% of AMI (Very Low)	Affordable Rent at 50% of AMI (Low)	Affordable Rent at 80% of AMI (Moderate)
1-Bedroom (1 person)	\$365	\$608	\$971
2-Bedrooms (3 person household)	\$533	\$781	\$1249
3-Bedrooms (5 person household)	\$754	\$938	\$1499
4-Bedrooms (Six Person household)	\$865	\$1007	\$1610

(i) 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 Development Services Department.

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

(k) 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 City Manager or his/her designee.

(l) Projects may not pay a contribution in lieu of providing affordable units on-site 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.

Parcels qualified for the Hooks Street corridor shall have frontage on Hooks Street and shall be east of U.S. Highway 27. Parcels qualified for Wellness Way shall be within Sections 13-36 Township 23 Range 26 and be east of U.S. Highway 27.



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SECTION 7.

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. 2019-38

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 25th day of September, 2019.

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
Carlie Zinker
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10089860
Phone: (352) 241-7331
Date: 08/09/19
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	08/19/2019	09/17/2019	\$195.20

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.

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10089860
August 19, 2019 &
September 17, 2019

ORDINANCE NO. 2019-38

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; AMENDING SECTION 122-358 AFFORDABLE HOUSING DENSITY BONUS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, September 3, 2019 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, September 24, 2019 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

Payment Info	
Ad Price	\$195.20
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Sub Total	\$195.20
Prepaid Amount	\$0.00
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