



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, November 5, 2019
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES
REPORTS
NEW BUSINESS

Item 1 - Ordinance No. 2019-47
Heritage Square Distillery Rezoning

Consider ordinance to change the zoning from M-1 Industrial to Planned Unit Development (PUD) for property located at 901 12th Street.

Item 2 - Ordinance No. 2019-06
South Lake Crossing PUD

Consider an ordinance for a mixed-use project consisting of 1,850 residential units, 500,00 square feet of office use, and 300,000 square feet of commercial use on 743 acres located 1.75 miles south of Hartwood Marsh Road, east of US 27.

Item 3 - Ordinance No. 2019-46
Hancock Commons Apartments

Consider an ordinance to allow 281 multifamily units on a 16.499 acre parcel northeast of the Hooks Street and Hancock Road intersection.

Item 4 - Ordinance No. 2019-44
Rocky Mount Commercial Ph 2 Rezoning

Consider an ordinance to rezone 10.8 acres +/- from Urban Estate to C-2 General Commercial for property fronting on Hooks Street between Ford of Clermont and Dicks Sporting Goods.

Item 5 - Ordinance No. 2020-04 (Transmittal)
Carmax Comprehensive Plan Amendment

Consider ordinance to change the future land use from Lake County High Density and Regional Commercial to Clermont Commercial for vacant parcel located east CR 455 and north of SR 50, adjacent to the East Town Center Publix Plaza.

Item 6 - Ordinance No. 2020-07 (Transmittal)
111 Residential Comprehensive Plan Amendment

Consider ordinance to change the future land use from Lake County Urban High Density to Clermont High Density Residential for vacant parcel located ¼ mile north of SR 50 and CR 455 intersection, east of CR 455 before the trail

Item 7 - Ordinance No. 2019-28
Vacation Rentals

Consider ordinance to amend the Codes of Ordinances, Chapter 122 Zoning, Section 360 Vacation Rental Permit Regulations

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, November 5, 2019
City Hall – 685 W. Montrose Street, Clermont, FL
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 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, November 5, 2019

Agenda Item Name

Ordinance No. 2019-47
Heritage Square Distillery Rezoning

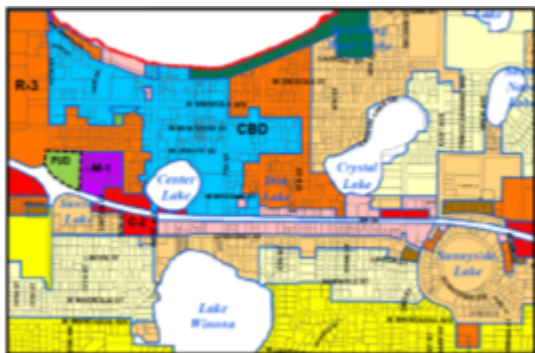
Requested Action

Recommend approval of Ordinance No. 2019-47

Staff Report

The applicant is requesting a zoning change from M-1 Industrial to Planned Unit Development (PUD), to allow for the development of a Distillery with a tasting room, restaurants and retail shops. The vacant 5.9 +/- acre parcel is located at the corner of State Road 50 and 12th Street. The current Land Use is Commercial and Planned Unit Development (PUD) zoning will allow the developer more flexibility to create a Master Development Plan for the property.

The subject property is located at the entrance and gateway of the City's Downtown Central Business District. The development of the property will promote and encourage more retail and mixed uses business opportunities in the area. The Master Development Plan includes development for up to six (6) buildings with up to a maximum 60,000 total square footage for all buildings. The permitted uses are commercial, office, retail, restaurants, bottling and warehouse, spirits and alcohol production, distillery, bars, and any other distribution associated with the distillery. The project shall be designed in substantial accordance with the Conceptual Development Plan prepared by McCoy and Associates. The project will be required to comply with the Land Development Regulations and all buildings must comply with Clermont Architectural Standards. The Applicant will be required to provide a Traffic Impact Study and comply with any identified traffic concurrency mitigation. Any Driveway Permits or Access points must be reviewed and approved by the City Engineer or his/her designee and by Lake County Public Works for any County Streets at the time of Site Plan Review.



The Planned Unit Development (PUD) zoning allows some flexibility to the Land Development Code, defined as waivers to the code. The applicant is requesting the following waivers:

1. To allow shared parking spaces between the restaurants and retail/commercial facilities.
2. To allow up to a maximum of 14 parking spaces between parking landscape islands.

3. To allow nine feet width x 20 feet depth (9' x 20') for employee parking spaces.
4. To allow the 11th Street Driveway Access within 35' of the Intersection.
5. To allow a 10 feet maximum height retaining wall instead of code requirements of 6 feet height.
6. To allow employee parking without internal terminal landscape islands.
7. To allow a 15 feet Building Setback for Building identified as (C) adjacent to 11th Street.

Staff has reviewed the application as submitted and finds the proposed project does meet the general requirements and standards for Section 122-315, Review Criteria for a PUD. The applicant is requesting several waivers to the Land Development Codes; the intent of PUD zoning is to allow more development flexibility by creating a development plan in accordance to the provisions of the land development code.

Staff recommends approval of Ordinance No. 2019-47 to rezone subject parcel from M-1 Industrial to Planned Unit Development (PUD).

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2019-47 Heritage Square Distillery PUD REZ	Ordinance 2019-47 Heritage Square Distillery PUD REZ.pdf	
2. Location Map	Location Map.pdf	
3. Zoning Map	Zoning Map.pdf	
4. Concept Site Plan-Final	Concept Site Plan-Final.pdf	
5. Concept Plan-(2)	Concept Plan-(2).pdf	
6. Application	Application.pdf	
7. ORD 2019-47 Legal Ad Proof	ORD 2019-47 Legal Ad Proof.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2019-47

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North ½ of vacated Broome Street lying South of Block 124, City of Clermont, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

LOCATION

Vacant property located northeast of the 12th Street and State Road 50 intersection
(Alternate Key 1628580)

From: M-1 Industrial District
To: Planned Unit Development Zoning District (PUD)

SECTION 2. General Conditions

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with Exhibit A - Planned Unit Development (PUD) Conceptual Development Plan prepared by McCoy and Associates. Formal construction plans incorporating all conditions stated in this Ordinance shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or any other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.



CITY OF CLERMONT
ORDINANCE NO. 2019-47

SECTION 3. Land Uses and Specific Conditions

1. The project may consist of up to six (6) buildings with up to a maximum 60,000 total square footage for all buildings. The permitted uses are commercial, office, retail, restaurants, bottling and warehouse, spirits and alcohol production, distillery, bars, and any other distribution associated with the distillery.
2. Building Setbacks

From State Road 50	50 feet from the property line
Side Street	25 feet from the property line
Side Yard Setback	12 feet from the property line
Rear Yard Setback	25 feet from the property line
3. Sidewalks shall be constructed adjacent to any streets' right-of-ways for pedestrian safety and to comply with Americans with Disabilities Act requirements.
4. The architectural features and building height shall not exceed 55 feet, measured at the highest point. The buildings shall be designed and constructed to meet the City of Clermont's Architectural Design Standards.
6. The project may be developed to allow shared parking between the restaurants, commercial, office and retail businesses.
7. The project may be developed to allow up to 14 parking spaces between landscape islands instead of code requirements of a maximum 10 parking spaces.
8. The project shall be developed according to the C-2 General Commercial zoning district in the Land Development Code, unless expressly stated above.
9. The project may be developed to allow 9 feet wide and 20 feet depth (9'x20') for employee parking spaces instead of requirements of the Land Development Code.
10. The project may be developed to allow employee parking without internal terminal landscape islands.
11. The project may be developed with no building landscaping in front of bay doors, but landscaping will be required around the office building.
12. The project may be developed to allow a maximum 10 foot height for retaining walls instead of 6 foot height requirements.
13. The Building identified as "C" setback may be reduced to 15 feet adjacent to 11th Street instead of the 25 feet requirement.
14. Any Driveway Permits or Access points must be reviewed and approved by the City Engineer or his/her designee and by Lake County Public Works for any designated County Streets at the time of Site Plan Review.



CITY OF CLERMONT
ORDINANCE NO. 2019-47

15. All fencing shall be ornamental wrought iron or metal, or decorative wood fencing, as approved by the Site Review Committee.
16. The 11th Street Driveway shall be within 35 feet of the intersection.
17. A Traffic Impact Study (TIS) shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

SECTION 4.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 5.

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

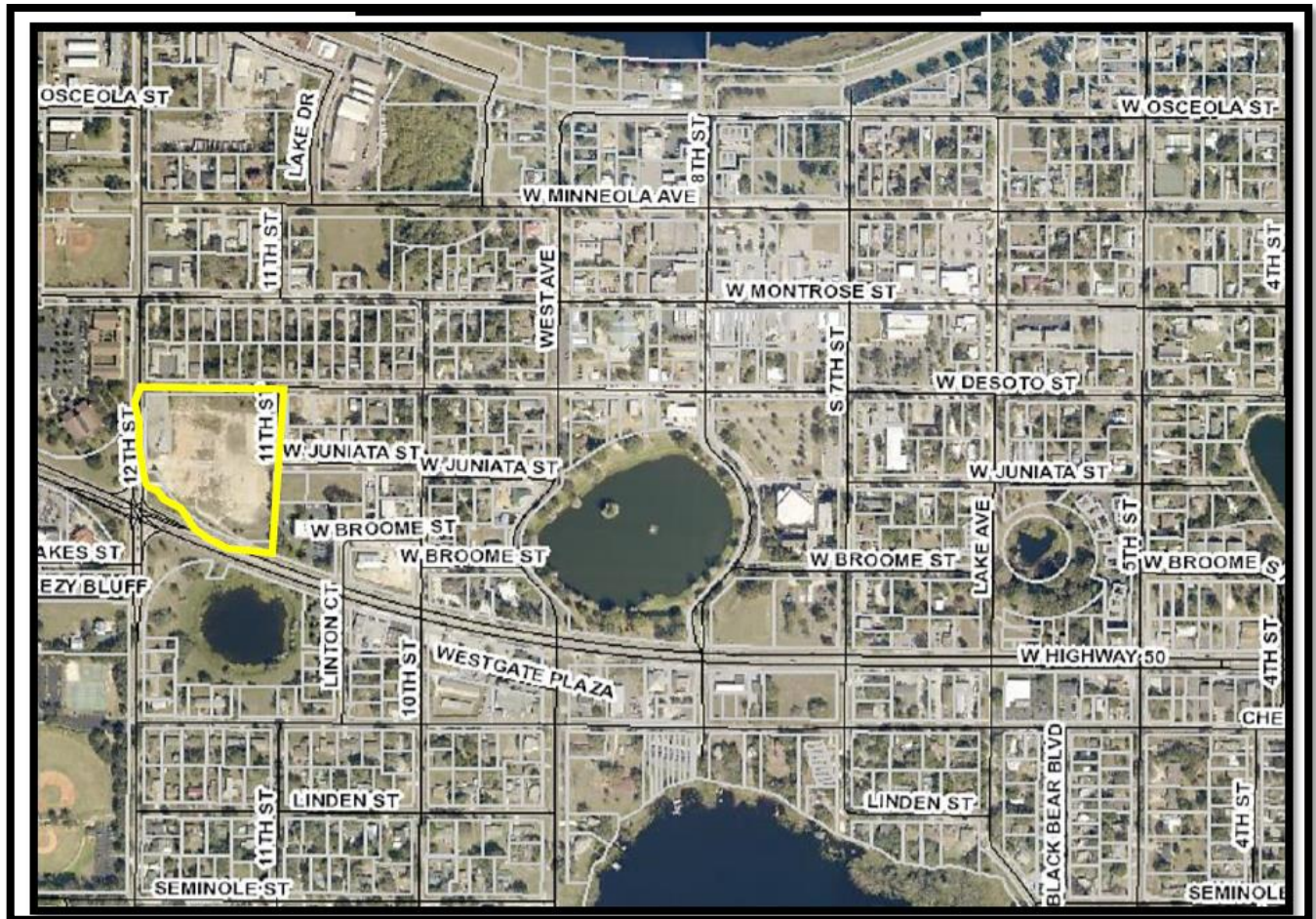
SECTION 6.

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

SECTION 7.

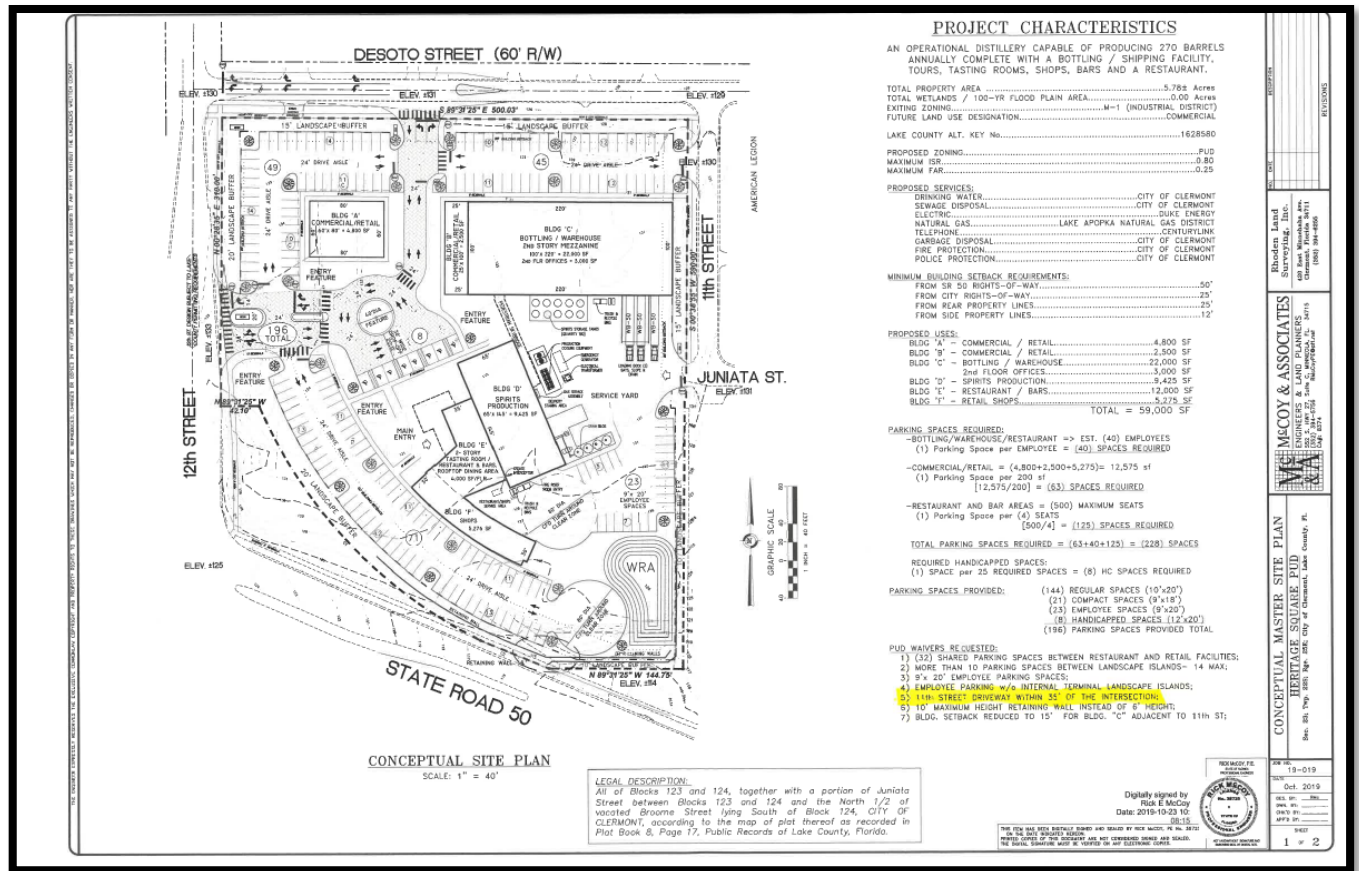
This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

Location Map:



CITY OF CLERMONT ORDINANCE NO. 2019-47

Exhibit A:





CITY OF CLERMONT
ORDINANCE NO. 2019-47

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

CITY OF CLERMONT

Gail L. Ash, Mayor

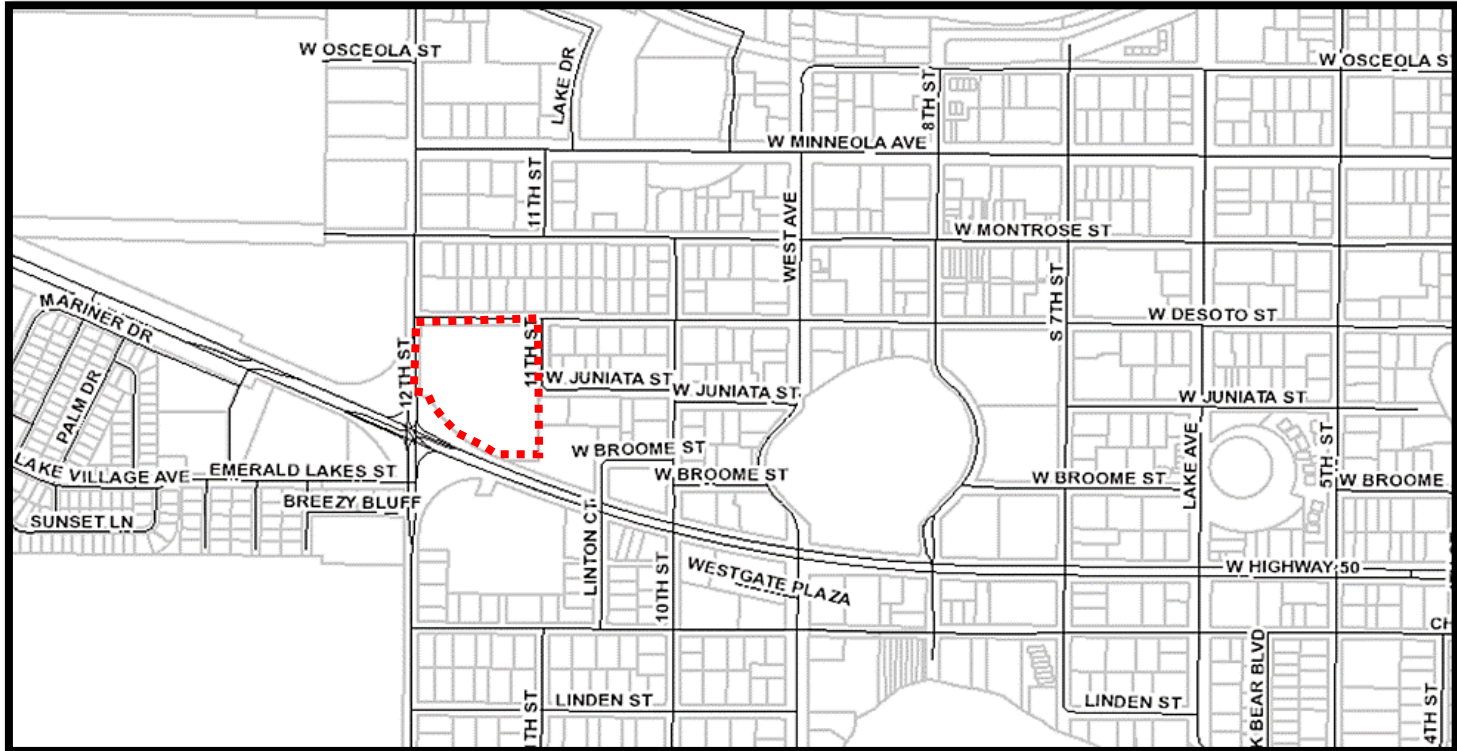
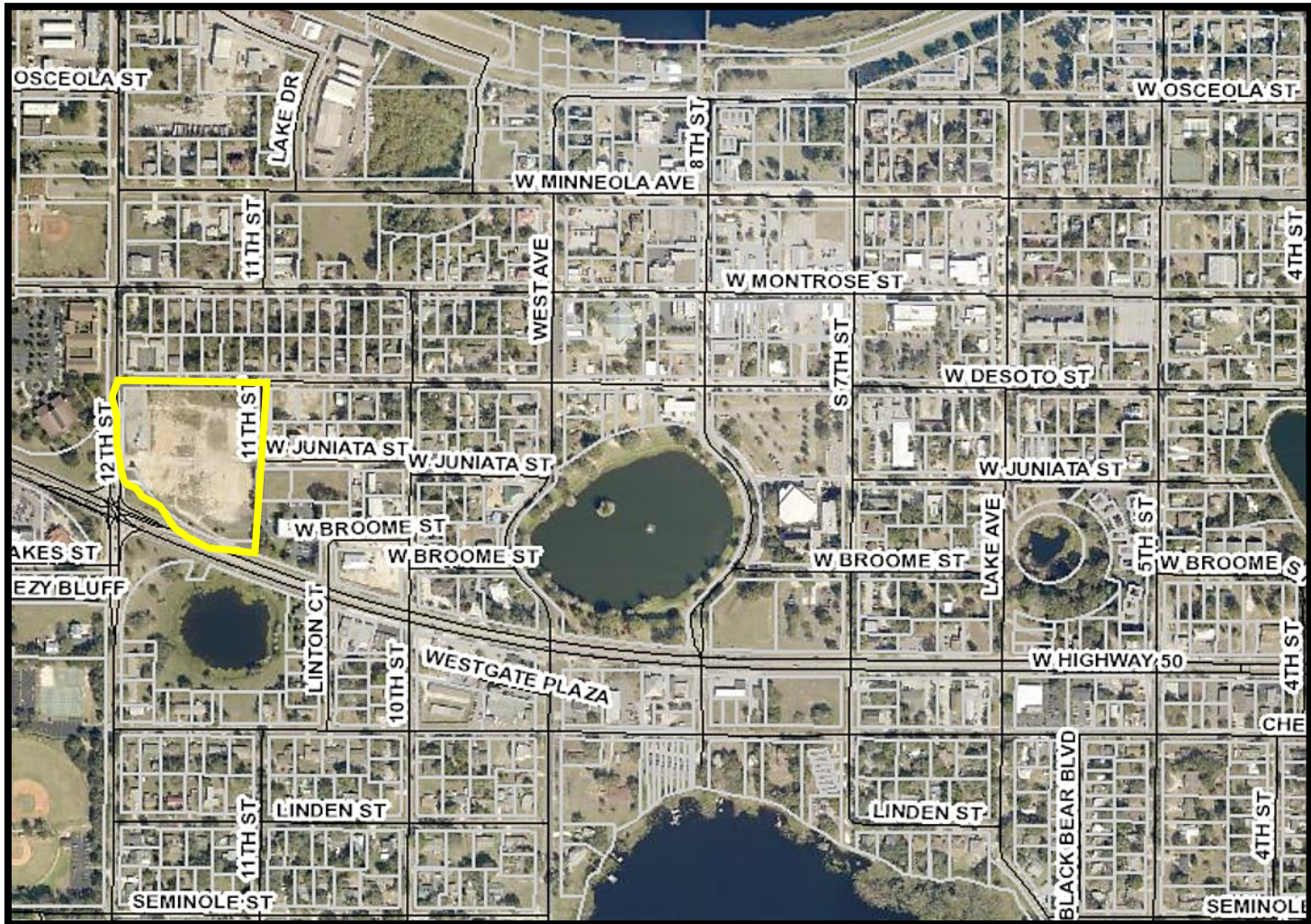
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

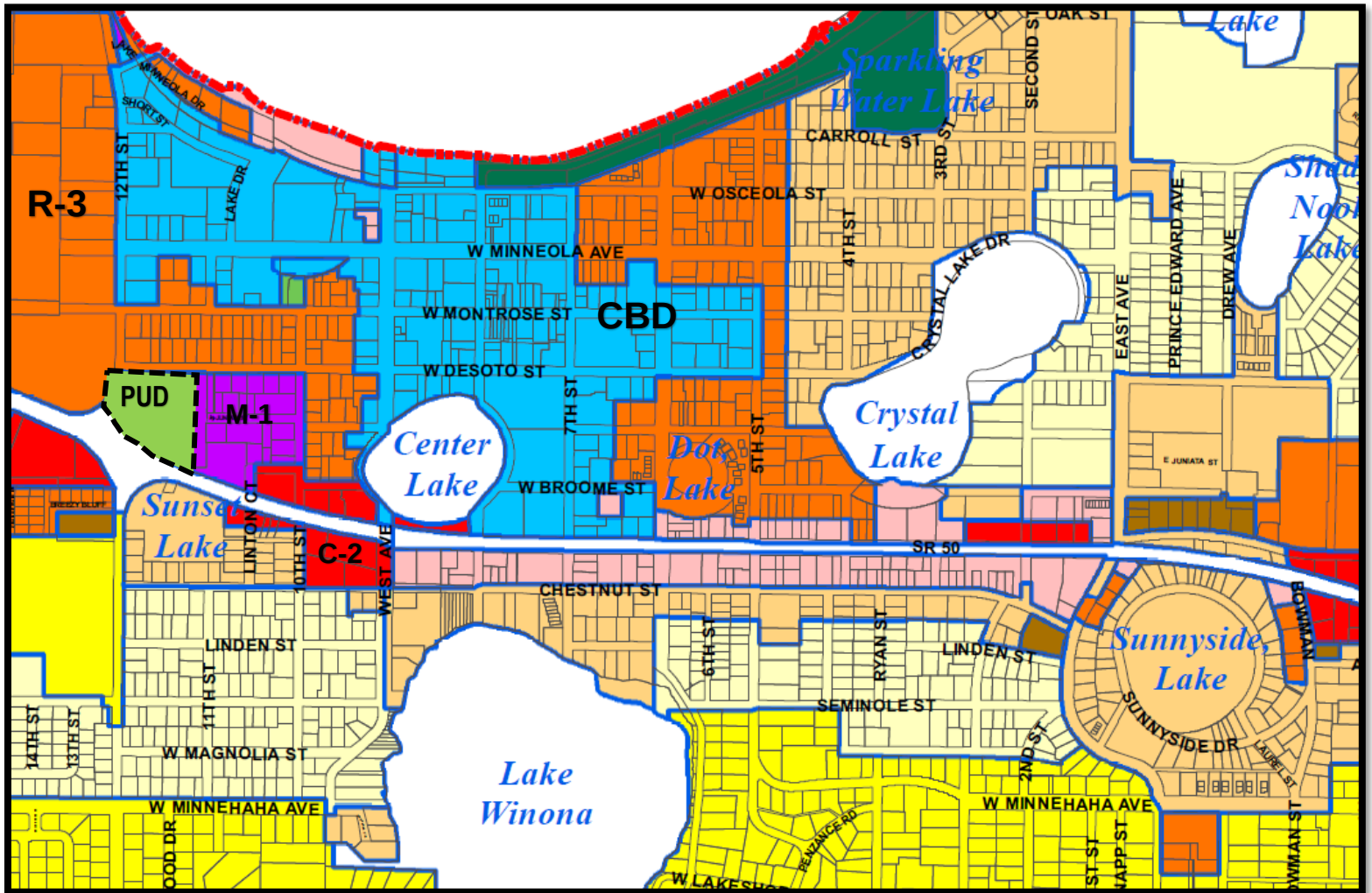
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map



Clermont Zoning Map



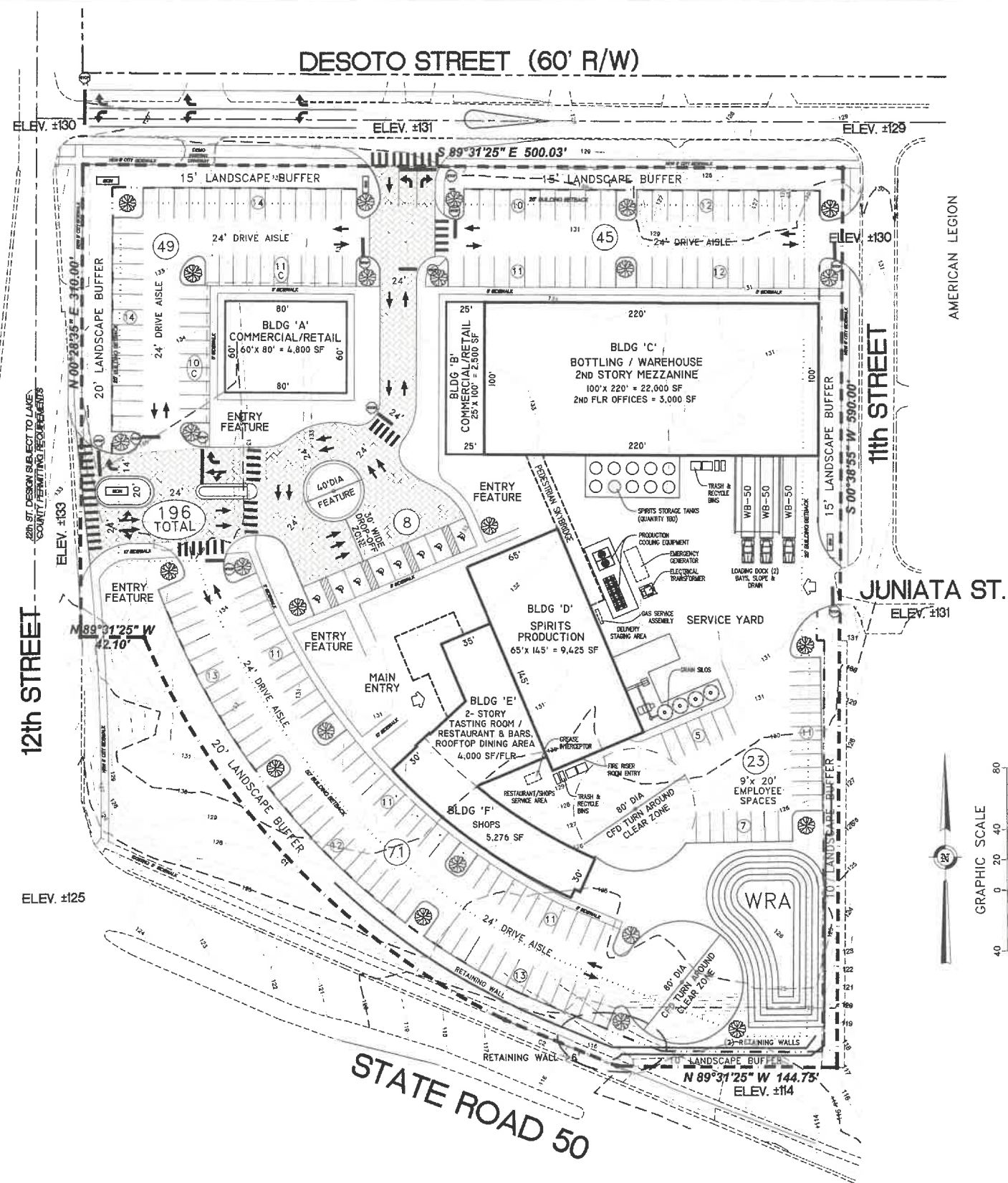
Legend

City Limits

Zoning Designations

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS

THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMUNAL COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEERS WRITTEN CONSENT.



CONCEPTUAL SITE PLAN

SCALE: 1" = 40'

LEGAL DESCRIPTION:

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North 1/2 of vacated Broome Street lying South of Block 124, CITY OF CLERMONT, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

PROJECT CHARACTERISTICS

AN OPERATIONAL DISTILLERY CAPABLE OF PRODUCING 270 BARRELS ANNUALLY COMPLETE WITH A BOTTLING / SHIPPING FACILITY, TOURS, TASTING ROOMS, SHOPS, BARS AND A RESTAURANT.

TOTAL PROPERTY AREA5.78± Acres
TOTAL WETLANDS / 100-YR FLOOD PLAIN AREA.....0.00 Acres
EXITING ZONING.....M-1 (INDUSTRIAL DISTRICT)
FUTURE LAND USE DESIGNATION.....COMMERCIAL

LAKE COUNTY ALT. KEY No.....1628580

PROPOSED ZONING.....PUD
MAXIMUM ISR.....0.80
MAXIMUM FAR.....0.25

PROPOSED SERVICES:

DRINKING WATER.....CITY OF CLERMONT
SEWAGE DISPOSAL.....CITY OF CLERMONT
ELECTRIC.....DUKE ENERGY
NATURAL GAS.....LAKE APOPKA NATURAL GAS DISTRICT
TELEPHONE.....CENTURYLINK
GARBAGE DISPOSAL.....CITY OF CLERMONT
FIRE PROTECTION.....CITY OF CLERMONT
POLICE PROTECTION.....CITY OF CLERMONT

MINIMUM BUILDING SETBACK REQUIREMENTS:

FROM SR 50 RIGHTS-OF-WAY.....50'
FROM CITY RIGHTS-OF-WAY.....25'
FROM REAR PROPERTY LINES.....25'
FROM SIDE PROPERTY LINES.....12'

PROPOSED USES:

BLDG 'A' - COMMERCIAL / RETAIL.....4,800 SF
BLDG 'B' - COMMERCIAL / RETAIL.....2,500 SF
BLDG 'C' - BOTTLING / WAREHOUSE.....22,000 SF
2nd FLOOR OFFICES.....3,000 SF
BLDG 'D' - SPIRITS PRODUCTION.....9,425 SF
BLDG 'E' - RESTAURANT / BARS.....12,000 SF
BLDG 'F' - RETAIL SHOPS.....5,275 SF
TOTAL = 59,000 SF

PARKING SPACES REQUIRED:

-BOTTLING/WAREHOUSE/RESTAURANT => EST. (40) EMPLOYEES
(1) Parking Space per EMPLOYEE = (40) SPACES REQUIRED

-COMMERCIAL/RETAIL = (4,800+2,500+5,275) = 12,575 sf
(1) Parking Space per 200 sf
[12,575/200] = (63) SPACES REQUIRED

-RESTAURANT AND BAR AREAS = (500) MAXIMUM SEATS
(1) Parking Space per (4) SEATS
[500/4] = (125) SPACES REQUIRED

TOTAL PARKING SPACES REQUIRED = (63+40+125) = (228) SPACES

REQUIRED HANDICAPPED SPACES:

(1) SPACE per 25 REQUIRED SPACES = (8) HC SPACES REQUIRED

PARKING SPACES PROVIDED:

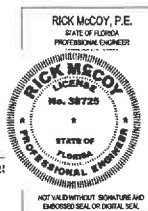
(144) REGULAR SPACES (10'x20')
(21) COMPACT SPACES (9'x18')
(23) EMPLOYEE SPACES (9'x20')
(8) HANDICAPPED SPACES (12'x20')
(196) PARKING SPACES PROVIDED TOTAL

PUD WAIVERS REQUESTED:

- (32) SHARED PARKING SPACES BETWEEN RESTAURANT AND RETAIL FACILITIES;
- MORE THAN 10 PARKING SPACES BETWEEN LANDSCAPE ISLANDS- 14 MAX;
- 9'x 20' EMPLOYEE PARKING SPACES;
- EMPLOYEE PARKING w/o INTERNAL TERMINAL LANDSCAPE ISLANDS;
- 11th STREET DRIVEWAY WITHIN 35' OF THE INTERSECTION;
- 10' MAXIMUM HEIGHT RETAINING WALL INSTEAD OF 6' HEIGHT;
- BLDG. SETBACK REDUCED TO 15' FOR BLDG. "C" ADJACENT TO 11th ST;

Digitally signed by
Rick E McCoy
Date: 2019-10-23 10:
08:15

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, PE No. 38725
ON THE DATE INDICATED HEREON.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



McCOY & ASSOCIATES
ENGINEERS & LAND PLANNERS
420 East Minnehaha Ave.
Clermont, Florida 34711
(352) 394-8256
r.mccoy@mccl.net
CA# 6574

CONCEPTUAL MASTER SITE PLAN
HERITAGE SQUARE PUD
Sec. 25; Twp. 25S; Rge. 25E; City of Clermont, Lake County, FL.

JOB NO. 19-019
DATE Oct. 2019
DES. BY: RMC
OWN. BY:
CHK'D BY:
APP'D BY:
SHEET 1 OF 2

10th STREET

BROOME ST.

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK MCCOY, PE No. 38725 ON THE DATE INDICATED HEREIN.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Digitally signed by
Rick E McCoy
Date: 2019-10-23
10:07:42

RICK MCCOY, P.E.
STATE OF FLORIDA
PROFESSIONAL ENGINEER

PROFESSIONAL
ENGINEER
RICK MCCOY
No. 38725
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

NOT VALID WITHOUT SIGNATURE AND
EMPOWERED SEAL (REGISTERED SEAL)

RICK MCCOY, P.E.
 LICENSED PROFESSIONAL ENGINEER
 LICENSE
 No. 38725
 STATE OF
 FLORIDA
 PROFESSIONAL ENGINEER

JOB NO. 19-019
DATE Oct. 2019
DES. BY: RMc
DWN. BY:
CHK'D BY:
APP'D BY:
SHEET 2 OF 2

HERITAGE SQUARE PUD
Sec. 23; Twp. 25S; Rge. 25E; City of Clermont, Lake County, Fl.

**Rhoden Land
Surveying, Inc.**
420 East Minnehaha Ave.
Clermont, Florida 34711
(352) 394-6255

[illegible]

REZ 1910 - 0001



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: October 2, 2019

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Heritage Square

APPLICANT: Jimmy D. Crawford, Esq.

CONTACT PERSON: Jimmy Crawford and/or Jennifer Cotch

Address: 702 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-432-8644 Fax: 352-432-8699

E-Mail: jcrawford@cmhlawyers.com jcotch@cmhlawyers.com

OWNER: Robert Wade

Address: 1363 W. Lakeshore Drive

City: Clermont State: Florida Zip: 34711

Phone: _____ Fax: _____

Address of Subject Property: 901 12th Street, Clermont

Legal Description (include copy of survey): East 10 feet of Lot 21, Block 112, Block 123, Block 124 and all of vacated portion of Juanita Street adjacent to said Blocks 123 and 124 and the North half of vacated Broome Street adjacent to said Block 124, in Sunset Park, a subdivision in the Official Map of the City of Clermont

Acres: 5.9 acres Land Use: Commercial
(City verification required)

Present Zoning: M-1 Industrial Proposed Zoning: PUD
(City verification required)



CITY OF CLERMONT
REZONING
APPLICATION
Page 2

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

Restaurant and distillery with tasting room and retail componet.

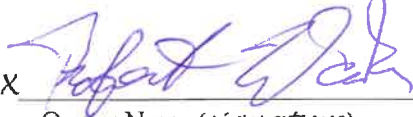
Jimmy D. Crawford, Esq.

Applicant Name (print)

X 
Applicant Name (*signature*)

Robert Wade

Owner Name (print)

X 
Owner Name (*signature*)

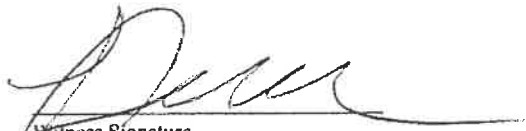
City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

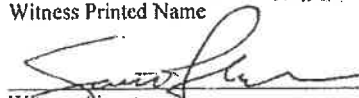
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

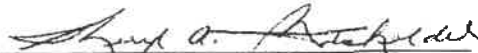
Signed, sealed and delivered in presence of:

**S. W. WILLIAMS FAMILY L.L.C., a
Florida limited liability company**

By: Shafter W. Williams Revocable Trust
Agreement Dated April 17, 1992, its Sole
Authorized Member


Witness Signature
Linda K. Wilder
Witness Printed Name


Witness Signature
W. SCOTT LLOYD
Witness Printed Name

By: 
SHERYL A. BATCHELDER, Trustee

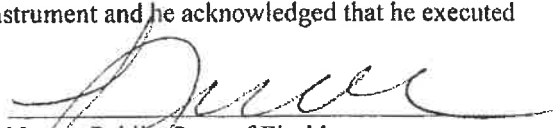
STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me, a Notary Public, this 17 day of March, 2018, by **SHERYL A. BATCHELDER** as Trustee of the **SHAFTER W. WILLIAMS REVOCABLE TRUST AGREEMENT DATED APRIL 17, 1992** as Sole Authorized Member of **S. W. WILLIAMS FAMILY L.L.C., a Florida limited liability company**, on behalf of the company and who is personally known to me, or who has produced a valid driver's license as identification and who executed the foregoing instrument and he acknowledged that he executed the same.

(Notary Seal)




Notary Public, State of Florida
My Commission Expires: _____

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: 10091497
Phone: (352) 241-7331
Date: 10/14/19
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	10/21/2019	11/04/2019	\$240.68

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. 2019-47

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION

LOCATION

Vacant property located northeast of the 12th Street and SR 50 intersection. Approx. 5.73 +/- Acres

LEGAL DESCRIPTION

All of Blocks 123 and 124, together with a portion of Juniata Street between Blocks 123 and 124 and the North ½ of vacated Broome Street lying South of Block 124, City of Clermont, according to the map of plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

From: M-1 Industrial Uses
To: Planned Unit Development PUD

This request will be considered by the Planning & Zoning Commission on Tuesday, November 5, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, November 19, 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: 10091497
October 21, 2019 &
November 04, 2019

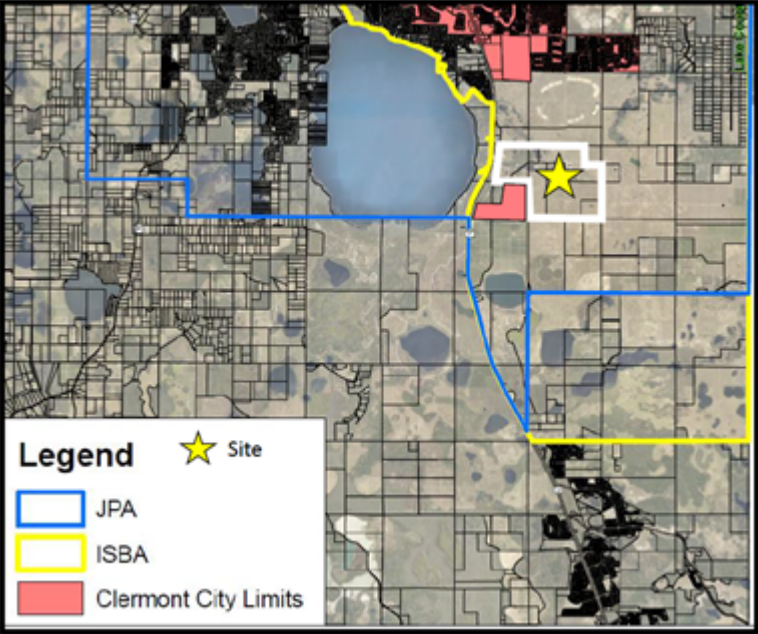
Payment Info	
Ad Price	\$240.68
Tax	\$0.00
Sub Total	\$240.68
Prepaid Amount	\$0.00
Balance Due	\$240.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 5, 2019	
Agenda Item Name	
Ordinance No. 2019-06 <i>South Lake Crossing PUD</i>	
Requested Action	
Recommend approval of Ordinance 2019-06.	
Staff Report	
The owner, South Lake Crossings, is requesting a rezoning to a mixed use planned unit development (PUD) consisting of 1850 residential units, 300,000 square feet of commercial uses, and 500,000 square feet of office uses on 743 +/- acres in the Wellness Way area. The owner has applied for annexation and a large-scale comprehensive plan amendment change to Master Planned Development in the City of Clermont. The property is adjacent to the Olympus Sports & Entertainment (OSE) project.  The residential developer, Lennar, is planning on 1850 dwelling units, consisting of duplexes, townhomes, and detached single-family homes. The Master Plan, Exhibit 2, shows the location of housing types, major roadways, and commercial and office uses. All of the residential development is arranged to be east of the Hancock Road extension. As indicated on the Master Plan, the total developable residential area is 469.21 acres, the employment district for office and commercial use is 101.88 acres, and the neighborhood centers are 18.80 acres. This doesn't include the additional preserved wetland buffers of 96.95 acres, wetland buffers of 12.30 acres, and 44.03 acres for right-of-way dedication. The lot widths range from 18 feet wide for the attached townhomes up to 70 feet wide for the detached single-family homes. On Exhibit 1, sheet C-8 of the Land Use Plan, a table has been provided to indicate the range of residential development standards for the development. The table is typical of the larger residential PUD's, such as WaterBrooke and Highland Ranch, to allow a variety of housing types. Included in the	

ordinance under Exhibit 3 are sample architectural elevations. Staff is concerned over the 18 feet wide front loaded (garage on front) townhome product and is not supportive of this type of product.

