



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, September 28, 2021**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor or by majority vote of the Council. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Fire Prevention Week

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Meeting Minutes

Consider approval of Council Meeting Minutes of August 24, 2021.

Item No. 2 - Boat Ramp Closure

Consider Boat Ramp closure on December 4, 2021 for the Light Up Clermont Parade.

Item No. 3 - Interlocal and Professional Consultant Agreement

Consider Levey Consulting, LLC contract for two scopes of service including Interlocal with Lake County. Funding is budgeted in FY 2022.

UNFINISHED BUSINESS

Item No. 4 - Ordinance No. 2021-027 *Final Olympus Rezoning*

Consider an amendment to Ordinance 2020-40 to reallocate permitted uses within the development project along with updating several exhibits.

Item No. 5 - Variance Request
Perez

Consider variance request allowing a residential lot street frontage to be less than the required 50 feet measured along the property lines contiguous to any street for vacant lots located on Pitt Street and Bloxam Avenue.

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NEW BUSINESS

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| Item No. 6 - Ordinance No. 2021-021 <i>Withdrawn Karma Housing CPA</i> | The applicant is requesting to withdraw the Comprehensive Plan Amendment. |
| Item No. 7 - Ordinance No. 2021-022 <i>Table Karma Housing Rezoning</i> | The applicant is requesting to table to December 14, 2021. |
| Item No. 8 - Ordinance No. 2021-024 <i>Table The Vue Small-scale CPA</i> | The applicant is requesting to table to October 26, 2021. |
| Item No. 9 - Ordinance No. 2021-025 <i>Table The Vue Rezoning</i> | The applicant is requesting to table to October 26, 2021. |

CLOSED SESSION

AT THIS TIME THE REGULAR COUNCIL MEETING SHALL BE IN RECESS SO THE COUNCIL CAN MEET IN A CLOSED LITIGATION SESSION.

ADJOURN

Public Notice

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Meeting agendas are available on the city website and are posted within the first floor of City Hall.

Should any person desire to appeal any decision of the City Council with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Office of the City Clerk at (352) 241-7331 (Voice) no later than two (2) business days prior to the proceeding or by contacting the City Clerk's Office at cityclerk@clermontfl.org. TTY users may call via 711 (Florida Relay Service) no later than two (2) business days prior to the proceeding.

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 City Clerk for the City's records.

PROCLAMATION

- Whereas,* the City of Clermont is committed to ensuring the safety and security of all those living in and visiting our city; and
- Whereas,* fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and
- Whereas,* smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and
- Whereas,* Clermont residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and
- Whereas,* Clermont residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and
- Whereas,* Clermont residents are responsive to public education measures and are better able to take personal steps to increase their safety from fire, especially in their homes; and
- Whereas,* the 2021 Fire Prevention WeekTM theme, “Learn the Sounds of Fire SafetyTM,” effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the Week of October 3-9, Two Thousand and Twenty One as:

FIRE PREVENTION WEEK

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 28th Day of September in the year Two Thousand and Twenty One.

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
August 24, 2021

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, August 24, 2021 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Pines, Entsuah, Bates, and Purvis.

Other City officials present were Parks & Recreation Director Davidoff, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was provided by Pastor Kendall Anderson of The Crossing Church followed by the Pledge of Allegiance.

OPENING COMMENTS

Parks & Recreation Director Davidoff, representing the City Manager's Office, informed the Council of a change to the agenda. Item No. 5 was being withdrawn by staff as the City was notified by the Florida League of Cities that there is a conflict between the agreement put out by the State of Florida and the US Department of the Treasury. The item will be added to a future agenda once less restrictive treasury guidelines are received.

PRESENTATIONS

Quarterly Budget Report

Finance Director Brosonski presented the highlights of the quarterly budget report for October 1, 2020 – June 30, 2021. The report presents an overview of the City's revenues, expenditures and key department statistics for the Fiscal Year 2021. Overall, the city's budget is on target.

Fire Station No. 2 Update

Fire Chief Ezell gave an overview of the fire station design to replace the existing Hartwood Marsh location. He reviewed the design to ensure the facility encompasses a look that compliments the community. He also reviewed improvements that will enhance service delivery and firefighter safety, and provided an update on utility easements.

Chief Ezell informed the Council that the property is owned by Kings Ridge Golf Course. In the process of sorting that out they have a verbal agreement to share a retention pond with the Homeowners Association (HOA). As part of the enhancements, they are looking at the possibility of adding a fourth bay which could also be utilized as a drive through vaccination site if needed. He informed the Council that there is not enough room on the site to make it a single story building. He estimates construction will begin in spring 2022.

Council Member Purvis stated that there is a severe lack of paper trail concerning that area and how it came to be. He believed that it was a gift from Lennar to the City. He stated that the parcel in question is retained by Kings Ridge because they provide the irrigation. He believes that Lennar did not do a survey of the land prior to gifting it to the City. He also informed the Chief that he believes that parcel has to follow the architectural guidelines of Kings Ridge as a deed restriction.

PUBLIC COMMENTS

Linda Charlton, 9101 County Road 561 – Talked about an unmarked grave in Oakhill Cemetery that she believes belongs to Groveland Town Marshall Robert Smithwick.

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Larry Oscan, 3500 Regency Court, Clermont – Asked to make Clermont a more diverse City.

Mayor Murry directed staff to look into making the City more diverse.

Ruth Baker, 15817 Heron Hill Street, Clermont – Spoke in support of the diversity idea.

Tom Simmons, 17500 Cobblestone Lane – Expressed appreciation to Police and Fire and Mayor. Mr. Simmons had additional comments, but Mayor Murry, having foreknowledge of the comments, asked Mr. Simmons to wait for later in the agenda when Commissioner Parks was to give his report.

Rachel Millers, Suburban Terrace, Lake County – inquired about the Headquarter Honda development returning to Council.

Mayor Murry informed Ms. Millens that Headquarter Honda will go through site review, but permits do not come back to Council.

Council Member Purvis informed Ms. Millens that the 8 ft wall will come back to Council due to it being a variance.

Dani Page, Tuscany Ridge, Clermont – Thanked EMS personnel. Expressed concern about understaffing. Expressed concern about over-development.

Council Member Purvis disclosed that he spoke with Ms. Page on this subject. He informed the public that the City of Clermont is not involved in ambulance service. He stated that the City may need to discuss going into the ambulance business. He requested that the subject be on a workshop agenda, and that the new City Manager be included.

Fire Chief Ezell informed the Council that they are very aware of the situation with ambulatory services. All the cities in Lake County are engaging with the county to find solutions. They are exploring options for transportation within the municipality, but are waiting on the County to return with an agreement.

Charlene Forth, 939 E. DeSoto Street, Clermont – Informed the Council about the grand opening event for Bee's Auto. Expressed concern over the process of how the golf cart ordinance was developed and brought before the Council.

REPORTS

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

Chairman Sean Parks, District 2 –

- Hartwood Marsh moved up to the number 1 road project in Lake County which was approved by the County today.
- The County will be going to the Florida Department of Transportation (FDOT) to rearrange their funding for half the cost of the \$11,500,000 project to widen Hartwood Marsh to four (4) lanes.
- The County will send out an RFP to do the engineering with a target date for construction of 2023.

Mayor Murry expressed extreme pleasure that the funding is met from both Lake County and the FDOT.

Chairman Parks also announced that now that Hartwood Marsh has a project timeline, they will be going after funding for Hancock Road next.

Council Member Purvis wished to acknowledge Mike Woods involvement and how the Metropolitan Planning Organization Board (MPO) stepped up to help resolve this issue.

Mike Woods, Lake-Sumpter MPO – Mr. Woods informed the Council that the MPO heard the call for help and agreed to move it to the first priority for roads. He stated that Winter Garden's truck ban helped to give focus to the issue.

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The MPO met with the Secretary of FDOT and came to an agreement where they gave back three (3) funded projects so the FDOT funds could be freed up to fund the Hartwood Marsh Road project.

Mayor Murry asked if there were any additional questions for Mike Woods. Seeing none, the floor was returned to Chairman Parks.

- Lake Boulevard has been raised as an issue for Lake County. The County will be looking to address safety issues with that street and intersection.
- Fred Schneider will give a road project presentation to the Council at the meeting in September.

Regarding Lake Boulevard, Mayor Murry informed Chairman Parks that he invited residents to voice their concern with Lake Boulevard not being annexed into the city.

Council Member Purvis stated that his observation was that residents are concerned about drainage issues. The City is sympathetic, but is unable to help them. He also stated that residents are concerned about on-street parking.

Chairman Parks stated that he will work with County staff on the drainage issues; the parking issue would require an ordinance change in order to prohibit and enforce parking.

Mayor Murry opened the floor for comments from the public. Those that spoke regarding concerns for Lake Boulevard and the intersection with SR50 are as follows:

Arlene Lynch, 13132 Shore Drive, Lake County – Concerns about road conditions.

Mary Lorry, 13024 Suburban Terrace, Lake County – Concerns about intersection and drainage.

Rachel Miller, 13127 Suburban Terrace, Lake County – Concerns about access road from Honda.

Tom Simms, 17500 Cobblestone Lane – Concerns about congestion along SR50.

Seeing no further comments, the floor was closed.

Mayor Murry stated that the City did not approve a public access. Council Member Purvis stated that the access is for EMS services. City Attorney Mantzaris stated that the City requires the access point.

There was some discussion regarding the Magnolia Pointe HOA regarding access; it is a case that will come before the County Commission.

Council Member Purvis suggested that the County, during their discussion with FDOT, mention the Lake Blvd intersection and the possible creation of a deceleration lane to turn right as it could help with safety.

Regarding congestion, Council Member Purvis asked if this will fall under the JPA. Chairman Parks stated that it would, so it would come back for review by both the City and the County.

Chairman Parks reminded the Council that a big reason they are focused on the Lake-Orange Expressway and the Wellness Way route enhancements is to reduce traffic on SR50.

- The Board of County Commissioners legislative agenda is being developed. They are looking at adding Lake Technical College.
- Ambulatory services has very low morale. They have provided pay raises and are doing immediate hiring to help alleviate issues, but it has not done much. He asks that the City hold a workshop on EMS and doing a partnership with the County. He would attend on behalf of the County.

Council Member Entsuah stated he would like to see a presentation about the East Central Regional Planning Council from Chairman Parks. He would like to see the City get more involved with the regional planning council.

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Chairman Parks agreed to do a presentation, possibly at the September 28 meeting in conjunction with the regional transportation presentation. He added that the regional planning council could assist both the County and the City with EMS and Fire.

INTERIM CITY MANAGER REPORT

Parks & Recreation Director Scott Davidoff, representing the City Manager's Office, reminded the Council that City Hall would be closed on Monday, September 6 in observance of the Labor Day holiday. He reminded them that they will be busy in the upcoming weeks with the following meetings and events:

- September 08, 2021 – 6:30pm – First Budget Public Hearing
- September 09, 2021 – First Day of Interviews for City Manager candidates
- September 10, 2021 – Full Panel Interviews
- September 11, 2021 – Memorial Ceremony at ARC 10am – Admission is free
- September 14, 2021 – 6:30pm – Regular City Council meeting

Director Davidoff also informed the Council that the City's Procurement Services Department had received the prestigious 2021 Achievement Award of Procurement of Excellence. Clermont is only one (1) of sixty-four (64) cities in the United States to receive the recognition.

Director Davidoff also reported on an additional item requested by the Council: Street Lighting Behind Bishop Park.