Two Neighborhood Centers are being planned adjacent to the residential uses that consist of primarily C-1 Light Commercial uses that complement the residential uses. The northern Neighborhood Center may include one grocery store up to 60,000 square feet with a maximum aggregate of 100,000 square feet for the total shopping center. The southern Neighborhood Center may have up to a maximum of 40,000 square feet with any building over 16,000 square feet requiring a Condition Use Permit. This square footage will count in the overall 300,000 square feet of commercial uses for the project.

The remaining non-residential portion of the project, commercial and office uses will primarily be located on the western portion of the site between Hancock Road extension and US Hwy 27. Included in this area is a 15-acre charter school site and 1 ½-acre civic use site. The vision of this area is to develop jobs through office uses while providing supporting commercial uses. The requested office use is 500,000 square feet with 300,000 square feet of commercial use. The owner has included a land use conversion matrix that permits exchanging different types of land use based on traffic equivalents. The land use consists of single family, townhomes, retail, employment and multi-family. A land use may not be converted more than 50% with a limit of 350 dwelling units converted in the employment district. Staff has prohibited any conversions for multi-family in the Neighborhood Centers.

City staff, Lake County staff, the applicant, and their representatives have worked through the proposed project and waivers. Upon discussion and review, staff is able to support a majority of the requested waivers. These staff-supported waivers are the following:

1. Allow private streets within the subdivision with gated entry/exits, as indicated on Exhibit 2,.
2. Allow cut/fill exceeding 10 feet on a maximum of up to 10% of the site as indicated on sheet C-7, Exhibit 1.
3. Allow construction of 20-foot wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, as indicated on sheet C-9, Exhibit 1.
4. Allow individual phases of the PUD to exceed the overall density of the PUD and to allow individual phases of the PUD to be developed without providing common open space in proportion to that contained within the entire PUD.
5. Allow street trees within the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than 6 feet from curbs and sidewalks as long as a minimum of 5 feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
6. Allow private dead-end streets of less than one hundred fifty (150) feet in length to terminate without a cul-de-sac.
7. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.

Three additional requested waivers are not supported by staff. They include: (1) allow a minimum right-of-way width of fifty (50) feet for local streets instead of sixty (60) feet, (2) to allow off-site signage and (3) to allow signage design, height, and width exceeding code. Staff, specifically the utility department, has determined that the reduction of 10 feet in the right-of-way has posed challenges for utility maintenance. Staff also understands the desire to have signage and wayfinding on a project of this magnitude but the specific details of the signage has not been provided. This can be further worked out and presented to City Council through a Master Sign package at a later date.

The developer has incorporated many development standards into the project. These include open space in the form of usable parks, playgrounds, tot lots, community gardens, and pedestrian trails around stormwater ponds. In addition, a 10-acre amenity center is being set aside for the residential component. As for roadway impacts, the developer will enter into a Transportation Impact Fee Credit agreement with Lake County and the City of Clermont. This agreement shall require the developer to fund improvements for ConservII right-of-way, design and permitting of roadways and/or construction of roadways for Transportation impact fee credits. Prior to final plat or site plan approval for residential uses, school concurrency shall be met.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. The applicant is requesting several waivers, however; a majority of the waivers have been requested before in other PUD developments. Therefore, staff recommends approval of Ordinance 2019-06 for a Planned Unit Development to be developed in substantial accordance with the Wellness Way PUD Master Plan, Exhibit 2, prepared by VHB with a date of October 18, 2019.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	2019-06 South Lake Crossing REZ PZ Formatted	2019-06 South Lake Crossing REZ PZ Formatted.doc
2.	South Lake Crossings Map	South Lake Crossings Map.pdf
3.	JPA ISBA Project Location Outline Annexation Map SL Crossing	JPA ISBA Project Location Outline Annexation Map SL Crossing.pdf
4.	Exhibit 1 - Wellness Way PUD 2019-10-18	Exhibit 1 - Wellness Way PUD 2019-10-18.pdf
5.	Exhibit 2 - Master Plan 300sc 24x36_REV 101819	Exhibit 2 - Master Plan 300sc 24x36_REV 101819.pdf
6.	Exhibit 4 - Proportionate Share	Exhibit 4 - Proportionate Share.pdf
7.	Wellness Way PUD Rezoning App 04092019	Wellness Way PUD Rezoning App 04092019.pdf
8.	SL Crossing Legal Ad	SL Crossing Legal Ad.pdf



CITY OF CLERMONT
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, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property (hereinafter referred to as the "Property"):

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 ¼ 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 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, 1314.56 feet; thence S89°00'54"E along the south line of said northeast ¼ of the northeast ¼ 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 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 #RLSL993 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



CITY OF CLERMONT
ORDINANCE NO. 2019-06

the northeast corner of the northwest $\frac{1}{4}$ of said section 27; thence N89°32'30"W along the north line of said northwest $\frac{1}{4}$, 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 $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 of said section 22, said northwest corner according to certified corner record #48107; thence S89°36'30"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 $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of the aforesaid section 22; thence S89°00'54"E along the north line of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$, 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 849, 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 $\frac{1}{4}$ of the southeast $\frac{1}{4}$ 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 1455:

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 $\frac{1}{4}$ of the northeast $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$, 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



CITY OF CLERMONT
ORDINANCE NO. 2019-06

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 $\frac{1}{4}$, 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, 456.14 feet; thence n55°49'12"e, 1567.27 feet to the northwest corner of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of the aforesaid section 22; thence s89°00'54"e along the north line of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$, 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 $\frac{1}{4}$ 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 $\frac{1}{4}$, 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 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 $\frac{1}{4}$, 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 si5°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 $\frac{1}{4}$ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section 22, 1327.85 feet to the northwest corner of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest



CITY OF CLERMONT
ORDINANCE NO. 2019-06

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 #48105; 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, 1314.56 feet; thence s89°00'54"e along the south line of said northeast ¼ of the northeast ¼ 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 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 #rlsl993 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 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 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 #lb68 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.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Less and except therefrom;
Those parcels described in Official Records Book 849, 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 $\frac{1}{4}$ of the southeast $\frac{1}{4}$ 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 1455:

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 $\frac{1}{4}$ of the northeast $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 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



CITY OF CLERMONT
ORDINANCE NO. 2019-06

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 $\frac{1}{4}$, 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 $\frac{1}{4}$ of aforesaid section 22; thence, departing said east-west center of section line, n00°23'17"e along the west line of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section 22, 1327.85 feet to the northwest corner of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of section 22; thence departing said west line run s89°00'54"e along the north line of said southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$, 679.40 feet; thence, departing said north line, n00°00'00" w, 1325.72 feet to the north line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$, 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.

LOCATION

East of US 27, West of Five Mile Road, North of Schofield Road, and South of Hartwood Marsh Road, Wellness Way (South Lake Crossings) Planned Unit Development
(Alternate Keys 3777484, 1412315, 3853225, 1594529, 3777485, 1028477, and 3853226)

From: Urban Transition (UT)
To: Planned Unit Development (PUD)

SECTION 2.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed. To the extent that any term, condition, part or entitlement contained herein conflicts with any existing, ordinance, land development code provision or regulation of the City of Clermont, this Ordinance shall control.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

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



CITY OF CLERMONT
ORDINANCE NO. 2019-06

SECTION 3.

The exhibits below are contained in this Planned Unit Development (PUD) Ordinance and shall be referenced throughout the document and the life of the Planned Unit Development.

- Exhibit 1: Wellness Way Planned Unit Development Land Use Plan
- Exhibit 2: Wellness Way Planned Unit Development Master Plan
- Exhibit 3: Wellness Way Planned Unit Development Architectural Elevations
- Exhibit 4: Wellness Way Planned Unit Development Transportation Impact Study/Proportionate Share

SECTION 4. General Conditions

The Planned Unit Development approved herein shall allow for residential, commercial, office, institutional, open space and civic uses on the Property subject to the following conditions:

1. This Ordinance shall be recorded in the Public Records of Lake County at the expense of the applicant and the conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Wellness Way Planned Unit Development Master Plan, prepared by VHB, dated October 18, 2019 and incorporated herein and made a part hereof as Exhibit 2. 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.
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. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
5. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the City's Information Technology Director or authorized designee will make this determination.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

6. Easements shall be provided to the City at no expense to the City authorizing the City's unrestricted access to any existing and proposed utilities that the City will own and maintain.
7. The current use of the property is agriculture and may continue this use until clearing or grading for development occurs.
8. School concurrency shall be met before any final site plan approval that contains residential uses that will generate school age children in accordance with the Comprehensive Plan and Land Development Code. Wellness Way Planned Unit Development may plat the residential tracts in accordance with the Land Use Plan (Exhibit 1) in order to maintain its concurrency reservation certificate #LCS 2019-17 issued by Lake County School Board on July 17, 2019. Said Concurrency Reservation Certificate and Cover Letter stipulate a one (1) year period to enter into a Developer Agreement or Planned Unit Development adoption by ordinance with the City of Clermont. Furthermore, the same School Board Certificate and Cover Letter stipulate two (2) six month extensions to secure plat approval.
9. Any applicant for development of any portion of the Property may submit an application for multiple approvals as may be required under the City Code and request that such multiple applications be processed concurrently; however, such concurrent processing shall meet all applicable procedural and advertising requirements and shall proceed at the applicant's own risk, and shall have no implication in regard to the approval of any of the various approvals requested.

SECTION 5. Land Uses and Specific Conditions

1. Residential:
 - a. A total of 1,850 residential dwelling units, comprised of single-family dwelling units, duplexes, and townhouses. The Wellness Way Planned Unit Development gross development density and intensity will not exceed the Comprehensive Plan maximum residential density of 12 dwelling units/acre and 0.25 FAR. The applicant shall provide a table with the current and proposed total cumulative number of residential units, Floor Area Ratio, and Impervious Surface Ratio (ISR) for each phase of development or each site plan review. The Wellness Way Planned Unit Development Land Use Plan adopted by this Ordinance as Exhibit 1 shall govern the land uses and location within the project.
 - b. Phasing of Development: The project may be developed in multiple phases. Each phase of development shall have sufficient infrastructure to stand alone.
 - c. Any front loaded residential product on lots less than 40 feet in width shall incorporate hardscape features such as 3-foot masonry walls and/or decorative courtyard features along the front property line and side property lines. These features will be designed to soften the exterior of the buildings and complement the architectural styles while defining lot lines.
 - d. Residential Development Standards: Development standards for the development of residential dwelling units, shall be based on the size of the lot, as indicated in the table below:



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Design Item	Townhomes	Single Family Detached	
	(feet)	Rear Load (feet)	Front Load (feet)
Minimum Lot Width	18	32 – 40	40 - 70
Minimum Living Area	1,000 sf	1,200 sf	1,500 sf
Minimum Lot Depth	110	110	120
Minimum Front Building Setback (front load/rear load)	20 / 15	15	20
Minimum Front Porch Setback	10	10	10
Minimum Garage Setback (front/rear) (measured from edge of pavement)	20/20	20/20	20/20
Minimum Side Yard Setback	0 / 5 (end units)	5	5
Setback From Side Street	15	15	15
Minimum Rear Yard Setback	20	20	20
Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures	5	5	5
Rear Setback from Edge of Alley Pavement ¹	20	20	N/A
Minimum Building Separation	10	10	10
Maximum Impervious Surface Ratio (ISR) ²	0.85	0.75	0.75
Maximum Building Height ³	40	40	40
Setback from Normal High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	25	25	25
Minimum Front Yard Utility Easement	10	10	10
Minimum Side and Rear Yard Drainage and Utility Easement	5	5	5

¹Detached garages shall be setback a minimum of 3 feet.

²The maximum allowable ISR for the overall Planned Unit Development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

³ The maximum height for recreational amenity buildings shall be 55 feet.

2. Employment District/Neighborhood Commercial:



CITY OF CLERMONT
ORDINANCE NO. 2019-06

- a. The maximum square footage of all Employment District tracts and Neighborhood Center Tracts shall not exceed 800,000 square feet – 500,000 square feet of employment use and 300,000 square feet of C-2 General Commercial uses. Any increase over 300,000 square feet of C-2 General Commercial Uses will require an amendment to the Planned Unit Development.
- b. Density/Intensity: Residential Density 12 dwelling units/acre per parcel
 Employment Intensity 0.25 Floor Area Ratio per parcel
- c. Phasing of Development: The project may be developed in multiple phases. Each phase of development shall have sufficient infrastructure to stand alone.
- d. Employment District:
- i. Employment Districts are primarily designated for employment hubs with uses such as professional offices and institutional uses. Ancillary uses are permitted under the C-2 General Commercial use. Any development that is conditional under the C-2 General Commercial use shall require a Conditional Use Permit, unless prohibited below.
 - ii. Prohibited uses are as follows,
 - Automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales.
 - Major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.
- e. Neighborhood Center:
- i. A Neighborhood Center shall have a maximum of 140,000 square feet. Neighborhood Centers are primarily designated for C-1 Light Commercial uses that complement the adjacent residential uses. The uses permitted are the C-1 Light Commercial uses. The uses may include one grocery store up to 60,000 square feet, not to exceed a total maximum aggregate of 100,000 square feet in the shopping center on the northern Neighborhood Center. The southern Neighborhood Center may have up to 40,000 square feet, with any building over 16,000 square feet requiring a Conditional Use Permit. Any remaining square footage not developed in the Neighborhood Centers under the 140,000 square feet may be used in the Employment District.
- f. Employment District Development Standards: Development within the Employment District parcels shall comply with the C-2 General Commercial District development standards listed in Division 11 of the City of Clermont Land Development Code.
- g. Neighborhood Commercial District Development Standards: Development within the Neighborhood Commercial District shall comply with the standards listed below,

	Commercial	Employment
Building Height	35 feet/2-	35 feet/2-stories



CITY OF CLERMONT
ORDINANCE NO. 2019-06

	stories	
Max Impervious	75%	75%
Max Lot Coverage	75%	75%
Building Separation	N/A	N/A

- h. Land Use Conversion Matrix: Land uses within the Employment District and Neighborhood Commercial District shall be converted per the rates listed below. Residential development in the Employment District is limited to 350 dwelling units. No multi-family may be converted and developed in the Neighborhood Commercial Districts.

	1,000 SF Commercial	1,000 SF Employment	1 Dwelling Unit Townhome	1 Dwelling Unit Apartment
Commercial		3.86	32.14	40.91
Employment	0.06		1.79	2.27
Townhomes	0.03	0.56		1.27
Apartment	0.05	0.44	0.79	

Maximum conversion shall be 50% of the land use total.

- i. Parking Standards: Parking shall be provided per Section 98-14 of the City of Clermont Land Development Code.
- j. Yard Setbacks: The following yard setbacks shall apply to the Employment District and Neighborhood Commercial District,
- (1) Front yard. Property adjacent to U.S. Highway 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.
 - (2) Side yard. The minimum side yard setback shall be 12 feet. On corner lots, a side yard setback of 50 feet shall be maintained on U.S. Highway 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained on the side adjacent to property that is either zoned or used as residential.
 - (3) Rear yard. The minimum rear yard setback shall be 25 feet except where a rear yard abuts U.S. Highway 27, a setback of 50 feet shall be maintained. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.
 - (4) Buffer strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundaries.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

- (5) Other setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

- k. Floor space: Any business establishment or structure proposing to occupy more than 16,000 square feet of floor space shall require a Conditional Use Permit as required by the Land Development Code.

SECTION 6. Open Space

1. Open space in accordance with the Comprehensive Plan, Chapter X, Recreation and Open Space, Policy 1.1.1 shall be provided and the Land Development Code (LDC), as amended. The adopted level of service standard for park land is 10 acres per 1,000 residents. This standard includes both passive and active City parks and recreational facilities, and includes community, neighborhood and mini-parks.
2. A minimum of four (4) percent of the gross acreage of the Planned Unit Development shall be provided as recreation in accordance with the Comprehensive Plan and Land Development Code (LDC).
3. Open Space/Recreation areas shall be provided in the form of useable parks, playgrounds, tot lots, community gardens, wetlands, wetland buffers, multi-use trails or similar related use areas. Wetlands and wetland buffers may be considered open space but not amenities as defined in 4 below.
4. Open Space amenities shall qualify as neighborhood centers and will be owned, operated and maintained by the Homeowners Association. Eighty percent (80%) of the homes shall be within one quarter (1/4) mile of a neighborhood center.
5. Each park or amenity area shall be required to have pedestrian and bicycle connections for the residents.
6. Stormwater ponds with pedestrian trails shall contribute up to one third (1/3) the required four (4) percent recreation area.
7. Amenities such as benches, and/or picnic tables, gazebos, overlooks or similar improvements must be included with trails to qualify as part of the calculated parks and community amenities requirement.

SECTION 7. Landscaping, Buffering, and Screening

1. Buffers shall be provided consistent with Section 118-73 of the City of Clermont Land



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Development Code. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.

2. No landscaping buffer is required along the perimeter of the Planned Unit Development adjacent to wetlands, open water and conservation areas.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

3. A waiver to Section 118-71(1) of the Land Development Code is granted in order to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than six feet from curbs and sidewalks as long as a minimum of five feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
4. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

SECTION 8. Environmental

1. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plans approval stage of each phase of the project. Applicable permits for any gopher tortoises and associated burrow commensal species or other threatened or endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of development activity.
2. Wetlands onsite will be placed in a conservation easement. Areas placed in a perpetual conservation easement will be recorded with the Lake County Clerk of Court.
3. Grading shall be completed in accordance with the approved Cut and Fill Analysis for the project set forth in Exhibit 1, sheet C-7.

SECTION 9. Environmental Services

1. The developer shall connect to the existing City potable water, sanitary sewer and reclaimed water (when available) systems at connection point or points approved by the City.
2. The route of any off-site lines shall be according to engineering plans produced by the developer and approved by the City.
3. Any proposed City-maintained utilities that are not located within a dedicated public right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City and in a form acceptable to the City.
4. The Developer shall be responsible for all costs of on-site improvements, including, but not limited to design, material, permitting, connection and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the City to serve the property.
5. Any existing dedicated City of Clermont utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the Developer shall prepare plans, permit the project and construct the modification at the Developer's expense.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

6. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to the City, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the City.
7. The City may require a looped system to provide reliability and redundancy to the property.
8. The project shall be plumbed for reuse water with purple piping to irrigate all uses.
9. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.
10. Drainage/Stormwater Management: The Developer shall submit drainage calculations and a stormwater management plan when filing for final engineering approval. A lawfully created Community Development District or other entity acceptable to the City, shall be responsible for maintenance of all private stormwater ponds and drainage systems and improvements. Unless otherwise provided in the approved plans or plat for the Project, or in a separate agreement approved by the City, all such improvements located on the private property, including, streets, roads and bike or pedestrian paths, shall be maintained by the Community Development District or other entity acceptable to the City.
11. 10 foot utility lateral line easements may be used in lieu of 15 feet in order to accommodate standard 10 foot building separation.
12. Lift station access may utilize 20 feet easement over access ways to connect to public dedicated road.
13. Bulkheads, walls, or non-turf vegetation slope stabilization may be used for stormwater retention side slopes.
14. To the extent that any water, sewer or reclaimed improvements provide capacity additional to that is required to serve the Project, the Developer reserves its rights, pursuant to Section 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the Developer and the City may replace or supersede the conditions contained in this Planned Unit Development.
15. To the extent that any off-site water, sewer or reclaimed improvements are required to serve the Project, the Developer reserves its rights, pursuant to Section 2-267 – Credits, of the City Code, to enter into an impact fee agreement with the City which shall provide for the establishment of credits and payment of impact fees in a specified manner and time. The terms and conditions of an impact fee agreement between the Developer and the City may replace or supersede the Environmental Service conditions contained in this Planned Unit Development.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

SECTION 10. Transportation Improvements/Access Management

1. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements, including but not limited to, a traffic/transportation impact study reviewed and approved by Lake-Sumter Metropolitan Planning Organization. The Developer shall timely complete all required mitigation and other improvements as may be applicable.
2. The Developer shall enter into a Transportation Impact Fee Credit agreement with Lake County and the City of Clermont by December 31, 2020 which should be based upon Exhibit 4 – Wellness Way Transportation Impact Study/Proportionate Share. The Agreement shall require the Developer to fund improvements for ConservII right-of-way, design and permitting of roadways and/or construction of roadways for Transportation impact fee credits based upon the following priorities:
 - i. Design and permitting of Wellness Way from US Highway 27 to the Orange County line as a four-lane roadway
 - ii. Payment in escrow to Lake County for the acquisition of the four-lane right-of-way from Conserv for Wellness Way;
 - iii. Construction of Wellness Way from Hancock Road to the Orange County line as the first two lanes of the ultimate four lane roadway;
 - iv. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Hancock Road;
 - v. Design and permitting of Hancock Road from Wellness Way to the northern boundary of the Conserv property as a four lane roadway;
 - vi. Construction of Hancock Road from Wellness Way to the entrance of the Fuqua project south of Hartwood Marsh Road as the first 2-lanes of the ultimate 4-lane roadway;
 - vii. Construction of the 3rd and 4th lanes of Wellness Way from US 27 to the Hancock/Schofield intersection;
3. The Developer will be responsible for their proportionate share of traffic signals, when warranted, at the time of construction for intersections that serve the project, including Wellness Way. The proportionate share shall be based upon the actual cost of traffic signals at the time they are constructed.
4. The Community Development District (CDD) or Property Owners Association (POA) shall be responsible to maintain all landscaping, hardscaping, traffic control devices, and stormwater conveyance systems on all private streets.
5. Any landscape, hardscape, signage, community ID signage or other improvements within the right-of-way that are above and beyond City or County minimum standards shall be maintained by the Community Development District, Property Owners Association, or similar entity.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

6. Private drive aisles, private access ways, private easements for vehicular use shall not be required to be platted or re-platted.
7. For intersections on private streets, angled right-of-way lines in lieu of 25-foot radius may be used to accommodate fencing and building walls.
8. Curb radii internal to development for streets or access ways may utilize a 10-foot curb radii to promote traffic calming and pedestrian intersection and crossing safety.
9. Sidewalks/Streets:
 - a. Sidewalks to be constructed on both sides of residential and commercial streets.
 - b. Context sensitive street design standards/solutions as published by AASHTO & ITE shall be utilized for private streets and right-of-way within the boundary of the Planned Unit Development where the design speed is 30 miles per hour or under and City referenced Florida Department of Transportation highway standards and specifications do not align with low speed street design.
 - c. A waiver to Section 110-192(1) of the Land Development Code is granted to allow private streets with gates. Streets within the development will be gated, as shown in Exhibit 2, and will be maintained by the developer or Home Owners Association.
 - d. A waiver to Section 110-195(b) of the Land Development Code is granted to allow construction of 20-foot-wide, one-way alleys with 12 feet of pavement as long as 20 feet of unobstructed emergency access is maintained, unless greater distances are warranted by fire code.
10. Parking:
 - a. The Planned Unit Development may be developed using shared parking methodology, as determined by the Developer and reviewed and approved by the Site Review Committee.
11. The project development program can be modified based on the Wellness Way Planned Unit Development Equivalency-Trip Conversion Matrix contained in Exhibit 1. Any change in the development program mix will require the converting average daily trips between land uses based on the matrix. The matrix is designed to equate land uses based on equivalent traffic impacts such that use of the matrix should not impact the overall traffic impact of the project. The following are limitations on the use of the trip conversion matrix included in Exhibit 1, without amending the Planned Unit Development:
 - a. No more than fifty percent (50%) of each land use category located within the Employment and Neighborhood Commercial districts may be converted, subject to Section 5 (2) (a).



CITY OF CLERMONT
ORDINANCE NO. 2019-06

- b. No more than 350 multi-family units may be developed using the Wellness Way Planned Unit Development Equivalency-Trip Conversion Matrix within the Employment districts.
12. Decorative street lighting shall be included for all Planned Unit Development internal roadways and along Wellness Way and Hancock Road adjacent to the project. The Developer shall coordinate with the power utility provider for the installation and placement. The Developer shall be responsible for the cost of installation.
13. The Developer shall coordinate with the City, Lake County, and any other State Agencies in the placement and designing of a multi-purpose trail along the project's boundary as shown within in Exhibit 1 Wellness Way Planned Unit Development Land Use Plan.

SECTION 11. Signs

1. Signage shall be developed in accordance to the Master Sign Plan, which will be brought forth at a later date, and Chapter 102 where applicable, unless a specific waiver from the Land Development Code is granted.
2. City Gateway Signage and Community Identification Signage may be installed at the locations indicated on Exhibit 2, only after a Master Sign Plan is presented and approved by City Council.

SECTION 12. School Concurrency

School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.

SECTION 13. Concurrency Management Requirements

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency Management System, as amended.

SECTION 14. Development Review and Approval

1. Prior to the issuance of permits, the developer shall be required to submit a Preliminary Plat, Construction Plans, and Final Plat generally consistent with Exhibit 2 - Conceptual Plan, prepared by VHB, dated October 18, 2019 for review and approval in accordance with the Comprehensive Plan and Land Development Code, as amended.
2. Expiration of applicable incremental development orders or project development agreement shall not occur prior to the expiration of the Planned Unit Development which shall not be less than five (5) years after the planned last phase of the development program. This Planned Unit Development shall become null and void if substantial construction work has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and



CITY OF CLERMONT
ORDINANCE NO. 2019-06

continuous prosecution of construction of required improvements ultimately finalized at completion.



CITY OF CLERMONT
ORDINANCE NO. 2019-06

SECTION 15. **Future Amendments to Statutes, Code, Plans, and/or Regulations**

The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include any future amendments to the statutes, code, plans, and/or regulations.

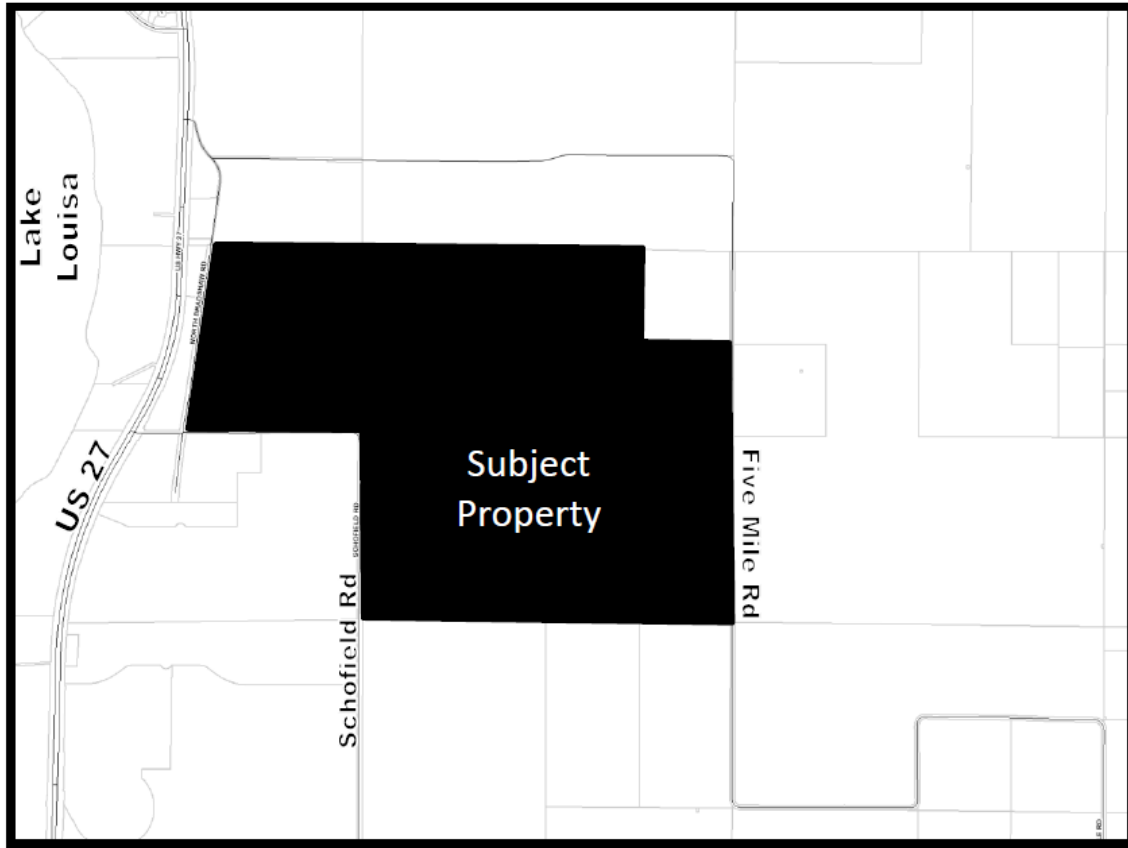
SECTION 16. **Additional Conditions**

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Planned Unit Development. Any other proposed use must be specifically authorized by the Clermont City Council.
2. This Planned Unit Development shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
3. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.
4. The transfer of ownership or lease of any or all of the property described in this Planned Unit Development shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Planned Unit Development and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Code, as amended.

SECTION 17.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-06

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 19th day of November, 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



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Exhibit 1: Wellness Way PUD Land Use Plan



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Exhibit 2: Wellness Way Master Plan

Exhibit 3: Wellness Way PUD Architectural Elevations



Townhome Elevations: 22' Front Loaded – For illustrative purposes only



Townhome Elevations: 25' Rear Loaded – For illustrative purposes only

Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Elevation: 40' lot – For illustrative purposes only



Single Family Home Elevation: 32' lot – For illustrative purposes only

Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Home Elevation: 50' lot – For illustrative purposes only



Single Family Home Elevation: 50' lot – For illustrative purposes only

Exhibit 3: Wellness Way PUD Architectural Elevations



Single Family Home Elevation: 60' lot – For illustrative purposes only



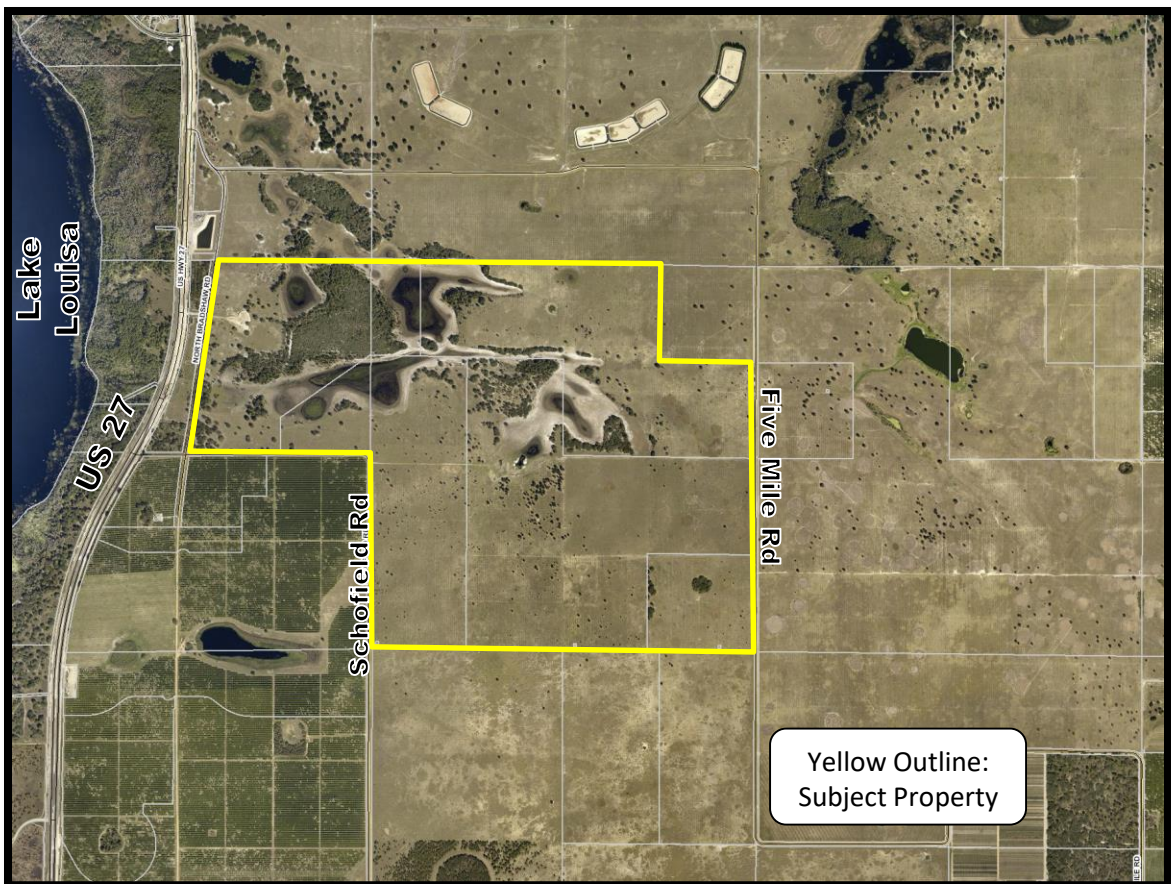
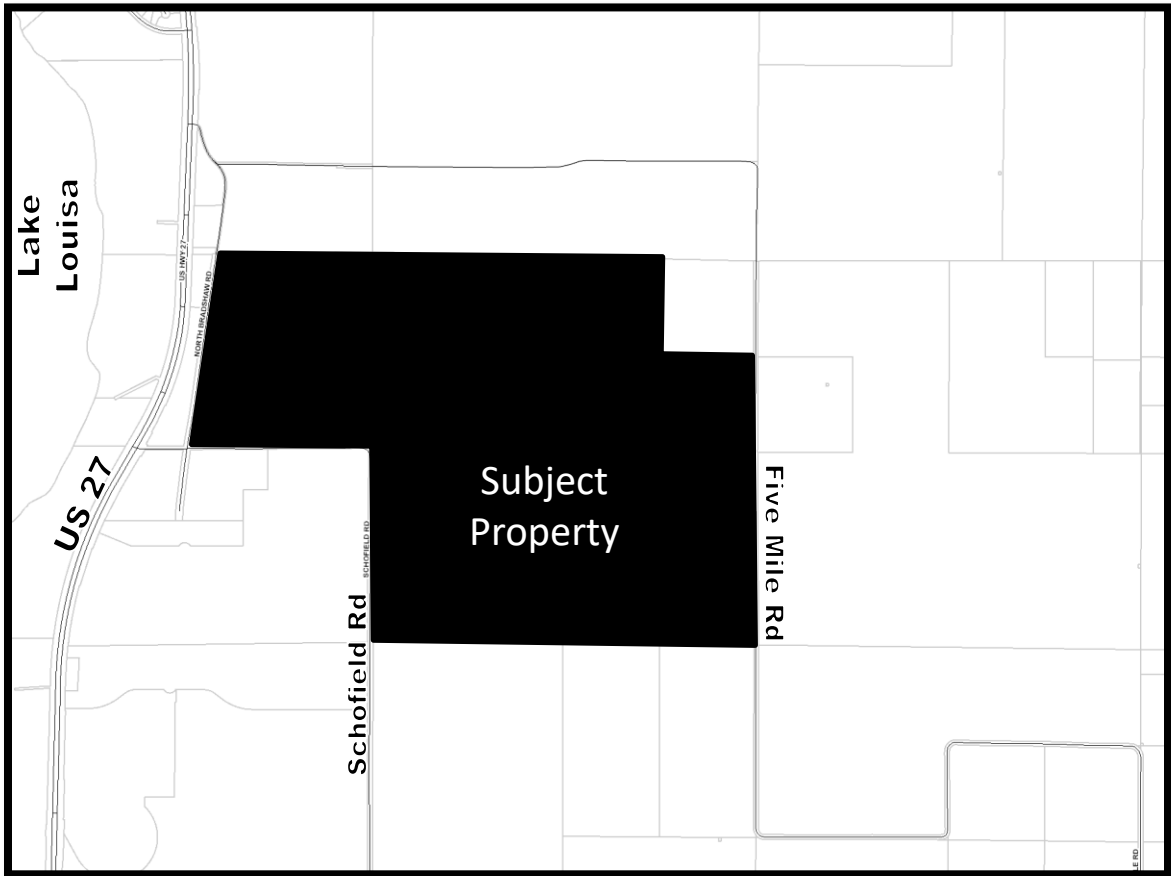
Single Family Home Elevation: 60' lot – For illustrative purposes only



CITY OF CLERMONT
ORDINANCE NO. 2019-06

Exhibit 4: Wellness Way PUD Transportation Impact Study/Proportionate Share

Exhibit - Location Map – South Lake Crossing Property



Future Land Use Map—South Lake Crossing

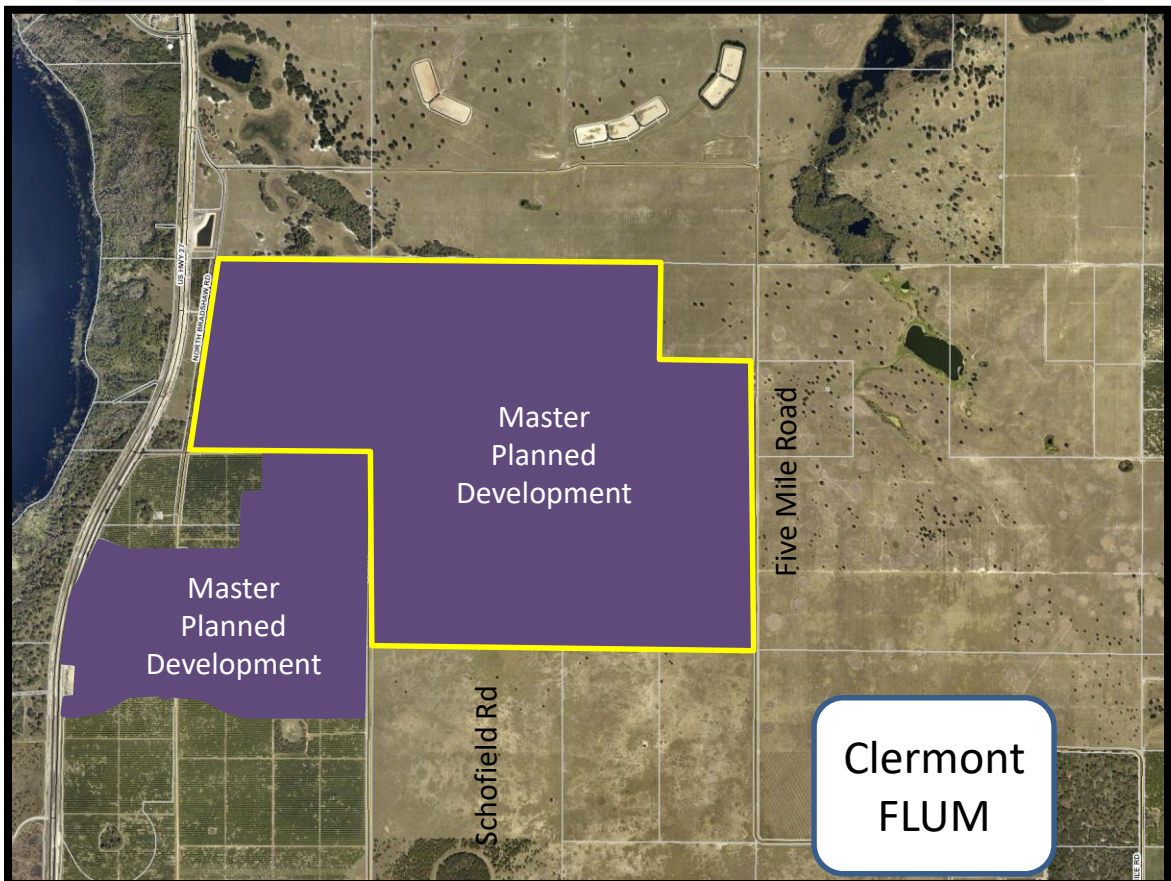
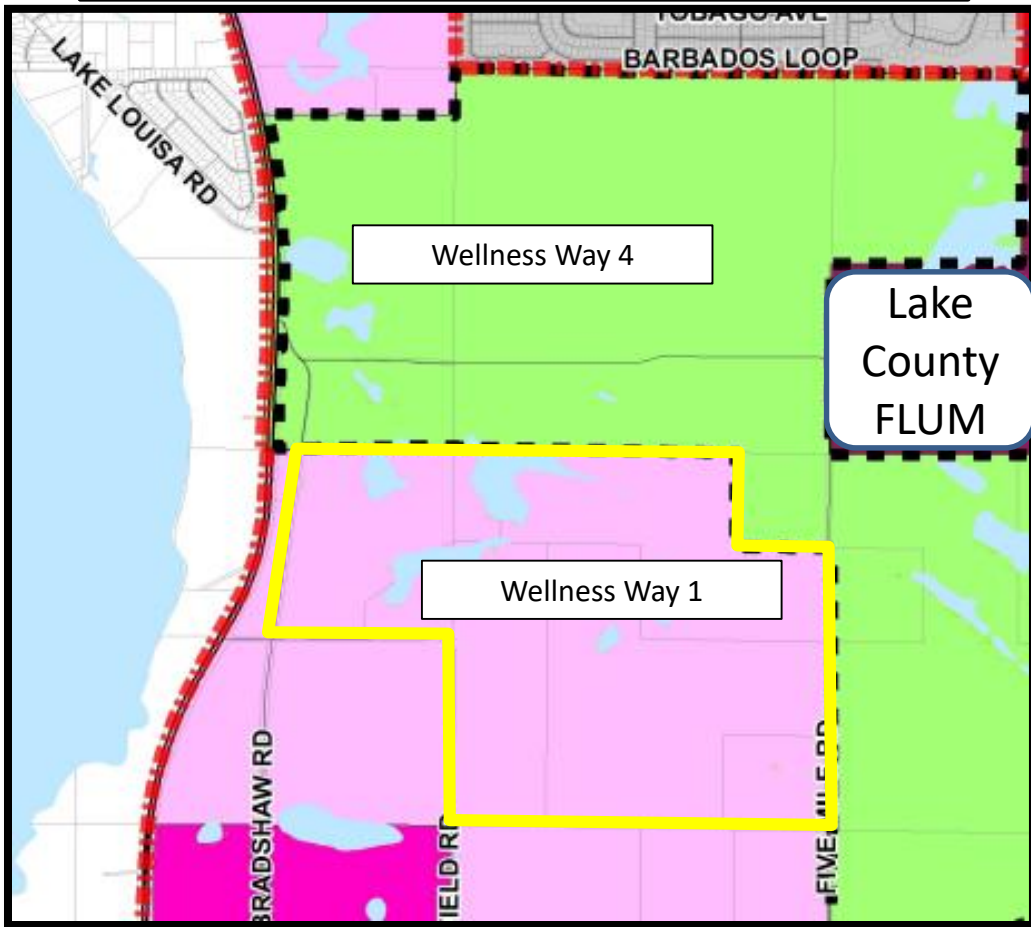
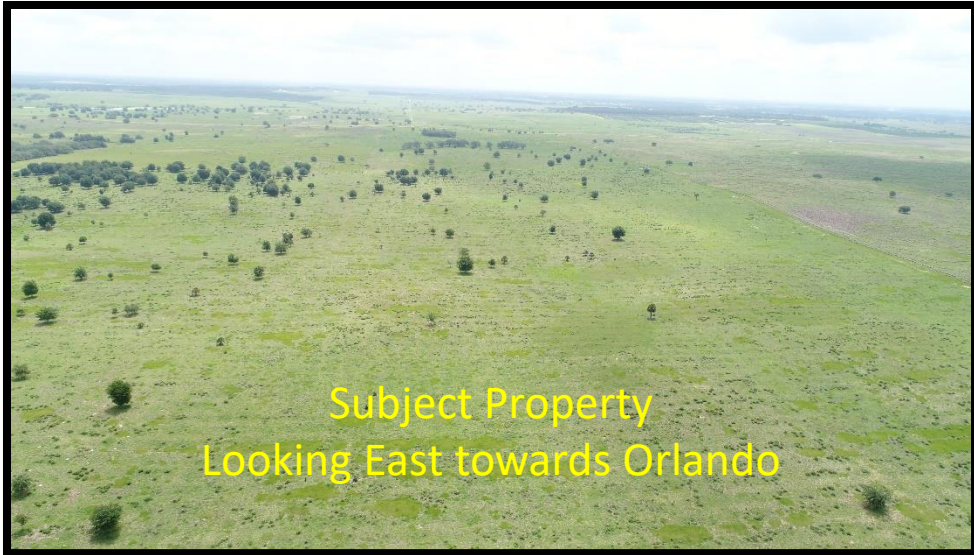
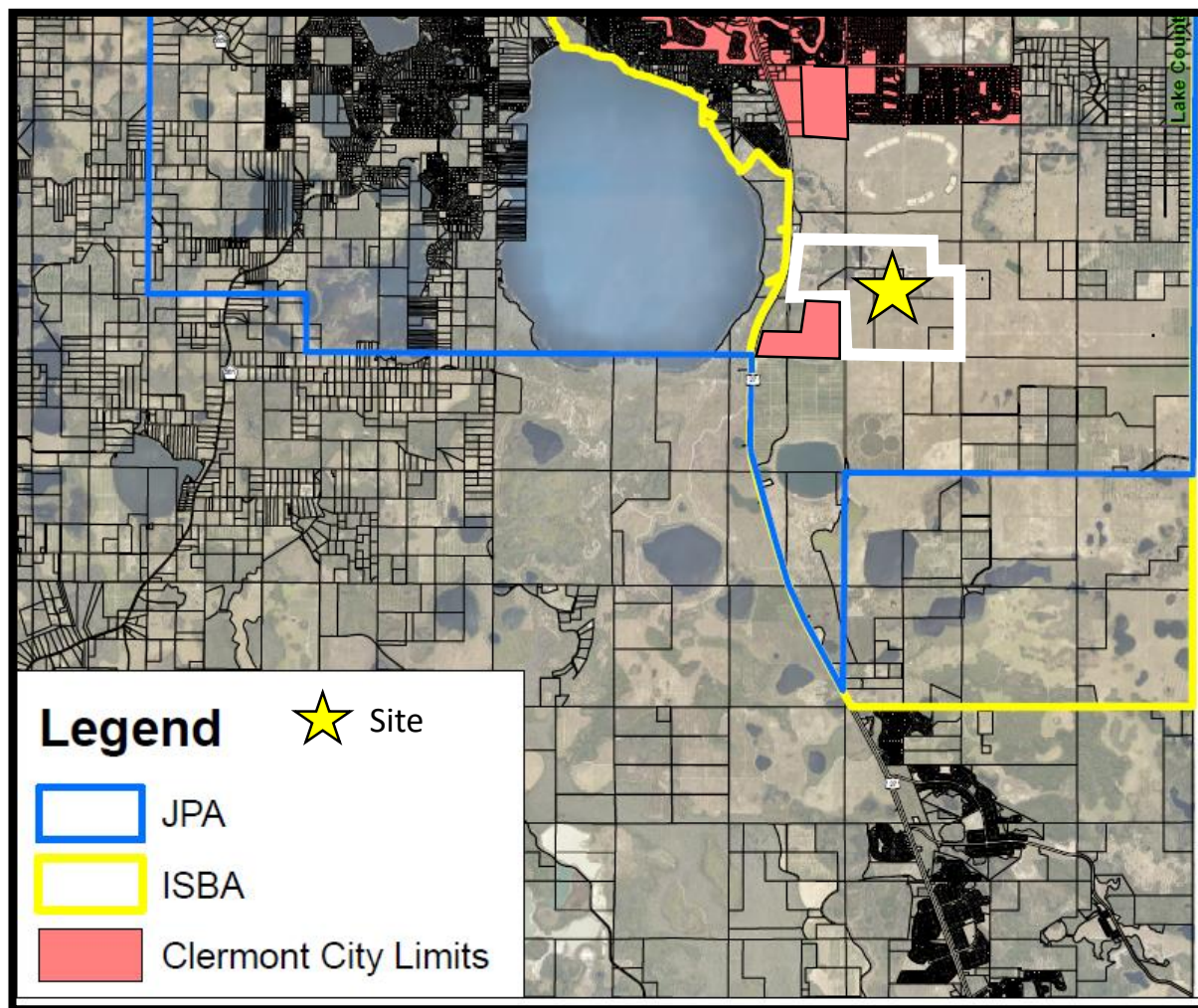


Exhibit –South Lake Crossing



Location within ISBA/JPA – South Lake Crossing



Engineers | Scientists | Planners | Designers



225 E. Robinson Street
Suite 300
Orlando, FL 32801
407.839.4006
407.839.4008
Certificate of Authorization Number FL #3932

Hall Development Services Inc.

LEGAL DESCRIPTION
SEE SHEET C-2.

WELLNESS WAY PUD

Clermont, Florida

Parcel ID: 21-23-26-0001-000-00500, 22-23-26-0003-000-00300,
21-23-26-0001-000-00700, 22-23-26-0003-000-00400,
22-23-26-0001-000-00900, 22-23-26-0004-000-00600,
22-23-26-0002-000-01000

Development Team

Owner:
South Lake Crossings I/II LLC
P.O. Box 135
Windermere, FL 34786

Developer:
Lennar
6750 Forum Drive
Suite 310
Orlando, Florida 32821

Planning Consultant:
Hall Development Services, Inc.
1302 Osprey Ave.
Orlando, Florida 32803

Land Planner/Civil Engineer:
VHB
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
Phone: 407.839.4006 · Fax: 407.839.4008

Applicant/Land Use Attorney:
Shutts & Bowen LLP
300 South Orange Ave. Suite 1600
Orlando, Florida 32801

Land Use Plan

Issued for	PUD Approval
Date Issued	April 5, 2019
Latest Issue	October 18, 2019

Sheet Index

Number	Drawing Title	Latest Issue
C-2	Legal Description	10/4/2019
C-3	Existing Conditions Plan	10/4/2019
C-4	Topography Plan	10/4/2019
C-5	Environmental Conditions Plan	10/4/2019
C-6	Land Use Plan	10/18/2019
C-7	Cut & Fill Analysis	10/18/2019
C-8	Development Standards	10/18/2019
C-9	Typical Lot Diagrams & Typical Road Sections	10/18/2019
C-10	Master Sign Plan	10/18/2019
C-11	Sign Character Sketches	10/18/2019

Request:
Rezone the property to PUD for a proposed development program of 1,850 residential units and approximately 800,000 s.f. of non-residential uses.



Site Location Map



0 2500 5000 Feet

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 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, 2612.50 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°36'30"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 849, 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 1455: 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 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 1/4, 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, 456.14 FEET; THENCE N55°49'12"E, 1567.27 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 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 1/4 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 1/4, 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 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 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 1/4, 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 1/4 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 1/4 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 1/4, 2134.70 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: (CONT.)

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 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, 2612.50 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 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 1/4 OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 22, 1327.85 FEET TO AN IRON ROD WITH CAP #LB68 SET AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF 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 849, 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 1455:

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.

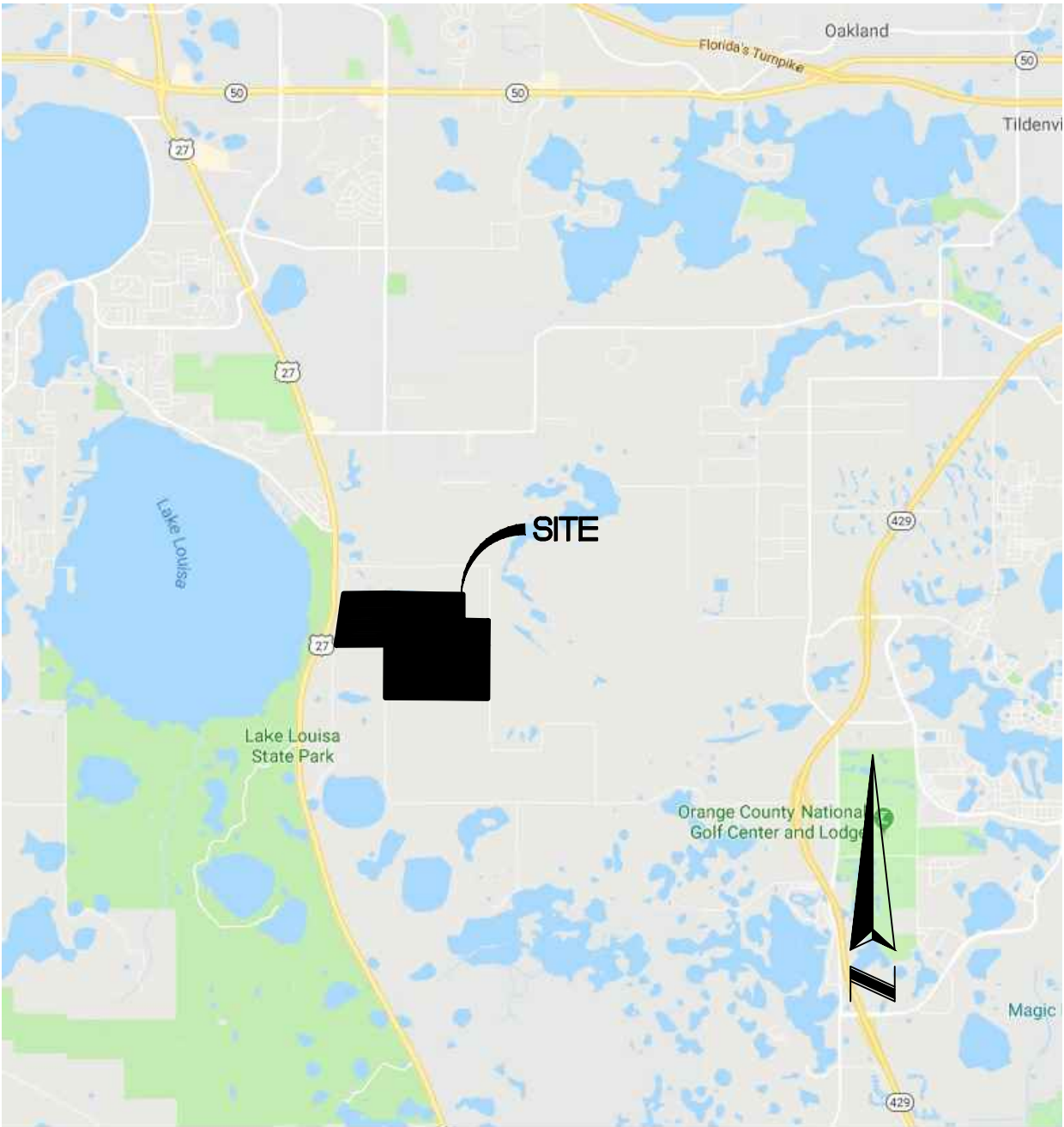
TOGETHER WITH THE BENEFICIAL EASEMENTS CONTAINED IN THAT CERTAIN DECLARATION OF EASEMENT AND AGREEMENT REGARDING ROAD AND UTILITY IMPROVEMENTS DATED MAY 25, 2006 AND WHICH IS RECORDED ON JUNE 2, 2006 IN OFFICIAL RECORDS BOOK 3175, PAGE 997, ALL IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

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 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 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 1/4, 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 S 15°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 1/4 OF AFORESAID SECTION 22; THENCE, DEPARTING SAID EAST-WEST CENTER OF SECTION LINE, N00°23'17"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, 1327.85 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22; THENCE DEPARTING SAID WEST LINE RUN 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 NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 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 1/4 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 1/4, 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.



VICINITY MAP NOT TO SCALE



No.	Revision	Date	Apprv.



Planning • Design Studio
Transportation
Land Development
Environmental Services

225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way PUD

City of Clermont, Florida

Drawing Title

Legal Description

CERTIFIED TO:
LENNAR HOMES, LLC,
SOUTH LAKE CROSSINGS I, LLC
SOUTH LAKE CROSSINGS III, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
SHUTTS & BOWEN, LLP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 8, 11 AND 13 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON JULY 23, 2018.

FOR THE LICENSED BUSINESS # 6723 BY:

JAMES L. RICKMAN P.S.M. # 5633 DATE

Drawing

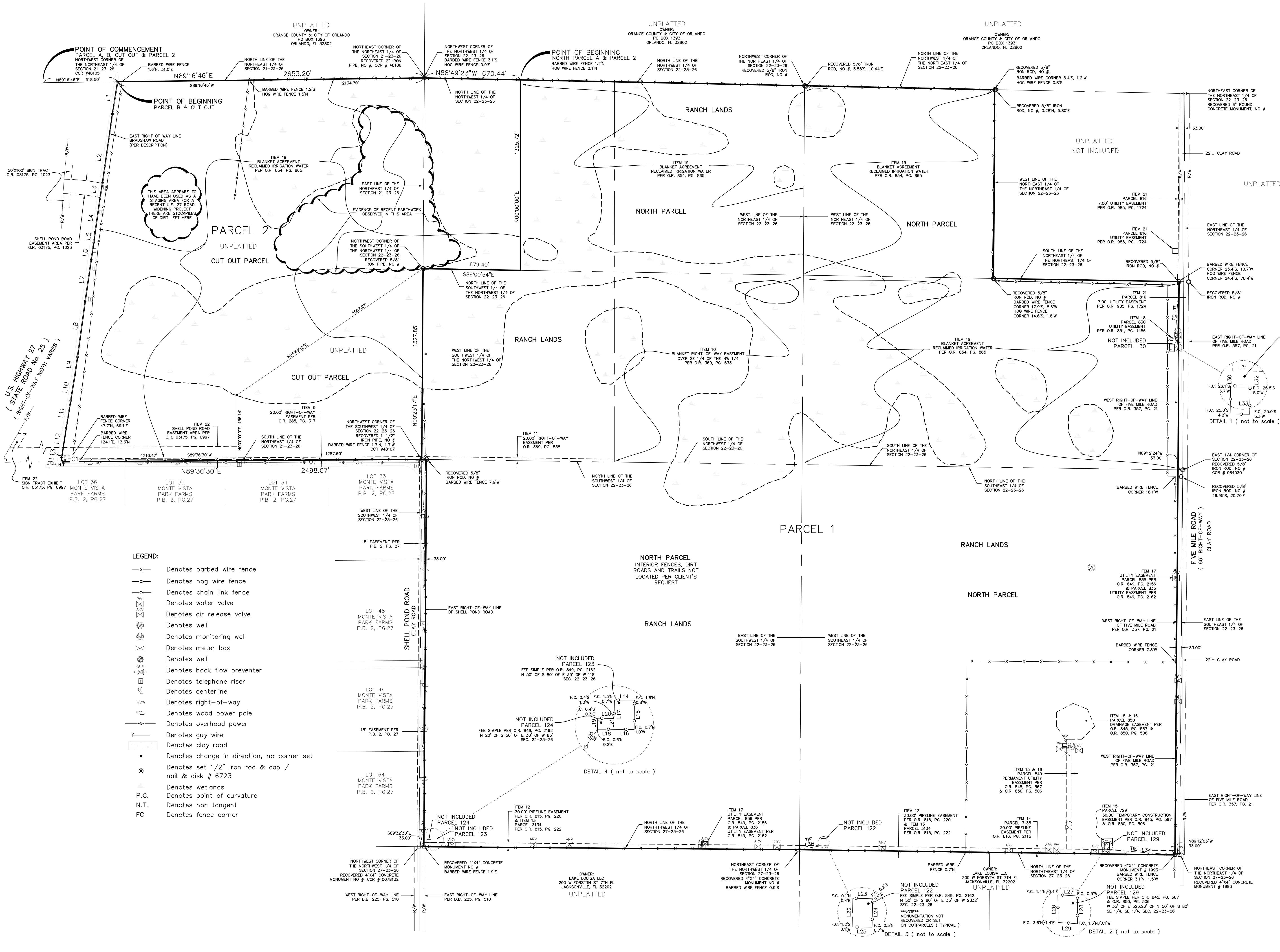
C-2

Scale Sheet of

Date Project Number

Oct. 18, 2019 63302.00

6330200-PD-EC.DWG



- LEGEND:**
- x— Denotes barbed wire fence
 - o— Denotes hog wire fence
 - o— Denotes chain link fence
 - o— Denotes water valve
 - o— Denotes air release valve
 - o— Denotes well
 - o— Denotes monitoring well
 - o— Denotes meter box
 - o— Denotes well
 - o— Denotes back flow preventer
 - o— Denotes telephone riser
 - o— Denotes centerline
 - o— Denotes right-of-way
 - o— Denotes wood power pole
 - o— Denotes overhead power
 - o— Denotes guy wire
 - o— Denotes clay road
 - Denotes change in direction, no corner set
 - Denotes set 1/2" iron rod & cap / nail & disk # 6723
 - Denotes wetlands
 - P.C. Denotes point of curvature
 - N.T. Denotes non tangent
 - FC Denotes fence corner



NOT INCLUDED
PARCEL 130
FEE SIMPLE PER O.R. 851, PG. 1455
N50° OF S 900'
OF W 35° OF E 93'
SEC. 22-23-26

No.	Revision	Date	Appvd.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way PUD

City of Clermont, Florida

Drawing Title

Existing Conditions Plan

Drawing

C-3

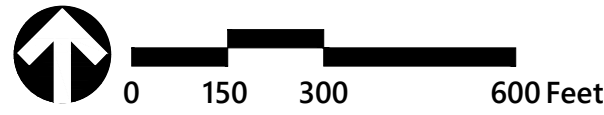
Scale Sheet of

Date Project Number
Oct. 18, 2019 63302.00

6330200-PD-EC.DWG



Source:
Lake County GIS, 2017



No.	Revision	Date	Appr.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way PUD

City of Clermont, Florida
Drawing Title

Topography Plan

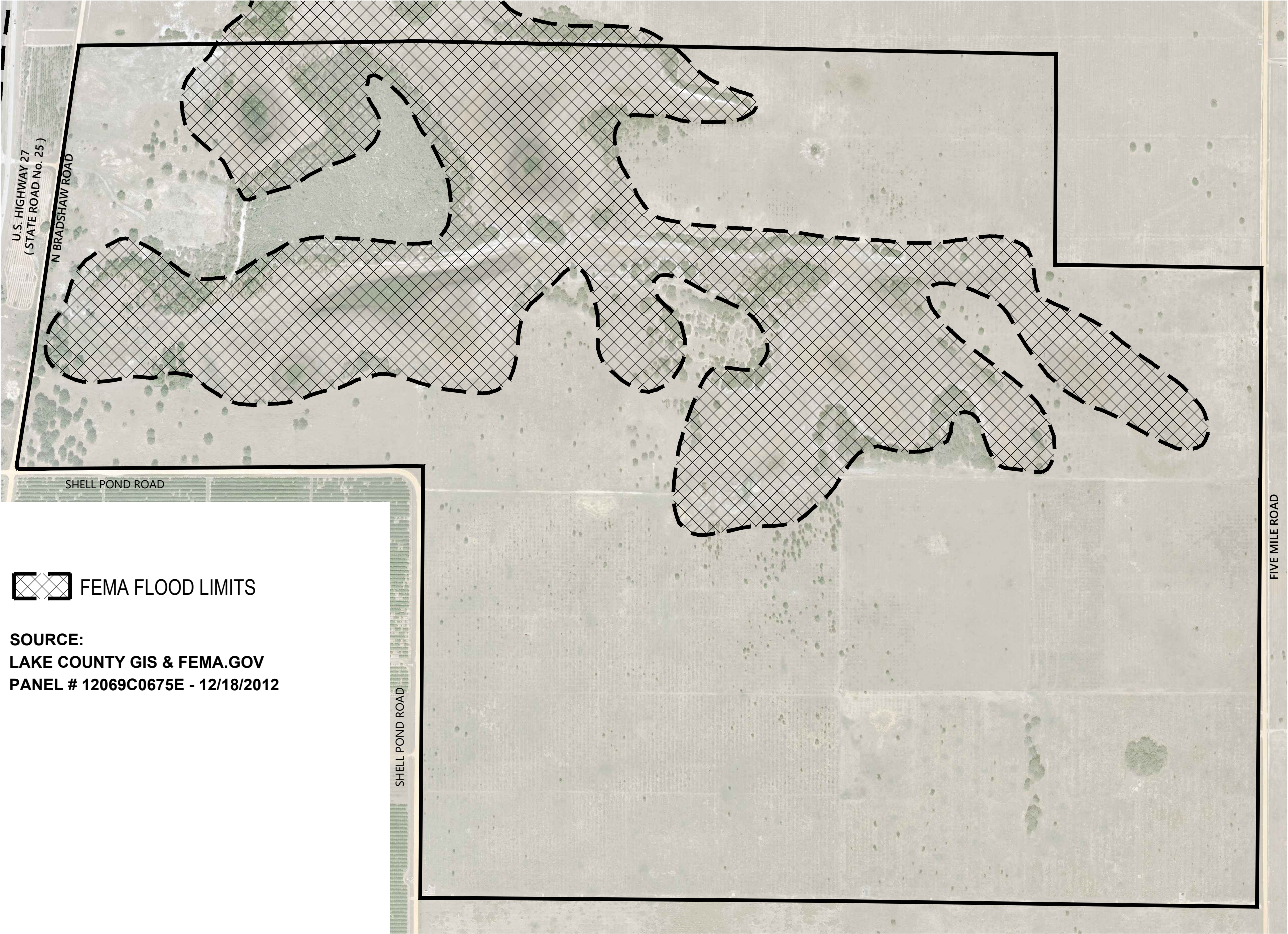
Drawing

C-4

Scale Sheet of

Date: Oct. 18, 2019 Project Number: 63302.00

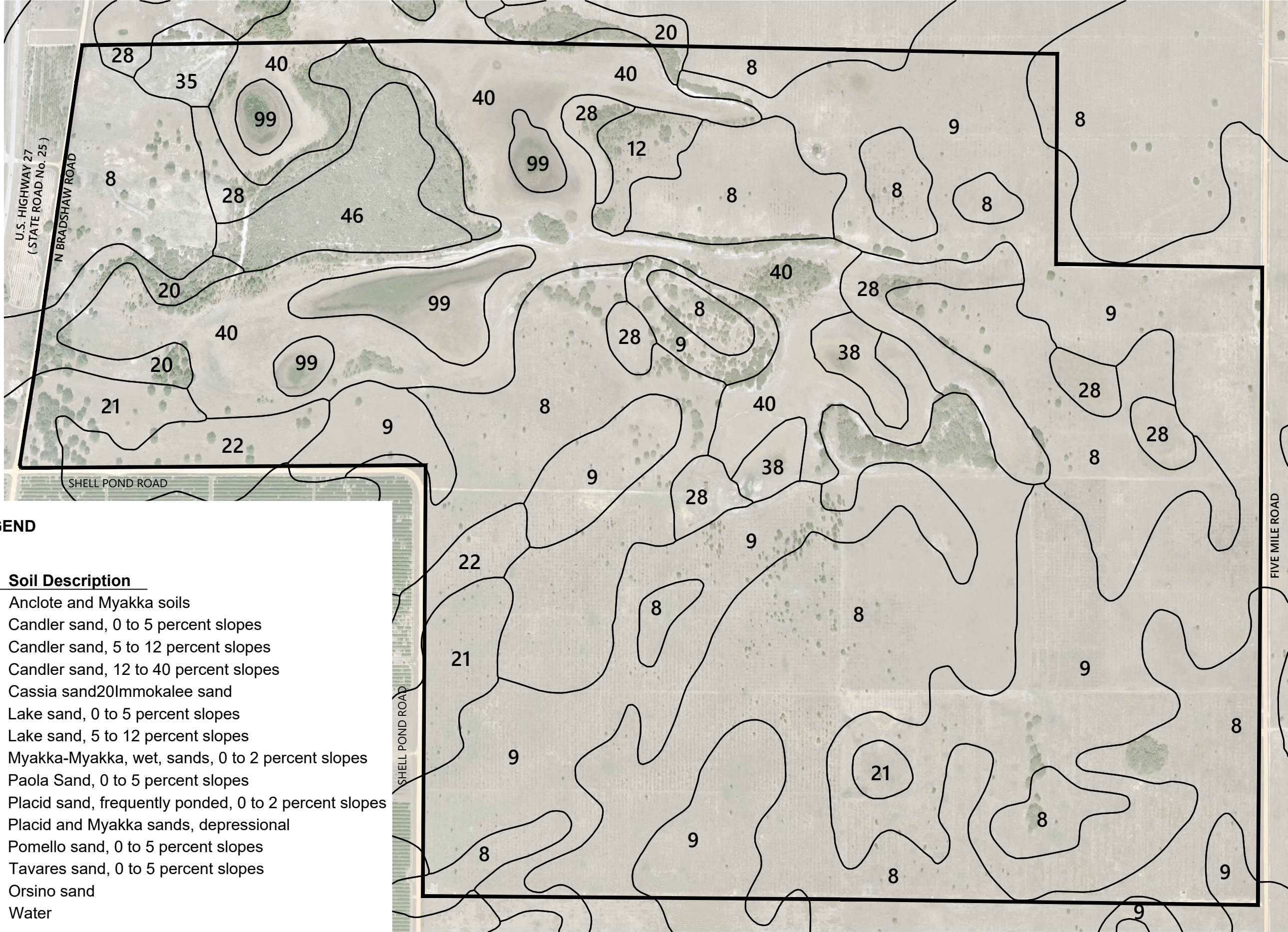
6330200--PD--TOPO.DWG



 FEMA FLOOD LIMITS

SOURCE:
LAKE COUNTY GIS & FEMA.GOV
PANEL # 12069C0675E - 12/18/2012

Floodplain (FEMA)

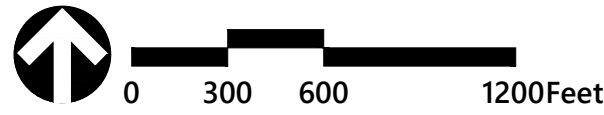


SOILS LEGEND

Soil	
Number	Soil Description
4	Anclote and Myakka soils
8	Candler sand, 0 to 5 percent slopes
9	Candler sand, 5 to 12 percent slopes
10	Candler sand, 12 to 40 percent slopes
12	Cassia sand20Immokalee sand
21	Lake sand, 0 to 5 percent slopes
22	Lake sand, 5 to 12 percent slopes
28	Myakka-Myakka, wet, sands, 0 to 2 percent slopes
35	Paola Sand, 0 to 5 percent slopes
38	Placid sand, frequently ponded, 0 to 2 percent slopes
40	Placid and Myakka sands, depressional
41	Pomello sand, 0 to 5 percent slopes
45	Tavares sand, 0 to 5 percent slopes
46	Orsino sand
99	Water

SOURCE:
LAKE COUNTY GIS & WEB SOIL SURVEY (NCSS)
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Soils



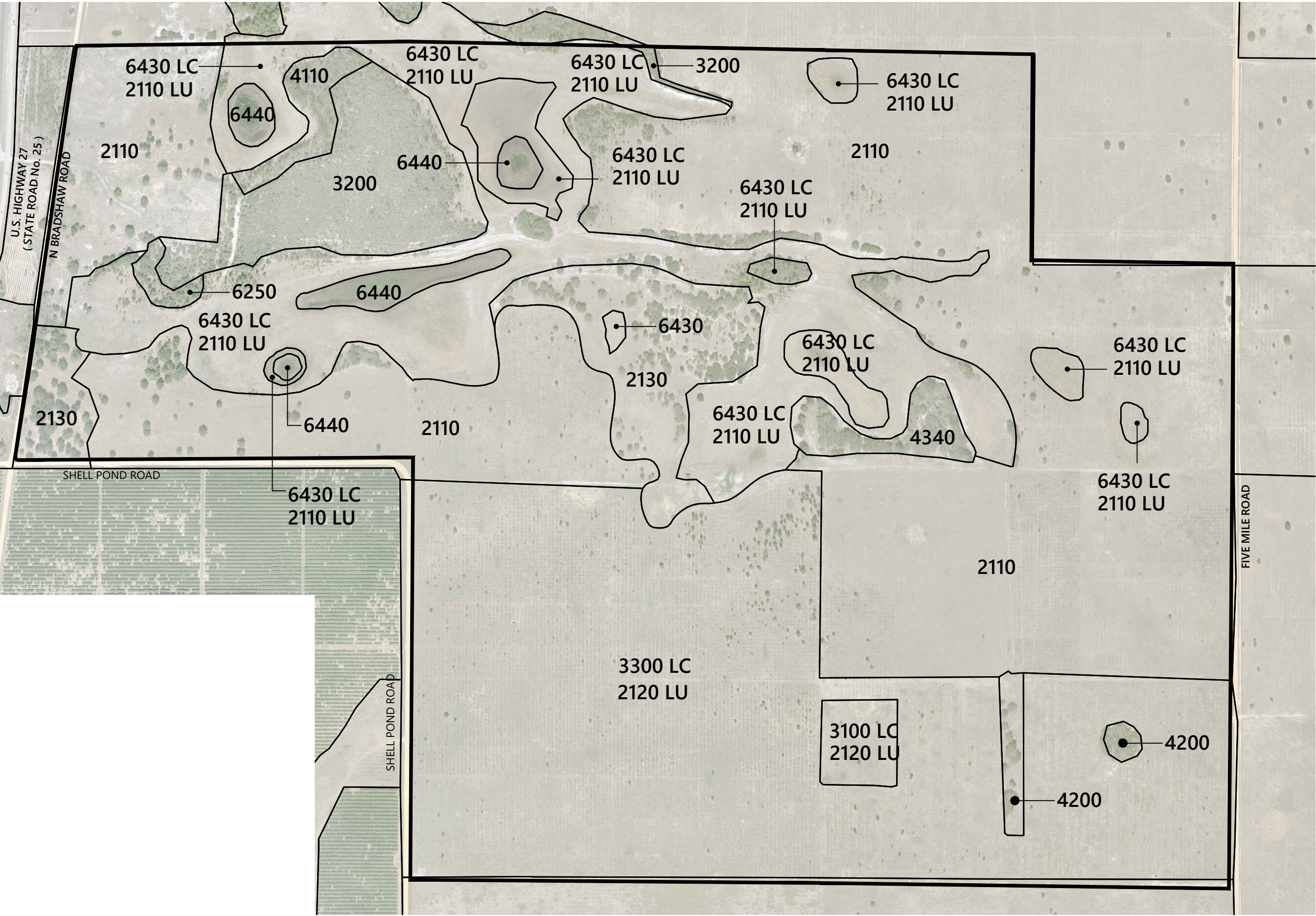
No.	Revision	Date	Appvd.

FLUCCS LEGEND

FLUCCS CODE	FLUCCS DESCRIPTION
2110	Improved Pastures
2120	Unimproved Pastures
2130	Woodland Pastures
3100	Herbaceous
3200	Shrub and Brushland
3300	Mixed Rangeland
4110	Pine Flatwoods
4200	Upland Hardwood Forests
6250	Wet Pinelands - Hydric Pine
6430	Wet Prairies
6440	Emergent Aquatic Vegetation

LC = LAND COVER CLASSIFICATION
LU = LAND USE CLASSIFICATION

SOURCE:
LAKE COUNTY GIS



Vegetation



Planning + Design Studio
Transportation
Land Development
Environmental Services

225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way
PUD

City of Clermont, Florida
Drawing Title

Environmental
Conditions
Plan

Drawing

C-5

Scale

Sheet of

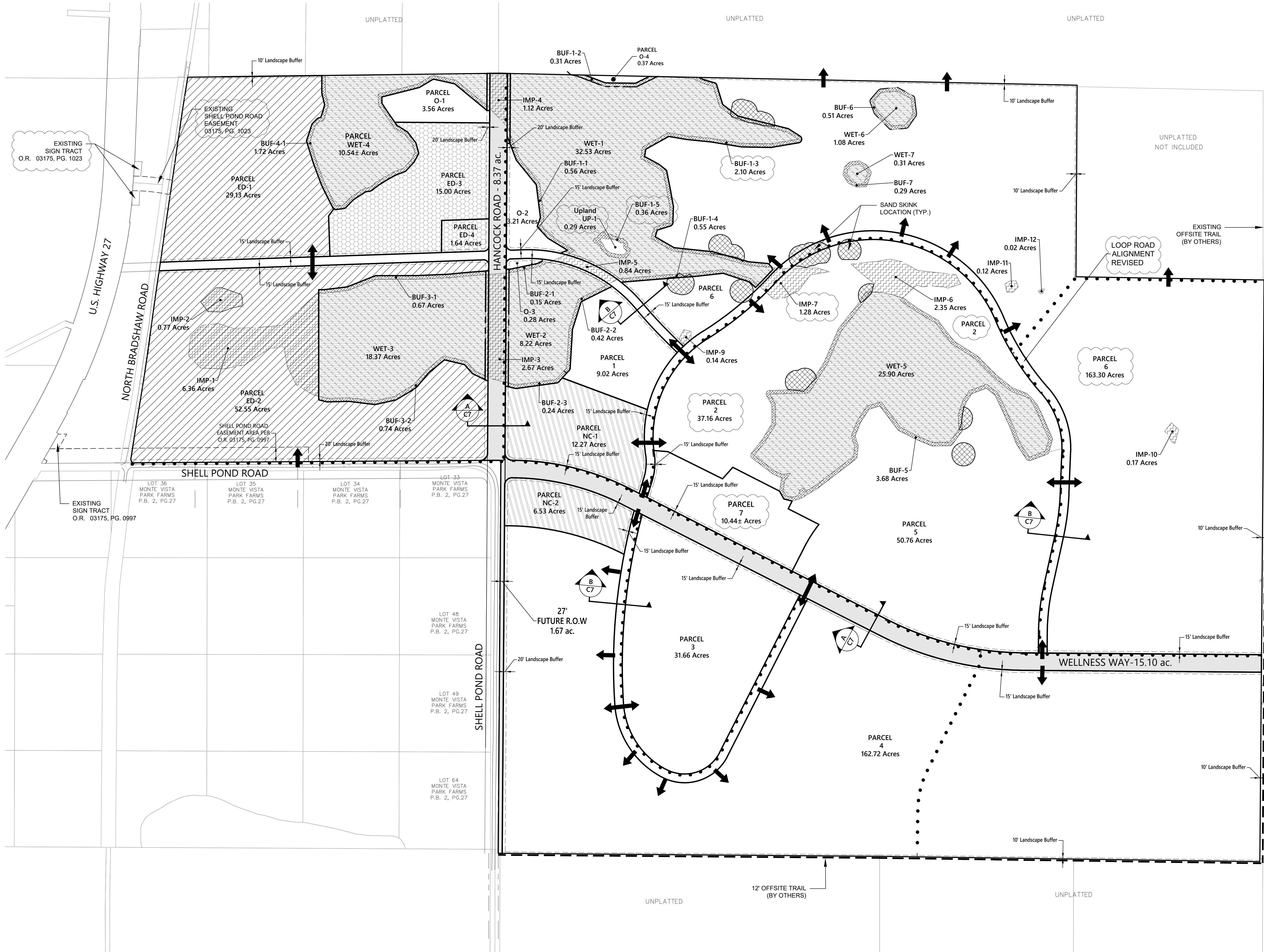
Date

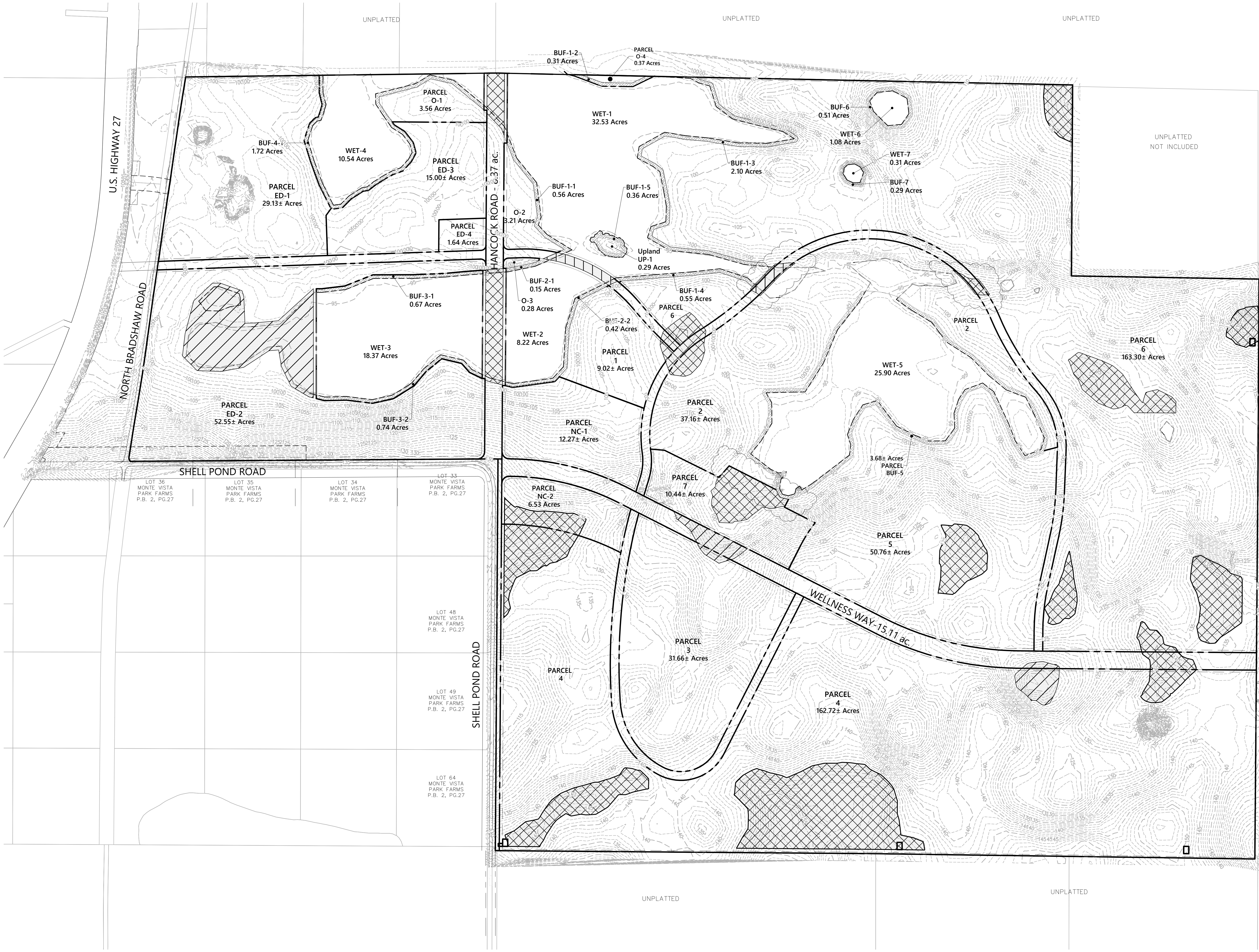
Oct. 18, 2019

Project Number

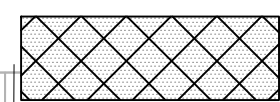
63302.00

6330200-PD-ENVIRONMENTAL.DWG

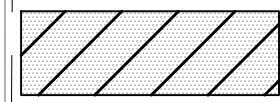




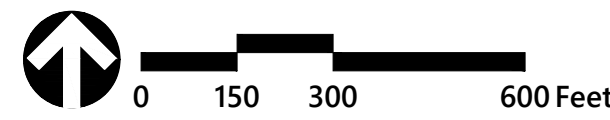
LEGEND



POTENTIAL AREAS EXCEEDING
CITY OF CLERMONT'S **10 FT.**
MAXIMUM CUT/FILL CRITERIA.
60.3 Ac. TOTAL CUT/FILL AREA
(8.1% OF PROJECT AREA)



POTENTIAL AREAS EXCEEDING
CITY OF CLERMONT'S **15 FT.**
MAXIMUM CUT/FILL CRITERIA.
13.4 Ac. TOTAL CUT/FILL AREA
(1.8% OF PROJECT AREA)



No.	Revision	Date	Appd.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way
PUD

City of Clermont, Florida

Drawing Title

Cut & Fill
Analysis

Drawing

C-7

Scale Sheet of

Date Project Number

September 16, 2019

63302.00

6330200-PD-GRADING-WAIVER.DWG

Site Data

Gross Project Area:	743.17 ac
Preserved Wetlands:	96.95 ac
Wetland Buffers:	12.30 ac
ROW	44.03 ac
Net Developable Area:	589.89 ac
Residential Area:	469.21 ac
Economic Development District:	101.88 ac
Neighborhood Center:	18.80 ac

Current Future Land Use: Wellness Way 1/Wellness Way 4 (Lake County)
Proposed Future Land Use: Master Planned Development
Current Zoning: A (Lake County)
Proposed Zoning: PUD

Maximum Allowable Gross Density: 12 du/acre
Total Residential Units: 1,850 du (25% maximum townhomes)
Gross Density: 2.49 du/acre
Net Density: 3.60 du/ac

Maximum Allowable Gross Intensity: 0.25 FAR
Total Square Feet¹: 800,000 sf
Commercial 300,000 sf
Employment 500,000 sf
Gross FAR: 0.02 FAR
Net FAR: 0.16 FAR
¹. Elementary school square footage is not included.