Jim Maiworm, Assistant Director of Public Services, provided an update. After the last City Council meeting, City staff was made aware of some alleged dark areas on Broome Street and Desoto and were asked to investigate. On August 11, city staff did a day time visual inspection and found that there are five (5) street lights appropriately positioned in the neighborhood. Staff did note that there is a large tree canopy which could be inhibiting some of the lights. City staff did a night investigation on August 12 and confirmed that all five (5) lights are working appropriately. The Public Services department has not received any complaints from those living on the block. Moving forward, staff plans to discuss with the residents their feelings and go from there.

Director Davidoff stated that staff also consulted with the Police Department and was informed that there was no evidence of a prowler. The Police Department indicated no evidence or no issues with lighting.

Mayor Murry stated that he went to the area himself. He did note that all the street lights were working. He stated that the house in question is very dark in the backyard and the street light is on the opposite side of the street. He stated that he believes the tree canopy is blocking some of the light and asked staff to trim some of the trees.

Assistant Director Maiworm agreed that trimming would be a good first step, but noted that due to power lines and some other factors, it will not be a simple trimming. He wants to talk to the neighborhood before taking any action.

Mayor Murry requested that staff examine lights behind Bishop Field.

Mayor Murry opened the floor for comments from the public.

Charlene Forth, 939 DeSoto Street, Clermont – Ms. Forth stated she is offended by the discussion. She argued that more needs to be done.

Seeing no further comments, Mayor Murry closed the floor.

Director Davidoff continued the report by informing the Council that the City's Special Magistrate has submitted his resignation effective at the close of the next business day.

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There have been discussions by the Council regarding a Code Enforcement Board, but would like clear direction from the Council. If there is a direction for a change, it does require a code change.

Council Member Bates said he does not want to mix things up right now.

Council Member Purvis disclosed that he discussed this issue with Director Davidoff prior to the meeting. He is an advocate for a peer code board. He would like the Council to vote on it.

Council Member Pines stated that she wants to see the pros and cons for both systems. She stated that a magistrate keeps the city neutral. She has no problem with a Special Magistrate.

Council Member Entsuah asked how long the appointment is for. City Attorney Mantzaris stated that the contract is for two (2) years; it is terminable at any time. Council Member Entsuah stated that is for a code board, but he is not anti-magistrate.

Council Member Pines raised the issue that the City would have to hire a separate attorney for the code board. City Attorney Mantzaris confirmed that the City would need to appoint a separate counsel as the City Attorney cannot represent the Code Board.

Mayor Murry stated that he is for the Code Board being reinstated. He has spoken with Director Davidoff as to which is more effective, and he was told the Special Magistrate is more effective. He believes it is a great opportunity for the residents to get involved.

MOTION TO REVERT back to a Code Enforcement Board as set forth in statutes made by Council Member Purvis; Seconded by Council Member Entsuah. Motion Fails 3/2 with Council Members Bates, Entsuah, and Pines opposing.

Mayor Murry stated they will move forward with a magistrate at this time.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Bates – No report.

Council Member Purvis –

- Would like the Acting City Manager to hold off on hiring director level positions until the new City Manager is installed.

Council Member Entsuah – No report.

Council Member Pines – No report.

Mayor Murry –

- Spoke regarding the golf cart issue stating he did meet with Mr. Johnson months ago as well as the other council members.

CONSENT AGENDA

Mayor Murry advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

Item No. 1 – Appointment

Consider appointing Scott Davidoff to the Acting City Manager Position effective September 4, 2021.

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Item No. 2 – Contract Amendment

Consider first contract amendment between the City of Clermont and TetraTech, Inc for additional construction administration services in the not to exceed budgeted amount of \$429,777.

**Item No. 3 – Utility Service Agreement
*Granville Properties LLC***

Consider water and sewer service for a new development in Lake County, in which the City is the utility provider for a small office/warehouse facility on Granville Avenue, South of SR 50.

Item No. 4 – Resolution No. 2021-044R

Consider FY2021 Budget Amendment.

Item No. 5 – Resolution No. 2021-049R

Consider granting authorization for the City Manager to accept the American Rescue Plan Act – Coronavirus Local Fiscal Recovery Fund Agreement with the State of Florida in the amount of \$19,359,997.

Item No. 6 – Minutes Approval

Consider approval of the July 27, 2021 City Council meeting minutes.

Item No. 1 was requested to be pulled by members of the public.

MOTION TO APPROVE items 2, 3, 4, and 6 for the consent agenda item for August 24, 2021 made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

Dani Page, Tuscany Ridge – Asked for clarification on the ceasing of hiring director level positions.

Council Member Purvis stated that the Acting City Manager has received direction to not hire positions that report directly to the City Manager.

MOTION TO APPROVE item 1 for the consent agenda item for August 24, 2021 made by Council Member Bates. Seconded by Council Member Entsuah. Passed unanimously with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 7 – Ordinance No. 2021-020 *FINAL – Realty Professionals of Florida*

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the ordinance into the record by title only. The staff presentation was made by Development Services Director Henschel.

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The applicant is requesting a rezoning of the subject property from C-2 General Commercial to Planned Unit Development (PUD), to allow for the installation of barbed-wire fence materials for a commercial property instead of meeting the requirements of the Land Development Code, which prohibits any barbed-wire and razor wire fence materials in residential and commercial districts. The current use is commercial office. The use of barbed-wire fencing is only permitted for M-1 Industrial uses and zoning. The code permits fences and walls up to a six (6) foot height for any commercial development.

The applicant indicates the reason for the request is to prevent theft and property vandalism at this location. One of the offices is a landscaping business that parks their vehicles onsite overnight at the location. The Planned Unit Development (PUD) zoning allows flexible development of the property based upon the applicant's proposed use that is not customarily allowed by the code.

Staff finds the PUD rezoning request to allow barbed-wire fencing in a commercial district is out of character with the surrounding area and existing development patterns. The proposed use of barbed-wire fencing at this location; may be considered as undesirable and unconventional for the use of commercial property. The State Road 50 corridor is the primary east-west thoroughfare through the City and the gateway to the Clermont Downtown District. This thoroughfare is designed to create and provide an attractive and viable physical environment to retain and attract commercial businesses along the corridor. The City, along with private businesses, have invested resources and revitalization efforts in the area to promote and encourage a cohesive and aesthetically pleasing commercial gateway along Highway 50. The barbed-wire fence at this location is inconsistent with those redevelopment initiatives.

Staff acknowledges the need to protect all businesses in the City from any type of theft or vandalism; but no other businesses in the area have reported any problems and have installed barbed-wire fencing. The applicant may have the option of securing items inside the buildings or a secured storage facility to prevent this type of criminal element. The use of barbed-wire fencing along the corridor is extreme and out of character with the existing business and commercial office uses in the area. The applicant does have the ability to install a wall up to six foot high to provide for additional privacy and methods of protection for the property.

Staff has reviewed the application and proposed use in regards to the purpose and intent for Planned Unit Development (PUD) zoning and the requirements for compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is inconsistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Particularly, the proposed use is inconsistent with Section 122-315 (2) (c) in which the use would be considered as undesirable at this location. Therefore, staff recommends denial of Ordinance No. 2021-020, rezoning request of the subject property from C-2 General Commercial to Planned Unit Development (PUD) to allow for the use of barbed-wire fence materials for a commercial property.

Mayor Murry asked if the applicant was present.

Harvey Rosenberg, 300 E HWY 50, Clermont – Mr. Rosenberg stated that his business has been robbed four (4) times in the last 12 to 14 months. They have lost over \$20,000 in equipment. Since installing the barbed wire fence, they have not been robbed. He is requesting Council approval.

Mayor Murry opened the floor for comments from the public.

Dani Page, Tuscany Ridge – Supported the request.

Charlene Forth, 939 W. Desoto Street – Opposed to the request. Dangerous for law enforcement.

Randy Evedeen, 2430 Woodward Hill Court – supported the request.

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Seeing no further comments, Mayor Murry closed public hearing.

Council Member Entsuah asked if there has been any attempts since the barbed wire is installed. Mr. Rosenberg stated there has been one (1) attempt, but nothing else. The barbed wire is a deterrent.

Council Member Bates asked if Mr. Rosenberg was aware he needed a permit for the barbed wire. Mr. Rosenberg stated that they put the barbed wire up after they were robbed the third time.

Council Member Bates asked about the landscaping that was done. Director Henschel stated that the shrubs planted will easily reach over 6ft tall. Mr. Rosenberg added that they also had an irrigation system installed to help them grow.

Mayor Murry asked if Mr. Rosenberg has a camera system. Mr. Rosenberg responded that he has a four-camera system that cover the entire property. However, when he handed footage of the robberies over to the Police Department all you could see were the hands of the robbers and the towels they hung over their heads. He also has a 16 camera system going over the parking lot.

Director Henschel reviewed the police reports over the last three years.

Council Member Purvis stated that he feels sympathetic to Mr. Rosenberg. There is nothing more frustrating than having equipment stolen or damaged. However, he added that the use does not fit the site. He feels that it is an eyesore as it is and is not supportive of the rezoning. He suggested Mr. Rosenberg find a secured storage area.

Council Member Pines asked if the city code allows barbed wire. City Attorney Mantzaris responded that it does not. He informed the Council that since Mr. Rosenberg's request was not eligible for a variance, he had two options: apply for a rezoning or have the Council change the code. Since the Council decided not to change the code, this was the only option.

Mayor Murry wanted to make clear that a suggested path forward by staff is not a guarantee of passage.

MOTION TO DENY the application in Ordinance 2021-020 made by Council Member Purvis. Seconded by Council Member Pines. Passed on a roll call vote of 4 to 1 with Council Member Entsuah opposing the motion.

Item No. 8 – Ordinance No. 2021-023 *FINAL – Disston Duplexes*

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the ordinance into the record by legal title only. Planning Manager John Kruse provided the staff presentation.

The applicant is requesting a rezoning to a Planned Unit Development (PUD) to allow up to six (6) two-family duplex styled housing units, with a maximum, not to exceed 12 units for the entire site. The current property zoning is R-3 Residential Professional, C-1 Light Commercial and C-2 General Commercial with a Commercial Future Land Use designation. The 1.39 acres consist of several lots, which will be combined to create one entire lot for the project.

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The Commercial Future Land Use requires densities greater than eight units to obtain a Conditional Use Permit or certain housing types shall be permitted with a PUD consistent with the Land Development Regulations. The applicant has submitted a Conceptual Site Plan prepared by Germana Engineering, showing the proposed buildings, parking, landscape areas and access points for the property. The City Council on June 8, 2021 denied a Planned Unit Development (PUD) rezoning request to allow for up to 12 two-family duplex style-housing units for the subject property.

The applicant has redesigned and made substantial changes to the conceptual plan layout for the proposed development. The concept plan identifies that each unit will be two bedrooms with an attached single car garage and provide approximately 1,200 square feet of living space. The Land Development Code requires two parking spaces for each two-bedroom residential unit. The applicant has identified the garages and a driveway to meet the parking requirements. The project, as designed, shows two additional onsite guest/visitor parking spaces for the development. The application and proposed project layout as submitted, does not request any variances or waivers to code, and will be required to comply with the Land Development Regulations along with any fire and building safety codes for development. The project will also be required to meet Clermont Architectural Design Standards for the proposed buildings. The project has provided an onsite dumpster with enclosure to meet the refuse and collection needs of the proposed housing development. The applicant will be responsible for the coordination and associated cost for any refuse and collection services needed for the housing community.

In addition, the development concept plan has proposed the internal access streets and curbs with a width of 24 feet wide, which complies with the requirements of the code. The code requirements for the minimum 24 feet streets width provides a safe traffic flow pattern, that allows emergency vehicles and pedestrians the ability to safely maneuver and exit the property. The project will be required to meet any fire safety and emergency vehicle accessibility requirements, which may include additional fire hydrants, sprinkling of buildings and other safety measures for compliance to the codes.