Support Services:

Potable Water City of Clermont
Central Sewer City of Clermont
Reclaimed Water City of Clermont

Stormwater Management: Retention/Detention: Facilities will be designed to meet the water quality and water quantity criteria of the SJRWMD

Fire Protection: Lake County Fire Rescue/City of Clermont Fire Department
Police Protection: City of Clermont Police Department

Open Space, Parks and Community Amenities

Open Space Required: 74.30 ac (10% of the gross acreage)
Recreation Area Required: 29.72 ac (4% of the gross acreage)

- Open Space/Recreation areas shall be provided in the form of useable parks, playgrounds, tot lots, community gardens, stormwater ponds, wetlands, buffers, multi-use trails or similar related use areas.
- Open Space amenities shall qualify as neighborhood centers and will be owned, operated and maintained by the HOA.
- Each park or amenity area shall be required to have pedestrian and bicycle connections for the residents.
- Stormwater ponds with pedestrian trails shall be counted up to one-third (⅓) of the required four (4) percent recreation area.
- Amenities such as benches, and/or picnic tables, gazebos, overlooks or similar improvements must be included with trails to qualify as part of the calculated parks and community amenities requirement.

Neighborhood Form & Structure

- Average block face is calculated neighborhood by neighborhood. Block faces can be interrupted by public streets, pedestrian facilities, neighborhood centers, parks or if one side of the street is in open space, conservation area or upland preservation are for an uninterrupted five hundred (500) feet.
- Each home shall have direct access to a minimum five (5) foot wide sidewalk.
- A hierarchy of street types from arterial (where applicable) to collector streets to local streets is provided within the Wellness Way PUD. Arterial and collector streets are encouraged to include bike lanes, trails and other pedestrian/bicycle facilities. Different local street cross sections are encouraged to calm traffic within neighborhoods.

Housing Variety

- A minimum of seven (7) base model types shall be provided for the project.
- Each base model shall have multiple exterior material treatment variations and design options available for customization.
- No block face should have more than two consecutive single-family homes with the same house model, façade and/or exterior materials or color.
- There shall be a minimum of three (3) different housing product types as defined by lot configuration.
- Townhomes may be front loaded.

Garage Standards

- Garages are encouraged to be located to the side or rear of a residential lot.
- Front loaded garages must be recessed a minimum of four (4) feet behind the primary front building façade of the home and a minimum of with twenty (20) feet from the street right-of way. A front porch with a minimum depth of four (4) feet may be used to meet the minimum garage recess requirement. The qualifying front porch may encroach into the front building setback.
- Side loaded homes must incorporate windows and trim on the wall facing the front street.
- All front, street-facing facades shall have windows covering at least fifteen (15) percent of the facade's area.
- Front loaded garage lots must randomly alternate the location of driveways in relation to front façade to avoid repetition, unless utility layouts cause conflicts.
- Front facing facades may not be dominated by the garage portion of the elevation.
- Rear loaded lots may have a minimum front setback of ten (10) feet.
- Front loaded townhomes shall provide façade depth changes between units. Garage overhangs are strongly encouraged.

General Notes

- Per City of Clermont Comprehensive Plan Policy 1.24, overall density may not exceed 12 du/ac and FAR may not exceed 0.25 per acre.
- Acreages shown are approximate and subject to change with final design and platting.
- Project Phasing: The project will be developed in multiple phases. Each phase shall have sufficient infrastructure to standalone.
- Portions of the site fall within flood Zone A as shown of FIRM Panel numbers 12069C0675-E, effective December 18, 2012. Compensating storage will be provided for any encroachments that may occur. No published levels for OHWL, MHWL or 100yr flood exist. They will be determined at final engineering.
- The applicant shall submit drainage calculations and a stormwater management plan when filing for Improvement Plan approval.
- The applicant shall comply with all City of Clermont fire protection requirements.
- Buffers shall be provided consistent with Section 118-73 of the City of Clermont LDC. Interior landscape buffers between abutting property boundaries may have a shared ten (10) foot wide landscape buffer with a five (5) foot wide buffer on each lot to achieve a minimum ten (10) foot wide buffer.
- School concurrency shall be met prior to final plat approval in accordance with the Comprehensive Plan and LDC, as amended.
- Residential development may occur within the Economic Development District per the land use conversion matrix table.
- Parking shall be provided per the table of minimum parking space requirements in Section. 98-14 of the City's LDC.

Employment District/Neighborhood Center District

The maximum square footage of all Employment District tracts and Neighborhood Center Tracts shall not exceed 800,000 square feet - 500,000 square feet of employment use and 300,000 square feet of C-2 General Commercial uses. Any increase over 300,000 square feet of C-2 General Commercial Uses will require an amendment to the PUD.

Proposed Uses:

Employment District: Employment Districts are primarily designated for employment hubs with uses such as professional offices and institutional uses. Ancillary uses are permitted under the C-2 General Commercial use. Any development that is conditional under the C-2 General Commercial use shall require a Conditional Use Permit, unless prohibited below.

- Prohibit uses are:**
- Automobile and truck services carwashes, and automobile, truck, boat and farm equipment sales.
 - Major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.

Neighborhood Center: The Neighborhood Center shall have a maximum of 140,000 square feet.

Neighborhood Centers are primarily designated for C-1 Light Commercial uses that complement the adjacent residential uses. The uses permitted are the C-1 Light Commercial uses. The uses may include one grocery store up to 60,000 square feet, not to exceed a total maximum aggregate of 100,000 square feet in the shopping center on the northern Neighborhood Center. The southern Neighborhood Center may have up to 40,000 square feet, with any building over 16,000 square feet requiring a Conditional Use Permit. Any remaining square footage not developed in the Neighborhood Centers under the 140,000 square feet may be used in the Employment District

Trip Generation

Total PM Peak Hr Trips 3,503
Residential 1,703
Economic Development District 1,800

ITE Code		Land Use 1		Size (SF)	Units	Daily Trips	PM Peak Hr Trips				Internal Capture				Pass By				Net New External Trips			
							Total	% In	Enter	Exit	Total	Enter	Exit	%	Total	Enter	Exit	Total	Enter	Exit		
Phase I																						
820	Shopping Center	100,000	SF			6,012	543	48%	261	282	73	36	37	25%	118	56	62	352	169	183		
210	Single Family		DU			14,632	1,535	63%	967	568	22	11	11	0%	-	-	-	1,513	956	557		
220	Townhomes		DU			2,227	168	63%	106	62	4	2	2	0%	-	-	-	164	104	60		
Total Trips							2,246		1,334		912	99	49	50		118	56	62	2,029	1,229	800	
Buildout (2028)																						
710	General Office	500,000	SF			5,055	575	16%	92	483	57	29	29	0%	-	-	-	518	64	455		
820	Shopping Center	300,000	SF			12,690	1,225	48%	588	637	179	65	94	25%	262	131	131	784	392	412		
210	Single Family		DU			14,632	1,535	63%	967	568	76	65	94	0%	-	-	-	1,459	902	474		
220	Townhomes		DU			2,227	168	63%	106	62	8	65	94	0%	-	-	-	160	41	(32)		
Total Trips							3,503		1,753		1,750	320	224	311		262	131	131	2,921	1,399	1,309	

1/18, Inc.

Notes:

- Trip generation rates and equations are based on the Institute of Transportation (ITE) Trip Generation Manual 10th Edition.
- Internal capture based on NCHRP 684 Estimation Tool developed by Texas A&M Transportation Institute, Version 2013.1
- Elementary school square footage is not incuded.

Mar-19

Land Use Conversion Matrix

Land uses within the Wellness Way PUD may be exchanged based on traffic equivalents as listed below:

LAND USE	ITE CODE	PM PEAK HOUR RATE	Conversion TO ²				
			SINGLE FAMILY CONVERSION RATE	TOWNHOME CONVERSION RATE	RETAIL CONVERSION RATE	EMPLOYMENT CONVERSION RATE	MULTI-FAMILY CONVERSION RATE
SINGLE FAMILY	210	0.99		1.77	0.06	0.99	2.25
TOWNHOME	220	0.56	0.57		0.03	0.56	1.27
RETAIL ¹	820	18.00	18.18	32.14		18.00	40.91
EMPLOYMENT	710	1.00	1.01	1.79	0.06		2.27
MULTI-FAMILY ²	221	0.44	0.44	0.79	0.02	0.44	

Sources:

Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition

Notes:

¹ PM Peak Hour Rate based on 1,000 SF for Retail, General Office and Medical Office

² Multi-Family Mid-Rise with at least three dwelling units and three to 10 levels/floors

³ A land use may not be converted more than 50%.

Example:

Every 10,000 sf of retail can be exchanged for 182 single family units.

250 single family units can be gained by exchanging 15,000 square feet of retail.

Every multi-family unit can be exchanged for 440 sf of employment.

25,000 square feet of employment can be gained by exchanging 57 multi-family units.

Waiver Requests

- A waiver to Section 94-195(b)(3) of the City Code is requested to allow for maximum depth of cut or fill for construction of any roadway to exceed fifteen (15) feet for the areas indicated on Sheet C-7, Cut & Fill Analysis.
- A waiver to Section 94-195(c)(2) of the City Code is requested to allow elevation changes in topography to exceed ten (10) feet for the areas indicated on Sheet C-7, Cut & Fill Analysis.
- A waiver to Section 102-12(b)(1) of the City Code is requested to allow a minimum setback of twenty (20) feet from the right-of-way lines of US 27 and Wellness Way (Shell Pond Road) to the off-site ground sign.
- A waiver to Section 102-15(e)(4) of the City Code is requested to allow off-site signage at the intersection of Wellness Way (Shell Pond Road) and US 27, and at the intersection of Shell Pond Road Easement Area (as identified on the boundary survey) and US 27 meeting the following standards:
 - Maximum sign area = 60 square feet
 - Maximum sign height = 20 feet (ornamental architectural elements permitted up to thirty (30) feet height for no more than fifty (50) percent of the sign width)
 - Sign setbacks = 20 feet from US 27 and 20 feet from Wellness Way (Shell Pond Road)
- A waiver to Section 110-192(1) of the City Code is requested to allow private streets with gates.
- A waiver to Section 110-192(7) of the City Code is requested to allow private dead-end streets of less than one hundred fifty (150) feet in length to terminate without a cul-de-sac.
- A waiver to Section 110-193 of the City Code is requested to allow a minimum right-of-way width of fifty (50) feet for local streets in lieu of sixty (60) feet.
- A waiver to Section 110-195(b) of the City Code is requested to allow construction of a twenty (20) foot wide one-way alleys with twelve (12) feet of pavement as long as twenty (20) feet of unobstructed emergency access is maintained.
- A waiver to Section 118-71(1) of the LDC is requested to allow street trees within the right-of-way along the frontage of a residential lot to count toward the minimum number of required trees on the lot and to allow such trees to be less than 6 feet from curbs and sidewalks as long as a minimum of 5 feet of clearance is provided between the tree and any public potable water, wastewater or reclaimed water main.
- A waiver to Section 122-3196(b)(4) of the City Code is requested to allow individual phases of the PUD to exceed the overall density of the PUD and to allow individual phases of the PUD to be developed without providing common open space in proportion to that contained within the entire PUD.

Development Standards

Residential Development Standards (Parcels 1-6)

	Two-Family Semi-Detached Dwelling Units (Duplex)	Single Family Attached Dwelling Units (Townhomes)	Single Family Detached Dwelling Units	
			Rear Loaded	Front Loaded
Minimum Lot Width	50 ft	18 ft	32 ft - 40 ft	40 ft+ -70 ft
Minimum Living Area (square feet)	1,000	1,000	1,200	1,500
Minimum Lot Depth	100 ft	110 ft	110 ft	120 ft
Minimum Front Building Setback (front load/rear load)	15 ft	20 ft/15 ft	15 ft	20 ft
Minimum Front Porch Setback	10 ft	10 ft	10 ft	10 ft
Minimum Garage Setback (front/rear) (measured from edge of pavement)	20 ft/20 ft	20 ft/20 ft	20 ft/20 ft	20 ft/20 ft
Minimum Side Yard Setback	5 ft	0 ft/5 ft (end units)	5 ft	5 ft
Setback From Side Street	15 ft	15 ft	15 ft	15 ft
Minimum Rear Yard Setback	20 ft	20 ft	N/A	20 ft
Minimum Rear Yard Setback for Pools, Patios, Decks or Ancillary Structures	N/A	5 ft	5 ft	5 ft
Rear Setback from Edge of Alley Pavement ³	N/A	20 ft	20 ft	N/A
Minimum Building Separation	10 ft	10 ft	10 ft	10 ft
Maximum Impervious Surface Ratio (ISR) ¹	0.85	0.85	0.75	0.75
Maximum Building Height ²	40 ft	40 ft	40 ft	40 ft
Setback from Normal High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50 ft	50 ft	50 ft	50 ft
Minimum Front Yard Utility Easement	10 ft	10 ft	10 ft	10 ft
Minimum Side and Rear Yard Drainage and Utility Easement	5 ft	5 ft	5 ft	5 ft

¹The maximum allowable ISR for the overall PUD development shall be 0.60. Individual lot ISR may exceed 0.60 as shown in the table above as long as overall maximum is not exceeded.

²The maximum height for recreational amenity buildings shall be 75 ft.

³ Detached garages shall be setback a minimum of 3 feet

Employment District/Neighborhood Commercial Development Standards

	Commercial	Employment	Apartment	Townhomes
Building Height	35 feet/2-stories	35 feet/2-stories	45 feet/3-stories	35 feet/2-stories
Max. Impervious	75%	75%	75%	70%
Max. Lot Coverage	75%	75%	75%	70%
Building Separation	N/A	N/A	20 feet	5 feet
Minimum Yard Setbacks ^{1,4,5}				
Front	25 feet/50 feet from US 27	25 feet/50 feet from US 27	25 feet/50 feet from US 27	15 feet/50 feet from US 27
Side ²	12 feet	12 feet	12 feet	5 feet
Side Street	25 feet	25 feet	25 feet	15 feet
Rear ³	25 feet/50 feet from US 27	25 feet/ 50 feet from US 27	25 feet/50 feet from US 27	20 feet/50 feet from US 27
NHWE ³	25 feet	25 feet	25 feet	25 feet

¹When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundary.

²On corner lots, a side yard setback of 50 feet shall be maintained on US 27 and a side yard setback of 25 feet shall be maintained from all other streets and 12 feet on the interior side yard. However, a side setback of 25 feet shall be maintained adjacent to property zoned or used as residential.

³No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted Comprehensive Plan and after formal approval of a site development plan by the Administrative Official.

⁴Buffer strip. When a conditional or commercial use abuts a residential use, the conditional or commercial use shall provide a landscaped buffer strip along the abutting property line unless the residential use is within the Employment District boundaries.

⁵Other setbacks. All yard setbacks for principal buildings shall be a minimum of 25 feet from established high-water marks. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way PUD

City of Clermont, Florida

Drawing Title

Development Standards

Drawing

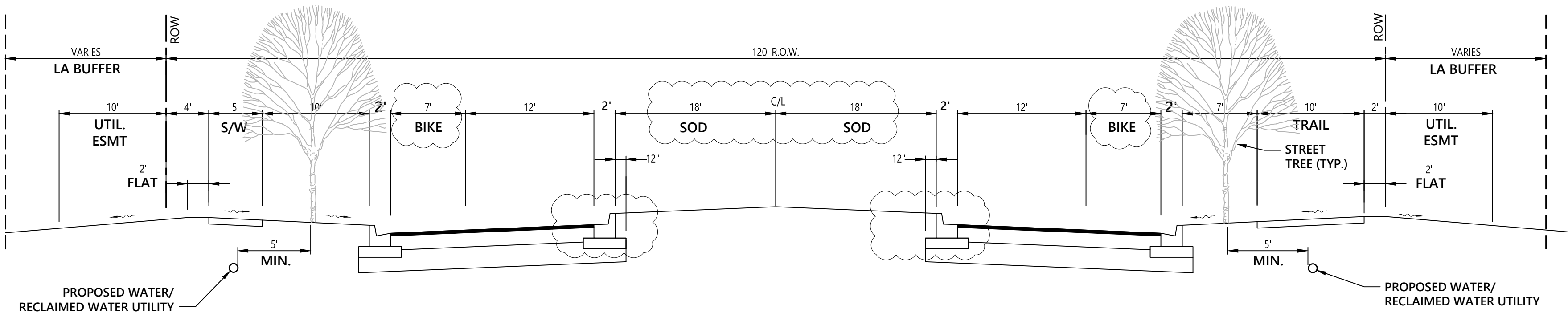
C-8

Scale Sheet of

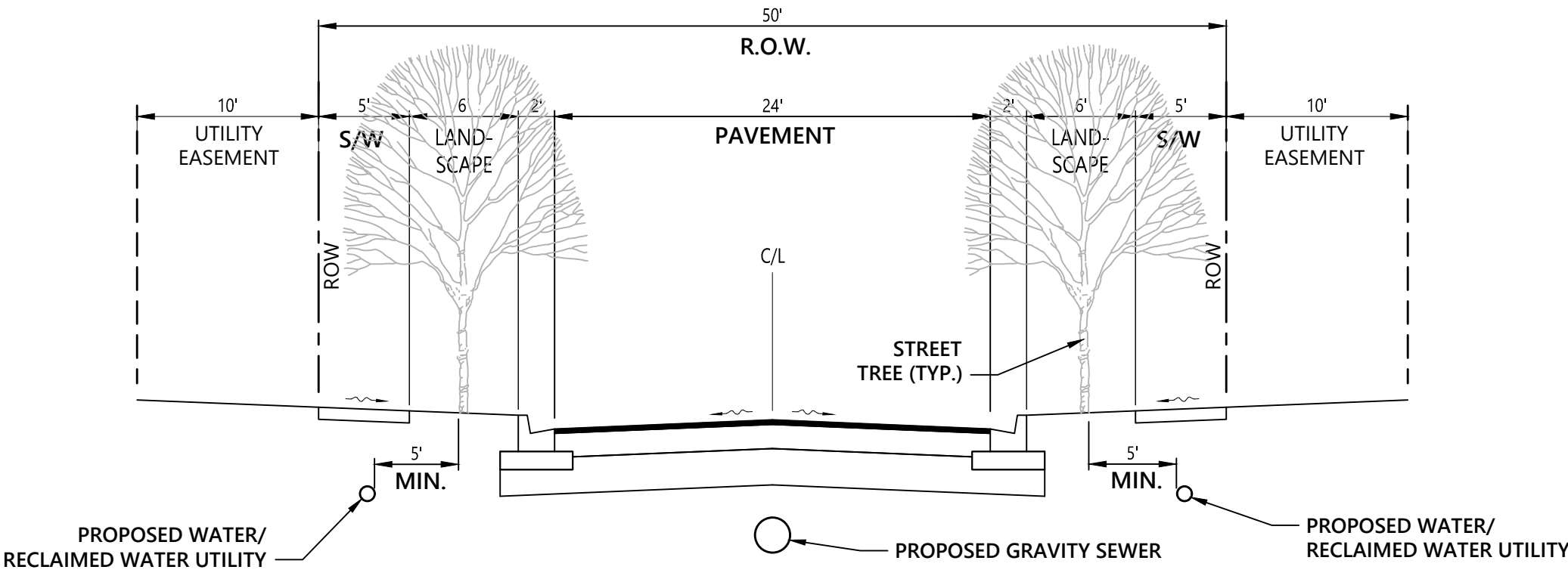
Date Project Number

Oct. 18, 2019 63302.00

6330200--PD--NOTES.DWG

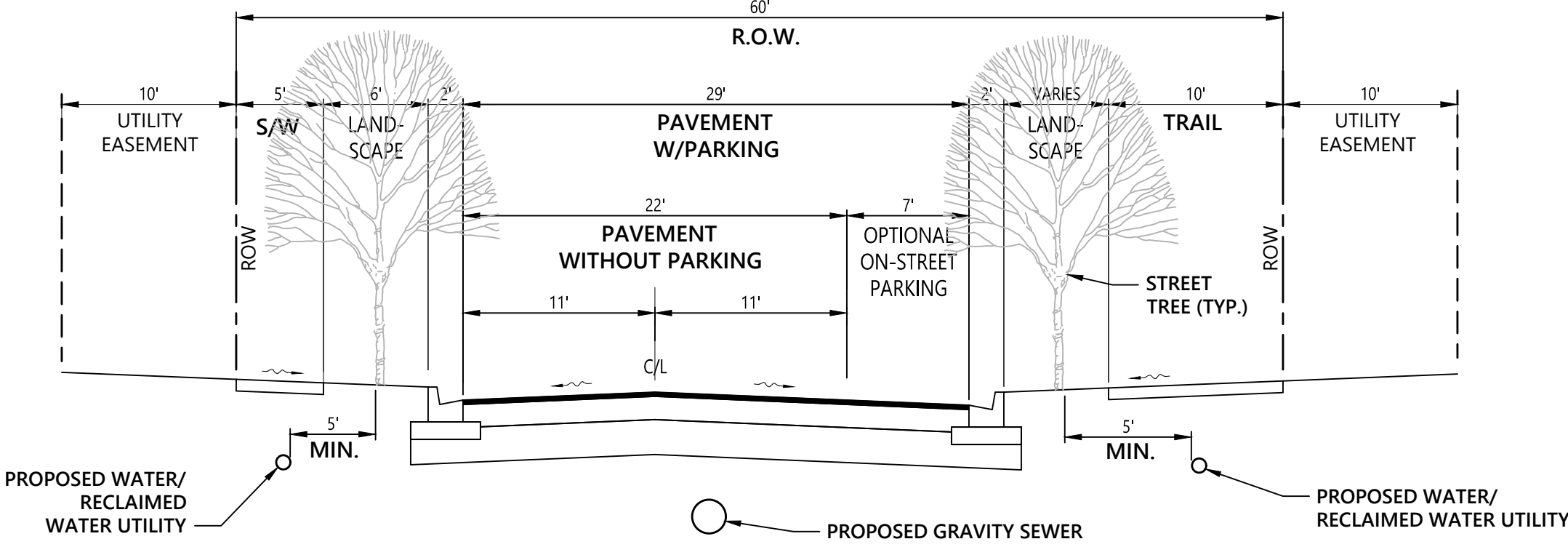


A - Typical Road Section - Wellness Way & Hancock Road
N.T.S.

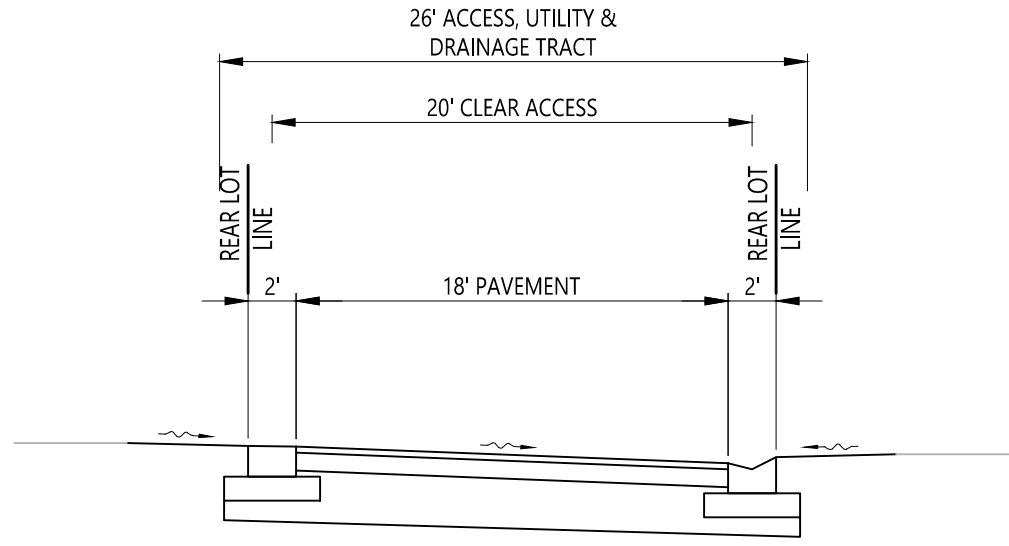


FOR RESIDENTIAL DEVELOPMENT .
INCLUDES SIGNAGE TO ALLOW PARKING ON ONE SIDE OF ROAD ONLY.

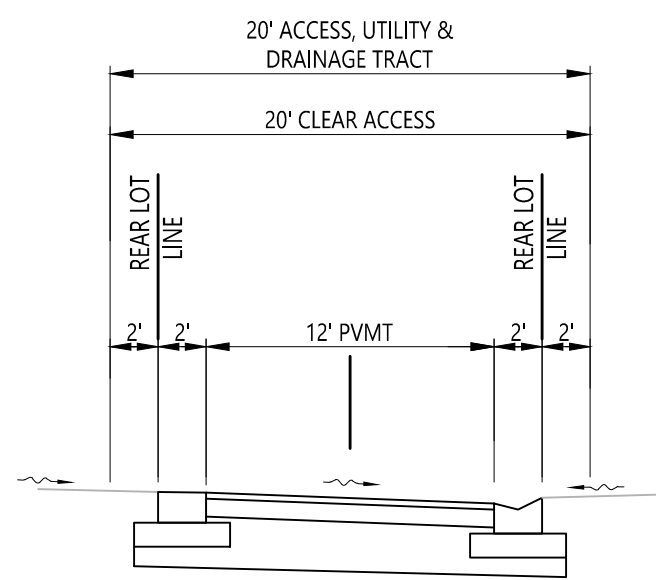
Typical Residential Road Section (50' ROW)
N.T.S.



B - Typical Road Section (60' ROW)
N.T.S.



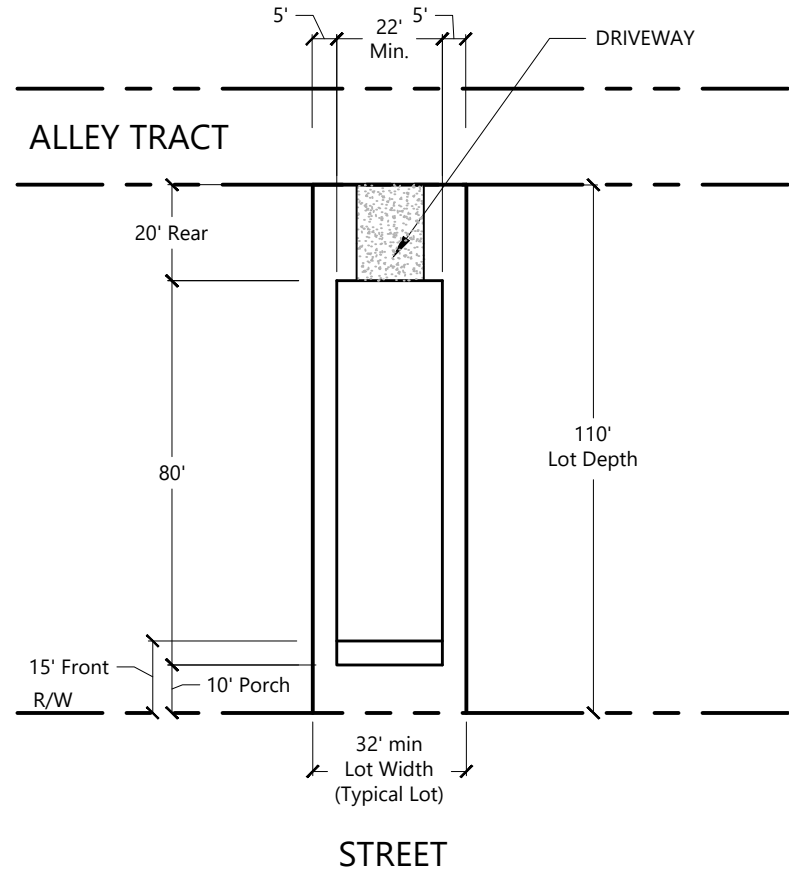
Typical Alley Road Section - Two Way
N.T.S.



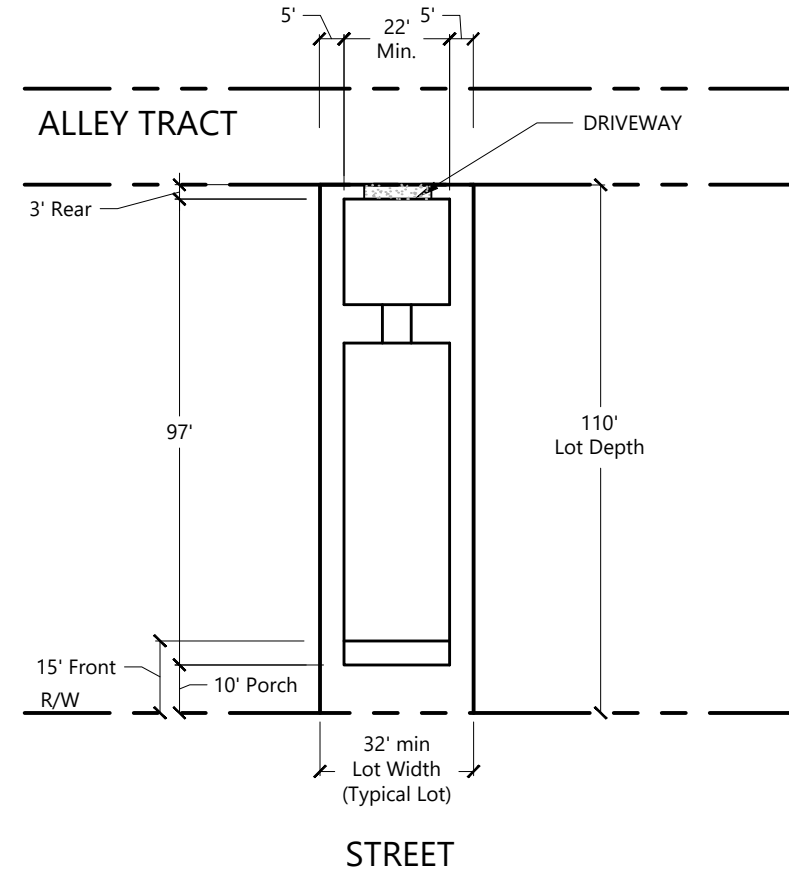
Typical Alley Road Section - One Way
N.T.S.

NOTES

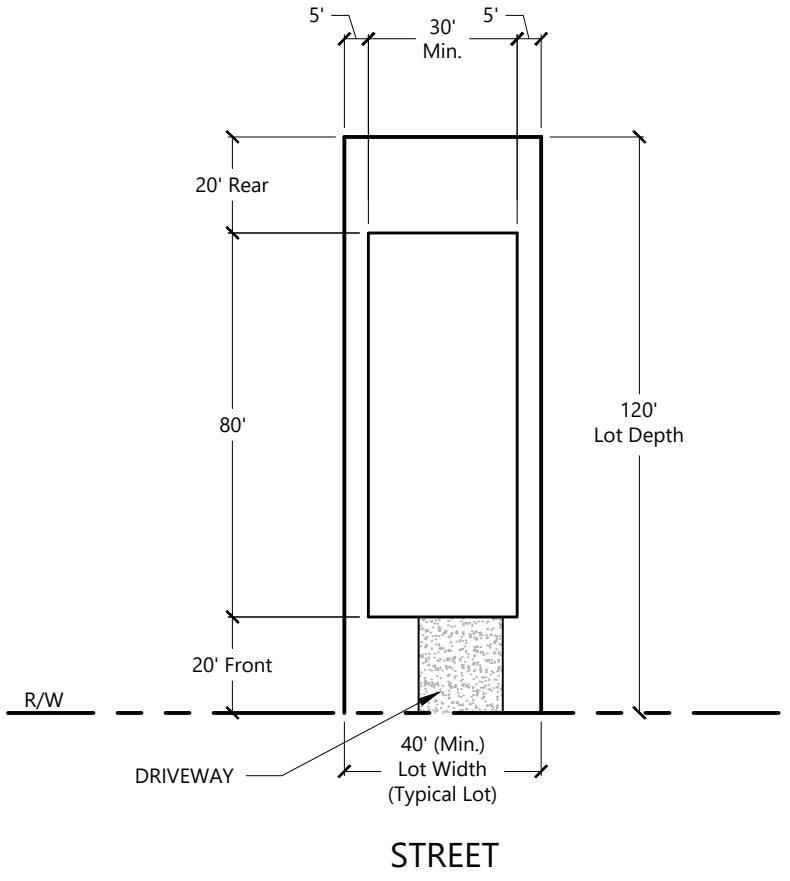
1. Each lot shall include a minimum 10' front yard utility easement.
2. Each lot shall include a minimum 5' side and rear yard drainage and utility easement.
3. Street corner radius shall not effect street side yard or front setbacks.



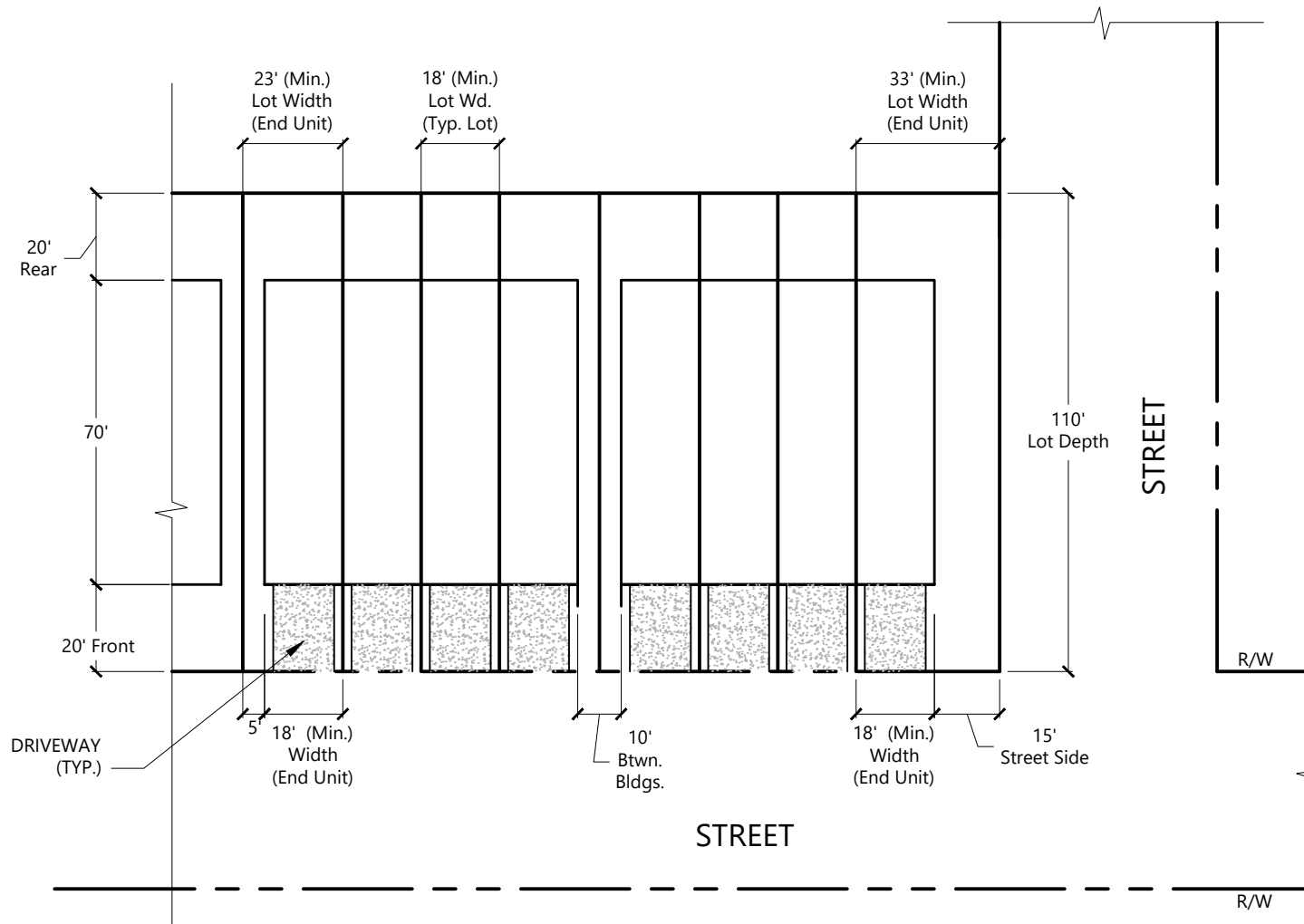
**32' - 40' x 110' Single-Family Lot
(Rear Loaded)**
Scale: 1"=40'



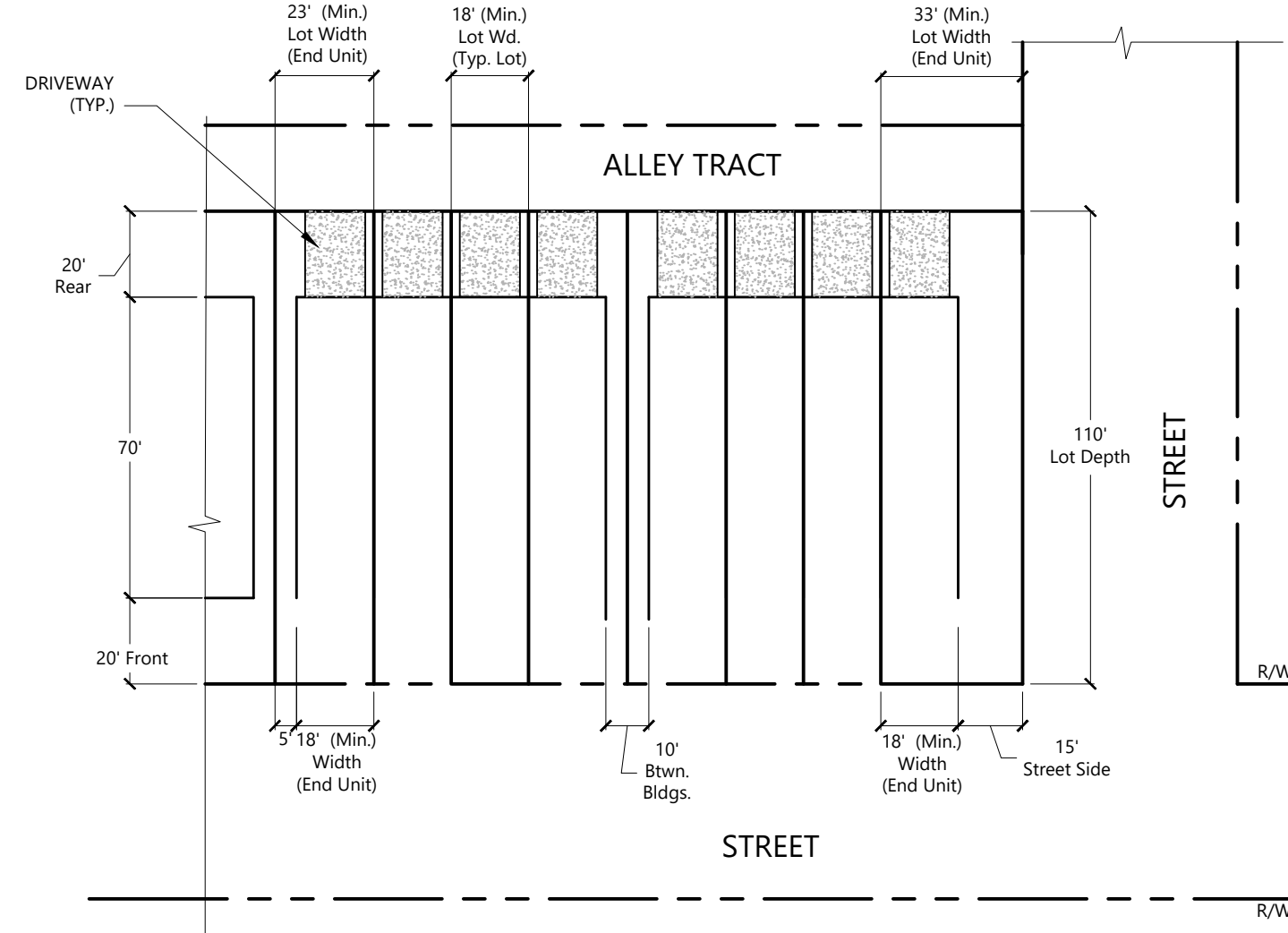
**32' - 40' x 110' Single-Family Lot
(Rear Loaded with Detached Garage)**
Scale: 1"=40'