Staff has reviewed the application and proposed project and determined that the project does meet the requirements of the Land Development Regulations and general provisions for granting a Planned Unit Development (PUD). The proposed development is not in conflict to the Clermont Comprehensive Plan goals, objectives and policies for commercial land use. Staff recommends approval of Ordinance No. 2021-023. The Planning & Zoning Board also recommend approval by a vote of 7 to 0.

Mayor Murry asked if the applicant is present.

Bob Thompson – *Applicant*. Mr. Thompson asked for approval.

Mayor Murry opened the floor for comments from the public; seeing no comments, the floor was closed.

Council Member Purvis complimented staff and Mr. Thompson on working out the details. This is a good project, and he will support it.

MOTION TO APPROVE AND ADOPT the rezoning request in Ordinance No. 2021-023 made by Council Member Bates. Seconded by Council Member Purvis. Passed 5/0 on roll call vote with all members present voicing aye.

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NEW BUSINESS

Item No. 9 – Citizen Request

Charles Forth, 939 W. Desoto Street, presented photos and information to the Council on the following topics and provided a handout:

- Personal History and Professional Credentials
- Code Enforcement Issues in the City
- Lack of Proactive Code Enforcement in the City
- Proposed Solutions to Code Enforcement Issues
 - Educate the Public
 - Implement a Code Enforcement Board instead of a Magistrate system
 - Additional Training for Current Officers
 - Release Code Enforcement Officer from split boat ramp duties
 - Add a Code Enforcement Officer as a parking specialist

Council Member Purvis thanked Mr. Forth for his presentation.

Council Member Pines stated that she appreciates the presentation and will take it to heart. Agrees the City needs more code enforcement officers, but this is not in the budget this year. Reminded the Council that this is just another example of an unmet need in the City, and which is why she advocated for examining the millage rate during the previous budget hearings.

Mayor Murry agreed with Mr. Forth and thanked him for his presentation. He then read a request from Mr. Forth's handout aloud regarding the sharing of the code officer with the boat ramp and answered how that position developed.

Director Davidoff informed the Council that a new section of the code was created to address commercial businesses. The Code Enforcement Officer will be there to enforce the code and will have the appropriate credentials to write tickets for those that violate the code.

Mayor Murry asked city staff to find funds to hire another Code Enforcement Officer to help and become proactive.

Council Member Purvis stated that he sees this as a two pronged issue. He asked if there was any desire among the Council Members to rescind the previous direction to staff about the Special Magistrate.

Council Member Pines stated that she believes they still need to wait for a new City Manager. Council Member Bates and Entsuaah were in agreement.

A member of the public asked if they were going to open the item for comments from the public. Mayor Murry responded that the floor would not be opened for a Citizen presentation.

City Attorney Mantzaris informed the Council that the City has adopted the International Property Maintenance Code as which is a tool to address building issues. He also informed the Council that the citation process used by the City of Orlando is the same process used in Clermont. The tools are in place to enforce the code once sufficient staff is in place.

Mayor Murry would like this on the next available workshop agenda. Council Member Purvis asked staff to bring a proposal back for consideration at the First Budget Public Hearing.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
August 24, 2021

ADJOURN: With no further comments, this meeting adjourned at 9:37pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 28, 2021		
Agenda Item Name		
Boat Ramp Closure		
Requested Action		
Consider approval for the closure of the Boat Ramp on December 4, 2021 for the Light Up Clermont Parade		
Staff Report		
The Parks and Recreation Department is requesting to close the boat ramp on Saturday, December 4, 2021, for the approved annual Light Up Clermont parade. The boat ramp will be used for parking for all the participants of the event. Following the completion of the parade, staff will open it for regular use.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 28, 2021		
Agenda Item Name		
Interlocal and Professional Consultant Agreement		
Requested Action		
Staff Report		
In 2019, the City Council approved a new contract with Levey Consulting, LLC that provided for general planning consulting services for City projects and continued support of the master plan implementation as well as planning support for Wellness Way. The current contract agreement was extended to October 31, 2021. Now that much of the original two scopes of service have been completed, staff is requesting to revise the two scopes of service and extend the contract for a one-year period, which has been accounted for in the FY2022 budget. This new contract with Levey Consulting will provide two specific scopes of service. The first scope (Task One) will be for the continued ongoing coordination of Wellness Way. This will include Project Administration, Plan Implementation, and Economic Development Assistance. An interlocal agreement with Lake County is included, whereby the County will be funding half of the services provided by Levey Consulting, LLC. These services are directly related to the development of Wellness Way. The overall contract with Levey Consulting, LLC is for \$70,000. The interlocal agreement with the County will provide funding up to \$35,000 for the services provided for the continued development of Wellness Way. The second scope (Task Two) will be for the continued support of City Development Services. This will include Project Administration, Plan Implementation and Economic Development Assistance. This service will cost \$2,500 per month or \$30,000 annually for FY2022.		
Additional Analysis		
Fiscal Impact Summary		
The FY 2022 budget includes funding for the professional services agreement (tasks one and two) along with the reimbursement from the County for a portion of task one,		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Levey agreement 2022	Levey agreement 2022.doc	
2. Task 1 - Wellness Way	Task 1 - Wellness Way.docx	
3. Task 2 - City Services	Task 2 - City Services.docx	
4. Interlocal 2021	Interlocal 2021.docx	

PROFESSIONAL
CONSULTANT SERVICES
AGREEMENT

THIS AGREEMENT, made this 28th day of September, 2021, between the City of Clermont, a Municipal Corporation of the State of Florida, (hereinafter referred to as the "CITY") and Levey Consulting, LLC, whose address is PO Box 560156-0156, Orlando, Florida 32856-0156 (hereinafter referred to as "CONSULTANT").

WITNESSETH

WHEREAS, the City is in need of qualified, professional consulting services to assist the City with multiple services with regard to planning and economic development area, including but not limited to providing strategic guidance, planning and development services for and on behalf of the City and Lake County and for the Wellness Way area and providing general services to the City's Planning Department.

NOW THEREFORE, in consideration of the covenants, representations and agreements herein contained, the parties agree as follows:

1. **SCOPE OF SERVICES:** The project and services provided hereunder shall be provided in accordance with any and all applicable laws and professional standards and shall be divided into two Tasks. Task One shall be the Wellness Way Area services provided on behalf of the City and Lake County and as more particularly described in and set forth in the Scope of Services attached hereto and incorporated herein as Exhibit "A". Task Two shall be City general planning services as assigned by the City Manager and as more particularly described in and set forth in the Scope of Services attached hereto and incorporated herein as Exhibit "B". The CITY agrees to and does engage CONSULTANT to perform the professional services as more particularly described in the Scope of Services set forth in Exhibits "A" and "B".

CONSULTANT agrees to assign Richard L. Levey, Ph.D., AICP to perform the assigned responsibilities and duties faithfully, intelligently, and to the best of their ability, and in the best interest of CITY and for Task One in the best interests of the City and Lake County during the term of this Agreement. All services provided shall be performed in accordance with this Agreement and with any and all applicable law, professional standards and guidelines. CITY may request CONSULTANT to make changes in the scope of services or make revisions to the work performed.

2. **AUTHORIZATION TO PROVIDE SERVICES:** CONSULTANT shall not be authorized to provide any services as set forth in the Scope of Services until such time as CONSULTANT has received written authorization from the City Manager, or his designee, to perform the specific tasks set forth therein. In the event that CONSULTANT commences any such services without such authorization, CONSULTANT expressly acknowledges that it shall not be entitled to compensation of any kind related to said services.

3. **COMPENSATION:**

a. The CITY agrees to and does engage CONSULTANT to perform the professional services for Task One as described in Exhibit "A" for compensation in the annual amount of Seventy Thousand (\$ 70,000) which may be increased as authorized by the City Manager. CONSULTANT shall bill CITY in installments no more frequently than one time per month and in accordance herewith.

b. The CITY agrees to and does engage CONSULTANT to perform the professional services for Task Two as described in Exhibit "B" for compensation in the amount of \$ 2,500 per month.

c. As a condition precedent to receiving payment, CONSULTANT shall have been authorized to proceed by CITY for the specific phase or sub-task, shall not be in default of any of the terms and conditions of this Agreement and shall provide to CITY an invoice. The invoice shall include a statement identifying the services provided in accordance with the Scope of Services.

d. All invoices submitted for compensation shall include a statement by CONSULTANT that states as follows:

This statement sets forth only actual time spent by the firm's employees and does not contain any unit billing, multipliers, or other devices that permit payment for more than actual time spent.

e. CITY shall pay all valid, approved and undisputed invoices within thirty (30) days of receipt from CONSULTANT. In the event that CITY disputes any invoice submitted, it shall advise CONSULTANT in writing and said invoice shall not be deemed due and payable under this agreement. Neither the CITY's review approval or acceptance of, nor payment for, any services provided hereunder shall be construed to operate as a waiver of any rights under this Agreement and the CONSULTANT shall be liable to CITY for any and all damages to CITY caused by the CONSULTANT's negligent or wrongful performance of any of the services furnished under this Agreement.

4. **TERM.** This Agreement shall take effect on October 1, 2021 and shall continue for a period of twelve (12) months, until October 1, 2022, or the agreement is terminated as provided in Section 5 below. The term may be extended by mutual written consent of the parties.

5. **TERMINATION.**

a. The non-breaching party upon breach of the terms and conditions contained herein may terminate this Agreement.

b. CONSULTANT recognizes that the services to be provided as part of Task One and set forth in Exhibit "A" are provided as part of an Interlocal Agreement between the City and Lake County. A copy of the Interlocal Agreement is attached hereto and incorporated herein as Exhibit "C". In the event of expiration or termination of that Interlocal for any reason, the portion of this Agreement related to Task One, the services to be provided and the obligation of payment shall immediately terminate as of the effective date of the termination of the Interlocal Agreement. In the event of such termination, the portion of this Agreement related to Task Two, unless otherwise terminated as provided in this Section 5, shall remain and continue in full force and effect.

c. Additionally, CITY shall have the right to terminate the agreement, for any reason, upon thirty (30) days written notice to the CONSULTANT. In the event of termination, without cause, by the CITY pursuant to this section 5c, CONSULTANT shall be compensated in accordance with the services completed and accepted, as of the date of the termination and as set forth in the Scope of Services.

6. **RESPONSIBILITIES OF CONSULTANT.** In addition to all other responsibilities provided herein, CONSULTANT expressly understands and agrees that, through the above- referenced assigned personnel, it shall perform all the services required in the Scope of Services, and further agrees as follows:

a. CONSULTANT acknowledges that CITY and Lake County have entered into an Interlocal Agreement, Exhibit "C" hereto, related to the provision of services as set forth in Exhibit "A". CONSULTANT expressly agrees that to the extent that the terms or conditions as set forth in Exhibit "C" are applicable to CONSULTANT and the performance of services hereunder, those terms and conditions are incorporated herein, and CONSULTANT shall comply therewith to the fullest extent.

b. CONSULTANT shall provide at such frequency as may be determined by CITY, and at a minimally monthly, a report as to CONSULTANT's progress as to performance of the scope of services authorized hereunder.

c. CONSULTANT may retain subcontractors to provide any of the services contemplated herein. Said subcontractors shall be used at the sole expense of CONSULTANT, under the direct supervision of CONSULTANT and with the prior written approval of CITY.

d. CONSULTANT expressly acknowledges that any and all documents, plans, designs, reports, and specifications related to the project and acquired or created by CONSULTANT shall remain, at all times the property of CITY and CONSULTANT. CONSULTANT, therefore, shall preserve and maintain said records and shall immediately provide copies of them to CITY upon termination of this Agreement.

7. **RESPONSIBILITIES OF CITY.** The City shall provide full information, as reasonably directed by CONSULTANT, regarding the requirements of the project.