**40' - 70' x 120' Single-Family Lot
(Front Loaded)**
Scale: 1"=40'



**18' - 25' x 110' Townhome
(Front Loaded)**
Scale: 1"=40'



**18' - 25' x 110' Townhome
(Rear Loaded)**
Scale: 1"=40'

No.	Revision	Date	Appvd.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

**Wellness Way
PUD**

City of Clermont, Florida

**Typical Lot
Diagrams &
Road Sections**

Drawing

C-9

Scale

Date

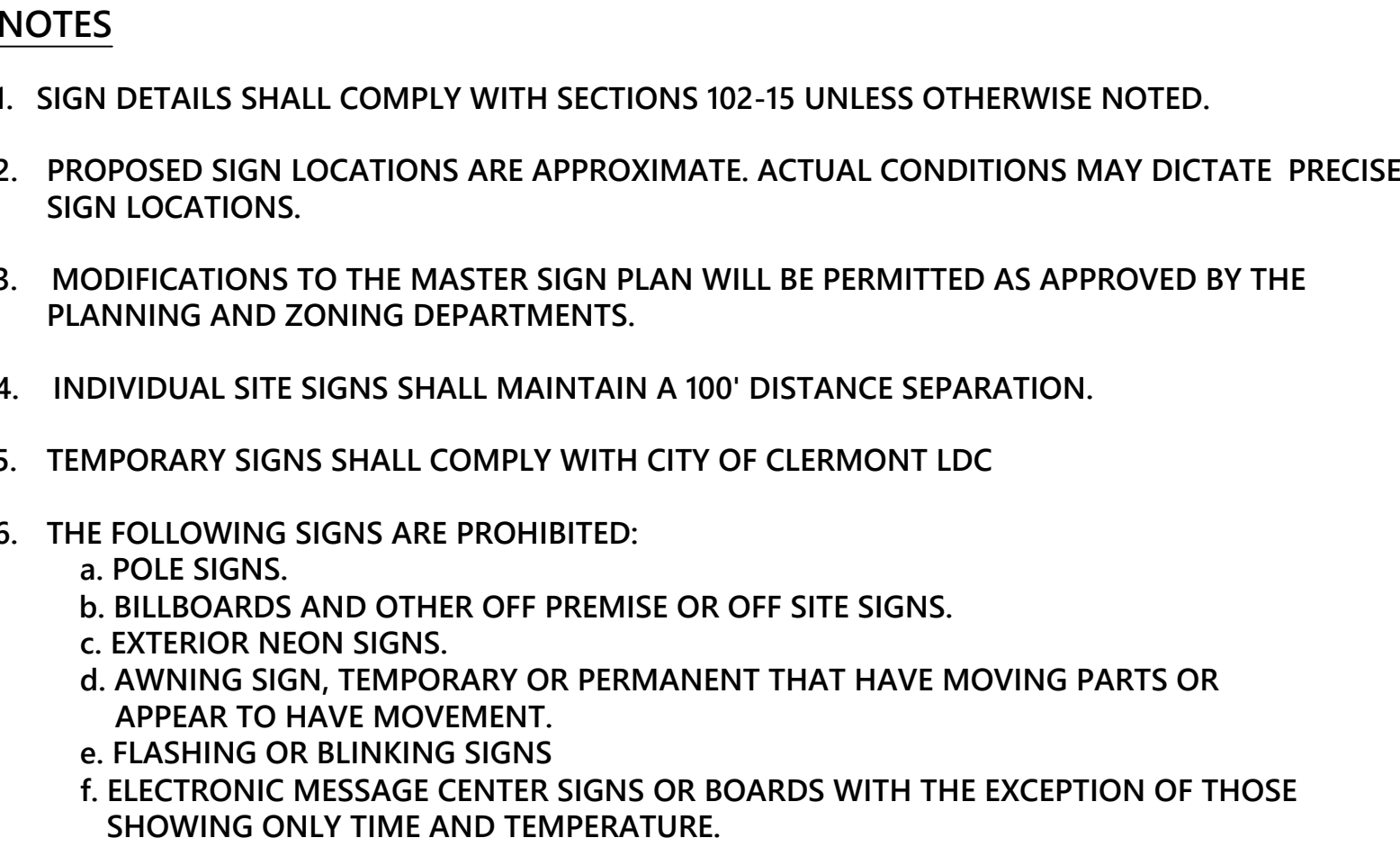
Oct. 18, 2019

Sheet

Project Number

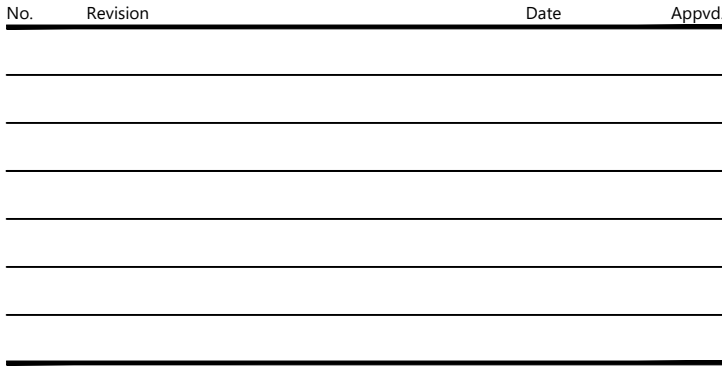
63302.00

6330200-PD-LOT DIAGRAM.DWG



	GROUND SIGN TYPE	NUMBER OF SIGNS	MAX. HEIGHT TO GROUND ALLOWED PER CODE	MAX. WIDTH ALLOWED PER CODE	MAX. COPY AREA ALLOWED PER CODE	MAX. HEIGHT TO GROUND PROVIDED	MAX. WIDTH PROVIDED	MAX. COPY AREA PROVIDED
●	GATEWAY SIGN (U.S. HIGHWAY 27)	3	10'	10'	60 S.F. (ARTERIAL ROADWAY)	15'	20'	WAIVER REQUESTED
✱	COMMUNITY IDENTIFICATION	4	8'	10'	48 S.F. (COLLECTOR ROADWAY)	15'	20'	PER CODE
■	RESIDENTIAL SUBDIVISION/MULTI-FAMILY	15	8' - SUBDIVISION 9' - MULTI-FAMILY	N/A	32 S.F. (INTERNAL ROADWAY)	PER CODE	PER CODE	PER CODE

	FRAMEWORK ROAD
	OFFSITE TRAIL
	PROPOSED MULTI-USE TRAIL
	WETLAND LIMITS
	WETLAND SOURCE: ALLEN & COMPANY SURVEYORS 11/16/2018
	WETLAND BUFFER (25' WIDE)
	EMPLOYMENT DISTRICT
	PROPOSED SCHOOL/PARK
	NEIGHBORHOOD CENTER
	ACCESS



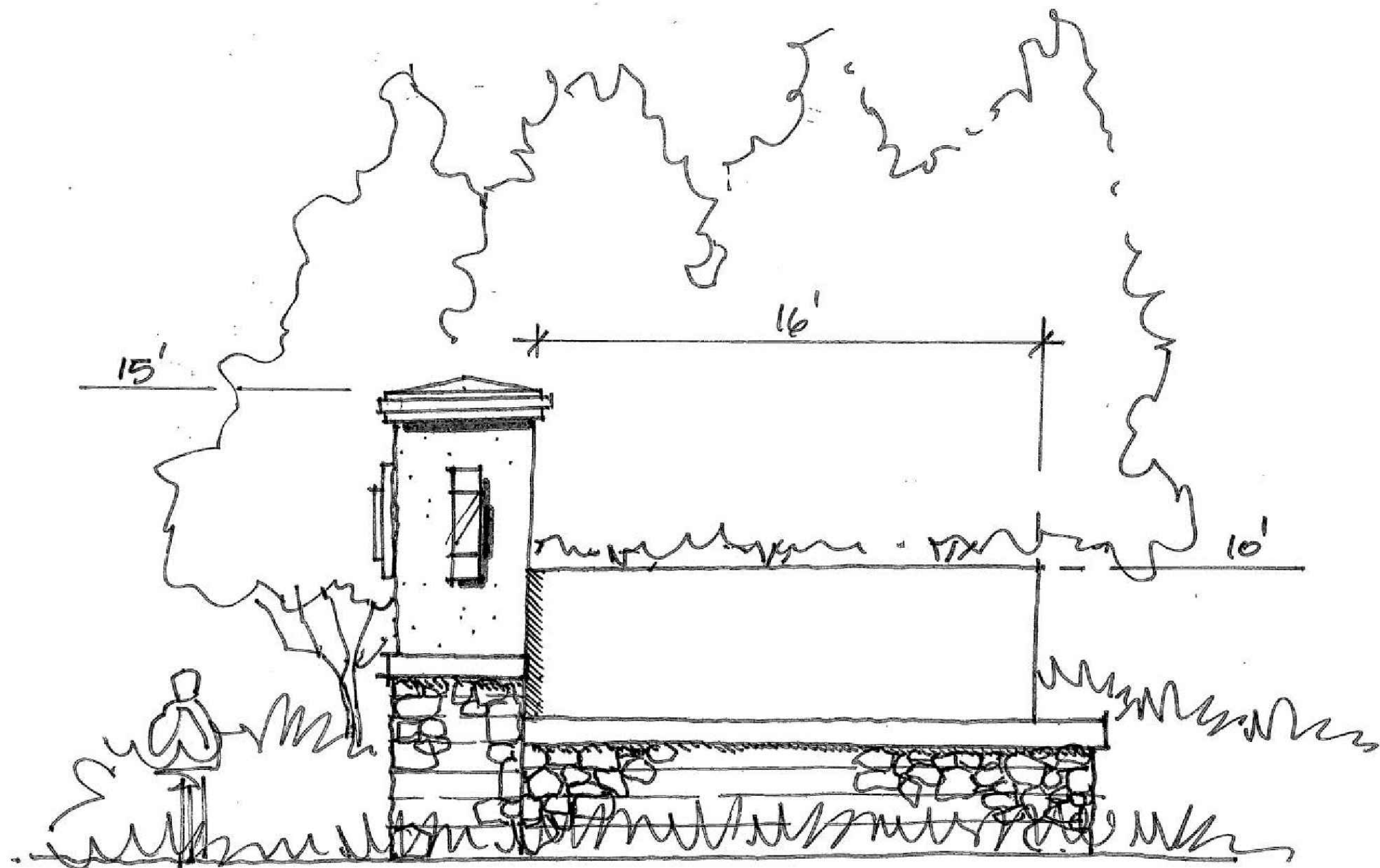
Wellness Way PUD

City of Clermont, Florida

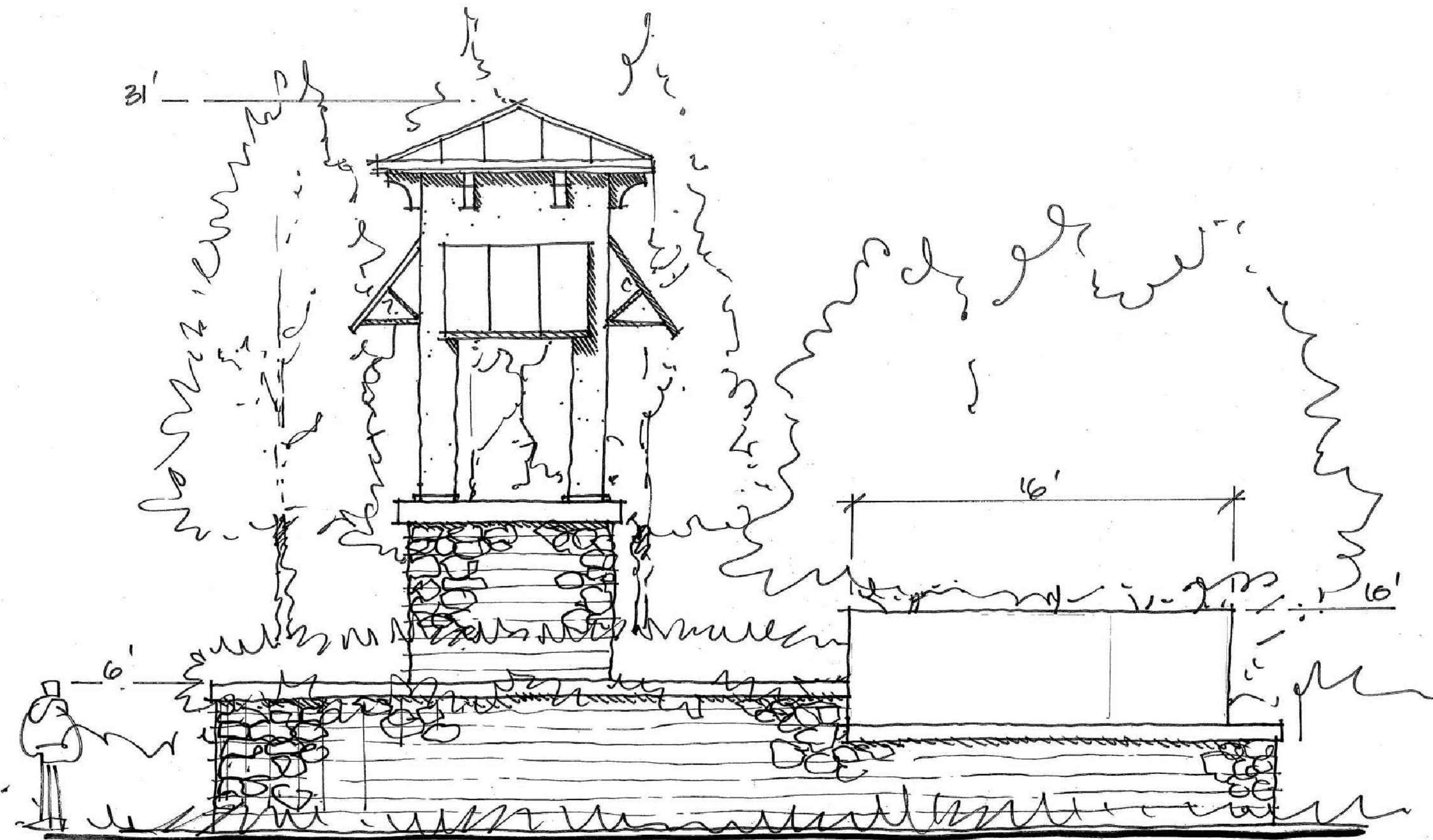
Master Sign Plan

C-10

Scale	Sheet of
Date	Project Number
Oct. 18, 2019	63302.00
6330200-PD-SIGN.DWG	



A - Community Identification Sign
N.T.S.



B - Gateway Sign
N.T.S.

No.	Revision	Date	Appd.



Planning + Design Studio
Transportation
Land Development
Environmental Services
225 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-839-4006 • FAX 407-839-4008
Certificate of Authorization Number 3932

Project Title

Wellness Way PUD

City of Clermont, Florida

Sign Character Sketches

C-11

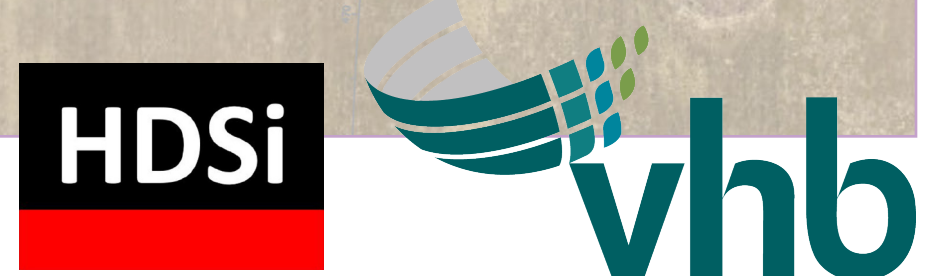
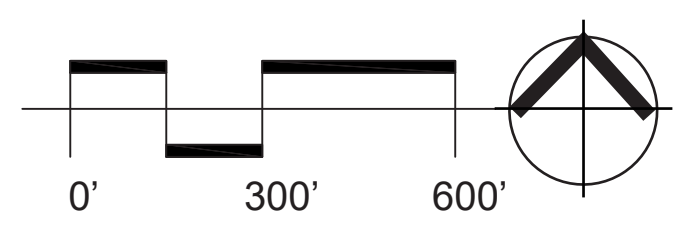
Scale _____ Sheet _____ of _____
Date _____ Project Number _____
Oct. 18, 2019 63302.00

6330200-PD-SIGN.DWG



WELLNESS WAY
MASTER PLAN
 Lake County ▪ Florida

NOTE: THE INFORMATION PROVIDED ON THIS DOCUMENT SHOULD BE TREATED AS CONCEPTUAL ONLY AND MAY BE SUBJECT TO CHANGE © 2018 VHB



DATE: October 18, 2019
 PROJECT NUMBER: 63302.00
 225 E. Robinson St, Suite 300 | Orlando, Florida 32801
 Tel: 407.839.4006 | Fax: 407.839.4008 | www.vhborlando.com
 FILE PATH: \\vhb\gb\proj\Orlando\63302.00 Lennar-Wellness Way\graphics\BOARDS\Rendered Master Plan\ Master Plan 300sc 24x36.indd

Exhibit 4

Proportionate Share Calculation

The deficient roadway segments listed in the previous section will require mitigation via a proportionate share cost or physical improvements to the deficient roadways. The County, City and area property owners including South Lake Crossings are in the process of establishing a term sheet for the delivery of the Wellness Way Framework Streets which prioritize the two-lane (future four-lane) Wellness Way and Hancock Road Extension. A resolution supporting the Wellness Way Transportation Network will be presented to the Lake County Board of County Commissioners for approval at the May 7, 2019. Therefore, the proportionate share costs provided in the **Table 10** include impacts to the Wellness Way Framework Streets regardless of an identified deficiency assuming the ultimate build of a four-lane roadway and four-lane capacity. It is the intent that proportionate share costs be pipelined to advance the acquisition of right-of-way adjacent to Conserve II for Wellness Way and design, permitting and construction of Wellness Way, Hancock Road Extension, and CR 455/Hartle Road Extension.

Cost per mile was based on the Lake County construction cost per the CEMEX Agreement with an adjustment of 10% for contingency, 12% for design, and 10% for CEI for an adjustment factor of 1.32. The 2018 FDOT Long Range Estimate Cost Per Mile Model was also used with an adjustment of 10% for design and 10% for CEI. Cost per mile calculations are provide in **Table 10**.

Table 10 summarizes the proportionate share cost based on the product of the cost for the improvement and the ratio of peak hour projects trip to the added peak hour capacity. The proportionate share cost calculated for the buildout of South Lake Crossings is \$7,701,691.

Table 10 - Proportionate Share Calculation (Buildout)

Roadway	Segment	Peak Hour Capacity			Length	Cost per Mile Assumptions ¹			PK Hr Project Trips	Signific	Defic	Proportionate Share
		Existing/Committed	Future	Added		Source	Total	Segment Cost				
CR 455/Hartle Rd	Hartwood Marsh Rd to Wellness Way	0	3,580	3,580	3.25	FDOT	\$ 5,175,342	\$ 16,819,862	42	N	Y	\$ 197,327.98
	Wellness Way to E-W Connector	0	3,580	3,580	1.32	FDOT	\$ 5,175,342	\$ 6,831,451	134	Y	N	\$ 255,702
S Hancock Rd	Hook St to Johns Lake Rd	1,440	3,222	1,782	1.22	FDOT	\$ 3,434,590	\$ 4,190,199	155	Y	Y	\$ 364,467
	Johns Lake Rd to Hartwood Marsh Rd	1,440	3,222	1,782	1.75	FDOT	\$ 3,434,590	\$ 6,010,532	207	Y	Y	\$ 698,193
	Fuqua Boundary to Conserve	0	3,580	3,580	0.66	FDOT	\$ 5,175,342	\$ 3,415,726	318	Y	N	\$ 303,408
	Conserve to Wellness Way	0	3,580	3,580	0.74	FDOT	\$ 8,938,253	\$ 6,614,307	498	Y	N	\$ 920,091
Hartwood Marsh Rd	US 27 to Hancock Rd	1,197	2,628	1,431	0.71	FDOT	\$ 5,175,342	\$ 3,674,493	43	N	Y	\$ 110,415
	Hancock Rd to N 90 Degree Bend	1,197	2,628	1,431	1.44	FDOT	\$ 5,175,342	\$ 7,452,492	43	N	Y	\$ 223,939
Wellness Way	N 90 Degree Bend to Orange County Line	1,197	2,628	1,431	1.59	FDOT	\$ 5,175,342	\$ 8,228,794	16	N	Y	\$ 92,006
	US 27 to Hancock Road	1,440	3,580	2,140	0.61	Lake Co	\$ 1,650,000	\$ 1,006,500	560	Y	N	\$ 263,383
	Hancock Road to 1.12 miles east	0	3,580	3,580	1.12	FDOT	\$ 8,938,253	\$ 10,010,844	804	Y	N	\$ 2,248,245
	1.12 miles east to County Line	0	3,580	3,580	2.23	FDOT	\$ 5,175,342	\$ 11,541,013	628	Y	Y	\$ 2,024,513
Total												\$ 7,701,691

Notes:

¹ Cost per mile based on Construction Cost per the Lake County CEMEX Agreement and 2018 FDOT Long Range Estimate Cost Per Mile Model (see tables below)

Lake County Cost

Improvement	Construction Cost per mile (CEMEX Agreement)	Adjustment Factor	Total Cost
New 2L Urban - Future 4L	\$ 3,675,000	1.32	4,851,000
New 2L Rural Undivided w/ 4' shoulder	\$ 1,624,350	1.32	2,144,142
Widen 2L inside 4L divided, Urban	\$ 1,250,000	1.32	1,650,000

Adjustment Factor = 1.32 (assumes 10% contingency, 12% design and 10% CEI)

2018 FDOT Long Range Estimate Cost Per Mile Model

Improvement	LRE Construction Cost per mile	Design (10%)	CEI (10%)	Total
New Urban 2LU (w/ 4' bike lanes)	\$ 4,981,800	\$ 498,180.00	\$ 498,180.00	\$ 5,978,160
New Rural 2L (w/ 5' paved shoulders)	\$ 2,202,091	\$ 220,209.10	\$ 220,209.10	\$ 2,642,509
New Rural 3LU with 5' paved shoulder and turn lanes	\$ 2,673,585	\$ 267,358.51	\$ 267,358.51	\$ 3,208,302
New Rural 4 LD (w/ 2' paved shoulders inside, 5' outside)	\$ 4,312,785	\$ 431,278.50	\$ 431,278.50	\$ 5,175,342
New Urban 4L (w/ 22' median and 4' bike lanes)	\$ 7,448,544	\$ 744,854.44	\$ 744,854.44	\$ 8,938,253
Widen 2L to 4L Divided, Rural	\$ 2,862,158	\$ 286,215.80	\$ 286,215.80	\$ 3,434,590

Based on Long Range Estimate Cost per Mile Model (3/20/2019)



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: _____

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): _____

APPLICANT: Shutts & Bowen

CONTACT PERSON: Daniel O'Keefe

Address: 300 S. Orange Ave., Suite 1600

City: Orlando State: FL Zip: 32801

Phone: 407-835-6956 Fax: _____

E-Mail: dokeefe@shutts.com

OWNER: South Lake Crossings I LLC; South Lake Crossings III LLC

Address: PO Box 135

City: Windermere State: FL Zip: 34786

Phone: _____ Fax: _____

Address of Subject Property: 14811 Shell Pond Road

Legal Description (include copy of survey): _____

please see attached

Acreage: _____ Land Use: Wellness Way (Lake County)
(City verification required)

Present Zoning: A (Lake County) Proposed Zoning: PUD
(City verification required)



**CITY OF CLERMONT
REZONING
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

The Applicant shall provide the following information with this application:

- ▶ Completed application. Include all signatures:
 - ◇ Applicant's signature (if different from owner of record)
 - ◇ Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application.
- ▶ Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.⁰⁰ plus the cost of the advertisement



**CITY OF CLERMONT
REZONING
APPLICATION**
Page 2

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

please see the attached narrative.

Daniel T. O'Keefe

Applicant Name (print)

X Dan O'Keefe
Applicant Name (signature)

Thomas J. Karr, Jr.
Owner Name (print)

X Thomas J. Karr, Jr.
Owner Name (signature)

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

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

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

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
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

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°15'52"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

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

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
Tax	\$0.00
Sub Total	\$1,899.24
Prepaid Amount	\$0.00
Balance Due	\$1,899.24

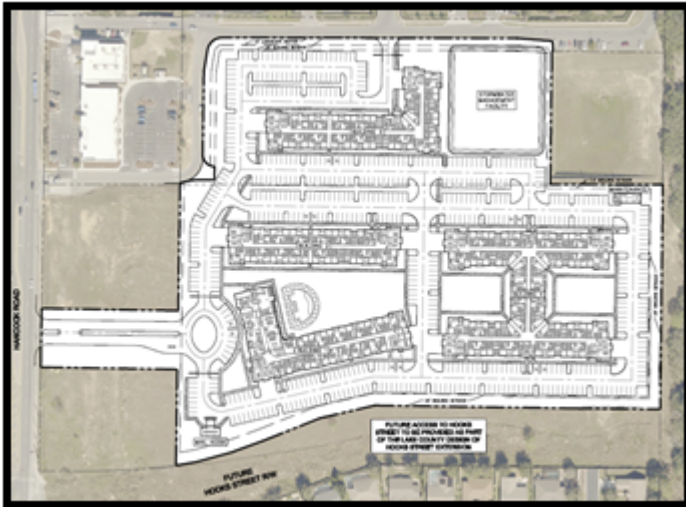


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 5, 2019	
Agenda Item Name	
Ordinance No. 2019-46 <i>Hancock Commons Apartments</i>	
Requested Action	
Recommend approval of Ordinance 2019-46.	
Staff Report	
The owner, Clermont 15, LLC and Hancock Commons, LLC, is requesting an amendment to a PUD to allow 281 multifamily units on 16.49+/- acres located on vacant property northeast of the Hooks Street and Hancock Road intersection. The property is part of the original Hills of Clermont development that consisted of commercial, office, and residential use along Hooks Street and Hancock Road. A developer's agreement was signed between the developer and the Hills of Clermont Homeowners' Association in 2006 prohibiting multifamily development on this parcel. A modification of the developer's agreement was executed and recorded with the Lake County Clerk of the Courts on May 16, 2019 removing the prohibition of the multifamily development. The owner desires to develop an apartment complex on the property using the affordable housing bonus density process. The applicant has applied for 281 units on 16.49 acres. The base density of the parcel is 12 units per acre or 197 units. The bonus density request is for 84 units for a cumulative total of 281 units. This is a density of 17.1 units per acre. Under the Affordable Housing Density Bonus Ordinance 2018-30, applicants along the Hooks Street Corridor can request up to 20 units per acre through the provision of having affordable units based upon HUD standards and income limitations. The applicant has indicated 15 % of the bonus units would be provided for moderate-income households. This would be 0.15×84 bonus units = 13 affordable units. These units would remain as affordable units in perpetuity. The applicant has provided a conceptual site plan prepared by Kimley-Horn showing the four buildings, amenity area and associated parking. The multi-story buildings will have elevators since they may have a maximum height of 55 feet. The applicant has provided architectural elevations showing the proposed buildings along with sight lines.	



- The applicant has requested seven waivers to the code in order to develop the project. Upon discussion and review, staff is able to support a majority of the requested waivers. The waivers are:
1. Allow private streets within the project with gated entry/exits.
 2. Allow cut/fill exceeding 10 feet but not more than 15 feet on up to 20% of the site except for the stormwater system that may have up to 35 feet of cut, as indicated on the cut/fill exhibit.
 3. Allow individual retaining wall height up to a maximum of 12 feet as indicated on the conceptual site plan.
 4. Allow roll out trash collection for each building. If additional trash collection is required, an onsite compactor will be provided.
 5. Allow proposed buildings with a maximum height of 55 feet.
 6. Allow a building setback of 7.5 feet building setback line from property lines adjacent to stormwater management facilities.

The final waiver requested by the applicant, is not to be responsible for the construction of Hooks Street along the southern border of the property. Staff is unable to support this request since the continuation of Hooks Street will provide an additional east/west corridor parallel to SR 50 in the near future, offering some relief from SR 50. A condition for the developer to construct Hooks Street has been included in the PUD ordinance along with providing an option to seek impact fee credit from Lake County.

Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. The applicant is requesting seven waivers. A majority of the waivers have been requested before in other Planned Unit Developments. With the amended developer's agreement, the applicant has been able to move forward with this request that was previously prohibited. The request for the affordable housing density bonus units allowable under Ordinance 2018-30 have provided a mechanism for the increased density from 197 units up to 281 units or 17.1 dwelling units per acre.

Staff recommends approval of Ordinance 2019-46 for an amendment to a PUD to allow 281 multifamily units to be developed in substantial accordance with the Conceptual Sketch, Sheet SP-04, prepared by Kimley-Horn and Associates, Inc.

Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance 2019-46 Final CC Formatted	Ordinance 2019-46 Final CC Formatted.DOCX
2.	Hancock Commons Map	Hancock Commons Map.pdf
3.	Conceptual Site Plan	Conceptual Site Plan.pdf
4.	Clermont Rendering Hancock Commons Apts	Clermont Rendering Hancock Commons Apts.pdf
5.	A5-5.1_BUILDING 100 - RENDERED ELEVATIONS	A5-5.1_BUILDING 100 - RENDERED ELEVATIONS.PDF
6.	A5-5.0_BUILDING 100 - RENDERED ELEVATIONS	A5-5.0_BUILDING 100 - RENDERED ELEVATIONS.PDF
7.	Hancock Commons - Waiver Request Letter	Hancock Commons - Waiver Request Letter .pdf
8.	Waiver Request Letter-Attachment #1-Walls	Waiver Request Letter-Attachment #1-Walls.pdf
9.	Waiver Request Letter-Attachment #2-Cut-Fill	Waiver Request Letter-Attachment #2-Cut-Fill.pdf
10.	Recorded Dev Agreement 051619	Recorded Dev Agreement 051619.pdf
11.	Clermont Rezoning Application(signed)	Clermont Rezoning Application(signed).pdf
12.	ORD 2019-46 Hancock Commons Apts Legal Ad	ORD 2019-46 Hancock Commons Apts Legal Ad.pdf



CITY OF CLERMONT
ORDINANCE NO. 2019-46

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1:

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4449, PAGE 2263 AND A PORTION OF LOT 5, HANCOCK COMMONS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 61, PAGES 87-88, BOTH OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID NW 1/4; THENCE WITH THE WEST LINE OF SAID NW 1/4, N01°06'13"E, A DISTANCE OF 291.34 FEET; THENCE S88°53'47"E, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF HANCOCK ROAD (100-FOOT RIGHT OF WAY PER OFFICIAL RECORDS BOOK 2010, PAGE 321, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA) AND THE POINT OF BEGINNING;

THENCE WITH SAID EAST RIGHT-OF-WAY LINE, N01°06'13"E, A DISTANCE OF 120.00 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, S88°53'47"E, A DISTANCE OF 279.16 FEET; THENCE N01°02'42"E, A DISTANCE OF 261.02 FEET; THENCE NORTHEASTERLY WITH THE ARC OF A NON-TANGENT CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 13°09'06" AND A CHORD BEARING AND DISTANCE OF N79°00'00"E, 32.06 FEET) FOR AN ARC DISTANCE OF 32.14 FEET TO A POINT OF NON-TANGENCY; THENCE N89°53'44"E, A DISTANCE OF 38.94 FEET; THENCE N00°21'11"E, A DISTANCE OF 27.25 FEET; THENCE NORTHWESTERLY WITH THE ARC OF A NON-TANGENT CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 24.00 FEET, A CENTRAL ANGLE OF 90°48'31" AND A CHORD BEARING AND DISTANCE OF N44°29'27"W, 34.18 FEET) FOR AN ARC DISTANCE OF 38.04 FEET TO A POINT OF TANGENCY; THENCE N00°54'49"E, A DISTANCE OF 170.71 FEET; THENCE N09°48'38"E, A DISTANCE OF 43.74 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY WITH THE ARC OF A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 30.40 FEET, A CENTRAL ANGLE OF 80°31'31" AND A CHORD BEARING AND DISTANCE OF N50°04'24"E, 39.29 FEET) FOR AN ARC DISTANCE OF 42.73 FEET TO A POINT OF TANGENCY; THENCE S89°39'51"E, A DISTANCE OF 603.64 FEET; THENCE S85°14'02"E, A DISTANCE OF 68.08 FEET; THENCE SOUTHEASTERLY WITH THE ARC OF A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 4.80 FEET, A CENTRAL ANGLE OF 84°43'57" AND A CHORD BEARING AND DISTANCE OF S42°52'04"E, 6.47 FEET) FOR AN ARC DISTANCE OF 7.10 FEET TO A POINT OF TANGENCY; THENCE S00°30'05"E, A DISTANCE OF 16.19 FEET TO THE NORTH LINE OF TRACT A OF SAID HANCOCK COMMONS; THENCE WITH SAID NORTH LINE, N89°05'20"W, A DISTANCE OF 2.10 FEET TO THE WEST LINE OF SAID TRACT A; THENCE WITH SAID WEST LINE, S00°52'01"W, A DISTANCE OF 272.76 FEET TO THE SOUTH LINE



CITY OF CLERMONT
ORDINANCE NO. 2019-46

OF SAID TRACT A; THENCE WITH SAID SOUTH LINE, S89°46'36"E, A DISTANCE OF 230.01 FEET TO THE EAST LINE OF THE S 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 27; THENCE WITH SAID EAST LINE, S00°52'01"W, A DISTANCE OF 459.16 FEET TO THE NORTH LINE OF HOOKS STREET EXTENSION (A PROPOSED 120-FOOT RIGHT OF WAY); THENCE WITH SAID PROPOSED NORTH RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES: 1) N89°12'30"W, A DISTANCE OF 166.38 FEET; 2) N88°57'53"W, A DISTANCE OF 417.63 FEET; 3) S77°04'10"W, A DISTANCE OF 114.90 FEET; 4) S68°31'15"W, A DISTANCE OF 125.31 FEET; 5) S70°10'37"W, A DISTANCE OF 68.40 FEET; 6) S74°51'59"W, A DISTANCE OF 72.40 FEET; 7) S80°11'08"W, A DISTANCE OF 44.21 FEET; THENCE LEAVING SAID PROPOSED NORTH RIGHT-OF-WAY LINE, N01°02'42"E, A DISTANCE OF 196.46 FEET; THENCE N88°53'47"W, A DISTANCE OF 279.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.499 ACRES OF LAND, MORE OR LESS.

LOCATION

Vacant property located northeast of the Hooks Street and Hancock Road intersection

From: Planned Unit Development with C-2 General Commercial Uses
To: Planned Unit Development with Multi-Family Uses

SECTION 2. General Conditions

This application is for a Planned Unit Development to allow for a multi-family residential Planned Unit Development; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Conceptual Sketch, Sheet SP-04, prepared by Kimley-Horn and Associates, Inc., dated 10-2-2019, Hancock Commons. 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.
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.

SECTION 3. Land Uses and Specific Conditions

1. A total of up to 281 multi-family dwelling units (d.u) may be permitted on the site, which includes 197 units at a base density of 12 dwelling units/acre plus the affordable housing density bonus of 84 units. The dwelling units per acre shall not exceed 17.1 dwelling units /acre with the inclusion of the affordable housing component.
2. The Affordable Housing Density Bonus units shall be governed by Ordinance No. 2018-



CITY OF CLERMONT
ORDINANCE NO. 2019-46

30. The applicant has indicated 15% of the bonus units would be set aside for moderate income households. This would be 0.15 times 84 bonus units which equals 13 affordable units. These units shall remain as affordable units in perpetuity.
3. Building setbacks shall be 25 feet from the property line except adjacent to stormwater management facilities, which may be reduced to 7.5 feet.
 4. Maximum building height shall be up to 55 feet, measured at the highest point.
 5. The project will have private gated streets at all entrance points and will be maintained by the developer or designated party.
 6. The project may have elevation changes of up to 15 feet in height up to 20% of the project site, as shown on the cut and fill exhibit, with the exception of the stormwater system that may have up to 35 feet of cut. These elevation changes will be submitted to the City Engineer at the time of final engineering.
 7. Individual retaining wall height up to 12 feet in height are permitted to deal with grade changes on the perimeter of the project.
 8. The project may use dedicated roll out dumpsters for the development that will be incorporated into the buildings. A trash compacter may be substituted for roll out dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project.
 9. Elevators shall be installed in each multi-story apartment building.
 10. The developer will agree to construct that segment of Hooks Street lying along the southern property boundary in exchange for impact fee credits or other consideration as outlined in an agreement with the City and Lake County. The project shall be required to connect to Hooks Street as an access point for the development. This will be completed prior to first building receiving a Certificate of Occupancy.
 11. The buildings shall be constructed in a manner that closely resembles the architectural style and elevations as presented in the Davis Development sheet drawings A5-5.0 and A5-5.1, prepared by GLA-ATL, LLC, dated 07-26-2019 and shall meet the City of Clermont's Architectural Standards.
 12. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.
 13. School concurrency shall be met before final site plan approval in accordance with the



CITY OF CLERMONT
ORDINANCE NO. 2019-46

Comprehensive Plan and Land Development Code.

14. If required by Lake County or Florida Department of Transportation, the developer shall be responsible to coordinate the modification of the existing traffic signals to accommodate safe and efficient traffic flow resulting from the project as identified in the Transportation Impact Analysis prepared on October, 2019 by Kimley-Horn.
15. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

SECTION 4.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 5.

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

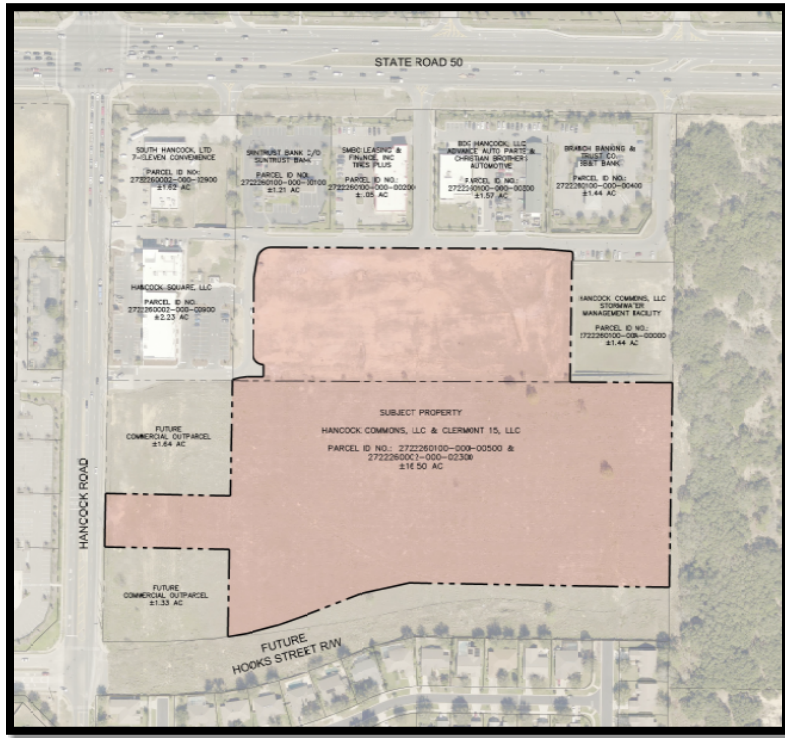
SECTION 6.

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

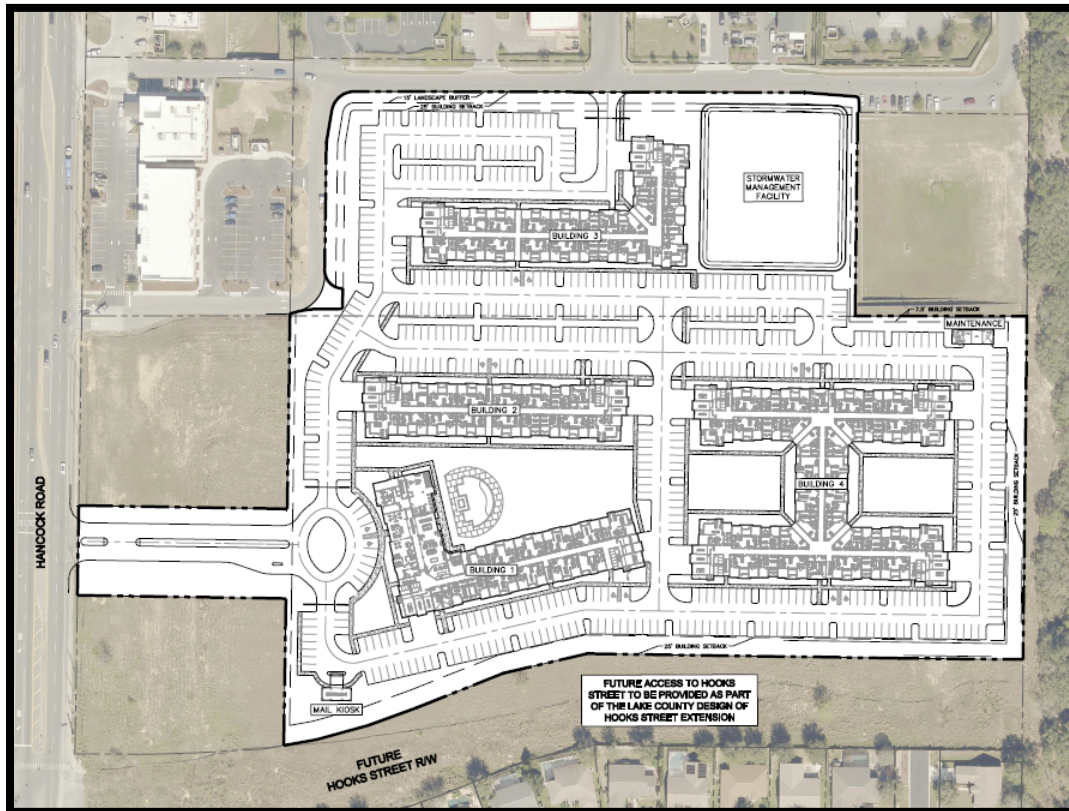
SECTION 7.

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

Location map:

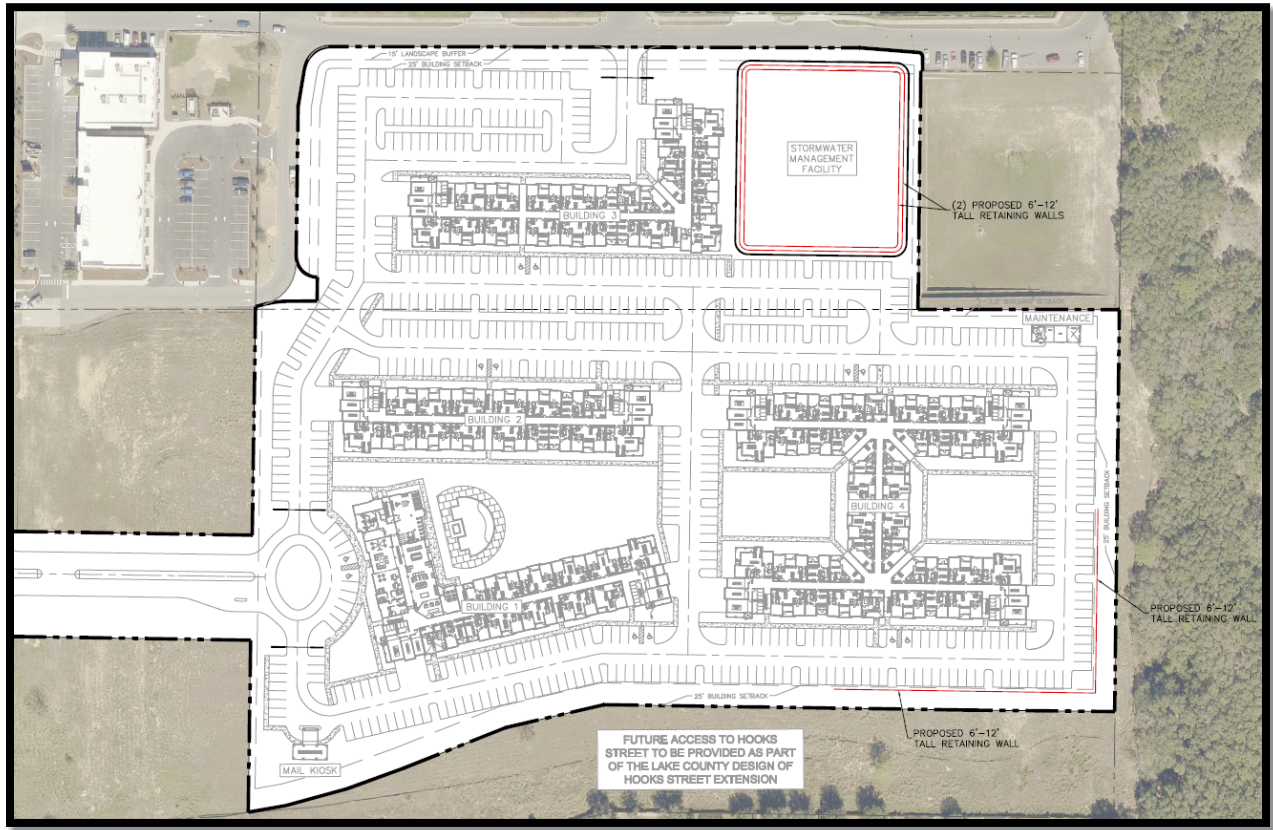


Conceptual Site Plan:



CITY OF CLERMONT
ORDINANCE NO. 2019-46

Retaining Wall Exhibit:



Cut/Fill Exhibit:







CITY OF CLERMONT
ORDINANCE NO. 2019-46

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 10th day of December, 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

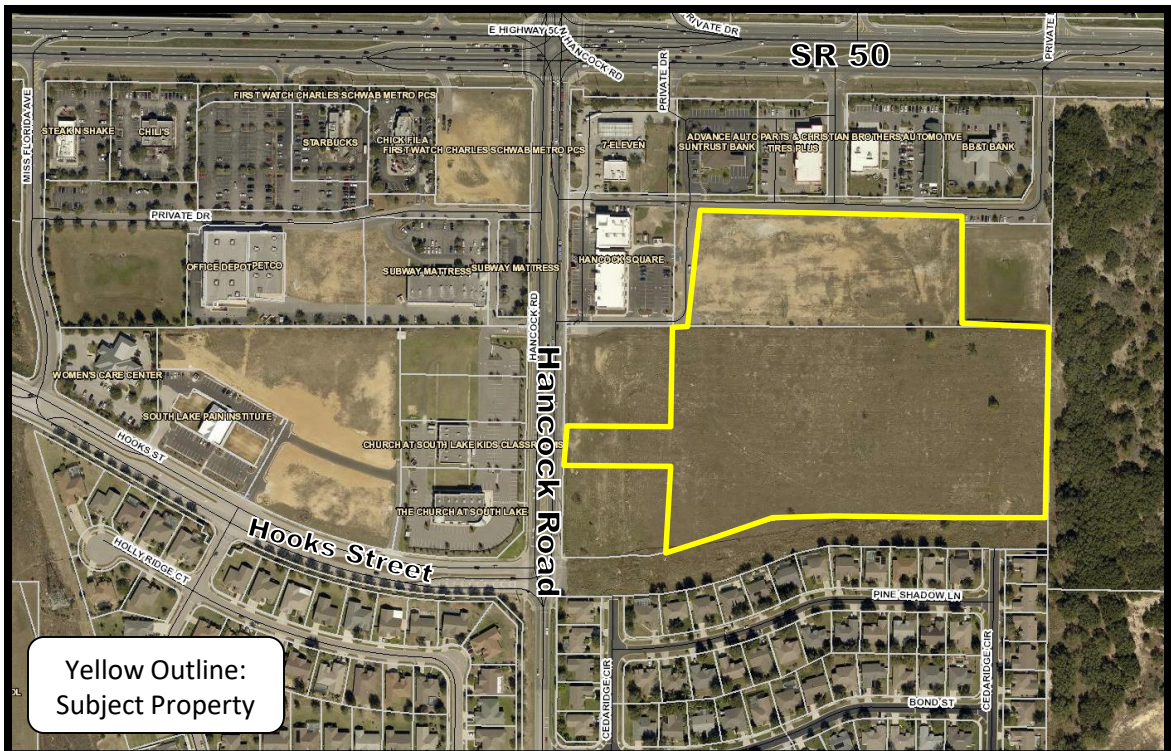
ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

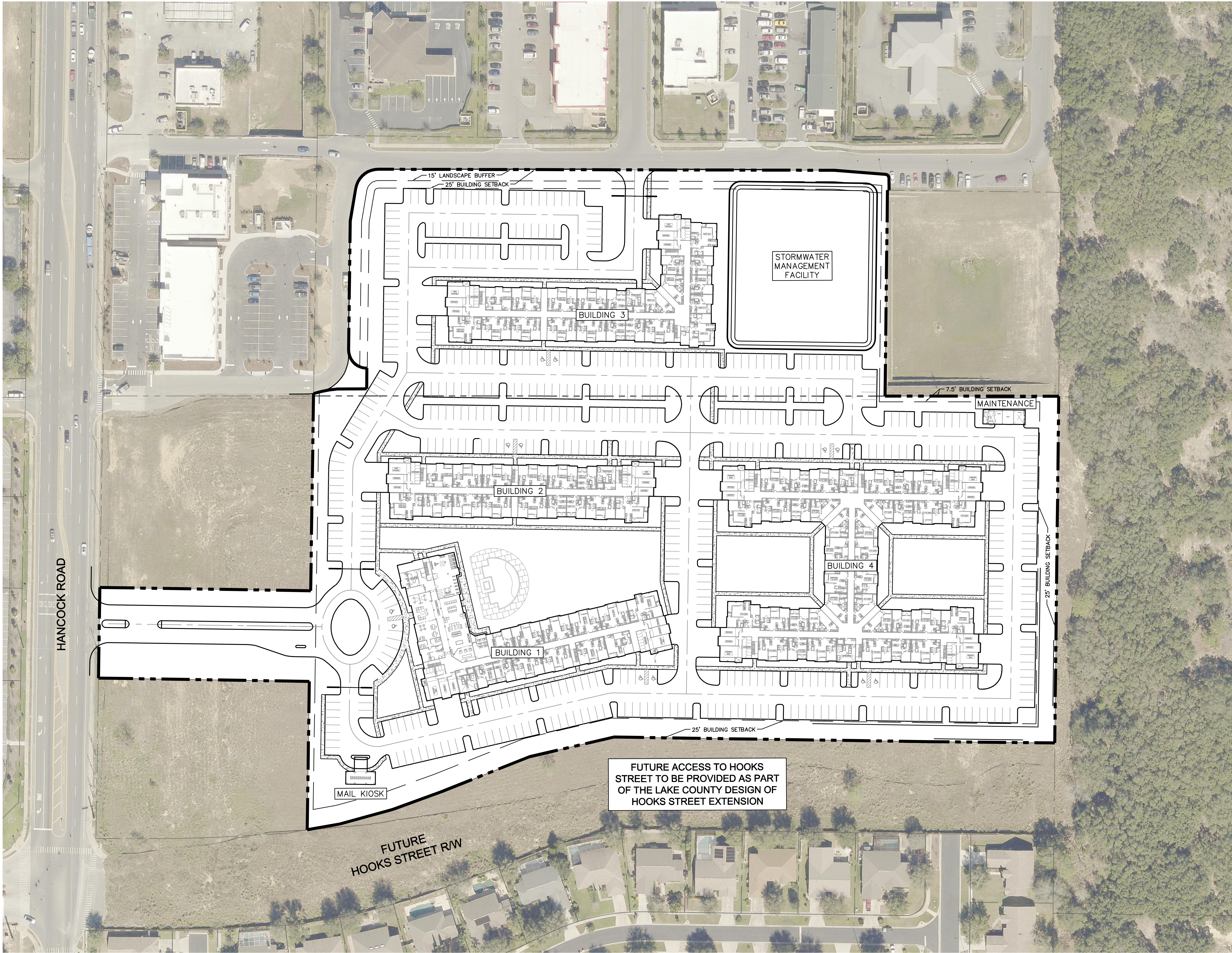
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Hancock Commons Apartments



K:\ORL_Civil\149810004-Hancock Commons\CADD\CONCEPT\SP-04.dwg



SITE DATA:

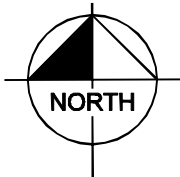
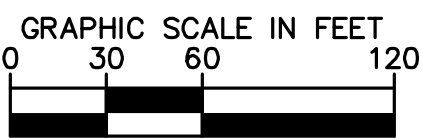
TOTAL UNITS	281 UNITS
AVERAGE UNIT SIZE	1,043 SF
GROSS ACREAGE	21.53 AC
GROSS DENSITY	13.05 DU/AC
NET ACREAGE	16.22 AC
NET DENSITY	17.32 DU/AC
IMPERVIOUS COVER ALLOWED	11.35 AC (70%)
IMPERVIOUS COVER SHOWN	±10.0 AC (62%)

PARKING DATA:

REQUIRED PARKING	
1 BEDROOM (112 DU X 1.5 SPACES/DU)	168 SPACES
2 BEDROOM (146 DU X 2.0 SPACES/DU)	292 SPACES
3 BEDROOM (23 DU X 2.5 SPACES/DU)	58 SPACES
	518 SPACES

PROVIDED PARKING	
STANDARD	580 SPACES
550 PARKING LOT (10' X 20') SPACES	
30 GARAGE SPACES	
ADA ACCESSIBLE	12 SPACES
12 PARKING LOT (12' X 20') SPACES	
TOTAL	592 SPACES

REQUIRED ADA SPACES	
580 SPACES X 2%	12 SPACES



Kimley»Horn

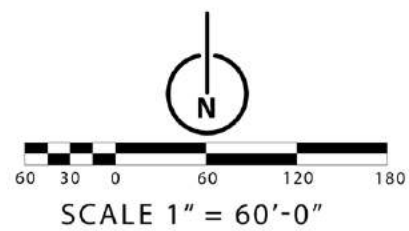
HANCOCK COMMONS

CITY OF CLERMONT, FLORIDA

CONCEPTUAL SKETCH

10/02/2019 - CONTACT BRENT A. LENZEN, P.E. (407) 427-1610

SP-04



HANCOCK COMMONS

CLERMONT, FLORIDA

Illustrative Site Plan





Hancock Commons - Perspective 1
10-09-2019

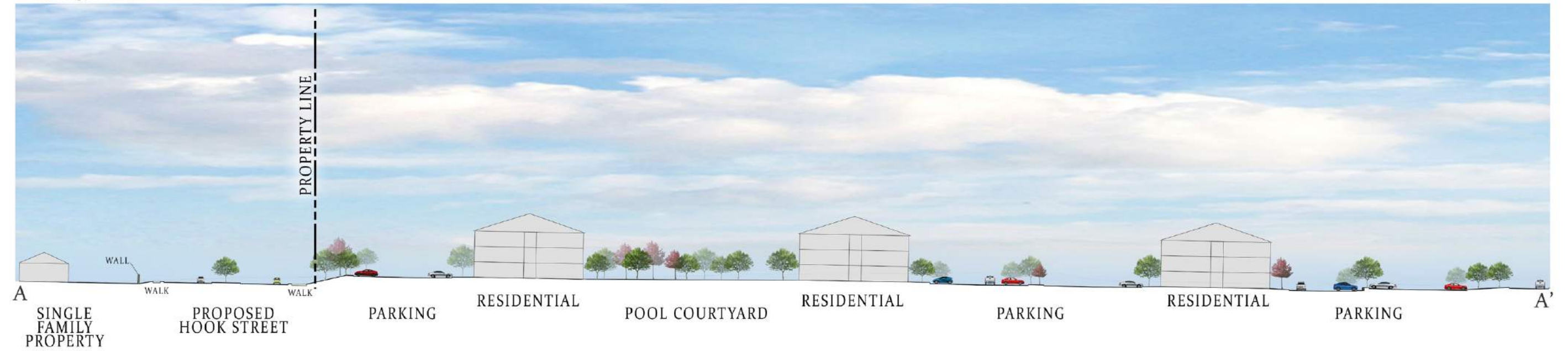




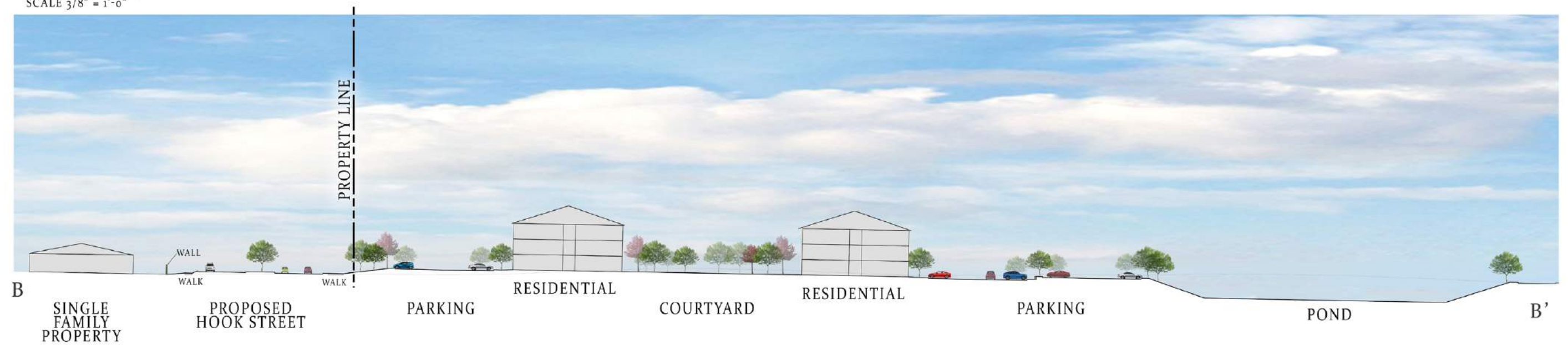
Hancock Commons - Perspective 2
10-09-2019

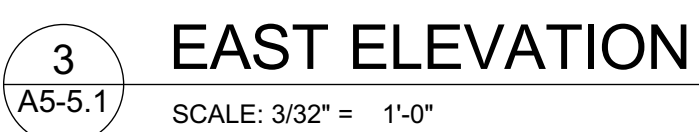
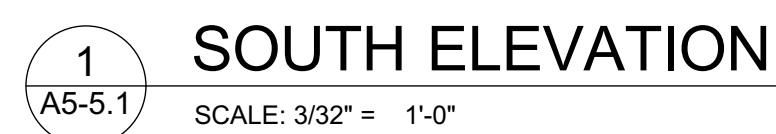


SITE SECTION A
SCALE 3/8" = 1'-0"



SITE SECTION B
SCALE 3/8" = 1'-0"





- Metal Panel Roof:
Charcoal

REV	#	DATE	DESCRIPTION
-----	---	------	-------------

STAMP:

SCHEMATIC DESIGN

57



October 8, 2019

City of Clermont
Development Services Department
685 W. Montrose St.
Clermont, FL 34712

Re: **Hancock Commons**
Waiver Request Letter

To Whom It May Concern:

As part of the project's PUD Rezoning submittal, please find below the requested Waivers:

❖ **Cut/Fill**

- o **LDC Sec. 94-195(c)(2):** *Elevation changes in topography shall be limited to ten feet.*
 - Request to exceed the limitation of 10' cut/fill within the areas of the development shown on the cut/fill heat map (see attached). Proposed cut/fill shall not exceed 35' in the pond area and 15' in all other areas indicated on the cut/fill heat map. 80% of the site will be designed to meet the cut/fill requirement of 10' maximum.

❖ **Retaining Wall Max Height**

- o **LDC Sec. 122-343(c)(2):** *Fences and walls in business, commercial and industrial districts shall be no higher than six feet.*
 - Request to exceed the limitation of a 6' max height retaining wall for the walls shown on the attached site plan. Maximum wall height in these areas shall not exceed 12'.

❖ **Trash Collection**

- o **LDC Sec. 114-8(a)(1):** *Townhouses and multifamily projects. Townhouse and multifamily projects shall provide a dumpster pad with an approved enclosure at a ratio of one dumpster for every 25 residential units or fraction thereof. Fee simple owned townhouses with direct road frontage (as opposed to parking lots or private drives) are exempt from dumpster service requirements.*
 - Request to remove requirement for trash collection to utilize dumpsters with enclosures. The proposed development is proposed to utilize roll out trash collection for each building.

❖ **Gates**

- o **LDC Sec. 110-192(1):** *There shall be no private streets or easements for street use platted in any subdivision unless a variance is granted by the city council. Private streets shall conform to the standard roadway design specified in this chapter. Approved private streets shall be privately maintained. All gated communities in the city shall install on each access gate into the community an emergency vehicle access control (EVAC) system. The EVAC system shall be installed and maintained at the communities expense for the purpose of public safety admittance into their development. The EVAC system shall be in addition, and separate, from the gate opening system that is provided for the residents. The installation of the EVAC system shall be done with a vendor of the communities choice.*
 - The proposed development is to be gated at all entrance points. Emergency access at these gates will be provided. All requirements in LDC Sec. 110-192(1) will be met.

❖ **Building Height**

- o **LDC Sec. 122-185(4):** *Height. Maximum height of 45 feet shall be allowable for the finished height of all buildings or structures, including architectural features. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations.*
 - Request to exceed the maximum height limitation of 45'. Proposed buildings are to be greater than 45' but less than 55'.

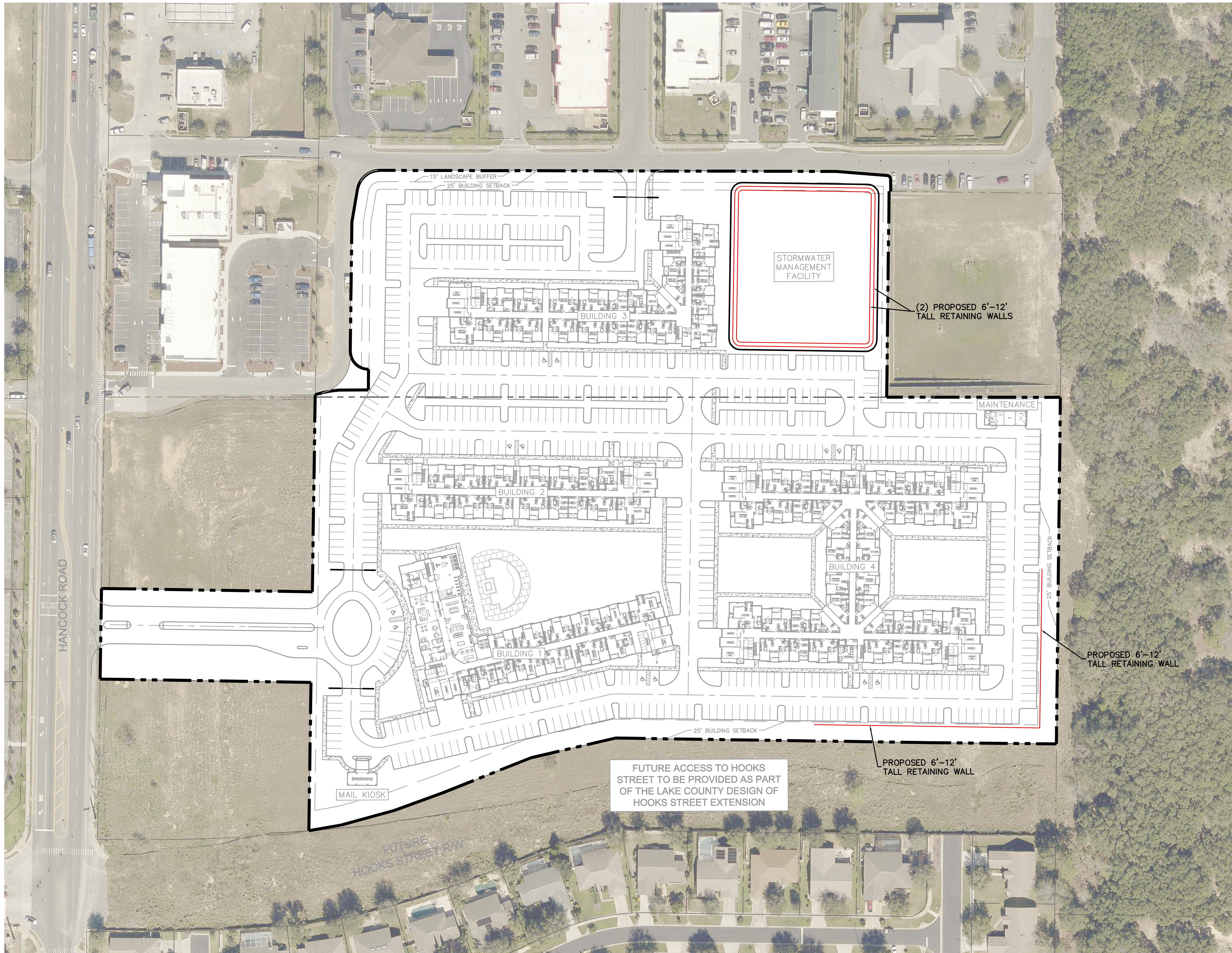
❖ **Hooks Street Extension**

- o **LDC Sec. 110-192:**
 - The proposed development will not be responsible for the extension of Hooks Street along the southern border of the property. Hooks Street Extension will be designed/permitted and constructed by Lake County.

❖ **Density**

- o **See Affordable Density Application included as part of this Submittal Package.**

K:\ORL_Civil\149810004-Hancock Commons\CADD\CONCEPT\EX-WALL.dwg



HANCOCK COMMONS

CITY OF CLERMONT, FLORIDA

CONCEPTUAL WALL LAYOUT

10/03/2019 - CONTACT BRENT A. LENZEN, P.E. (407) 427-1610

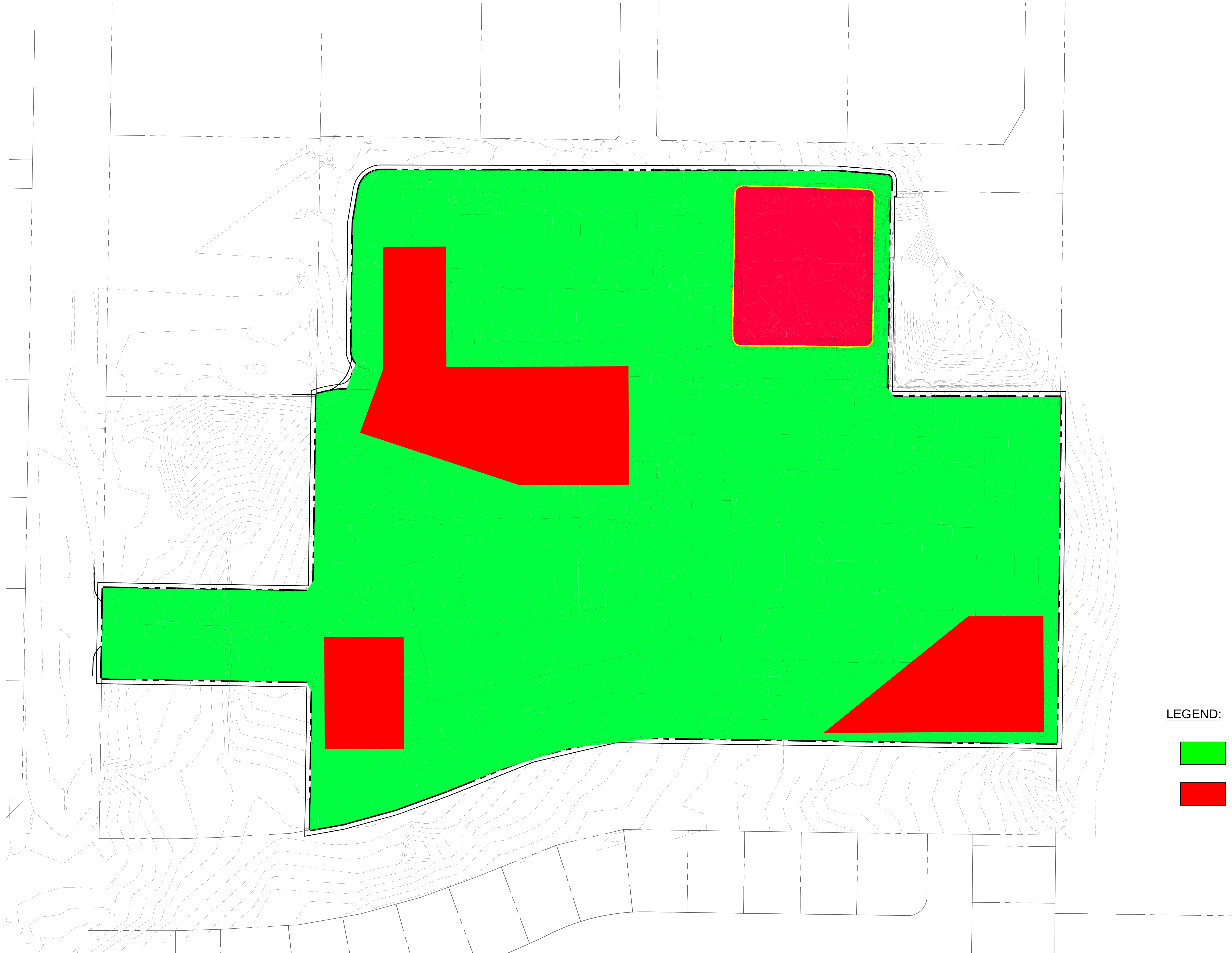
GRAPHIC SCALE IN FEET
0 30 60 120



Kimley»Horn

EX-WALL

K:\ORL_Civil\149810004-Hancock Commons\CADD\CONCEPT\Conceptual Grading.dwg



LEGEND:



GRADE CHANGE < 10'



GRADE CHANGE > 10'

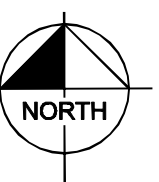
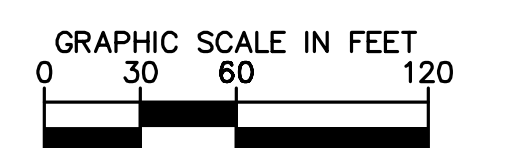
HANCOCK COMMONS

CITY OF CLERMONT, FLORIDA

CONCEPTUAL GRADE CHANGE EXHIBIT

10/03/2019 - CONTACT BRENT A. LENZEN, P.E. (407) 427-1610

EX-GD



Kimley»Horn

Prepared by and return to:
Preston Bolt
800 Highland Ave. Ste 200
Orlando, FL 32803
407 297-1600

Cross Ref: Book 3275, Page 2237

MODIFICATION OF DEVELOPMENT AGREEMENT
BETWEEN
CLERMONT 15, LLC
AND
THE HILLS OF CLERMONT HOMEOWNERS ASSOCIATION, INC.
FOR CERTAIN REAL
PROPERTY AS DESCRIBED BELOW

This Agreement entered into by and between Clermont 15, LLC ("**Clermont 15**") and Hancock Commons, LLC ("**Hancock Commons**") both having an address of 800 Highland Avenue, Suite 200, Orlando, Florida 32803, hereinafter sometimes referred to jointly as "**OWNERS**" and The Hills of Clermont Homeowners Association, Inc., whose address is 2755 Cedaridge Circle, Clermont, FL 34711, sometimes referred to as "**Association**."

WITNESSETH

WHEREAS, Hancock Fifteen, LLC ("**Hancock**") (erroneously referred to as Hancock 15, LLC) and **Association** entered into that certain Development Agreement dated March 7, 2006, recorded in OR Book 3275, Page 2237 Public Records of Lake County, Florida (the "Development Agreement") whereby **Hancock** restricted the use of the land described on **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

WHEREAS **Clermont 15** is the successor in interest of **Hancock** pursuant to foreclosures and deed transfers recorded in the Public Records of Lake County Florida;

WHEREAS, **OWNER** and **Association** desire to amend the Development Agreement to allow the development and operation of an apartment community which will include parking and amenities adjacent to commercial outparcels;

WHEREAS, **Clermont 15** warrants and represents that it is the in fee simple owner of the **Property** and is authorized to enter into this Agreement;

WHEREAS, the **Association** pursuant to its Declaration recorded at OR Book 1676, Page 2446 and its By-Laws recorded at OR Book 3696, Page 1087 has an interest in the development of the project and is authorized to enter into this Development Agreement.

NOW, THEREFORE, the parties hereto do hereby agree in consideration of the above, and the promises and undertakings hereinafter set forth, as follows:

1. The above recitals are true and correct and are incorporated herein as if set forth below. Unless otherwise defined herein the terms as defined in the Development Agreement shall have the same meaning herein.

2. Paragraph "3" of the Development Agreement is hereby deleted in its entirety and the following is inserted in lieu thereof:

"3. Developer does hereby agree on behalf of itself and on behalf of any, heirs, assigns, transferees, beneficiaries, or property owner associations that the Restricted Land shall be developed in accordance with the restriction that the following listed operations shall not be permitted on its Restricted Land.

- A. All 24-hour operations.
- B. Automobile and truck services, car washes and automobiles, truck, boat and farm equipment sales;
- C. Recreational facilities, theaters including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges and tourist attractions;
- D. Restaurants with drive-ins;
- E. Stand-alone restaurant on the southernmost corner facing Hancock Road.
- F. Lounges, liquor stores, lodges or clubs;
- G. Residential storage warehouses;
- H. Agricultural service operations;
- I. Convenience stores and gas stations;
- J. Laundries;
- K. Hotels, motels and recreational vehicle parks;
- L. Automobile and truck repair garages, painting, welding and body shops;
- M. Mobile home parks;
- N. Cemeteries;
- O. Bus terminals, major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales."

4. The **OWNERS** or their successors and assigns shall be permitted to develop, operate and construct an apartment project and commercial project on the Property.

5. This Agreement shall at **OWNERS** expense, be recorded in the public records of Lake County, Florida and shall remain in effect unless amended or terminated in accordance with the applicable law. Therefore, it is expressly agreed that the terms and conditions herein run with, appertain and attach to the Property, as such this Agreement is binding on the Parties hereto, their heirs, personal representatives, successors, grantees and/or assigns.

[signatures begin on the following page]

IN WITNESS WHEREOF, the OWNER has executed this Agreement on the 8th day of May, 2019.

Signed, sealed and delivered.

CLERMONT 15, LLC, a Florida limit liability company

BY: ORANGE AND BLUE MANAGEMENT, LLC, Its manager

By:

Michelle C Carlton
Michelle C Carlton, Manager

HANCOCK COMMONS, LLC, a Florida limited liability company

BY: ORANGE AND BLUE MANAGEMENT, LLC, Its manager

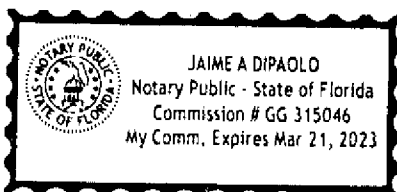
By:

Michelle C Carlton
Michelle C Carlton, Manager

State of Florida
County of Orange

The foregoing instrument was acknowledged before me this 8th day of May, 2019 by Michelle C Carlton, as Manager of ORANGE AND BLUE MANAGEMENT, LLC, a Manager of both CLERMONT 15, LLC and HANCOCK COMMONS, LLC, who ☒ is personally known or ☐ have produced _____ as identification.

[Notary Seal]



Printed
Name:

Jaime A. DiPaolo

My Commission
Expires:

03-21-23

Signed, sealed and delivered in our presence.

Misty Attie
Witness
Doree Shanoski

Witness
Lynette Mitchell
Witness
Madeline C. C.

Witness
Lucia M. McCole
Witness
John J. McCole

THE HILLS OF CLERMONT
HOMEOWNERS' ASSOCIATION, INC.

By: JOHN SHANOSKI

Print Name: John Shanoski

Title: Director

By: SUREN RAMJATTAN

Print Name: Suren Ramjattan

Title: Director

By: Sean Kruckenberg

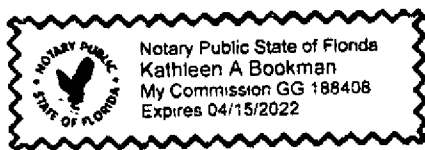
Print Name: Sean Kruckenberg

Title: Director

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 11th day of April, 2019
by John Shanoski as a Director of The Hills of Clermont Homeowner's Association
who [x] is personally known or [x] have produced
Florida Driver License as identification.

[Notary Seal]



Kathleen A. Bookman
Notary Public

Printed

Name: Kathleen A. Bookman

My Commission

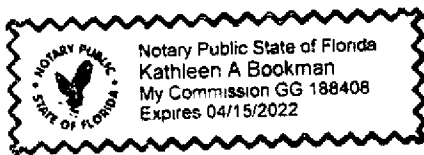
Expires: 4/15/2022

See acknowledgements following page

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 10th day of April, 2019 by Suren Ramjattan, as a Director of The Hills of Clermont Homeowner's Association who [] is personally known or [☒] have produced Florida Driver License as identification.

[Notary Seal]



Kathleen A. Bookman
Notary Public

Printed
Name:

Kathleen A Bookman

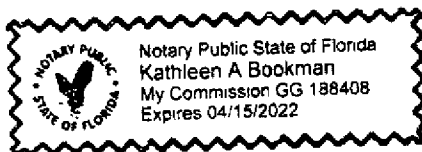
My Commission
Expires:

4/15/2022

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 30th day of April, 2019 by Sean Kruckenburg as a Director of The Hills of Clermont Homeowner's Association, who [] is personally known or [☒] have produced Florida Driver License as identification.

[Notary Seal]



Kathleen A. Bookman
Notary Public

Printed
Name:

Kathleen A Bookman

My Commission
Expires:

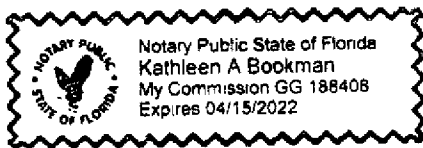
4/15/2022

State of Florida

County of Lake

The foregoing instrument was acknowledged before me this 14th day of May, 2019 by John Skanski, who [] are personally known or [x] have produced FL Drivers License as identification.

[Notary Seal]



Kathleen A Bookman
Notary Public

Printed
Name: Kathleen A Bookman

My Commission
Expires: 4/15/2022

Exhibit "A"

("Property")

DESCRIPTION:

That part of the Northwest 1/4 of Section 27, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the West 1/4 corner of said Section 27; thence run S89°23'17"E along the South line of said Northwest 1/4 for a distance of 50.00 feet to the East right-of-way line of Hancock Road, as described in Official Records Book 2010, Page 321, of the Public Records of Lake County, Florida; thence run N00°42'51"E along said East right-of-way line for a distance of 58.87 feet to the POINT OF BEGINNING; thence continue N00°42'51"E along said East right-of-way line for a distance of 605.38 feet; thence leaving said East right-of-way line run S89°22'08"E along the North line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27 for a distance of 1268.28 feet; thence leaving said North line run S00°23'15"W along the East line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 27 for a distance of 480.14 feet to a point being 95.52 feet on a bearing of N00°23'15"E from the Northeast corner of Lot 243, HILLS OF CLERMONT, according to the plat thereof, as recorded in Plat Book 44, Pages 27 and 28, of the Public Records of Lake County, Florida; thence leaving said East line run the following courses and distances: N89°21'43"W for a distance of 546.56 feet to the point of curvature of a curve concave Southerly having a radius of 890.00 feet and a chord bearing of S79°12'13"W; thence run Westerly along the arc of said curve through a central angle of 22°52'07" for a distance of 355.23 feet to the point of reverse curvature of a curve concave Northerly having a radius of 809.13 feet and a chord bearing of S73°06'21"W; thence run Westerly along the arc of said curve through a central angle of 10°40'23" for a distance of 150.72 feet to the point of compound curvature of a curve concave Northerly having a radius of 100.00 feet and a chord bearing of N88°28'21"W; thence run Westerly along the arc of said curve through a central angle of 26°10'13" for a distance of 45.68 feet to the point on a non-tangent curve concave Northerly having a radius of 800.00 feet and a chord bearing of S85°45'44"W; thence run Westerly along the arc of said curve through a central angle of 08°19'45" for a distance of 116.30 feet to the point of tangency; thence run S89°55'37"W for a distance of 74.19 feet to the POINT OF BEGINNING.

Containing 15.143 acres more or less and being subject to any rights-of-way, restrictions and easements of record.



**CITY OF CLERMONT
REZONING
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

The Applicant shall provide the following information with this application:

- ▶ Completed application. Include all signatures:
 - ◇ Applicant's signature (if different from owner of record)
 - ◇ Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application.
- ▶ Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.⁰⁰ plus the cost of the advertisement



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: September 30, 2019

FEE: \$542.⁰⁰

+ cost of advertisement

PROJECT NAME (if applicable): Chira/Davis Multifamily Housing

APPLICANT: Clermont 15, LLC and Hancock Commons, LLC

CONTACT PERSON: Michelle C. Carlton

Address: 800 Highland Ave, Suite 200

City: Orlando State: Florida Zip: 32803

Phone: 407-297-1600 Fax: _____

E-Mail: mcarlton@mcequity.com

OWNER: Clermont 15, LLC and Hancock Commons, LLC

Address: 800 Highland Ave, Suite 200

City: Orlando State: Florida Zip: 32803

Phone: 407-297-1600 Fax: _____

Address of Subject Property: SE quadrant of Highway 50 and Hancock Rd.

Legal Description (include copy of survey): See attached survey.

Acreage: 16.499

Land Use: Commercial

(City verification required)

Present Zoning: PUD

(City verification required)

Proposed Zoning: PUD



**CITY OF CLERMONT
REZONING
APPLICATION**
Page 2

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

Development of a 281 unit multifamily residential project on the currently vacant 16.499-acre property located within the SE quadrant of the intersection of SR 50 and Hancock Road in the City of Clermont, FL. The proposed development PUD rezoning submittal includes Waiver requests, which are outlined on the attached Waiver Request Letter.

Clermont 15, LLC and Hancock Commons, LLC
Applicant Name (print)

X 
Applicant Name (signature)

Michelle C. Carlton
Owner Name (print)

X 
Owner Name (signature)

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10091519
Phone: (352) 241-7331
Date: 10/14/19
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	10/21/2019	11/25/2019	\$560.64

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. 2019-46

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION

LOCATION

Vacant property located northeast of the Hooks Street and Hancock Road intersection. Approx. 16.5 +/- Acres

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST, CITY OF CLERMONT, LAKE COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4449, PAGE 2263 AND A PORTION OF LOT 5, HANCOCK COMMONS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 61, PAGES 87-88, BOTH OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID NW 1/4; THENCE WITH THE WEST LINE OF SAID NW 1/4, N01°06'13"E, A DISTANCE OF 291.34 FEET; THENCE S88°53'47"E, A DISTANCE OF 50.00 FEET TO THE

EAST RIGHT-OF-WAY LINE OF HANCOCK ROAD (100-FOOT RIGHT OF WAY PER OFFICIAL RECORDS BOOK 2010, PAGE 321, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA) AND THE POINT OF BEGINNING;

THENCE WITH SAID EAST RIGHT-OF-WAY LINE, N01°06'13"E, A DISTANCE OF 120.00 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, S88°53'47"E, A DISTANCE OF 279.16 FEET; THENCE N01°02'42"E, A DISTANCE OF 261.02 FEET; THENCE NORTHEASTERLY WITH THE ARC OF A NON-TANGENT CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 13°09'06" AND A CHORD BEARING AND DISTANCE OF N79°00'00"E, 32.06 FEET) FOR AN ARC DISTANCE OF 32.14 FEET TO A POINT OF NON-TANGENCY; THENCE N89°53'44"E, A DISTANCE OF 38.94 FEET; THENCE N00°21'11"E, A DISTANCE OF 27.25 FEET; THENCE NORTHWESTERLY WITH THE ARC OF A NON-TANGENT CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 24.00 FEET, A CENTRAL ANGLE OF 90°48'31" AND A CHORD BEARING AND DISTANCE OF N44°29'27"W, 34.18 FEET) FOR AN ARC DISTANCE OF 38.04 FEET TO A POINT OF TANGENCY; THENCE N00°54'49"E, A DISTANCE OF 170.71 FEET; THENCE N09°48'38"E, A DISTANCE OF 43.74 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY WITH THE ARC OF A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 30.40 FEET, A CENTRAL ANGLE OF 80°31'31" AND A CHORD BEARING AND DISTANCE OF N50°04'24"E, 39.29 FEET) FOR AN ARC DISTANCE OF 42.73 FEET TO A POINT OF TANGENCY; THENCE S89°39'51"E, A DISTANCE OF 603.64 FEET; THENCE S85°14'02"E, A DISTANCE OF 68.08 FEET; THENCE SOUTHEASTERLY WITH THE ARC OF A

CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 4.80 FEET, A CENTRAL ANGLE OF 84°43'57" AND A CHORD BEARING AND DISTANCE OF S42°52'04"E, 6.47 FEET) FOR AN ARC DISTANCE OF 7.10 FEET TO A POINT OF TANGENCY; THENCE S00°30'05"E, A DISTANCE OF 16.19 FEET TO THE NORTH LINE OF TRACT A OF SAID HANCOCK COMMONS; THENCE WITH SAID NORTH LINE, N89°05'20"W, A DISTANCE OF 2.10 FEET TO THE WEST LINE OF SAID TRACT A; THENCE WITH SAID WEST LINE, S00°52'01"W, A DISTANCE OF 272.76 FEET TO THE SOUTH LINE OF SAID TRACT A; THENCE WITH SAID SOUTH LINE, S89°46'36"E, A DISTANCE OF 230.01 FEET TO THE EAST LINE OF THE S 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 27; THENCE WITH SAID EAST LINE, S00°52'01"W, A DISTANCE OF 459.16 FEET TO THE NORTH LINE OF HOOKS STREET EXTENSION (A PROPOSED 120-FOOT RIGHT OF WAY); THENCE WITH SAID PROPOSED NORTH RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES: 1) N89°12'30"W, A DISTANCE OF 166.38 FEET; 2) N88°57'53"W, A DISTANCE OF 417.63 FEET; 3) S77°04'10"W, A DISTANCE OF 114.90 FEET; 4) S68°31'15"W, A DISTANCE OF 125.31 FEET; 5) S70°10'37"W, A DISTANCE OF 68.40 FEET; 6) S74°51'59"W, A DISTANCE OF 72.40 FEET; 7) S80°11'08"W, A DISTANCE OF 44.21 FEET; THENCE LEAVING SAID PROPOSED NORTH RIGHT-OF-WAY LINE, N01°02'42"E, A DISTANCE OF 196.46 FEET; THENCE N88°53'47"W, A DISTANCE OF 279.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 16.499 ACRES OF LAND, MORE OR LESS.

From: Planned Unit Development with C-2 General Commercial Uses

To: Planned Unit Development with Multi-Family Uses

This request will be considered by the Planning & Zoning Commission on Tuesday, November 5, 2019 at 6:30 p.m. and a public meeting to consider the request will be held before the City Council on Tuesday, December 10, 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: 10091519
October 21, 2019 &
November 25, 2019

Payment Info	
Ad Price	\$560.64
Tax	\$0.00
Sub Total	\$560.64
Prepaid Amount	\$0.00
Balance Due	\$560.64



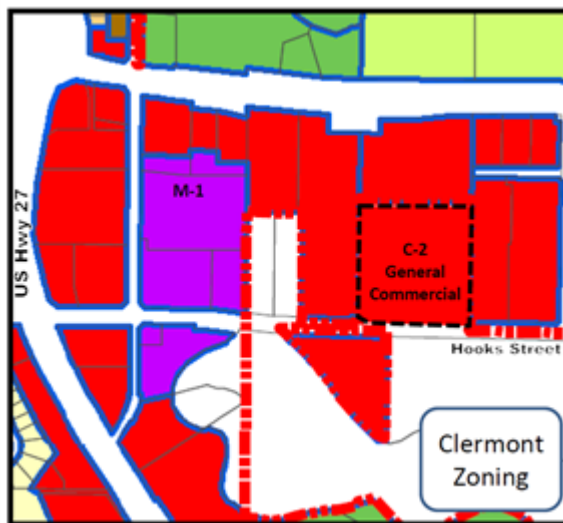
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 5, 2019	
Agenda Item Name	
Ordinance No. 2019-44 <i>Rocky Mount Commercial Ph 2 Rezoning</i>	
Requested Action	
Recommend approval of Ordinance 2019-44.	
Staff Report	

The applicant, Rocky Mount Development Co., has requested a rezoning change to the C-2 General Commercial zoning designation. The subject site is 10.8 +/- acres in size. The vacant property fronts Hooks Street, between Ford of Clermont and Dicks Sporting Goods. This request is being heard concurrently with requests for annexation and a large-scale comprehensive plan amendment. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The property has been previously mined and is currently used for agricultural purposes. The north portion of the property was annexed into the City in 2015 and the property is contiguous to the City limits on the north, east, and west boundary.