8. **AUTHORIZED REPRESENTATIVE OF THE CITY.** During the term of this Agreement, the City Manager shall be the designated representative authorized to act on behalf of the CITY, as provided by law, with respect to the project.

9. **INSURANCE PROVIDED BY CONSULTANT.**

a. **Workers Compensation.** CONSULTANT agrees to pay for and maintain in full force and effect all applicable workers compensation insurance as required by Federal and Florida Law.

b. **Comprehensive Automobile Liability.** CONSULTANT agrees to pay for and maintain in full force and effect at all times during the term of this Agreement, bodily injury and property damage liability insurance. The limits of said policies shall be in an amount approved by the CITY.

c. **Proof of Insurance.** The originals of the aforementioned policies of insurance, or certificates of the issuance thereof, shall be delivered to the CITY as evidence of the compliance by the CONSULTANT with the terms and provisions contained herein. Each of the said insurance policies shall be issued by a company or companies authorized to do business in the State of Florida and which have an A.M. Best Company Rating of "A" or better and a Financial Size Category of "VII" or as otherwise approved by CITY, in its sole discretion. Each policy shall name the CITY as an additional insured. The proof of insurance as provided herein, shall be delivered to CITY initially upon execution of this Agreement and thereafter, within thirty (30) days immediately following each renewal thereof.

d. **Loss of Insurance.** If during the period which an insurance company is providing the coverage required by this Agreement, an insurance company shall: 1) lose its Certificate of Authority, 2) no longer comply with any applicable Florida Law, or 3) fail to maintain the Best Rating and Financial Size Category, CONSULTANT shall, as soon as it has knowledge of any such circumstance, immediately notify CITY and immediately replace the insurance coverage provided by the insurance company with a different insurance company meeting the requirements of this Agreement. Until the CONSULTANT has replaced the unacceptable insurer with an insurer acceptable to CITY, the CONSULTANT shall be deemed in default of this Agreement.

e. Insurance Coverage Not Limitation of Liability. The maintenance of insurance coverage as provided herein shall not be construed to limit or have the effect of limiting CONSULTANT's liability to CITY under the provision of any clause or paragraph contained in this Agreement.

10. **INDEMNIFICATION.** CONSULTANT agrees to hold harmless and indemnify, including attorney fees, CITY, its officers, employees and agents against any and all claims, losses, damages or lawsuits for damages, arising from or related to negligent acts, errors or omissions of the CONSULTANT.

11. **INDEPENDENT CONTRACTOR.** The parties agree that at all times and for all purposes within the scope of this Agreement, the relationship of CONSULTANT and CITY is that of an independent contractor.

12. **FORCE MAJEURE.** With regard to the performance hereunder, CONSULTANT shall not be deemed to be in default of this agreement, or have failed to comply with any term or conditions herein if, for reasons beyond CONSULTANT's reasonable control (including, without limitation, acts of God, natural disaster, labor unrest, war, declared or undeclared, the existence of injunctions or requirements for obtaining licenses, permits or other compliance with applicable laws, rules and regulations), such performance is not reasonably possible within such time periods, then the time for such performance shall be extended until removal of such reasons beyond CONSULTANT's reasonable control, provided that CONSULTANT commences such performance as soon as reasonably possible and diligently pursues such performance.

13. **NOTICES.** All notices shall be in writing and sent by United States mail, certified or registered, with return receipt requested and postage prepaid, or by nationally recognized overnight courier service to the address of the party set forth below. Any such notice shall be deemed given when received by the party to whom it is intended.

CONSULTANT:	Levey Consulting, LLC PO Box 560156-0156 Orlando, FL 32856-0156
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CITY:	Scott Davidoff, Acting City Manager City of Clermont 685 W. Montrose Street Clermont, FL 34711
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14. **PROHIBITION AGAINST CONTINGENT FEES.** CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for CONSULTANT, to solicit or secure this agreement and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for CONSULTANT any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of making of this agreement. For breach or violation of this provision, in addition to any and all remedies available to CITY, CITY shall have the right to terminate this agreement without liability and to deduct from the contract price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

15. **GENERAL PROVISIONS.**

a. Attorneys' Fees. In the event a suit or action is instituted to enforce or interpret any provision of this Agreement, the prevailing party shall be entitled to recover such sum as the Court may adjudge reasonable as attorneys' fees at trial or on any appeal, in addition to all other sums provided by law.

b. Waiver. The waiver by CITY of breach of any provision of this Agreement shall not be construed or operate as a waiver of any subsequent breach of such provision or of such provision itself and shall in no way affect the enforcement of any other provisions of this Agreement.

c. Severability. If any provision of this Agreement or the application thereof to any person or circumstance is to any extent invalid or unenforceable, such provision, or part thereof, shall be deleted or modified in such a manner as to make the Agreement valid and enforceable under applicable law, the remainder of this Agreement and the application of such a provision to other persons or circumstances shall be unaffected, and this Agreement shall be void and enforceable to the fullest extent permitted by applicable law.

d. Amendment. Except for as otherwise provided herein, this Agreement may not be modified or amended except by an Agreement in writing signed by both parties.

e. Entire Agreement. This Agreement including the documents incorporated by reference contains the entire understanding of the parties hereto and supersedes and replaces any and all prior and contemporaneous agreements between the parties with respect to the performance of services by CONSULTANT.

f. Assignment. This Agreement is personal to the parties hereto and may not be assigned by CONSULTANT, in whole or in part, without the prior written consent of CITY.

g. Venue. The parties agree that the sole and exclusive venue for any cause of action arising out of this Agreement shall be Lake County, Florida.

h. Applicable Law. This Agreement and any amendments hereto are executed and delivered in the State of Florida and shall be governed, interpreted, construed and enforced in accordance with the laws of the State of Florida.

i. Public Records. CONSULTANT expressly understands records associated with this project are public records and agrees to comply with Florida's Public Records law, to include, to:

(1) Keep and maintain public records that ordinarily and necessarily would be required by the CITY in order to perform the services contemplated herein.

(2) Provide the public with access to public records on the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided in this Florida's Public Records law or as otherwise provided by law.

(3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(4) Meet all requirements for retaining public records and transfer, at no cost, to the CITY all public records in possession of the CONSULTANT upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the CITY in a format that is compatible with the information technology systems of the CITY.

(5) IF CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTRACTOR SHALL CONTACT THE CITY'S CUSTODIAN OF PUBLIC RECORDS AT CITY CLERK'S OFFICE, 352-241-7330.

IN WITNESS WHEREOF, the parties hereto have made and executed this agreement for the purposes herein expressed on the date first above written.

Attest:

CITY OF CLERMONT, FLORIDA

BY: _____

Tracy Ackroyd Howe, City Clerk

BY: _____

Tim Murry , Mayor

Levey Consulting, LLC

BY: _____

Richard L. Levey, Ph.D., AICP

Managing Director

Exhibit A

Task One

Wellness Way Project Scope

I. Project Administration

- a. Provide ongoing coordination efforts between the City, County, and Landowners/Developers
- b. Manage ongoing Stakeholder Group activities
- c. Assist the City and County in their respective public hearing process for adopting Comprehensive Plan Amendments and Land Development Code/Design Guidelines amendments
- d. Assist Lake County on any potential infrastructure finance and/or maintenance funding efforts, including potential MSBU creation
- e. Provide support to City and County staff in addressing any proposed modifications to the proposed Comp Plan Amendment(s) and/or Design Guidelines.
- f. Attend meetings/virtual calls as needed

II. Plan Implementation

- a. Assistance to City and County staffs on coordination with CONSERV staff on public access to CONSERV lands for trails and recreational use.
- b. Coordination with Lake Utilities Inc and SECO on new water, wastewater and electric infrastructure facilities.
- c. Assist Lake County Roadway and Transportation Impact Fee Credit Agreements.
- d. Assist the City and County in the review of new development proposals for compliance with the updated Comprehensive Plan and Design Guidelines

III. Economic Development Assistance

- a. Coordinate with the Agency for Economic Prosperity on implementing new Tier III incentive program.
- b. Support the City and Lake County in the attraction of potential employers
- c. Assist the City and County in development of a Wellness Way Marketing Plan/Strategy

Exhibit B

Task Two

City Support Services

The City and Consultant agree that the Consultant will perform the services as set forth below, which may be updated from time to time via direction from the City Manager and/or the Development Services Director. The Services that Consultant shall provide to the City of Clermont are as follows in the following key strategic areas:

I. Program Administration

- a. Attend weekly Project Meetings and provide technical advisory support
- b. Produce workshop and/or City Council presentations and attend as necessary
- c. Attend meetings/virtual calls as needed
- d. Assist the City Manager and/or Development Services Director on projects/tasks as assigned

II. Development Services

- a. Comprehensive Planning
 - i. Assist the staff in assessing the scope required for the Evaluation and Appraisal Report
 - ii. Assist in the production and processing of the new Property Rights Element
- b. Land Development
 - i. Attend Site Review meetings as necessary
 - ii. Provide technical and policy support on project application review
 - iii. Conduct research on prospective Land Development Code amendments
 - iv. Assist with annexations and Project Review in the Wellness Way area
 - v. Assist with matters regarding Community Development Districts
- c. Economic Development
 - i. Provide technical and policy support for City initiatives

**INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY, FLORIDA AND
THE CITY OF CLERMONT, FLORIDA
FOR CONSULTING SERVICES FOR WELLNESS WAY**

THIS INTERLOCAL AGREEMENT is made by and between Lake County, Florida, a political subdivision of the State of Florida (the “COUNTY”), and the City of Clermont, a municipal corporation organized under the laws of the State of Florida (the “CITY”).

WITNESSETH:

WHEREAS, Section 163.01, Florida Statutes, provides that local governments may enter into agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

WHEREAS, the Wellness Way Area Plan (the “WWAP”), is a special planning area in southeast Lake County, south of SR 50 and east of US 27 totaling approximately 15,000 acres that is expected to accommodate a significant regional employment center which will promote significant economic development while encouraging fiscally efficient and well-balanced development patterns; and

WHEREAS, the COUNTY and CITY wish to accomplish an extensive set of goals and objectives with the development of the WWAP that includes a conceptual master plan that portrays the program elements, and associated design guidelines; and

WHEREAS, the CITY has entered into a Professional Consulting Services Contract with Levey Consulting, LLC., a Florida Limited Liability Corporation (the “CONSULTANT”), to assist the CITY in developing and executing strategies for economic development in the WWAP; and

WHEREAS, the parties desire to enter into this Agreement in order to collaborate on the economic development of the WWAP.

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, understandings, conditions, promises, covenants and payment set forth in this Agreement, and intending to be legally bound, the parties hereby agree as follows:

1. Recitals. The above recitals are true and correct and incorporated in this Agreement by reference.

2. **Purpose.** The purpose of this Agreement is to memorialize the collaboration and support of the CITY and the COUNTY for the economic development of the WWAP, including financial contribution by the COUNTY (the “PROJECT”).

3. **City Obligations.**

A. The parties acknowledge that the CITY has solicited and retained the services of the CONSULTANT to assist the CITY for the PROJECT. The services, as identified in **Exhibit A**, attached hereto and incorporated herein by reference, to be provided by the CONSULTANT for the PROJECT will benefit both the CITY and the COUNTY.

B. The CITY, or the CONSULTANT at the CITY’S request, will provide monthly work task schedules to the COUNTY outlining the CONSULTANT’S proposed work tasks on the PROJECT on a monthly basis. Nothing by way of execution of this Agreement is intended to make CONSULTANT, its employees or agents to be contractors, agents, or employees of the COUNTY or obligate the COUNTY to make payments directly to the CONSULTANT.

C. The CITY shall ensure that the CONSULTANT will comply with Section 119.0701, Florida Statutes.

4. **County Obligations.**

A. The parties agree and acknowledge that the budget for the PROJECT contract is estimated to be approximately Seventy Thousand Dollars and 00/100 Dollars (\$70,000.00) per year. The CITY shall submit monthly invoices to the COUNTY outlining the approved tasks completed by the CONSULTANT. The COUNTY agrees to provide funding to the CITY for those services completed by the CONSULTANT which the Lake County Manager or designee determine to be beneficial for the COUNTY; but, except as provided below, in no event will the COUNTY be required to pay more than Thirty Five Thousand and 00/100 Dollars (\$35,000.00) annually during the term of this Agreement. Payments will be made in accordance with the Florida Prompt Payment Act, Chapter 218, Part VII, Florida Statutes. In the event that the services provided by CONSULTANT in the in initial term of this agreement, exceed \$70,000, upon prior notice to COUNTY, the COUNTY and CITY shall equally share in the additional cost above \$70,000. In the event this Agreement is extended for one additional twelve (12) month period as set forth under Section 7 below, the COUNTY shall provide funding in the amount not to exceed Thirty Five Thousand and 00/100 Dollars (\$35,000) for the additional year under the same terms and conditions as payments were made for the initial term.

B. Funding by the COUNTY to the CITY for the services provided by the CONSULTANT on the PROJECT will continue until such time as the CITY'S contract with the CONSULTANT expires or terminates or this Agreement is terminated, whichever is earlier. In the event funds obligated under this Agreement become reduced or unavailable, the COUNTY will notify the CITY of such occurrence, and the COUNTY may terminate this Agreement without penalty or expense to the COUNTY. The COUNTY will be the final authority as to the unavailability of funds.

C. In the event any of the funding for the PROJECT is funded by grant monies received by the CITY, the COUNTY will not be liable for any non-compliance with the provisions of such grant.

5. Coordination. The parties hereby agree that each will keep the other informed of communications that take place with the CONSULTANT. Each will provide notice to the other of all meetings or conference calls, or copy each other on written communications, so that both parties have the opportunity to participate fully in the development of the PROJECT with the CONSULTANT. The parties also agree that in the event a meeting or conference call takes place, and one party cannot participate, that the participating party will provide a written summary of the meeting or call to the other in a timely manner.

6. Future Projects. Nothing in this Agreement will prohibit the parties from negotiating a different allocation of responsibilities for, or contributions, to the development of the PROJECT. The maintenance and ownership of each future project, if any, will be negotiated on a project by project basis.

7. Term. The term of this Agreement will be for a period of one (1) year beginning on the effective date, with the option of the parties to extend one (1) additional twelve (12) month period.

8. Termination.

A. Either party may terminate this Agreement upon thirty (30) days written notice to the other party. Within twenty (20) days after the effective date of termination, the terminating party shall remit to the non-terminating party a payment equal to fifty percent (50%) of all PROJECT costs incurred as of the date of termination as well as fifty percent (50%) of all PROJECT work mutually authorized to proceed but which has not yet been completed. Nothing in this Agreement will preclude the non-terminating party from seeking additional support for the PROJECT.

B. In the event the CITY assigns or terminates the contract with the CONSULTANT, the CITY shall provide written notice to the COUNTY. In the event the CITY assigns the contract with the CONSULTANT to another vendor or sub-consultant, the COUNTY may terminate this Agreement if the Lake County Manager or designee determines that the vendor or sub-consultant is not acceptable or in the best interest of the COUNTY.

9. **Modifications.** Unless otherwise specified in this Agreement, no modification, amendment, or alteration of the terms or conditions contained in this Agreement will be effective unless contained in a written document executed by the parties to this Agreement, with the same formality and of equal dignity with this Agreement.

10. **Notices.**

A. All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, will be deemed to have been fully given or made or sent when in writing and addressed as follows:

COUNTY

County Manager
Lake County Administration Building
P.O. Box 7800
Tavares, Florida 32778

CITY

City of Clermont
City Manager
685 West Montrose Street
Clermont, Florida 34711

B. All notices required, or which may be given under this Agreement, will be considered properly given if: (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices will be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.

D. The parties may designate other parties or addresses to which notice will be sent by notifying, in writing, the other party in a manner designated for the filing of notice under this Agreement.

11. **Entire Agreement.** This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided in this Agreement.

12. **Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it will be considered deleted from this Agreement, and will not invalidate the remaining provisions.

13. **Effective Date.** This Agreement will become effective on the date the last party executes this Agreement (“effective date”).

14. **Assignment.** No party to this Agreement may assign the rights and obligations under this Agreement without the prior consent of the other party.

15. **Counterparts.** This Agreement may be executed in counterparts, each executed counterpart to be deemed an original and all of which will constitute but one and the same instrument. This Agreement may be executed by electronic signatures and electronic signatures will constitute originals for all purposes.

CITY

ATTEST:

CITY OF CLERMONT, FLORIDA

City Clerk

Tim Murry, Mayor

This _____ of _____, 2021.

Approved as to form and legality:

City Attorney

Interlocal Agreement between Lake County and the City of Clermont for Consulting Services for Wellness Way

COUNTY

LAKE COUNTY, FLORIDA through its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Gary J. Cooney, Clerk
of County Commissioners of
Lake County, Florida

Sean Parks, Chairman

This _____ of _____, 2021.

Approved as to form and legality:

Melanie Marsh, County Attorney

EXHIBIT A

Task One

Wellness Way Project Scope

I. Project Administration

- a. Provide ongoing coordination efforts between the City, County, and Landowners/Developers
- b. Manage ongoing Stakeholder Group activities
- c. Assist the City and County in their respective public hearing process for adopting Comprehensive Plan Amendments and Land Development Code/Design Guidelines amendments
- d. Assist Lake County on any potential infrastructure finance and/or maintenance funding efforts, including potential MSBU creation
- e. Provide support to City and County staff in addressing any proposed modifications to the proposed Comp Plan Amendment(s) and/or Design Guidelines.
- f. Attend meetings/virtual calls as needed

II. Plan Implementation

- a. Assistance to City and County staffs on coordination with CONSERV staff on public access to CONSERV lands for trails and recreational use.
- b. Coordination with Lake Utilities Inc and SECO on new water, wastewater and electric infrastructure facilities.
- c. Assist Lake County Roadway and Transportation Impact Fee Credit Agreements.
- d. Assist the City and County in the review of new development proposals for compliance with the updated Comprehensive Plan and Design Guidelines

III. Economic Development Assistance

- a. Coordinate with the Agency for Economic Prosperity on implementing new Tier III incentive program.
- b. Support the City and Lake County in the attraction of potential employers
- c. Assist the City and County in development of a Wellness Way Marketing Plan/Strategy

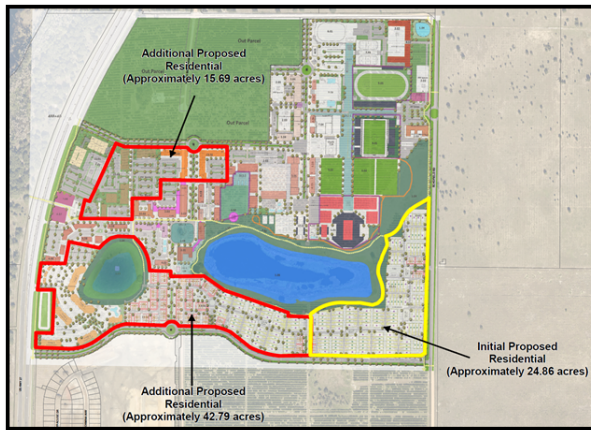


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 3

Meeting Date	
Tuesday, September 28, 2021	
Agenda Item Name	
Ordinance No. 2021-027 <i>Final</i> <i>Olympus Rezoning</i>	
Requested Action	
Recommend approval of Ordinance 2021-027	
Staff Report	
The applicant is requesting an amendment to PUD Ordinance 2020-40 to make some program adjustments and changes within the 243 +/- acre project. The project was originally approved by City Council in May of 2019 for a mixed-use project with residential, commercial, office, sports and entertainment uses. The applicant requested an amendment in 2020, which was approved by City Council in December 2020, to extend dates and timelines and to shift land uses within the project due to program changes. This amendment included shifting a portion of the residential (multifamily) from the upper northwest corner of the project to the southwest corner. The program capacity and entitlements did not increase or decrease in this amendment. The applicant is now requesting additional program changes, such as increasing the areas for residential uses within the project and decreasing lot width and sizes and including different housing types. The applicant is designating a majority of the lower portion of the project as the residential area. This area is not in the City's utility area and will be served by Utilities, Inc. The upper portion of the project will be served by the City of Clermont and utilities to this area are not in place at this time. Utility service will be extended to this general area via a utility agreement recently approved for the South Lake Crossing PUD to the northeast of this project. The overall base number of residential units, 1088 dwelling units, will not change. The base number of units can be increased to 1413 dwelling units through the use of transportation conversion matrix included in the original Planned Unit Development. The applicant has provided an updated regulating plan and site plan. In reviewing these plans, it was noted in some of the areas that were previously designated for non-residential use have been converted to residential use. The applicant has indicated that these program changes are due to changes in market conditions, the current housing demand, and the pandemic. Staff has noticed that the increase in land area for residential use has increased roughly by 50 acres from the original proposal while non-residential uses, mainly the wave pool area in the northeast corner and the hotel in the southern area, has been eliminated. The applicant has indicated that the residential portion has increased in land area, but the overall residential program has not changed. The applicant has indicated that the non-residential program will continue to be an important part of the project and will come during later phases.	



One of the most notable changes being requested is found in the Development Standards document, which is exhibit 3 to the PUD. This document provides the specific details of how the project will be designed and developed. In the revised Development Standards document, the applicant is proposing the addition of a townhome product with a minimum width of 16 feet and lot size of 1600 square feet. The applicant has provided a sample elevation and has indicated this would only apply to the interior units within the townhome building with the end units being 22 feet in width. The overall townhome building will range from 2 to 6 units in each structure. The 16' wide units will have a target living area of 900 to 1400 square feet and the 22' wide units will be 1550 to 1900 square feet. Some of the other Development Standard changes include, but are not limited to (1) a change in the side yard setback for detached single-family residential from 5 feet to 3-7 feet with a minimum of 10 feet between buildings, (2) first floor ceiling height in multi-family projects to be 10 feet instead of 12 feet, (3) an increase in the number of habitable stories from 5 to 8 in special use buildings, (4) Shared Parking, and (5) Construction Phase Flexibility.

At time of this amendment, the only site development that has been reviewed and approved is the 289 multi-family apartments in the southwest corner of the project. This site is referred to as the Integra Heights project within the Olympus development. The applicant is still working on the transportation impact fee agreement with Lake County and this project may not commence vertical construction until the transportation impact fee agreement is fully executed. The extension of City of Clermont utilities to the northern area has been designed and will commence shortly with Lennar installing and funding this improvement. A revised location for the fire station within Olympus has been proposed on the east side of the project on Schofield Road, south of Wellness Way Boulevard.