The applicant desires to develop the property for commercial uses; however, no conceptual plans have been submitted at this time. The proposed rezoning request will change the zoning from Urban Estate (currently Agriculture District in Lake County) to the City's C-2 General Commercial zoning classification. The requested change is similar to the surrounding zoning and land use in the City. The property does have a curb cut and a dedicated left turn lane in place from Hooks Street to facilitate development in the future.

Staff has reviewed the applicant's proposal and finds the proposed zoning at this location is compatible with the uses in the area. Staff is able to support the request for the rezoning change since the subject property meets the requirements for voluntary annexation, the City is capable of serving the property, it is not in conflict with the City's

Comprehensive Plan, and the property can be developed in a similar fashion under Lake County's Regional Commercial designation. Therefore; staff recommends approval of the rezoning to the City's C-2 General Commercial zoning designation.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | 2019-44 Rocky Mount Ph 2 Comm REZ | 2019-44 Rocky Mount Ph 2 Comm REZ Formatted.DOC |
| 2. | Rocky Mount Comm Ph 2 Maps | Rocky Mount Comm Ph 2 Maps.pdf |
| 3. | Rocky Mount Ph 2 Rezoning App 8-2019-Scanned | Rocky Mount Ph 2 Rezoning App 8-2019-Scanned.pdf |
| 4. | REZ 2019-44 Legal Ad | REZ 2019-44 Legal Ad.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2019-44

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.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

Lake Highlands 29-22-26, Tracts 22 & 27 - Less Beginning at East Line of Tract 22 and South Line of FDOT Right of Way, Run south along East Line 500 Feet, North 89-39-36 West to West Boundary of said Tract 22, North to FDOT Right of Way, Easterly along said Southerly FDOT Right of Way to Point of Beginning - Being part of Tract 22 & 27, PB 2, PG 25, ORB 860, PG 1354, ORB 1004, PG 270, Public Records of Lake County Florida.
Site contains 10.8 +/- acres

LOCATION

Vacant parcel approximately 1/2 mile east of the US Highway 27 and Hooks Street intersection
(Alternate Key 1103916)

From: Urban Estate
To: C-2 General Commercial District

SECTION 2.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

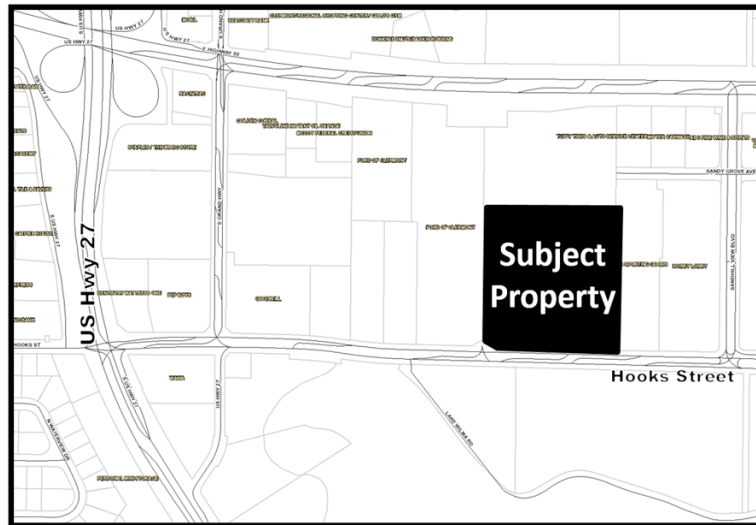
SECTION 3.

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

SECTION 4.

The provisions of this Ordinance shall be effective as provided by law.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2019-44

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 10th day of December 2019.

CITY OF CLERMONT

Gail L. Ash, Mayor

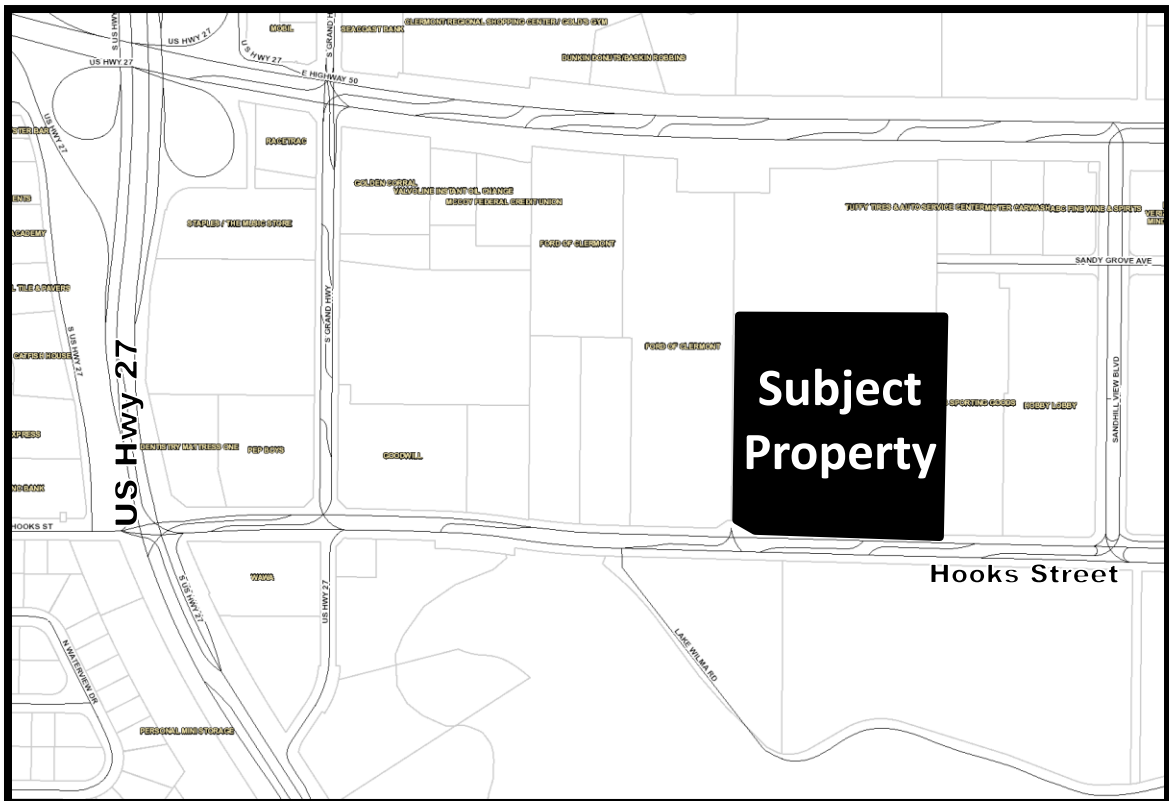
ATTEST:

Tracy Ackroyd Howe, City Clerk

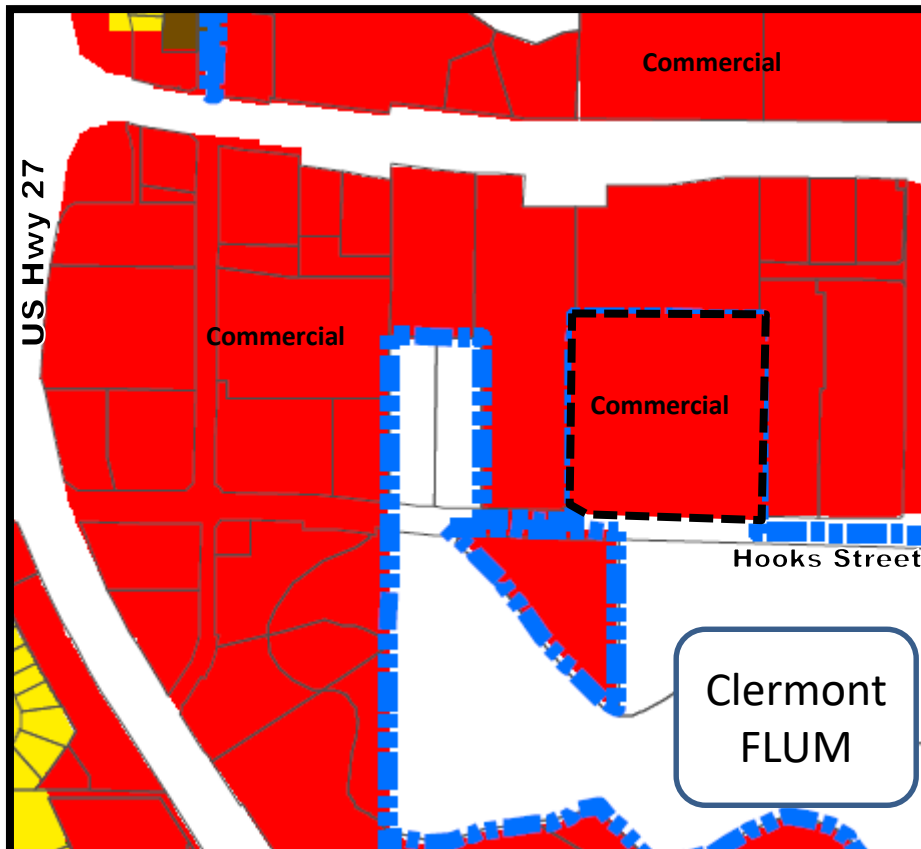
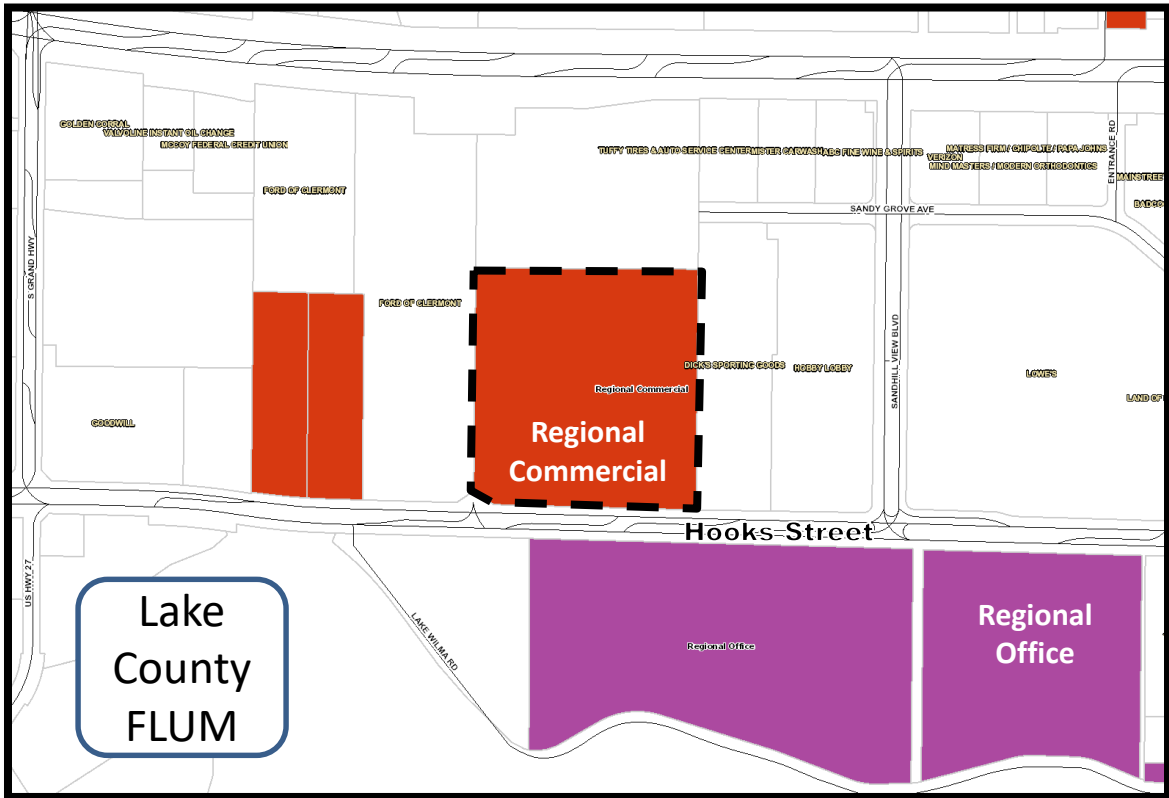
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

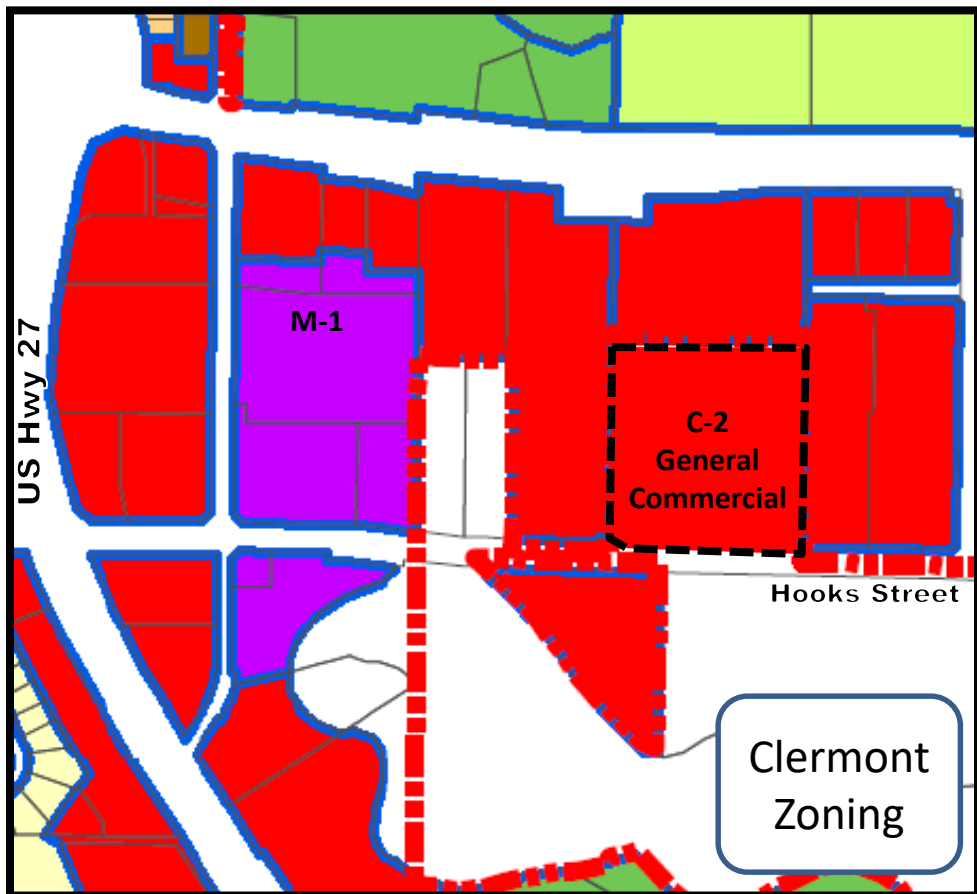
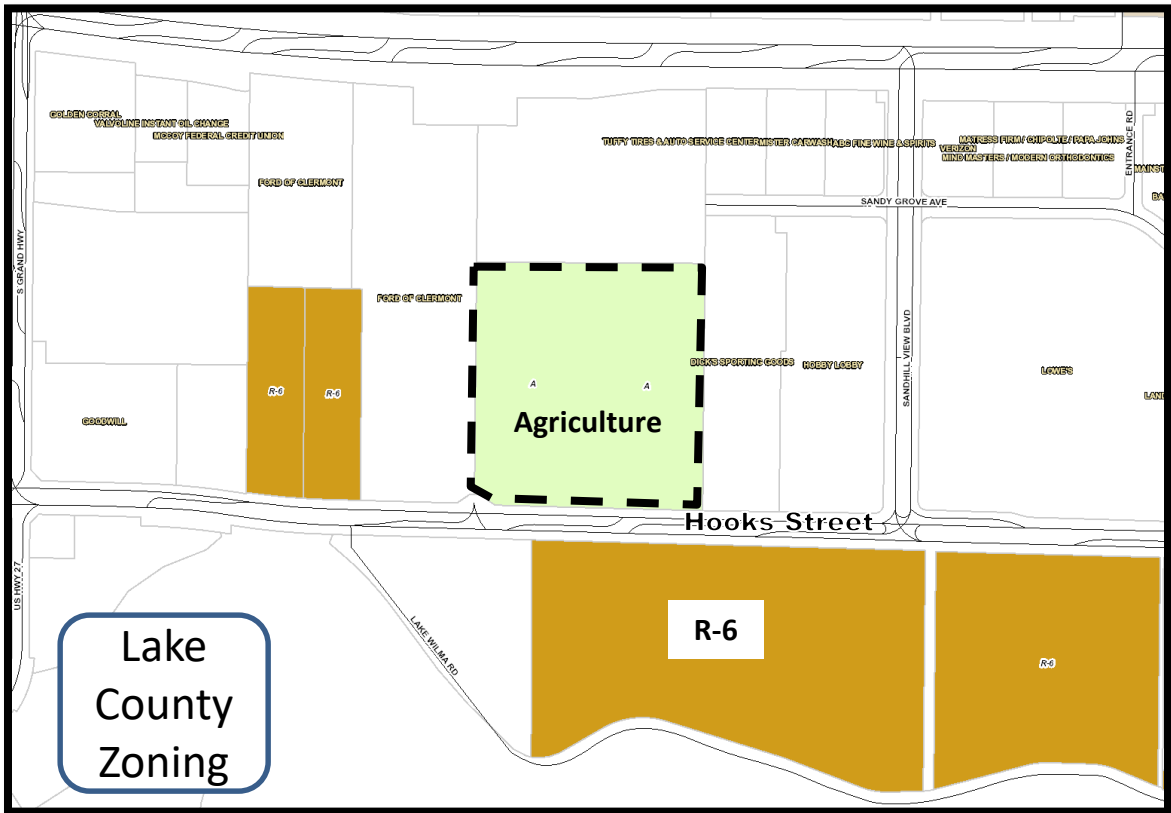
Exhibit - Location Map – Rocky Mount Commercial Phase 2



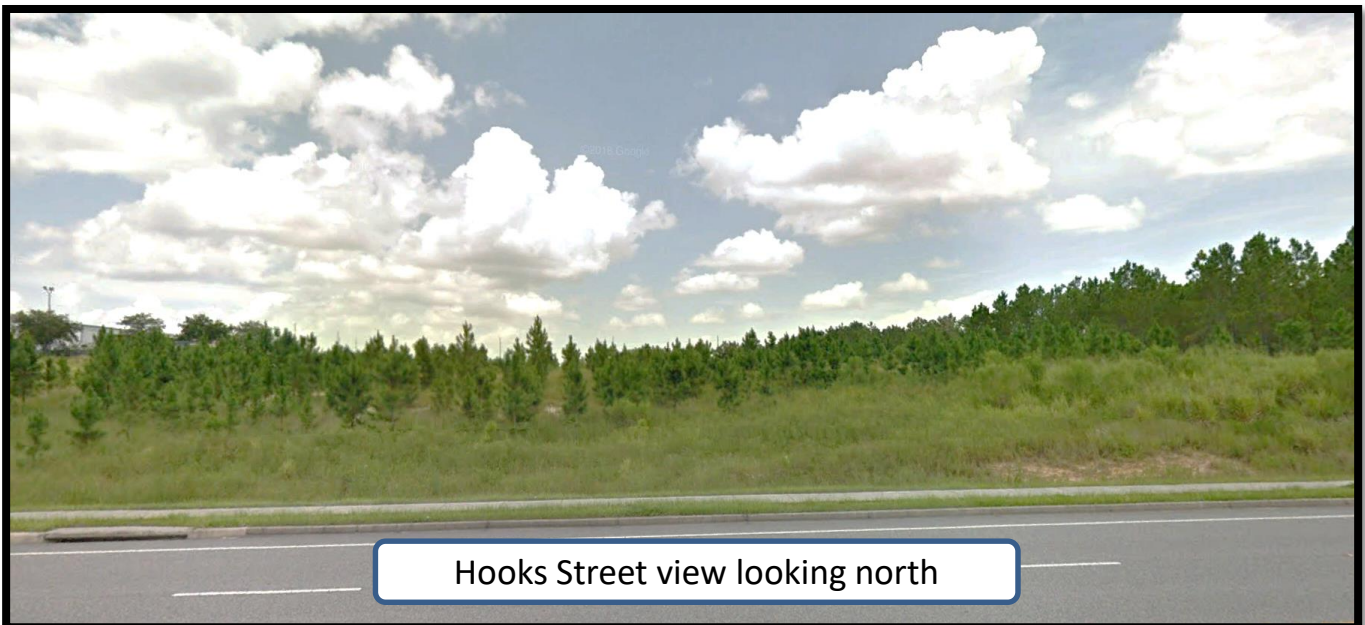
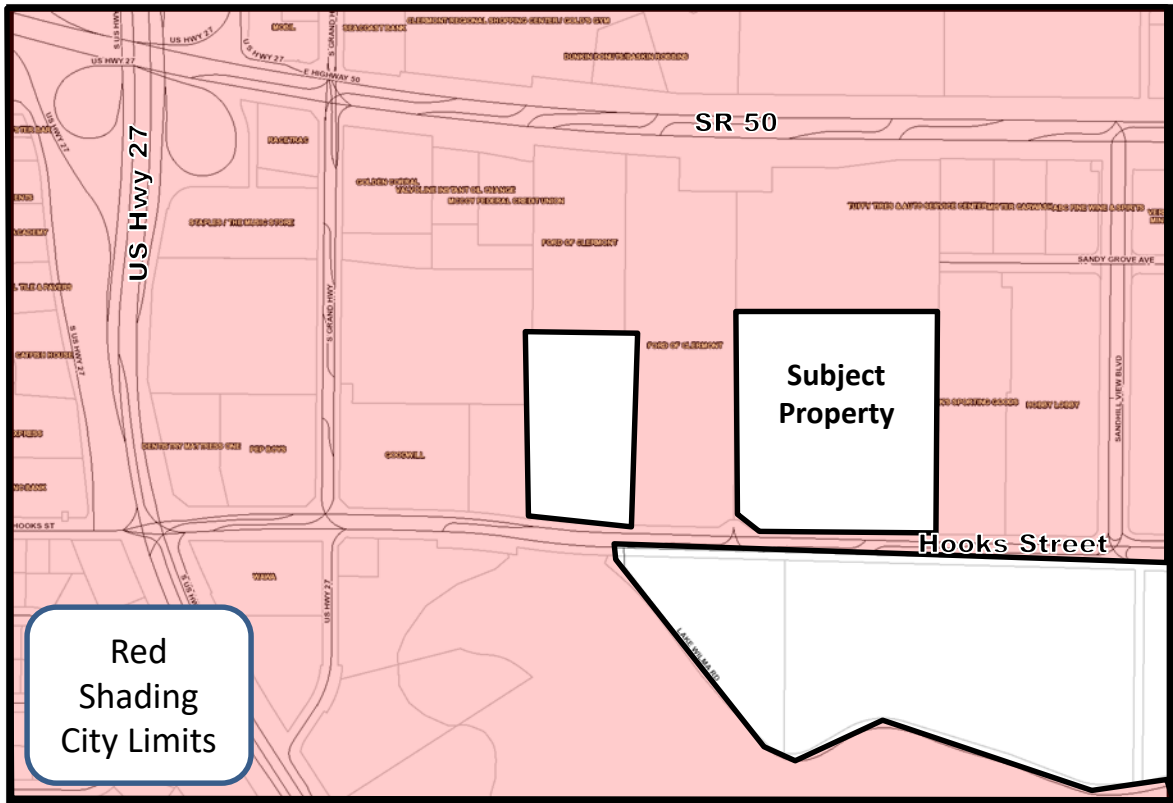
Future Land Use Map–Rocky Mount Commercial Phase 2



Zoning Map–Rocky Mount Commercial Phase 2



City Limits Map–Rocky Mount Commercial Phase 2





**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: August 29, 2019

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Rocky Mount Commercial - Phase 2

APPLICANT: Rocky Mount Development Co., Inc.

CONTACT PERSON: Tom Dougherty

Address: 735 Almond Street, Suite A

City: Clermont State: FL Zip: 34711

Phone: 352-394-6151 Fax: _____

E-Mail: tom@tri-prorealty.com

OWNER: Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: Northwest Quadrant Hooks Street & Sandhill View Blvd. (adjacent to the east to Ford of Clermont)

Legal Description (include copy of survey): Lake Highlands 29-22-26, Tracts 22 & 27 - Less Beginning at East Line of Tract 22 and South Line of FDOT Right of Way, Run south along East Line 500 Feet, North 89-39-36 West to West Boundary of said Tract 22, North to FDOT Right of Way, Easterly along said Southerly FDOT Right of Way to Point of Beginning - Being part of Tract 22 & 27, PB 2, PG 25, ORB 860, PG 1354, ORB 1004, PG 270, Public Records of Lake County Florida

Acreage: 10.8 +/- Land Use: Regional Commercial
(City verification required)

Present Zoning: UE Proposed Zoning: C-2
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION**
Page 2

Answers to the following questions are required to complete this application.

What are you proposing to do that would require a rezoning?

Requesting Annexation into the City of Clermont, which requires a rezone.

The property is to be developed for General Commercial uses, in conformance with the surrounding area.

Tom K. Dougherty, P, D

Applicant Name (print)

X

Tom K. Dougherty
Applicant Name (signature)

Tom K Dougherty, P, D

Owner Name (print)

X

Tom K. Dougherty
Owner Name (signature)

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Advertising Receipt

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

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

Account Number: 7101866
Order Number: 10091408
Phone: (352) 241-7331
Date: 10/09/19
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	10/21/2019	11/25/2019	\$250.68

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. 2019-44

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:

Vacant parcel approximately 1/2 mile east of the US Hwy 27 and Hooks Street intersection
Alternate Key 1103916
10.8 +/- Acres

This request will be considered by the Planning & Zoning Commission on Tuesday, November 5, 2019 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, December 10, 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.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10091408
October 21, 2019 &
November 25, 2019

LEGAL DESCRIPTION

Lake Highlands 29-22-26, Tracts 22 & 27 - Less Beginning at East Line of Tract 22 and South Line of FDOT Right of Way, Run south along East Line 500 Feet, North 89-39-36 West to West Boundary of said Tract 22, North to FDOT Right of Way, Easterly along said Southerly FDOT Right of Way to Point of Beginning - Being part of Tract 22 & 27, PB 2, PG 25, ORB 860, PG 1354, ORB 1004, PG 270, Public Records of Lake County Florida.

Site contains 10.8 +/- acres

From: Urban Estate
To: C-2 General Commercial

Payment Info	
Ad Price	\$250.68
Tax	\$0.00
Sub Total	\$250.68
Prepaid Amount	\$0.00
Balance Due	\$250.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 5, 2019	
Agenda Item Name	
Ordinance No. 2020-04 (Transmittal) <i>Carmax Comprehensive Plan Amendment</i>	
Requested Action	
Recommend approval of Ordinance No. 2020-04.	
Staff Report	
The City is requesting approval of a large-scale comprehensive plan amendment transmittal to the State to change the future land use from Lake County Urban High Density and Regional Commercial to Clermont Commercial designation. The City is requesting annexation of the subject property as authorized by the Utility Agreement with the property owner. The Notice of Encumbrance to annex was executed on August 13, 2019. The property is currently in final site plan approval with Lake County and is receiving water and sewer services from the City. The property is located east of County Road 455 and north of State Road 50, adjacent to the East Town Center Publix Plaza. The property is approximately 19.8 +/- Acres; and will be developed as an auto dealership, CarMax. The City will annex the property as approved with Lake County.  The property will also be rezoned from Lake County Planned Unit Development (PUD) to Clermont Planned Unit Development (PUD) zoning classification. Staff recommends approval of the Comprehensive Plan Amendment transmittal with Ordinance 2020-04.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance 2020-04 CARMAX CPA	2020-04 CARMAX CPA.pdf
2.	Carmax Location Map	Carmax Location Map.pdf
3.	CARMAX FLU MAP	CARMAX FLU MAP.pdf
4.	CPA Legal AD 1 ORD 2020-04	CPA Legal AD 1 ORD 2020-04.pdf



CITY OF CLERMONT
ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

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

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

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

SECTION 1.

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

Tracts 51A, 52A, 61 and 62, of LAKEHIGHLANDS COMPANY SUBDIVISION OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 4, Page 11, of the Public Record of Lake County, Florida; LESS right of way on the West for State Road Number 455; together with Tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, at Page 52, of the Public Records of Lake County; LESS right of way on the West for State Road 455 and Less right of way on the South for State Road 50, in and for Lake County, Florida.



CITY OF CLERMONT
ORDINANCE NO. 2020-04

LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 26, 2002, IN OFFICIAL RECORDS BOOK 2231, PAGE 2257, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:

A portion of tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, being described as follows:

Commence at the North Quarter corner of said Section 26 as a point of reference, said point being marked by a railroad spike in the centerline of pavement of County Road No. 455; thence run South 00 degrees 40 minutes 30 seconds West, along the West line of the Northeast Quarter of said Section 26, 244.02 feet; thence run South 89 degrees 34 minutes 59 seconds East, parallel with the North line of said Northeast Quarter, 33.00 feet to the POINT OF BEGINNING; thence continue South 89 degrees 34 minutes 59 seconds East, parallel with said North line, 700.01 feet; thence run South 00 degrees 40 minutes 30 seconds West, parallel with the aforesaid West line of the Northeast Quarter, 879.12 feet to the North right of way line of State Road No. 50 as shown on right of way Map Section 11070-2505; thence run North 88 degrees 54 minutes 49 seconds West, along said North right of way line, 718.02 feet to the East line of a 30 foot right of way as shown on the Plat of LAKE HIGHLANDS COMPANY SUBDIVISION; thence run North 00 degrees 40 minutes 30 seconds East, along said East right line 261.64 feet to the East line of County Road No. 455 as currently monumented, said line being a curve concave to the Northwest; thence run Northeasterly along said curve having a central angle of 13 degrees 48 minutes 23 seconds, a radius of 623.00 feet, an arc length of 150.12 feet, a chord bearing of North 07 degrees 34 minutes 41 seconds East and a chord distance of 149.76 feet; thence run North 00 degrees 40 minutes 30 seconds East, continuing along said East line, 460.49 feet to the POINT OF BEGINNING. AND LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN

That portion of the following described Parcel lying within 50 feet East of the North-South Mid-Section line of Section 26, Township 22 South, Range 26 East, Lake County, Florida.

Tract 13 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, Less and except right of way for SR 50.

Site contains 19.8 +/- acres.

LOCATION

Vacant parcel located east of CR 455 and north of SR 50,
Adjacent to the East Town Center Publix Plaza
Alternate Key 1453313



**CITY OF CLERMONT
ORDINANCE NO. 2020-04**

CHANGE IN FUTURE LAND USE CLASSIFICATION

**FROM: LAKE COUNTY URBAN HIGH DENSITY
AND REGIONAL COMMERCIAL**

TO: CITY OF CLERMONT COMMERCIAL

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2020-04

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this _____ day of _____, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

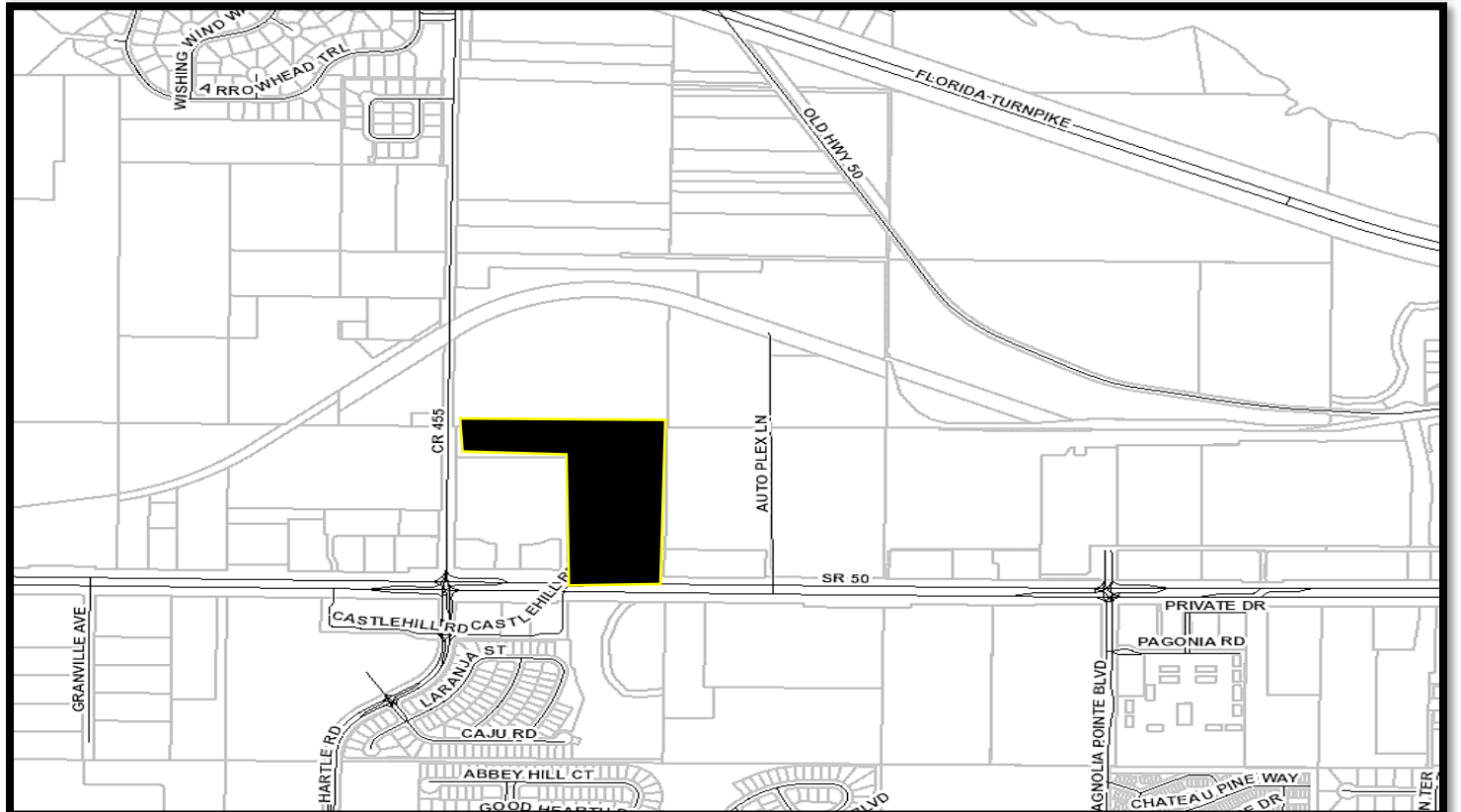
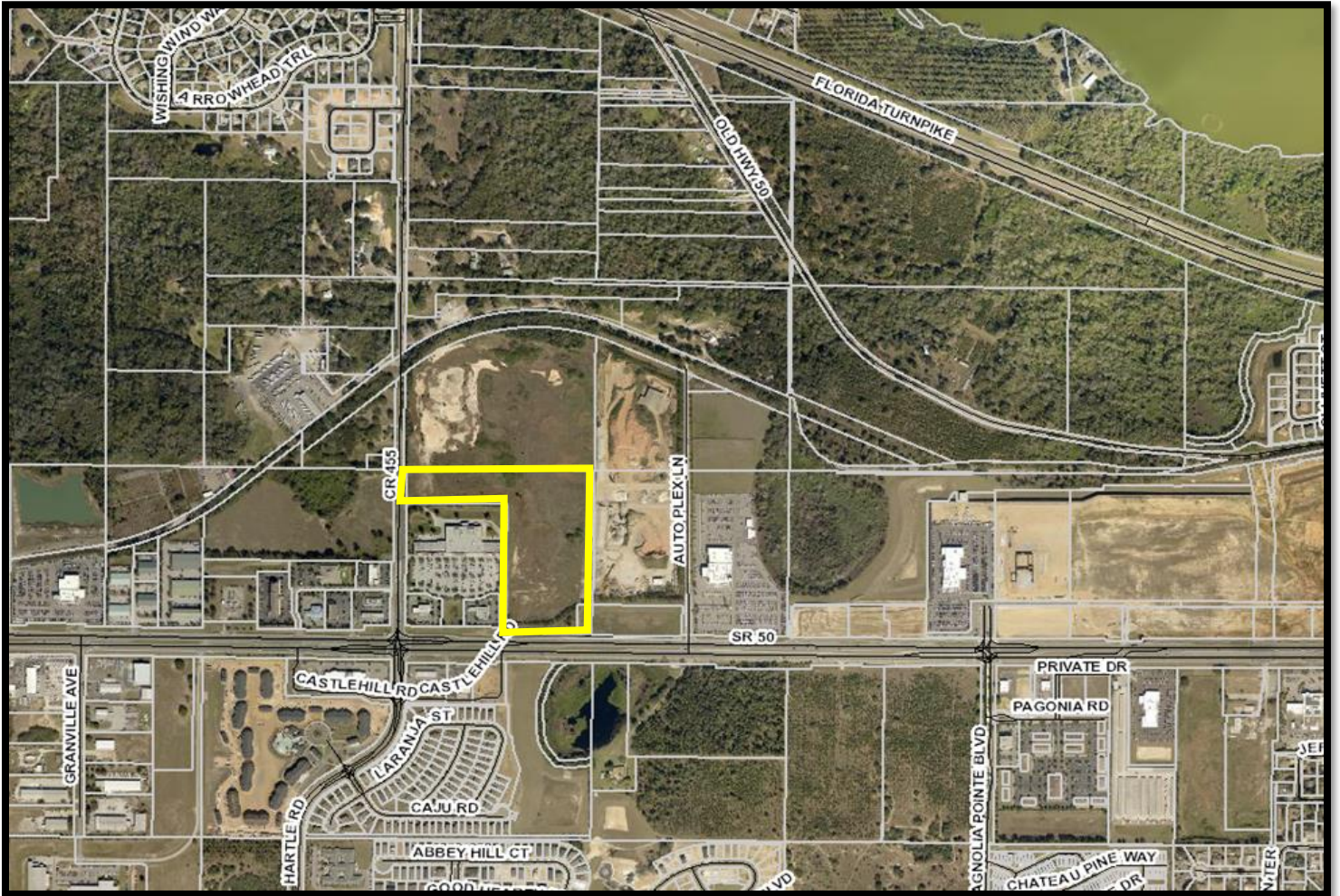
ATTEST:

Tracy Ackroyd Howe, City Clerk

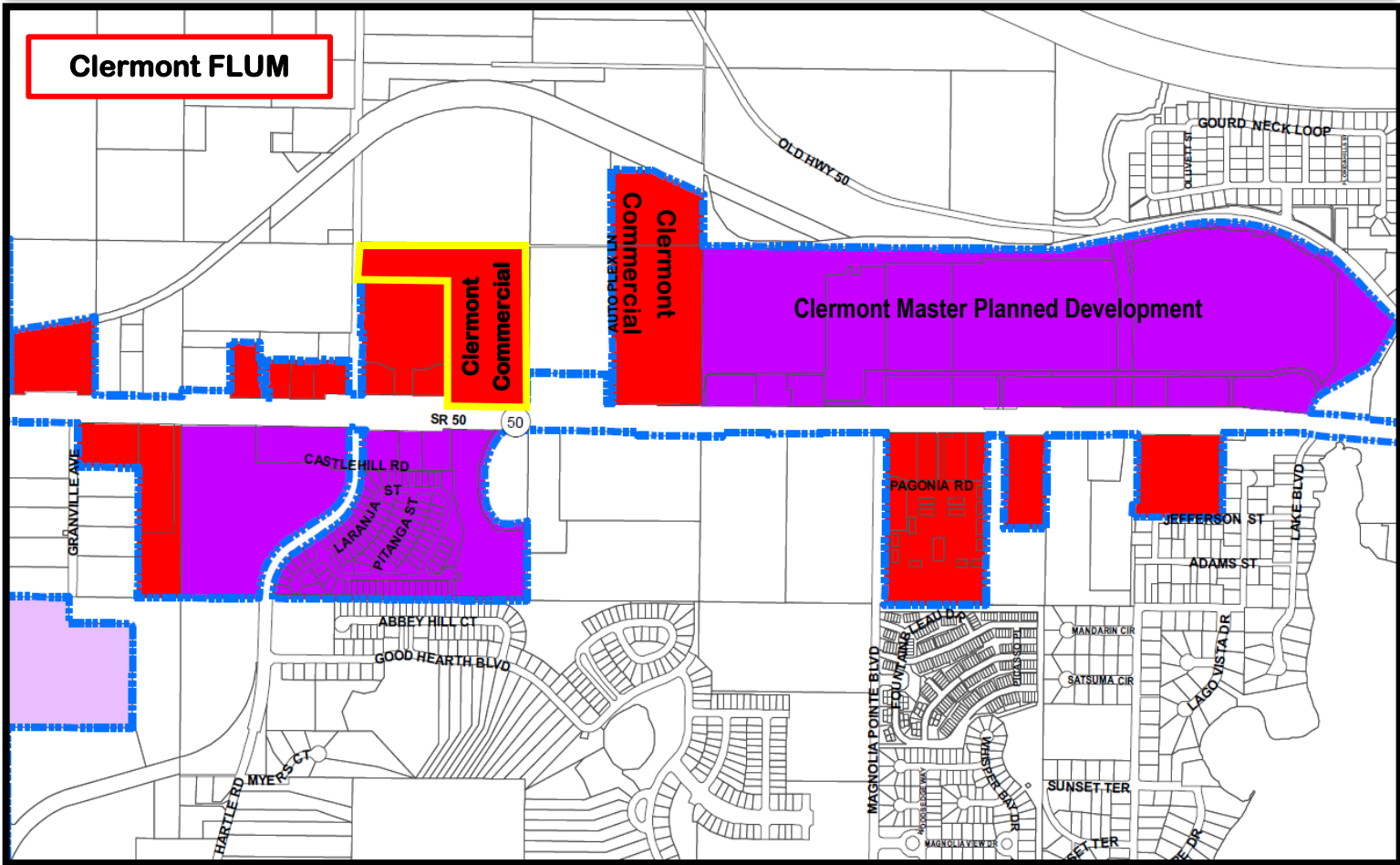
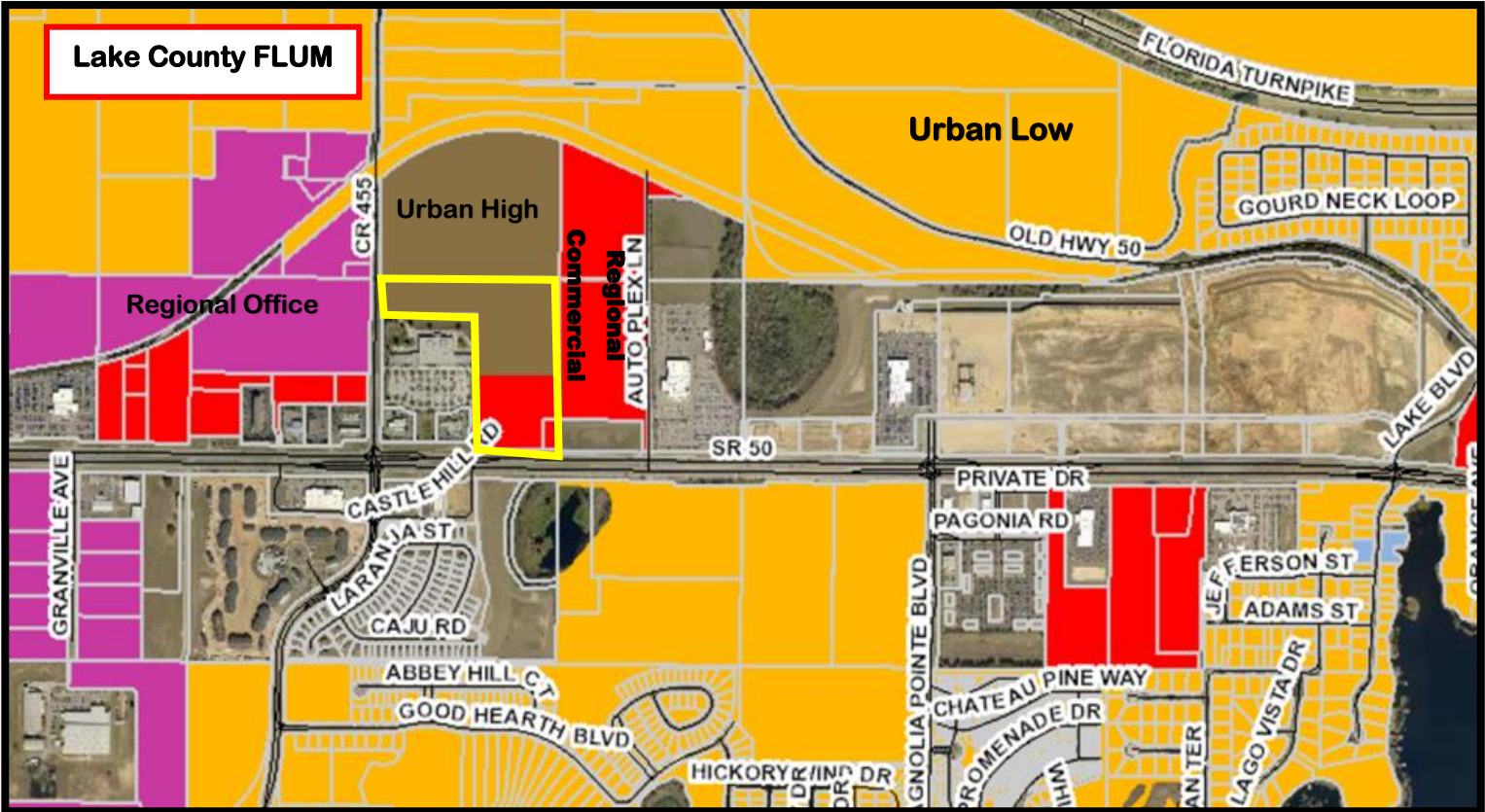
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CARMAX LOCATION MAP



Future Land Use Map - CARMAX



CITY OF CLERMONT
NOTICE OF PROPOSED
AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2020-04

The City of Clermont will hold public hearings on Tuesday, November 5, 2019 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, November 12, 2019 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Urban High Density and Regional Commercial to City of Clermont Commercial.