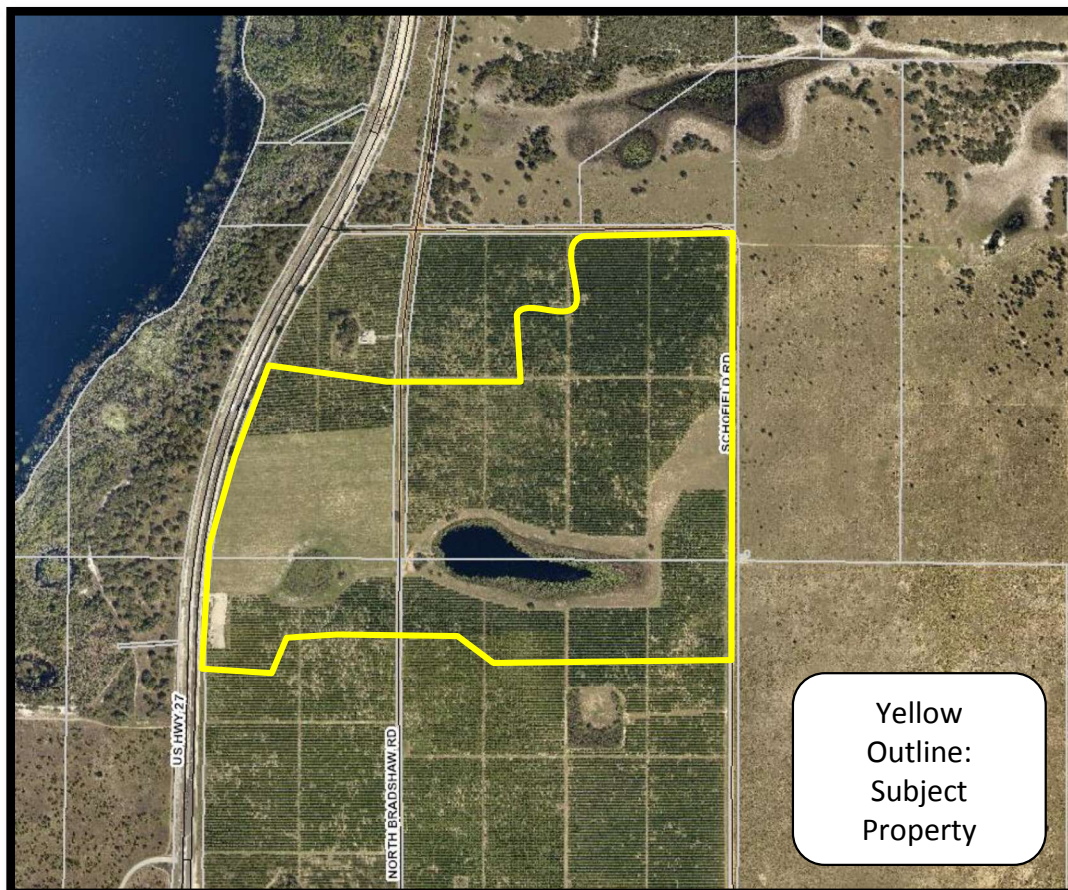
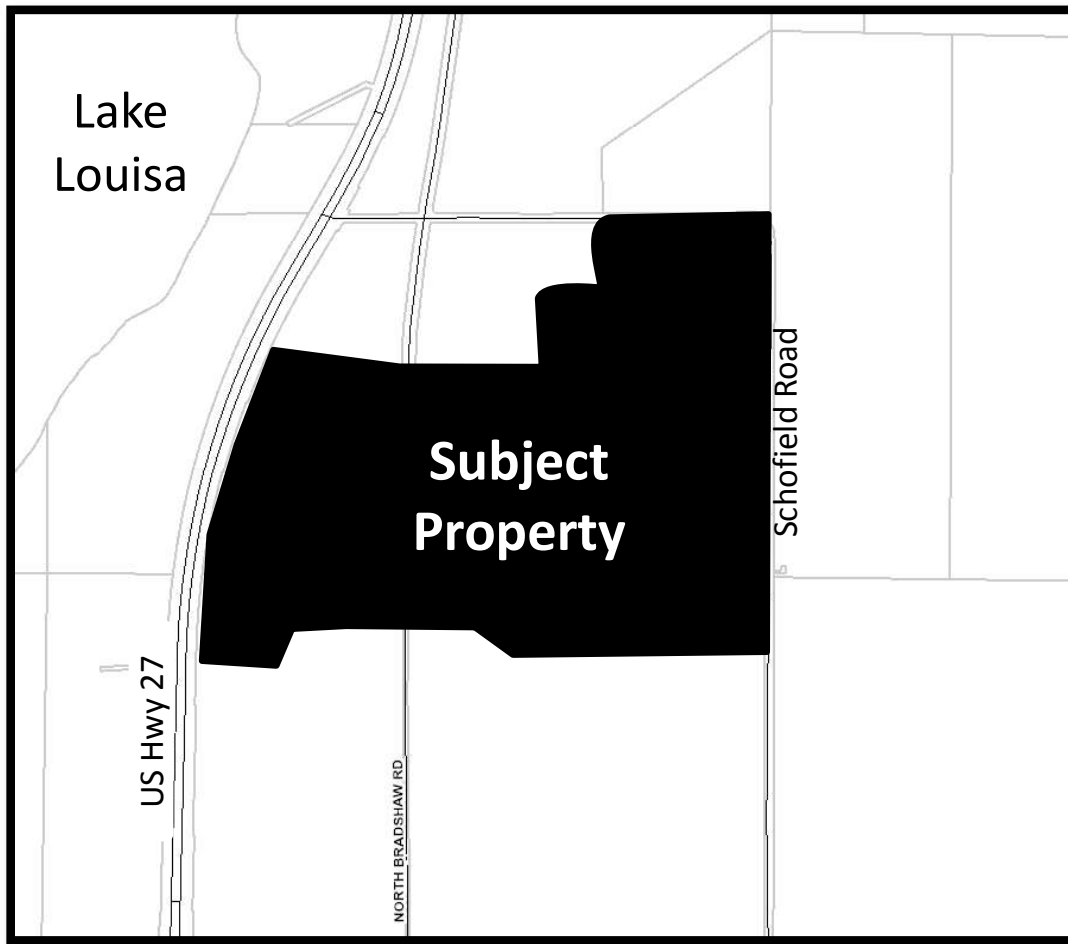
Staff has reviewed the proposed amendments and timing of improvements. Staff recognizes the challenges and impacts due to the pandemic on this project along with changing market conditions and demands. The proposed smaller lot widths of the townhome product is untested in Lake County and within the City of Clermont. The applicant has indicated a similar project has been constructed in Laureate Park at Lake Nona and has been successful. Staff is looking to Council for their review and approval of this new product within the City of Clermont, if the Council desires to support this type of product. Overall, the proposed amendments by the applicant are within reason and staff would expect timelines and program changes to occur within a project of this magnitude.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project as designed complies with the Land Development Regulations and general requirements for granting an amendment to a Planned Unit Development (PUD). The Code requires all PUD Site Development Plans be designed in a manner that provide a complete living environment that is designed to provide quality development that will enhance and creates a uniform development pattern which complies with the general requirements and regulatory process for approval of the project. The submitted site plan along with the detailed exhibits indicates a complete uniform development plan once the program fully develops. The phasing and timing of the project has had some challenges and changes, in which the applicant is requesting this amendment.

Some of the timeframes have been pushed further out due to the pandemic and when the northern utilities and road network will be available. Staff is able to support these requests with the understanding Council is in support of the townhome product. The applicant has provided satisfactory responses to the Shared Parking and Phasing Sections in the Development Standards. Therefore, staff recommends **approval** of Ordinance No. 2021-027. The Planning and Zoning Commission recommended approval, 6-0.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Location Map	Location Map.pdf
2.	Olympus PUD PZ 9-2 V1343	Olympus PUD PZ 9-2 V1343.pdf
3.	Staff Analysis OSE V5 PZ	Staff Analysis OSE V5 PZ.pdf
4.	Site Plan progression	Site Plan progression.pdf
5.	Exhibit 1 - Olympus Regulating Plan with Phases 08-27-2021	Exhibit 1 - Olympus Regulating Plan with Phases 08-27-2021.pdf
6.	Exhibit 2 - Olympus PUD Site Plan 8-26-2021	Exhibit 2 - Olympus PUD Site Plan 8-26-2021.pdf
7.	Exhibit 3-OSE-PUD-DEV-STD-10 9-17-2021	Exhibit 3-OSE-PUD-DEV-STD-10 9-17-2021.pdf
8.	Exhibit 4 - Olympus Equivalency Matrix 122718	Exhibit 4 - Olympus Equivalency Matrix 122718.pdf
9.	Exhibit 5 - OSE PUD E5 Grading 11-26-2018	Exhibit 5 - OSE PUD E5 Grading 11-26-2018.pdf
10.	Exhibit 6 - FlagsandBanners	Exhibit 6 - FlagsandBanners.pdf
11.	Exhibit 7 - Olympus ROW Cross Sections 07-07-2021	Exhibit 7 - Olympus ROW Cross Sections 07-07-2021.pdf
12.	Exhibit 8 - Olympus Trail Network 06-07-2021	Exhibit 8 - Olympus Trail Network 06-07-2021.pdf
13.	Exhibit 9 - FInal TIS Analysis PS Details - Buildout 030719	Exhibit 9 - FInal TIS Analysis PS Details - Buildout 030719.pdf
14.	Rezoning-Application-Olympus	Rezoning-Application-Olympus.pdf
15.	Legal ad 2021-27	Legal ad 2021-27.pdf

Exhibit - Location Map –Olympus





**CITY OF CLERMONT
ORDINANCE NO. 2021-027**

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 CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

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

ALL OF TRACTS 47, 50, 51, 52, 53, 59, 60, 61, 62, AND 63, A PORTION OF TRACTS 33, 34, 35, 41, 45, 46, 48, 49, 54, 55, 58 AND 64, A PORTION OF THAT CERTAIN UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACTS 41, 44-46, 48 AND THOSE CERTAIN UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAYS LYING SOUTH OF TRACT 47 AND WEST OF TRACTS 52 AND 61, THAT CERTAIN UN-IMPROVED 15.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACTS 59 - 63 AND A PORTION OF THAT CERTAIN UN-IMPROVED 15.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACT 58 AND EAST OF U.S. HIGHWAY 27, ALSO A PORTION OF SAID RIGHT OF WAY LYING SOUTH OF TRACT 64 AND WEST OF SCHOFIELD ROAD; SAID TRACTS AND UN-IMPROVED RIGHTS OF WAY LYING WITHIN THE PLAT OF MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EAST OF US HIGHWAY 27, SOUTH AND WEST OF SCHOFIELD ROAD IN SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST.

TOGETHER WITH:

A PORTION OF THE NORTH 1/2 OF SECTION 28, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING EAST OF US HIGHWAY 27 AND WEST OF SCHOFIELD ROAD.

SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE S89°14'48”W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28, A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SCHOFIELD ROAD AND THE POINT OF BEGINNING; THENCE S00°01'04"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 931.06 FEET;



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THENCE N89°42'25"W, A DISTANCE OF 1573.58 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 690.00 FEET, A CENTRAL ANGLE OF 37°01'49", A CHORD BEARING OF N71°09'08"W AND A CHORD DISTANCE OF 438.22 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 445.95 FEET TO A POINT OF TANGENCY ; THENCE N52°38'14"W, A DISTANCE OF 141.27 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 37°11'05", A CHORD BEARING OF N71°13'47"W AND A CHORD DISTANCE OF 133.91 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 136.29 FEET TO A POINT OF TANGENCY; THENCE N89°49'20"W, A DISTANCE OF 402.76 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 122°26'41", A CHORD BEARING OF N89°57'14"W AND A CHORD DISTANCE OF 157.77 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 192.34 FEET TO A POINT OF NON TANGENCY; THENCE N90°00'00"W, A DISTANCE OF 401.32 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 36°34'07", A CHORD BEARING OF S71°42'56"W AND A CHORD DISTANCE OF 131.77 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 134.03 FEET TO A POINT OF TANGENCY; THENCE S53°25'53"W, A DISTANCE OF 138.26 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 700.81 FEET, A CENTRAL ANGLE OF 36°26'20", A CHORD BEARING OF S71°56'47"W AND A CHORD DISTANCE OF 438.22 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 445.70 FEET TO A POINT OF TANGENCY; THENCE N89°50'03"W, A DISTANCE OF 309.89 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (VARIABLE RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING TEN (10) COURSE AND DISTANCES; N01°26'21"E, A DISTANCE OF 243.71 FEET; THENCE S88°33'39"E, A DISTANCE OF 172.00 FEET; THENCE N01°26'21"E, A DISTANCE OF 130.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 5426.57 FEET, A CENTRAL ANGLE OF 03°25'59", A CHORD BEARING OF N03°09'20"E AND A CHORD DISTANCE OF 325.11 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 325.16 FEET TO THE END OF SAID CURVE; THENCE N89°59'56"W, A DISTANCE OF 172.60 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5598.79 FEET, A CENTRAL ANGLE OF 10°19'04", A CHORD BEARING OF N09°52'52"E AND A CHORD DISTANCE OF 1006.87 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1008.24 FEET TO THE END OF SAID CURVE; THENCE S74°57'37"E, A DISTANCE OF 10.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5588.79 FEET, A CENTRAL ANGLE OF 05°31'44", A CHORD BEARING OF N17°48'16"E AND A CHORD DISTANCE OF 539.10 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 539.31 FEET TO THE END OF SAID CURVE; THENCE S69°25'52"E, A DISTANCE OF 9.78 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 02°25'19", A CHORD BEARING OF



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N21°46'48"E AND A CHORD DISTANCE OF 235.82 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 235.84 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE SOUTH RIGHT OF WAY LINE SCHOFIELD ROAD; THENCE RUN EASTERLY AND SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING THREE (3) COURSES: THENCE N89°30'42"E, A DISTANCE OF 1304.07 FEET; THENCE S50°10'00"E, A DISTANCE OF 102.97 FEET; THENCE S00°23'52"W, A DISTANCE OF 2510.57 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,612,604 SQUARE FEET OR 243.63 ACRES MORE OR LESS.

LOCATION

1.5 miles south of the Lake Louisa Road and US Highway 27 intersection East of US Highway 27 and West of Schofield Road

Requested Action: To amend PUD Ordinance 2020-40 due to program changes that require an updated site plan and regulating plan along with changes in the development standards.

SECTION 2.

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

- Exhibit 1: Olympus Planned Unit Development Revised Regulating Plan – dated 08/27/2021
- Exhibit 2: Olympus Planned Unit Development Revised Site Plan – 08/26/2021
- Exhibit 3: Olympus Planned Unit Development Standards – 09/01/2021
- Exhibit 4: Olympus Equivalency-Trip Conversion Matrix – 01/10/2019
- Exhibit 5: Olympus Grading Plan – 11/26/2018
- Exhibit 6: Olympus Flag and Banner Locations – 05/19/2019
- Exhibit 7: Olympus Right-of-Way Cross Sections – E4/E4A 07/07/2021
- Exhibit 8: Olympus Trail Network – 06/07/2021
- Exhibit 9: Olympus Transportation Impact Study/Proportionate Share – 11/19/2018

SECTION 3: GENERAL CONDITIONS

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



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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 Olympus Sports and Entertainment (OSE) Planned Unit Development Site Plan, prepared by GGI-Tapestry LLC, and incorporated herein and made a part hereof as Exhibit 2 – dated 08/26/2021. 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. For purposes herein, the term “Developer” shall include the applicant at the time that this Ordinance is approved and any successor party in interest, including but not limited to a Community Development District created as provided by law and governing the entire project and any transferee, successor or assignee of any of the Property that is the subject of this Ordinance.
5. Fiber optic conduit and pull boxes will be required to be installed by the developer to extend service to City owned and operated facilities only. Such facilities are described as but not limited to New Fire Station, lift station(s), or any other facility the City deems necessary to connect to fiber. The City will reimburse, thru impact fee credits, for 100% of all documented costs associated with this work. Eligible costs would include design, permitting, construction and materials.
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. For purposes of this Ordinance, the following activities shall not be regulated as Development, unless otherwise specifically noted herein:
 - a) The division of land into parcels where no new street is involved.
 - b) A transfer of title to land not involving the division of land into parcels.
 - c) The creation or termination of easements concerning use of land, or other rights, except that no easement required by this Ordinance or any plat or dedicated to the City may be terminated without the approval of the City Council.
 - d) The recording of any documents or plats expressly for the purposes of reference or attachment to a publicly recorded document, when such recording does not result in subdivision of land into parcels. Such recording may include, but is not limited to,



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- documents such as master deeds or covenants, or plats for mortgage or Community Development District filing purposes only.
- e) Subdivision of land into parcels less than 5,000 square feet exclusively for the provision of public utilities, such as pump stations.
 - f) Under-brushing, or bush-hogging that does not involve removal of trees that require a permit for removal.
8. Any development condition or land use entitlement approved for and related to the Property prior to the adoption of this Ordinance and not revised, amended, changed or repealed herein, including any required Traffic Impact Analysis, Florida Department of Transportation or County driveway permits, Wetland Permits, Utility permits, School Board concurrency agreement or St. Johns River Water Management District drainage permits shall remain in full force and effect and applicable to the Property, provided the permit or approval does not expire and otherwise remains valid. If significant changes requiring Major Modification or Planned Unit Development rezoning are made to the proposed development hereunder, associated studies, agreements and surveys required as part of the City standard development process shall be performed or re-certified. If the prior development permits, agreement or approval expire, are revoked (e.g., for failure to comply with time limits or the terms and conditions), or otherwise become invalid, any subsequent development of the site shall be subject to the procedures and standards of the City and this Ordinance.

SECTION 4: LAND USES AND CONDITIONS

1. The Olympus Planned Unit Development gross development density & intensity will not exceed the Comprehensive Plan maximum of 12 dwelling units/acre residential and .25 Floor Area Ratio non-residential (gross acreage). To ensure cumulative compliance with this condition, the applicant/developer 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 Olympus Planned Unit Development Regulating Plan, attached hereto and incorporated herein as Exhibit 1, with a revised date of 08/27/2021, shall govern the land uses and location within the project.



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The following table describes the proposed building & site development patterns as shown on the current Olympus PUD Site Plan. **(Exhibit – 2)** The development program, including the acreages specific to each land use, may be modified as described under “Modification Procedures”.

Land Use	Square Feet/ Rooms/Seats	Dwelling Units	Net Acres	% of Site
Residential				
# Single family detached	-	167 units	24.87	10.2 %
# Single family attached (rowhouse, townhouse)	-	178 units	7.18	2.9 %
# Multi family	-	489 units	17.94	7.3 %
++ Multi-family (multi-mixed-use)	-	254 units	M-U Buildings	%
++ Commercial (multi-mixed-use)			12.33	5.0 %
++ Office	237,288 sq. ft.	-		%
# Medical Services (ALF)	345,283 sq.ft.	-	14.63	6.0 %
++ Retail	231,303 sq. ft.	-		%
# ++ ** Restaurant	129,055 sq. ft.			%
** Welcome-Security	4,900 s.f.	-	1.64	.7 %
** Sports & Civic	15,700 seats	-	67.33	27.6 %
# Hotel & Hospitality	1312 rooms		16.23	6.6 %
** ++Corporate Conference & MU	131,141 s.f.		3.34	1.4 %
Open Space				
Active recreation/open space	-	-	29.51	12.5 %
Passive open space	-	-	23.11	9.5 %
Public & Private ROW internal	-	-	24.19	9.9 %
Dedicated ROW external			1.33	0.4 %
Project Totals^	1,078,970 s.f.	1088 units	243.63 acres	100%

** Special-Purpose Site & Buildings # Single-Use Site & buildings ++ Mixed-use site & buildings

^Hotel & Hospitality regulated by room count includes approximately 1,049,600 s.f.

enclosed additional

building area associated with room size, circulation, lobby, utility rooms & guest support facilities. This building area is included within FAR calculations. Not included within FAR calculations is: parking structures, below grade parking/storage, below grade parking for electric vehicles, below grade storage space for equipment, fixtures, or furnishings associated

with any proposed building typology. Not included within FAR calculations is covered sports venue seating areas, bleachers & sports venue storage facilities, restrooms, concessions, ticketing or gateway structures that may serve event security or patron services on a temporary basis.

2. The current use of the property is agriculture and may continue this use until clearing or grading for development occurs.
3. The Olympus Sports and Entertainment Planned Unit Development Revised Site Plan, Exhibit 2 – 08/26/2021 and Olympus Planned Unit Development - Development Standards, dated 09/01/2021 incorporated herein and made a part hereof as Exhibit 3, shall govern the dimensional requirements, buffering, architectural styles, landscaping, lighting, parking,



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open space, and other vertical and horizontal improvements for the project. Additional functional or performative open space may be created by detailed Site & Building envelope design as an unregulated substantial change to the Site and Development standards may be possible, with City Manager, or designee approval.

4. The City shall have the right to install public purpose signage on or in conjunction with the pedestrian bridge over US Highway 27, subject to FDOT approval.
5. 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. Olympus may plat the residential tracts in accordance with the Regulating Plan (Exhibit 2) in order to maintain its concurrency reservation certificate LCS #2018-23LOD issued by Lake County School Board on August 3, 2021. Said Concurrency Reservation Certificate and Cover Letter stipulate a one (1) year period to initiate construction by June 20, 2022. School concurrency shall be addressed prior to each phase, which can either be through the final plat for single family or site plan approval for multi-family of each phase and is only valid for the life of that phase. Timing shall be subject to the City's Land Development Regulation.
6. To facilitate the City's ability to provide fire protection for this development and future developments of the surrounding area, the Developer agrees to convey a parcel to the CITY for a fire station site, in a location to be agreed upon by the City (the "Fire Station Site"). The Fire Station Site shall be dedicated to the City, as approved and accepted by the City when a surveyed legal description for the final location thereof is available but no later than one (1) year from the date of the approval hereof. The site shall be of sufficient size to accommodate a 10,000 square foot station. The Fire Station Site shall be provided with access to a public road at connection and access points acceptable to the City; sufficient capacity for offsite storm and ground water retention, water and sewer lines stubbed out to the site and any necessary fill material to ensure the Fire Station Site is at grade and level. The City shall notify the Developer in writing one (1) year prior to the date that it intends to start construction of the contemplated fire station on the site, whereupon the Developer and the City shall coordinate the timely completion of the access, grading and stub-outs subject to the Olympus CDD Utility Phasing. Upon dedication of the real property for the Fire Station Site, the Developer shall be entitled to fire impact fee credits in the per acre fair market value of the dedicated property that is consistent with the per acre purchase price paid by the Developer for property that is the subject hereof. For purposes herein, the Developer shall provide to the City such reasonable verification as to the actual purchase price for the subject 243 +/- acres and the parties shall enter into a fire impact fee credit agreement consistent herewith.
7. The project may have elevations changes as shown on the Grading Plan incorporated and made a part hereof as Exhibit 5.



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8. 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.
9. The City Manager or his designee shall have the authority, but not the obligation, to authorize modification of up to 10% from any numerical standard set forth in this Ordinance or, when applicable, City Code. Provided, however that the authority granted herein shall not apply to any land use regulation, cut and fill, or height standard.
10. Straight or angular lot and block patterns may be used in lieu of curvilinear.\
11. All multi-family and single family attached units shall be sprinkled, as required by Fire Code.
12. Sporting events located within defined venues & operational programming of outdoor Planned Unit Development activity spaces for event related vendors, displays, concessions, performance, processions or cheer zone activities shall be permitted and shall be considered routine and customary activities in the following defined Planned Unit Development site zones:

West Lake
Champions Plaza
Olympus Village

Lakeside Amphitheater
Trail System
Olympus Village Plazas

East Lake
Stadium Promenade
Athlete Center Plaza

All such events shall be subject to the City's Special Event Permitting and review process.