The City of Clermont will hold a public hearing on Tuesday, January 28, 2020 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location:

Vacant parcel located east of CR 455 and north of SR 50,
Adjacent to the East Town Center Publix Plaza
Alternate Key 1453313
19.8 +/- Acres

Ordinance #2020-04

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the large-scale comprehensive plan amendment; setting forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

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

Tracy Ackroyd Howe, MMC
City Clerk

D051197 - January 13, 2020

☐ **PROOF O.K. BY:** _____ ☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D051197 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X11
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 10/11/2019 8:46:46 AM
NEXT RUN DATE: 01/13/20
PROOF DUE: 01/10/20 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, November 5, 2019	
Agenda Item Name	
Ordinance No. 2020-07 (Transmittal) <i>111 Residential Comprehensive Plan Amendment</i>	
Requested Action	
Recommend approval of Ordinance No. 2020-07.	
Staff Report	
The City is requesting approval of a large-scale comprehensive plan amendment transmittal to the State to change the future land use from Lake County Urban High Density to Clermont High Density Residential designation. The City is requesting annexation of the subject property as authorized by the Utility Agreement with the property owner. The Notice of Encumbrance to annex was executed on September 24, 2019. The property is currently in final site plan approval with Lake County and is receiving water and sewer services from the City. The vacant parcel is located north of State Road 50 and east of County Road 455. The property is approximately 24.4 +/- Acres; and shall be developed as 288 multifamily apartments units. The City will annex the property as approved with Lake County.  The property will also be rezoned from Lake County Planned Unit Development (PUD) to Clermont Planned Unit Development (PUD) zoning classification. Staff recommends approval of the Comprehensive Plan Amendment transmittal with Ordinance 2020-07	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance No 2020-07 CPA	2020-07 Clermont 111 Apartments CPA.pdf	
2. Location Maps	Location Maps.pdf	
3. 111 Apartments FLU MAP	111 Apartments FLU MAP.pdf	
4. Legal AD	D051196 ROS 2020-07 Legal Ad 1.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

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

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

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

SECTION 1.

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

TRACTS 51A, AND A PORTION OF TRACTS 61 AND 62 LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN THE PLAT BOOK 4, PAGE 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH QUARTER (1/4) CORNER OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE, SOUTH 89°47'05" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 455 (VARIABLE WIDTH RIGHT OF WAY); THENCE NORTH 00°43'08" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 195.32 FEET



**CITY OF CLERMONT
ORDINANCE NO. 2020-07**

FOR A POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID EAST, A DISTANCE OF 39.55 FEET; (2) NORTH 89°16'52" WEST, A DISTANCE OF 13.00 FEET; (3) NORTH 00°43'08" EAST, A DISTANCE OF 533.34 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO COURSES AND DISTANCES: (1) NORTH 50°47'04" EAST, A DISTANCE OF 9.58 FEET TO A POINT OF CURVATURE TO THE RIGHT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1,402.70 FEET, A CENTRAL ANGLE OF 56°27'54". AND A CHORD LENGTH OF 1,327.10 FEET, WHICH BEARS NORTH 79°01'01" EAST; (2) EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1,382.36 FEET, TO A POINT ON THE EAST LINE OF TRACT 51A; THENCE, DEPARTING SAID RIGHT OF WAY LINE, RUN SOUTH 00°36'47" WEST, ALONG SAID EAST LINE AND THE EAST LINE OF TRACT 62, A DISTANCE OF 836.93 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 89°46'45" WEST, A DISTANCE OF 1,295.45 FEET TO THE POINT OF BEGINNING.

Site contains 24.4 +/- acres.

LOCATION

Vacant parcel located ¼ mile north of SR 50 and CR 455 intersection,
East of CR 455 before the trail
Alternate Key 2665645
24.4 +/- Acres

CHANGE IN FUTURE LAND USE CLASSIFICATION

**FROM: LAKE COUNTY URBAN HIGH DENSITY
TO: CITY OF CLERMONT HIGH DENSITY RESIDENTIAL**

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2020-07

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

CITY OF CLERMONT

Gail L. Ash, Mayor

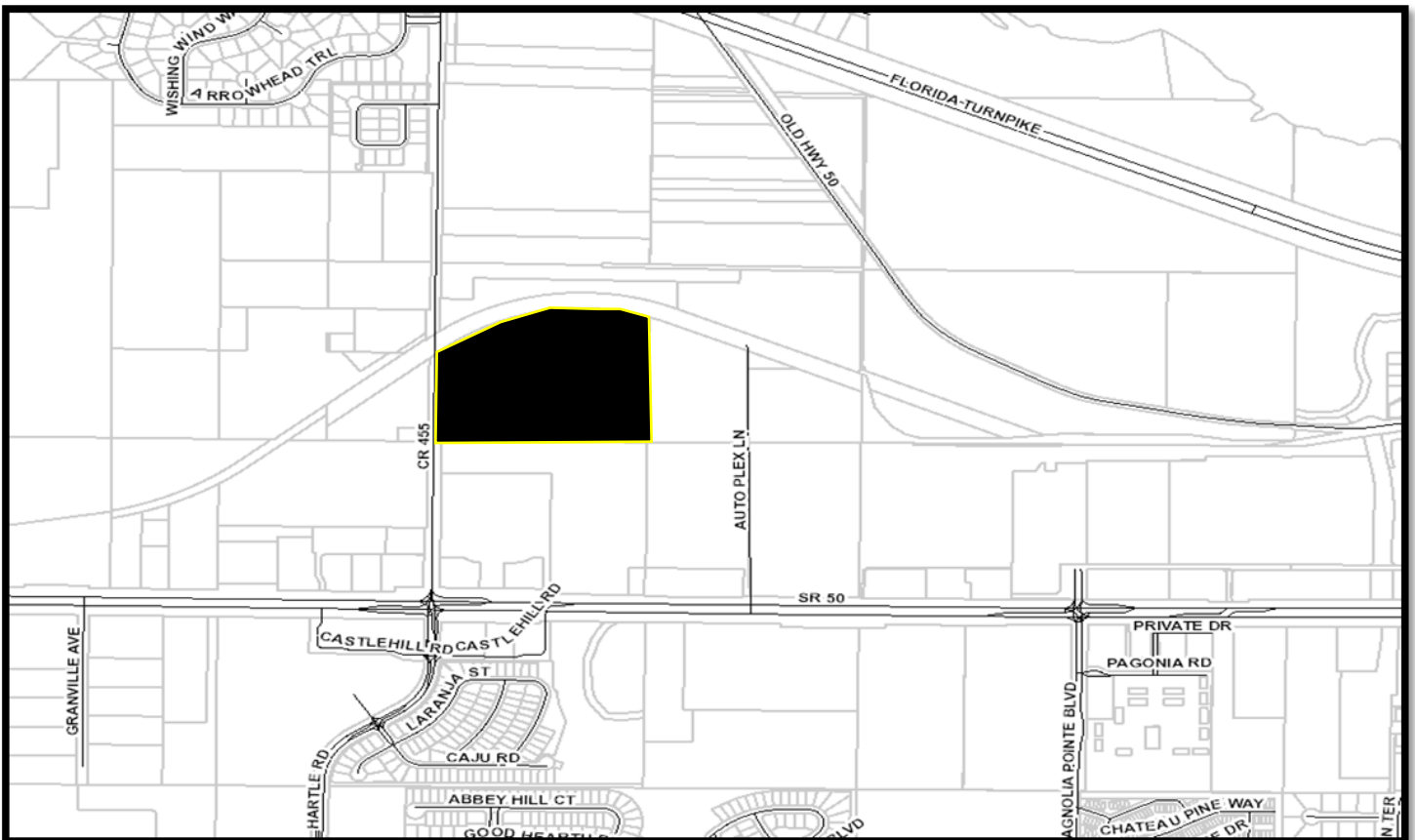
ATTEST:

Tracy Ackroyd Howe, City Clerk

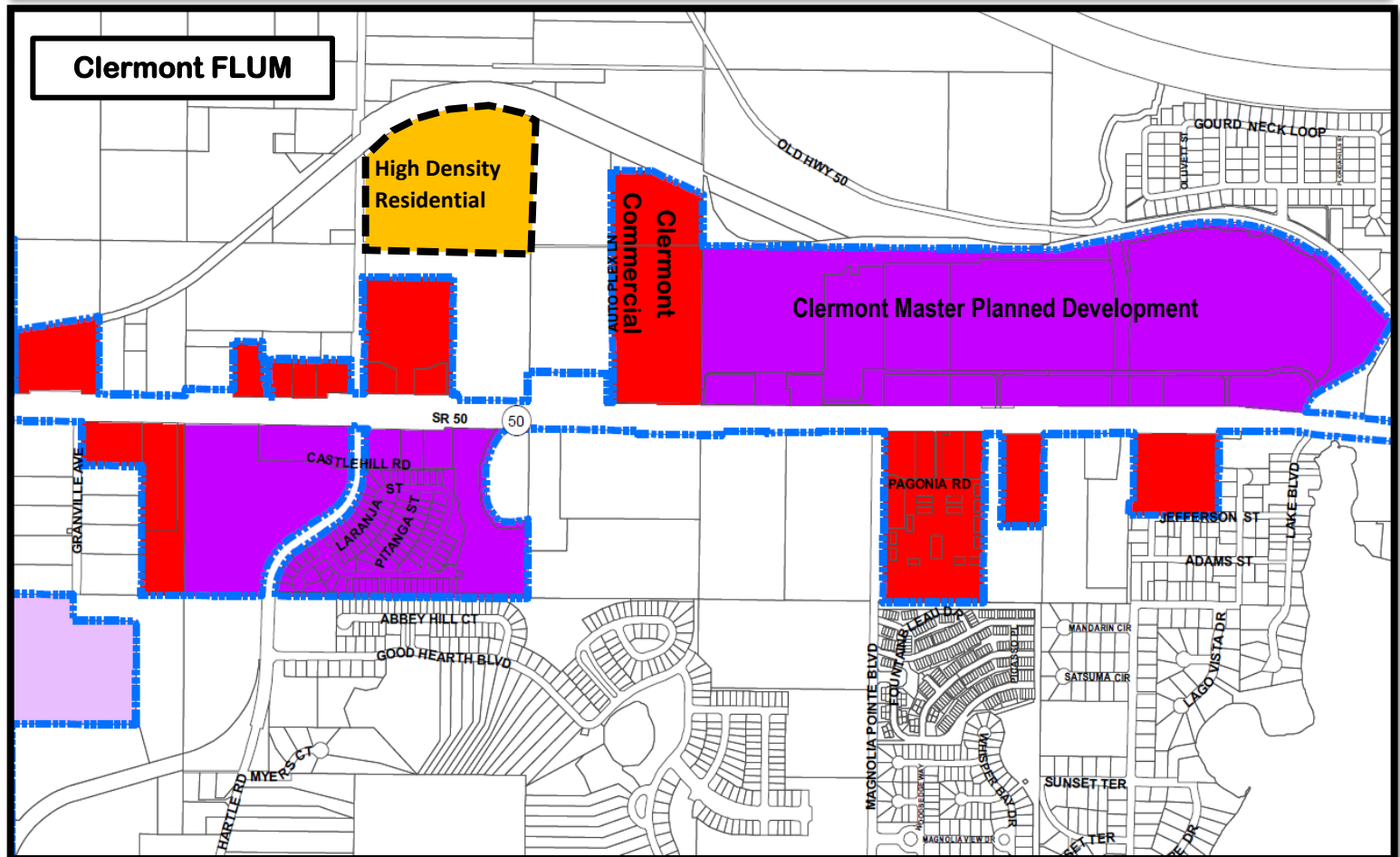
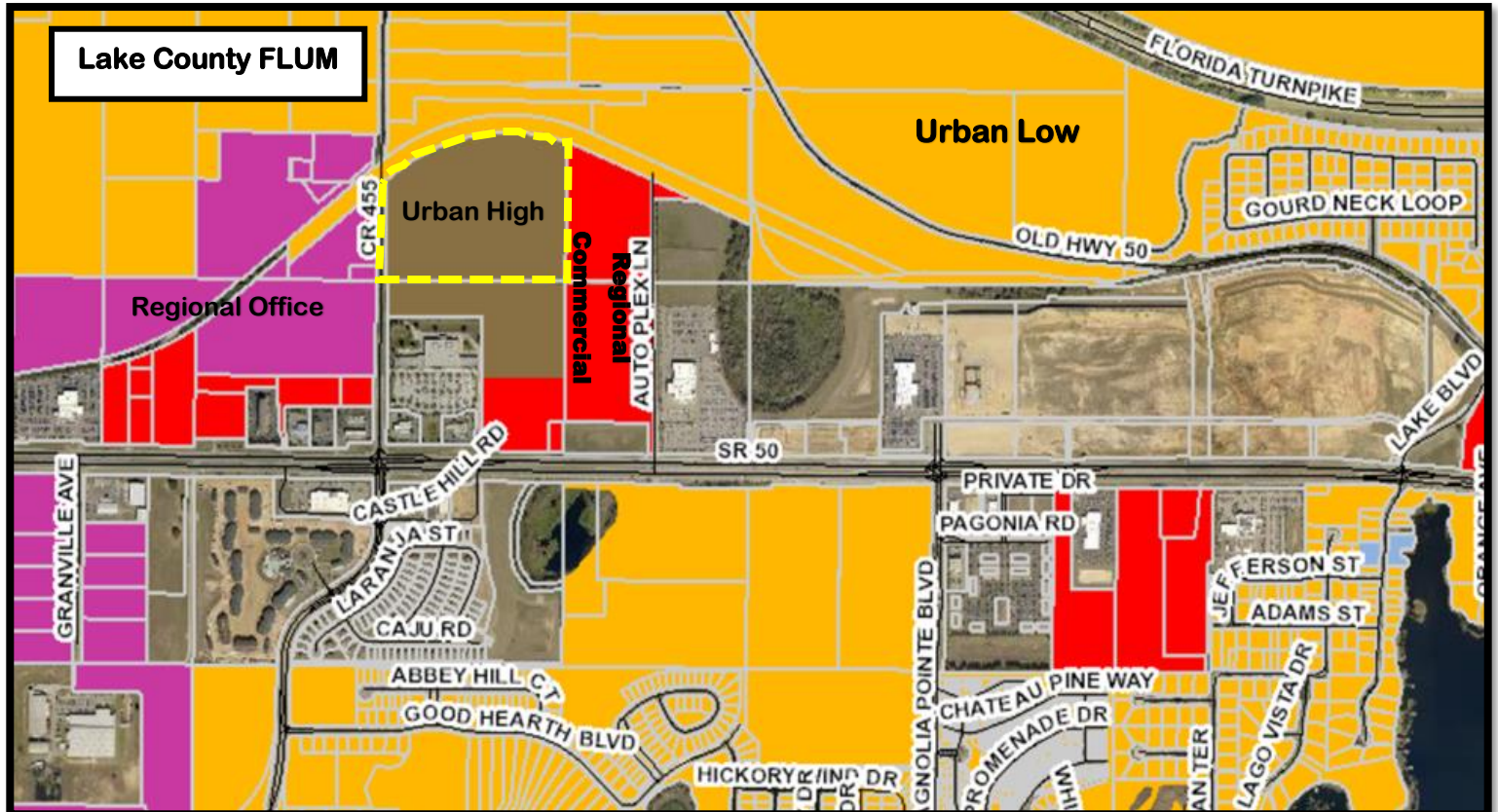
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



Future Land Use Map – 111 Residential



CITY OF CLERMONT
NOTICE OF PROPOSED
AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2020-07

The City of Clermont will hold public hearings on Tuesday, November 5, 2019 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, November 12, 2019 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Urban High Density to City of Clermont High Density Residential.

The City of Clermont will hold a public hearing on Tuesday, January 28, 2020 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location:

Vacant parcel located ¼ mile north of SR 50 and CR 455 intersection,
east of CR 455 before the trail
Alternate Key 2665645
24.4 +/- Acres

Ordinance #2020-07

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the large-scale comprehensive plan amendment; setting forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

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

Tracy Ackroyd Howe, MMC
City Clerk

D051196 - October 21, 2019

☐ **PROOF O.K. BY:** _____ ☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D051196 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X11
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 10/14/2019 7:50:20 AM
NEXT RUN DATE: 10/21/19
PROOF DUE: 10/18/19 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, November 5, 2019		
Agenda Item Name		
Ordinance No. 2019-28 <i>Vacation Rentals</i>		
Requested Action		
Recommend approval of Ordinance No. 2019-28.		
Staff Report		
City staff has drafted an ordinance for short term rentals. This is a staff initiated Ordinance 2019-28 relating to short term vacation rentals; amending Chapter 122, Zoning Codes to provide standards and regulations for a Vacation Rental Permit Program. The City of Clermont currently does not have any regulations with regards to short term rentals. The proposed Ordinance will provide regulations and conditions for a Vacation Rental Permit Program to allow short term vacation rentals for non occupied residential homes (Whole House) rentals with proper management and compliance with permit requirements.		
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	
2. ORD 2019-28 Vacation Rentals (Final)	ORD 2019-28 Vacation Rentals (Final).pdf	
3. Vacation Rentals Permit Program Requirements-Summary	Vacation Rentals Permit Program Requirements-Summary.pdf	

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
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 PERMIT REGULATIONS; 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 November 5, 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 amend Chapter 122 Zoning, Article V Supplemental Districts, Section 360 Vacation Rentals Permit Regulations, 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 122-360 General Provisions:

- (1) Purpose
- (2) Definitions

Section 122-361 Vacation Rental Permit Requirements

- (1) Permit Requirements
- (2) License required
- (3) Application for vacation rental permit
- (4) Modification of vacation rental permit
- (5) Duration of vacation rental lpermit
- (6) Renewal of vacation rental permit
- (7) Compliance inspections of vacation rentals
- (8) (Reserved)
- (9) Licenses non-transferable, non-assignable



CITY OF CLERMONT
ORDINANCE NO. 2019-28

Section 122-362 Vacation Rental Representative

- (1) Duties of the vacation rental representative

Section 122-363 Standards and Requirements for Vacation Rentals

- (1) General
- (2) Local phone service required
- (3) Parking standards
- (4) Solid waste handling and containment
- (5) Maximum occupancy
- (6) Posting of vacation rental information
- (7) Minimum life safety requirements
- (8) Advertising
- (9) Commercial use of property prohibited
- (10) Sexual offenders and predators prohibited

Section 122-364 Administration, Penalties, and Enforcement

- (1) Administration of Vacation Rental License Program
- (2) Appeals
- (3) Notice
- (4) Penalties and enforcement

Section 122-360 GENERAL PROVISIONS:

(1) PURPOSE.

The purpose of this chapter is to promote public health, safety, welfare and convenience through regulations and standards for short-term vacation rental properties by providing for:

- (A) A vacation rental permit;
- (B) Safety and operational requirements;
- (C) Parking standards;
- (D) Solid waste handling and containment;
- (E) Licensure requiring posting of vacation rental information;
- (F) Administration, penalties and enforcement.

(2) DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words not defined shall be given their meaning as provided in Chapter 14, Building Regulations, of the Codes of Ordinances of the City of Clermont, Florida.



**CITY OF CLERMONT
ORDINANCE NO. 2019-28**

HABITABLE ROOM shall mean a room or enclosed floor space used or intended to be used for living or sleeping purposes, excluding kitchens, bathrooms, shower rooms, water closet compartments, laundries, pantries, foyers, connecting corridors, closets and storage space.

LIFE SAFETY VIOLATION means a violation of any code intended primarily to prevent the loss of life, injury and property damage.

OCCUPANT means any person who occupies, either during the day or overnight, a vacation rental.

TRANSIENT PUBLIC LODGING ESTABLISHMENT shall mean any unit, group of units, dwelling, building or group of buildings within a single complex of buildings that is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

VACATION RENTAL shall mean any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment and is located in an area zoned Residential, but that is not a timeshare project.

VACATION RENTAL REPRESENTATIVE means a vacation rental property owner, or his or her authorized designee, as identified in the application for a city vacation rental permit.

RESPONSIBLE PARTY shall mean the owner or the person designated by the owner of the property to be called upon to answer for the maintenance of the property and the conduct and acts of occupants of said vacation rental property.

Section 122-361 VACATION RENTAL PERMIT REQUIREMENTS

(1) PERMIT REQUIRED

(A) A property owner operating a vacation rental shall obtain a vacation rental permit prior to advertising a property available for short-term rental.

(B) The advertising or advertisement for the rental of a dwelling unit for periods of less than 30 days or one calendar month and more than three times a year is direct evidence of operating a property for rent as a vacation rental in violation of division (A) of this section.

Section 122-362(2) APPLICATION FOR VACATION RENTAL PERMIT

(A) A property owner seeking initial issuance of a vacation rental permit, or the renewal or modification of a vacation rental permit, shall submit a completed vacation rental permit application, in a form promulgated by the city, together with an application fee in an amount set by resolution of the City Commission.

(B) A complete application for the initial issuance of a vacation rental license, or for its renewal or modification, shall demonstrate compliance with the standards and requirements set forth in this chapter through the following submittals:

(C) A completed vacation rental permit application form, which must identify; the property owner, the address of the vacation rental, the vacation rental representative, and the phone number of the vacation rental representative.



CITY OF CLERMONT
ORDINANCE NO. 2019-28

- (D) Payment of applicable fees.
- (E) A copy of the vacation rental's current and active license as a transient public lodging establishment with the Florida Department of Business and Professional Regulation.
- (F) A copy of the vacation rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue, if applicable.
- (G) Evidence of the vacation rental's current and active account with the Lake County Tax Collector for the purposes of collecting and remitting tourist development taxes and any other taxes required by law to be remitted to the Lake County Tax Collector, if applicable.
- (H) A copy of the current City of Clermont and Lake County local business tax receipts.
- (I) *Interior building sketch by floor.* A building sketch (may be hand-drawn) by floor shall be provided, showing a floor layout and demonstrating compliance with the standards and requirements set forth in this chapter. The sketch provided shall be drawn to scale, and shall show and identify all bedrooms, other rooms, bathrooms, exits, hallways, stairways, smoke and carbon monoxide detectors, fire extinguishers and exit signage/lighting.
- (J) *Exterior site sketch.* A sketch showing and identifying all structures, pools, spas, hot tubs, fencing and other uses, including the number and the location of all on-site parking spaces for the vacation rental.
- (K) Acknowledgment that each guest room shall be equipped with an approved, listed, single-station smoke detector meeting the minimum requirements of the NFPA.
- (L) A section indicating whether the vacation rental will have ten or fewer occupants or more than ten occupants.
- (M) Representation that the property is in compliance with ALL applicable codes. A vacation rental permit shall not be issued on a property with open violations.
- (N) Incomplete applications will not be accepted, but will be returned, with any fees submitted to the property owner, with a notation of what items are missing.
- (O) Vacation rental permit applications shall be sworn to under penalty of perjury. Any false statements in an application shall be a basis for the revocation of any license issued pursuant to that application.
- (P) The owner shall comply with all applicable city, county, state and federal laws, rules, regulations, ordinances and statutes.

Section 122-361(3) MODIFICATION OF VACATION RENTAL PERMIT

- (1) An application for modification of a vacation rental license shall be required in the event that any of the following changes to the vacation rental are proposed:
 - (A) An increase in the gross square footage;
 - (B) An increase in the number of bedrooms;
 - (C) An increase in the maximum occupancy;



CITY OF CLERMONT
ORDINANCE NO. 2019-28

- (D) An increase in the number of parking spaces, or a change in the location of parking spaces;
- (E) An increase in the number of bathrooms;
- (F) Any other material modifications that would increase the intensity of use.

Section 122-362(4) DURATION OF VACATION RENTAL PERMIT

The vacation rental permit shall expire each **September 30**, and may be annually renewed thereafter if the property is in compliance with this chapter.

Section 122-362(5) RENEWAL OF VACATION RENTAL PERMIT

A property owner may apply for a renewal beginning July 1 prior to the expiration of the annual license. Initial applications and renewals received after July 1 of the fiscal year shall be valid for the term expiring on September 30 of the following year. Each application for renewal received after **September 30** shall be assessed a late fee of **\$100**.

Section 122-362(6) COMPLIANCE INSPECTIONS OF VACATION RENTALS

(A) Except as provided in divisions (1) and (2) below, inspection of a vacation rental shall be required prior to issuance of a vacation rental license to verify compliance with the laws, rules and regulations of all regulatory authorities having jurisdiction, and where such laws, rules and regulations are applicable and are known to the Building Official. If instances of noncompliance with the standards and requirements therein are found, all such instances of noncompliance shall be corrected and the vacation rental shall be re-inspected prior to the issuance of an initial vacation rental permit.

(B) An applicant shall sign a sworn statement, under penalty of perjury, that he or she believes the subject property is in compliance with all city codes. Once an applicant signs such a sworn statement, a vacation rental permit will be issued upon compliance with all requirements for the issuance of a vacation rental permit other than the inspection and code compliance requirements. The applicant will then have six months from the date of issuance of the vacation rental license to comply with the inspection and code compliance requirements. If the applicant fails to comply with the inspection and code compliance requirements within six months, the vacation rental license will be automatically suspended, unless the applicant, prior to the expiration of the six-month period, submits a written request for an extension of time. An extension of time may be based solely on a claim that the failure to comply within six months was caused primarily by the city, and the written request will detail circumstances that support such a claim. The City Manager, or his or her designee, is authorized to grant or deny the request. Denial by the City Manager will result in the automatic suspension of the vacation rental permit.

(C) Current licensees will have six (6) months from the date of issuance of a vacation rental license to comply with the inspection and code compliance requirements. If the licensee fails to comply with the inspection and code compliance requirements within six months, the vacation rental license will be automatically suspended, unless the applicant, prior to the expiration of the six-month period, submits a written request for an extension of time. An extension of time may be based solely on a claim that the failure to comply within six months was caused primarily by the city, and the written request will detail circumstances that support such a claim. The City Manager, or his or her designee, is authorized to grant or deny the request. Denial by the City Manager will result in the



CITY OF CLERMONT
ORDINANCE NO. 2019-28

automatic suspension of the vacation rental license.

(D) Once a vacation rental permit is issued for a vacation rental, such vacation rental shall be properly maintained in accordance with the standards and requirements set forth in this chapter. In the event a notice of violation is issued, all violations shall be corrected and re-inspected within thirty (30) calendar days after the issuance of the notice of violation, with the exception of life safety violations, which must be corrected within the earlier of three (3) city working days or the start of the next rental period. Failure to correct such violations within the timeframes provided shall result in the suspension of the vacation rental license until such time that the violations are corrected, re-inspected, and found in compliance.

(E) In the event a vacation rental property is declared a repeat nuisance, the vacation rental license shall be suspended pending the development by the property owner of a written action plan outlining the specific measures that the owner will take to eliminate the reoccurrence of nuisance activities at the property. The property owner shall provide the action plan to the city no later than fifteen (15) days from the date of the declaration notice of repeat nuisance property. If the city determines that the action plan is adequate to eliminate the reoccurrence of nuisance activities on the properties, the city shall establish a reasonable time period, not exceeding forty-five (45) days from the date the action plan is deemed adequate, to implement the action plan. If the property owner implements the action plan within the time frame established by the city, the declaration of a repeat nuisance will be closed and the vacation rental license restored. If the city determines that the action plan is not adequate to eliminate the reoccurrence of nuisance activities on the property, the city may require the property owner to revise the action plan. The property owner shall submit the revised action plan to the city no later than ten (10) days from the date the action plan is determined to be inadequate. The provision of an inadequate action plan on three (3) consecutive occasions shall result in the revocation of the vacation rental license.

(F) The inspection shall consist of criteria established by the City Manager or his/her designee. Such criteria shall be established for the primary purpose of protecting the health, safety and welfare of vacation rental occupants.

Section 122-361(7) PERMIT NON-TRANSFERABLE, NON-ASSIGNABLE

Vacation rental licenses are non-transferable and non-assignable. If the ownership of any vacation rental is sold or otherwise transferred, any outstanding vacation rental license as to that vacation rental shall be null and void upon the sale or transfer.

Section 122-362(8) Vacation Rental Representative

(1) DUTIES OF THE VACATION RENTAL REPRESENTATIVE.

Every vacation rental representative shall:

(A) Be available by landline or mobile telephone answered by the vacation rental representative at the listed phone number, 24-hours a day, seven (7) days a week, to handle any problems arising from the vacation rental; and

(B) Be willing and able to be physically present at the vacation rental within sixty (60) minutes following notification from a vacation rental occupant, law enforcement officer, emergency personnel, or the city for issues related to the vacation rental, and shall actually be physically present at that location in that time frame when requested; and



CITY OF CLERMONT
ORDINANCE NO. 2019-28

(C) Conduct an on-site inspection of the vacation rental at the end of each rental period to assure continued compliance with the requirements of this chapter.

(D) Maintain for three (3) years a log of all guests of the vacation rental to be available for inspection upon request.

(E) Conduct on-site inspections of the Vacation Rental at the end of each rental period to ensure continued compliance with the requirements of this chapter.

Section 122-363(9) STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

(1) GENERAL

The standards and requirements set forth in this subchapter shall apply to the rental, use, and occupancy of vacation rentals in the city. All Dwelling Units shall meet the minimum requirements of the International Property Maintenance Code, City Code Section 14-9.

(2) LOCAL PHONE SERVICE REQUIRED

At least one landline telephone with the ability to call 911 shall be available in the main level common area in the vacation rental.

(3) PARKING STANDARDS

Occupants and visitors to the vacation rental shall comply with all relevant parking codes as found in the Clermont Code of Ordinances. All vehicles associated with the Vacation Rental must be parked within the subject property, and may not block or obstruct any public sidewalk or pedestrian walkway.

(4) SOLID WASTE HANDLING AND CONTAINMENT

Requirements for garbage storage and collection shall be as follows:

(A) Trash storage containers shall be provided and shall be screened with a six-foot fence or landscaping, with an opening for container removal.

(B) The vacation rental shall contract with the waste management provider for side-door pick-up service.

(C) Properties with alley garbage collection are exempt from divisions (A) and (B).

(D) Notice of the location of the trash storage containers and rules for collection shall be posted inside the vacation rental.

(E) No solid waste container shall be located at the curb for pickup before 6:00 p.m. of the day prior to pick up, and solid waste containers shall be removed before midnight of the day of pick up.



CITY OF CLERMONT
ORDINANCE NO. 2019-28

(5) MAXIMUM OCCUPANCY

(a) The maximum number of occupants authorized to stay overnight at any Vacation Rental shall not exceed two (2) persons per sleeping room. The number of sleeping rooms shall be confirmed during on site life safety inspection by the City of Clermont. Up to four (4) persons, under 13 years of age are exempt from and shall not count toward the occupancy limits set forth in this section.

(b) The maximum number of persons allowed to gather at or occupy a Vacation Rental shall not exceed one and one half ($\frac{1}{2}$) times the maximum occupants authorized to stay overnight at the site, as shown on the Certificate of Compliance, and in no event shall a gathering exceed 20 persons.

(6) POSTING OF VACATION RENTAL INFORMATION

(1) In each vacation rental, located on the back or next to the main entrance door, there shall be posted as a single page the following information:

- (a) Vacation Rental Certificate of Compliance Permit from the City of Clermont
- (b) The name, address and phone number of the vacation rental representative;
- (c) The maximum occupancy of the vacation rental; maximum of four **(4)** occupants per bedroom;
- (d) A statement advising the occupant that any sound that crosses a property line at an unreasonably loud volume is unlawful within the city; as per the City Noise Ordinance, Chapter 34 of the Clermont Code of Ordinances;
- (e) The days and times of trash pickup;
- (f) The location of the nearest hospital;
- (g) The local non-emergency police phone number; and
- (h) A copy of the building evacuation map, with a minimum size of 8½" by 11", shall be provided to the renter upon the start of each vacation rental.
- (i) In each vacation rental, located in the backyard and/or pool area, there shall be posted notice that unreasonably loud noise is prohibited.

(7) MINIMUM LIFE SAFETY REQUIREMENTS.

(A) *Swimming pool, spa and hot tub safety.* A swimming pool, spa or hot tub shall comply with the then current standards of the Residential Swimming Pool Safety Act, F.S. Ch. 515.

(B) *Smoke and carbon monoxide (CO) detection and notification system.* A smoke and carbon monoxide (CO) detection and notification system within the vacation rental unit shall be interconnected and hard-wired and shall receive primary power from the building wiring.

(C) *Fire extinguisher.* A portable, multipurpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected and maintained in accordance with the then current NFPA 10 on each floor/level of the unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.



CITY OF CLERMONT
ORDINANCE NO. 2019-28

(D) *Compliance with Florida Administrative Code Rule 69A-43.018, "One and Two Family Dwellings, Recreational Vehicles and Mobile Homes Licensed as Public Lodging Establishment."*

(8) ADVERTISING

(a) The vacation rental shall not be advertised for any commercial or non-residential use, including use of the property primarily as a party, event or entertainment venue or social hall. Any advertising of the vacation rental unit by the owner, representative or any service shall conform to information included in the vacation rental application and shall include at a minimum, identification of the maximum occupancy permitted on the property. The owner or representative shall ensure that the name and contact information for any listing services on or through which the vacation rental is to be offered for rent, which was provided in the application, is updated with the city to reflect any changes to ensure that the city has a current list of all sites on which the vacation rental is listed for rent. Advertisements for the vacation rental must display the Florida Department of Business and Professional Regulation Transient Lodging license number and the City of Clermont Vacation Rental Permit number.

(9) COMMERCIAL USE OF PROPERTY PROHIBITED

The vacation rental shall not be used for any commercial or non-residential use, including use of the property primarily as a party, event or entertainment venue or social hall.

Section 122-364 ADMINISTRATION, PENALTIES AND ENFORCEMENT

(1) ADMINISTRATION OF VACATION RENTAL PERMIT PROGRAM

(a) The ultimate responsibility for the administration of this chapter is vested in the City Manager, or his or her authorized designee, who is responsible for granting, denying, revoking, renewing, suspending and canceling vacation rental licenses for proposed and existing vacation rentals as set forth in this chapter.

(2) APPEALS

(a) Any decision of the City Manager, or his or her authorized designee, relating to the granting, denial, renewal, modification, suspension, or revocation of a vacation rental permit under this chapter shall be rendered in **writing**, and reviewed by the City Commission if a notice by the applicant is filed with the **City Clerk** within ten **(10)** days after the action to be reviewed. The City Clerk shall place the matter on the agenda of an upcoming meeting of the City Commission, at which time the matter will be reviewed. The decision of the City Commission shall be final, but may be reviewed as permitted under state law.

(3) NOTICE

Any notice required under this chapter shall be accomplished by sending a written notification by U.S. Mail, **(certified)** postage paid, to the mailing address of the vacation rental representative set forth on documents filed with the city under this chapter, which shall be considered for all purposes as the correct address for service, or by personal service or delivery to the vacation rental representative.



CITY OF CLERMONT
ORDINANCE NO. 2019-28

(4) **PENALTIES AND ENFORCEMENT**

(A) *By citation.* Any violation of this chapter may be punished by citation, as specifically described in the Land Development Codes and Clermont Code of Ordinances, including but not limited to, the requirements of a reasonable warning prior to issuance of a citation; provided, however, the violation shall be subject to a fine in the amount of **\$250**, for the first offense, **\$500** for the second and subsequent offenses, plus a suspension of the vacation rental permit, as provided hereinafter, for the third offense, **(via special magistrate)**.

(B) *Other enforcement methods and penalties.* Notwithstanding anything otherwise provided herein, violations of this chapter shall also be subject to all the enforcement methods and penalties that may be imposed for the violation of ordinances of the city as provided in the Clermont Code of Ordinances. Nothing contained herein shall prevent the city from seeking all other available remedies that may include, but not be limited to, injunctive relief, abatement of public nuisance, liens, fines, imprisonment, and other penalties as provided by law.

(C) *Suspension of permit.* In addition to any fines and any other remedies described herein or provided for by law, the City Manager shall suspend a vacation rental license upon a third violation of this chapter in any continuous 12-month period. The suspension of a vacation rental permit shall be for a period of one **(1)** year, and shall begin following notice, commencing at the end of either the current vacation rental lease period, or after thirty **(30)** calendar days, whichever is less. A dwelling unit may not be used as a vacation rental during any period of suspension of a vacation rental license. The suspension shall begin immediately following notice, commencing at the end of the then current vacation rental lease period.

(D) *Revocation of permit.*

(a) The City Manager may refuse to issue or renew a license or may revoke a vacation rental license issued under this chapter, if the property owner has willfully withheld or falsified any information required for a vacation rental license.

(b) The City Manager shall revoke a vacation rental license issued under this chapter upon the fifth (5th) adjudication of either a noise violation where the noise emanated from the vacation rental; or receipt of a parking violation where the parking violation occurred on the vacation rental property, or any combination thereof, within any continuous twelve **(12)**-month period.

(c) The property owner shall not be entitled to any refund of the annual fee paid for a permit for any portion of the unexpired term of a license because of revocation or suspension of the vacation rental license.

(d) For all purposes under this chapter, service of notice on the vacation rental representative shall be deemed service of notice on the property owner and occupant.

(e) No occupant shall occupy a vacation rental, and no advertisement for the vacation rental shall occur during any period of suspension or revocation of a vacation rental's vacation rental license.



CITY OF CLERMONT
ORDINANCE NO. 2019-28

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

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

VACATION RENTALS PERMIT REQUIREMENTS

Options to Consider:

1. *Vacation Rentals-Whole House Rental*
 2. *Home sharing – Owner lives at property, rents up to 50% of bedrooms*
 3. *Vacation Rentals and Home sharing*
 4. *Nothing*
-

1. A Vacation Rental Permit is for the short-term rental and use of entire house and property - (Maximum Occupancy 2 persons per bedroom permitted) **Exceptions for children under 13.
2. Permitted in all residential zoning districts
3. Duration/Time Frame (30 days' maximum)- Not intended for long term rental of property
4. Life Safety and Minimum Housing Standard Inspection Required. (** Applicant required to pay any inspection fees for life and building safety)
5. Application and Fee for Vacation Rental Permit - (\$350.00 1st year) and (\$150.00 Annual Renewal) - ** Permit may be revoked if not in compliance with the Ordinance
6. Floor Plan and Site Plan Required
7. Current Registration with Department of Revenue for (Income Reporting) to IRS
8. City and County Tax Receipt Required
9. Name and Address on File of Vacation Rental Representative/Management Company (must be located within 60 minutes of location for emergency purposes and must be available 24 hours per day, 7 days a week).
10. Commercial Use of Property Prohibited
11. Code Compliance Inspection of Vacation Rental Required, in the event the property is deemed a nuisance or inadequate after 3 consecutive violations shall result in the revocation of vacation rental permit and or code enforcement actions and fines.
12. Any modification or changes to vacation rental property must be reported and permit updated to reflect most recent changes.