SECTION 5: LANDSCAPING, BUFFERING, AND SCREENING

1. Landscape Buffers shall not be required in any area internal to the Planned Unit Development boundary. Required landscape or buffers along the perimeter of the Planned Unit Development boundary shall be met by a combination of street trees and planting within the right-of-way of any adjacent easement of perimeter roads.
2. Perimeter landscape buffers adjacent to the Planned Unit Development boundary shall occur to the extent that building placement and frontage in accordance with Exhibit 2, does not allow for the placement of perimeter landscape buffers such perimeter landscape requirements shall not be required.
3. Vehicle Use Areas (VUA) landscape areas shall exist parallel to parking isles and at perimeter locations and the termination of parking isles. No internal parking islands for landscape or gaps in parking isles are required. Perimeter landscape buffer areas may, subject to applicable public safety standards, utilize public right-of-way areas for planting landscape buffers.



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4. Landscape island width shall be a minimum of nine (9) feet.
5. Dumpsters or trash receptacles located in sub-surface vaults in such a manner as the dumpster or receptacle is substantially screened from public view, shall not require screening. The Olympus CDD will engage private refuse collection services of their choice to service underground or specialty building placement of refuse containers.
6. Fencing shall be measured for height at the base of the fence if co-located with a wall or terrace. Security or equipment enclosures internal to the Planned Unit Development may utilize fence height to 10' to screen equipment.
7. 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.
8. Irrigation water shall be provided by a private well for all common areas and commercial sites throughout the project.
9. Irrigation and landscaping shall meet Florida Water Star requirements.

SECTION 6: 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. Grading shall be completed in accordance with the approved grading plan for the project set forth in Exhibit 5. Terraces constructed within the boundary of the Planned Unit Development shall include edge protection elements as required by applicable codes but shall not be required to include a five (5) foot landscape buffer along the terrace boundary.

SECTION 7: 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 utility lines shall be according to engineering plans produced by the Developer and approved by the City.
3. All on-site utilities shall be privately owned and maintained, with the exception of possible



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transmission lines, which may be accepted by the City on a case-by-case basis, determined at site plan review.

4. The Developer shall be responsible for all costs of on-site and off-site utility 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.
6. No building permits shall be issued until water and sewer, in the applicable service area, 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 improvements 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' utility lateral line easements may be used in lieu of 15' in order to accommodate standard 10' building separation.
12. Lift station access may utilize 20' 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



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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.

SECTION 8: 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 Proportionate Share Transportation Impact Fee Credit agreement with Lake County prior to the issuance of a building permit, which should be based upon Exhibit 9 - Olympus Transportation Impact Study/Proportionate Share, subject to final approval by Lake County. The Agreement shall require the Developer to fund improvements for right-of-way, design, permitting, and construction of roadways, traffic signals, intersection improvements for Transportation impact fee credits based upon the following priorities:
 - i. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Wellness Way;
 - ii. Design and permitting of Wellness Way from US 27 to the Orange County line as a four lane roadway;
 - 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;
 - viii. Or as stipulated in the Proportionate Share Agreement.
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 shall be responsible to maintain all landscaping, hardscaping, traffic control devices, and stormwater conveyance systems on all private



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streets and the planned Olympus Blvd. For purposes herein, the Community Development District and the City shall enter into a separate Interlocal Agreement.

5. Private drive isles, private access ways, private easements for vehicular use shall not be required to be platted or re-platted.
6. For intersections on private streets, angled right-of-way lines in lieu of 25' radius may be used to accommodate fencing and building walls.
7. Curb radii internal to development for streets or access ways may utilize a 10' curb radii to promote traffic calming and pedestrian intersection and crossing safety.
8. Street dimensions may be used in accordance with the Planned Unit Development Exhibit 7 Right-of-Way Street Cross Section for street sections for private "local" street types internal to the development, provided however final engineering plans are reviewed and approved by the City.
9. Sidewalks/Streets:
 - a. The Developer may permit skateboards, electric scooters, electric skate boards, Segway's on any private street, sidewalk, vehicular use area, parking lot or space open to the general public within the boundary of the Planned Unit Development.
 - b. The Developer may allow the selling of goods and services within the designated Planned Unit Development parks, squares, streets, sidewalks, promenades, plazas without additional permit so long as the activities do not diminish the public utility, security and accessibility of the space and are located on private property or common areas controlled and maintained by the Developer or assign(s). Property owners and commercial tenancy may be allowed to provide "gifts to the street" as a decorative embellishment in proximity to the commercial establishments. Provided however, nothing herein shall be construed to authorize the sale of good or services or the placement of a "gift to the street" or any other item on or about Olympus Boulevard or Epic Boulevard.
 - c. Within the boundary of the Planned Unit Development on private streets, circulation ways, access ways use of any type of vehicle, electric carts, trams, "Neighborhood Electric Vehicles" (NEV) regardless of vehicle registration, may be permitted by the Developer.
 - d. 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 mph or under and City referenced Florida Department of Transportation highway standards and specifications do not align with low speed street design.



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10. Parking:
 - a. Parking spaces may be reduced to 9' x 18' providing 162 square feet.
 - b. 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.
 - c. Oversized loading zone, or transit vehicle parking spaces within the Planned Unit Development may be provided by a single designated area and not allocated for all lots in excess of 100 spaces. Parking Garages shall not be required to provide oversized spaces internal to the garage footprint. Neighborhood Electric Vehicles parking spaces may be provided in lieu of compact spaces where Developer operations provides assigned Neighborhood Electric Vehicles to event patrons, visitors, staff, security, facilities maintenance or production personnel. Convertible Neighborhood Electric Vehicles to standard parking spaces may be utilized for management of parking capacity for all site vehicles.
 - d. On street loading zones utilizing parking restricted spaces during loading hours may be utilized on Planned Unit Development private, streets, right-of-way and access ways in addition to dedicated permanent off-street loading spaces without regard to ratio based on the most local need for loading activity. Off-street Loading zone spaces shall be 10' x 25' minimum to 10' x 55' maximum.
11. The project development program can be modified based on the Olympus Sports & Entertainment Planned Unit Development Equivalency-Trip Conversion Matrix contained in Exhibit 4. Any change in the development program mix will require the converting of 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 in Exhibit 4, without amending the Planned Unit Development:
 - a. Residential uses can only be increased by 225 multi-family and 100 single-family units, with a maximum of 1,413 residential units. No additional conversion to residential uses is allowed. The project may utilize the affordable housing density bonus, as contained in the Land Development Code, Section 122-358, as a way for increased density on any single development site.
 - b. Up to 50% of each of the General Office, Medical Office, and Recreational Community Center land use categories may be converted. These three uses may only be converted to one of the other two uses in these employment categories.
 - c. Any matrix conversions shall be documented in the annual report.
12. Street lighting shall be included for all Planned Unit Development internal roadways and along Wellness Way and Olympus Boulevard adjacent to the project. The Developer shall



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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 in Exhibit 8 Olympus Trail Network.
14. Prior to the first Certificate of Occupancy in Phase 3, the Developer shall provide the City a Mobility Plan which documents the commitments being made to increase internal capture. Such commitments could include, but are not limited to Neighborhood Electric Vehicle programs, internal and external shuttle programs, and other related vehicular reduction/internal capture strategies.

SECTION 9: SIGNS

1. Developer shall prepare an overall master signage plan for City approval. Such application and approval shall supersede Chapter 102 where applicable. The project shall be subject to the City Code until the Developer receives approval from the City Council for an overall master signage plan.
2. Street light pole banners are permitted with no more than two per pole. The perimeter road network will be limited to every other pole for flag use. Internal roads may have flags as needed. The banners shall be associated with current events or activities within the Planned Unit Development boundary and in no event shall be used to advertise or promote any specific business. Flags may be placed at designated areas, as indicated on Exhibit 6 attached hereto and incorporated herein.
3. The Urban Special Purpose District may incorporate video display monitors outdoors but within building envelopes, courtyards, and internal promenades (OEZ-1) which are oriented to the pre-event attendees & post event attendees and not visible to the general public. Event based Video Display application shall not be regulated as "signage" under the City Ordinance and shall not be regulated as "signage" under the Olympus Sports and Entertainment Planned Unit Development Signage Master Plan. Video Display placement may vary with event scale and may also include non-permanent interview & broadcast platforms. Mobile broadcast & video production equipment may also incorporate display monitors that serve the temporary event function.

SECTION 10: ALCOHOL BEVERAGE ESTABLISHMENTS

The restrictions set forth in 6-1 of the City Code as may be amended, shall not be applicable to the Planned Unit Development.

SECTION 11: SCHOOL CONCURRENCY

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



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SECTION 12: 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 13: DEVELOPMENT REVIEW AND APPROVAL

1. Prior to the issuance of permits, the Developer may be required to submit a Preliminary Plat, Construction Plans, and Final Plat generally consistent with Exhibit 2 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.

SECTION 14: FUTURE AMENDMENTS TO STATUTE(S), CODE(S), PLAN(S), AND/OR REGULATION(S)

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 15: 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. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Clermont Code of Ordinances, as amended, and obtaining the permits required from the other appropriate governmental agencies.
3. 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.
4. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.
5. The transfer of ownership or lease of any or all of the property described in this Planned



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Unit Development shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made aware of the conditions established by this Planned Unit Development and agrees to be bound by these conditions. This Ordinance shall at the expense of the Developer be immediately recorded in the Public Records of Lake County and shall as a matter of record and legal purposes run with and govern the future development of the Property. 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.

6. An annual report documenting the construction of entities and their phase along with assignment of rights shall be submitted to the City for review and approval no later than May 15th for the prior calendar year. The report shall also include a running total of constructed square footage. The report shall be prepared at the cost of the Developer and the sole responsibility of the Developer, or assigned designee.
7. This Ordinance shall be rendered null and void if substantial construction, such as site infrastructure, as determined by the City, has not commenced within two years of its effective date.
8. The following waivers were not approved as indicated in Exhibit 3: Olympus Planned Unit Development Standards.

Development Standards.

- a. Building height measured using stories will use City standard for measuring.
- b. Laser lighting will use City standard until a Master Sign Plan has been reviewed and approved by City Council.
- c. Maximum area of signs will use City standard until a Master Sign Plan has been reviewed and approved by City Council.
- d. Telecommunication towers will be limited to 140 feet.
- e. Special events and Temporary uses will use City standard until the applicant produces an event type and specific procedural guidelines for Public Safety/City Manager review and approval.
- f. All indoor and Outdoor Entertainment will use City standard until the applicant produces an event type and specific procedural guidelines for Public Safety/City Manager review and approval.
- g. Industrial use/Waste related services will use City standard.
- h. Architectural standards will use City standards until Architectural Plans have been reviewed and approved by City Council.
- i. Definitions specific for Olympus Sports and Entertainment will use City standard until further clarified by the applicant.

SECTION 16: CONFLICT

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



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SECTION 17: SEVERABILITY

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 18: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Sections of this Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 19: RECORDING

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

SECTION 20: PUBLICATION AND EFFECTIVE DATE

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



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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of September, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT Staff Analysis Report

OWNER: Olympus Orlando Holding, LLC

APPLICANT: Olympus Sports and Entertainment Group

PROJECT NAME: Olympus

REQUESTED ACTION: Consider a request to amend PUD Ordinance 2020-40 to reallocate permitted uses within the development project along with changing and revising the Development Standards exhibit, Regulating Plan exhibit, Site Plan exhibit, and other changes in the PUD exhibit dealing with timelines and dates.

SIZE OF PARCEL: 243 +/- acres

LOCATION: Vacant land 1.5 miles south of the Lake Louisa Road and US Highway 27 intersection East of US Highway 27 and West of Schofield Road

EXISTING ZONING: PUD Zoning, Ordinance 2020-40

EXISTING LAND USE: Vacant land formerly used in citrus production

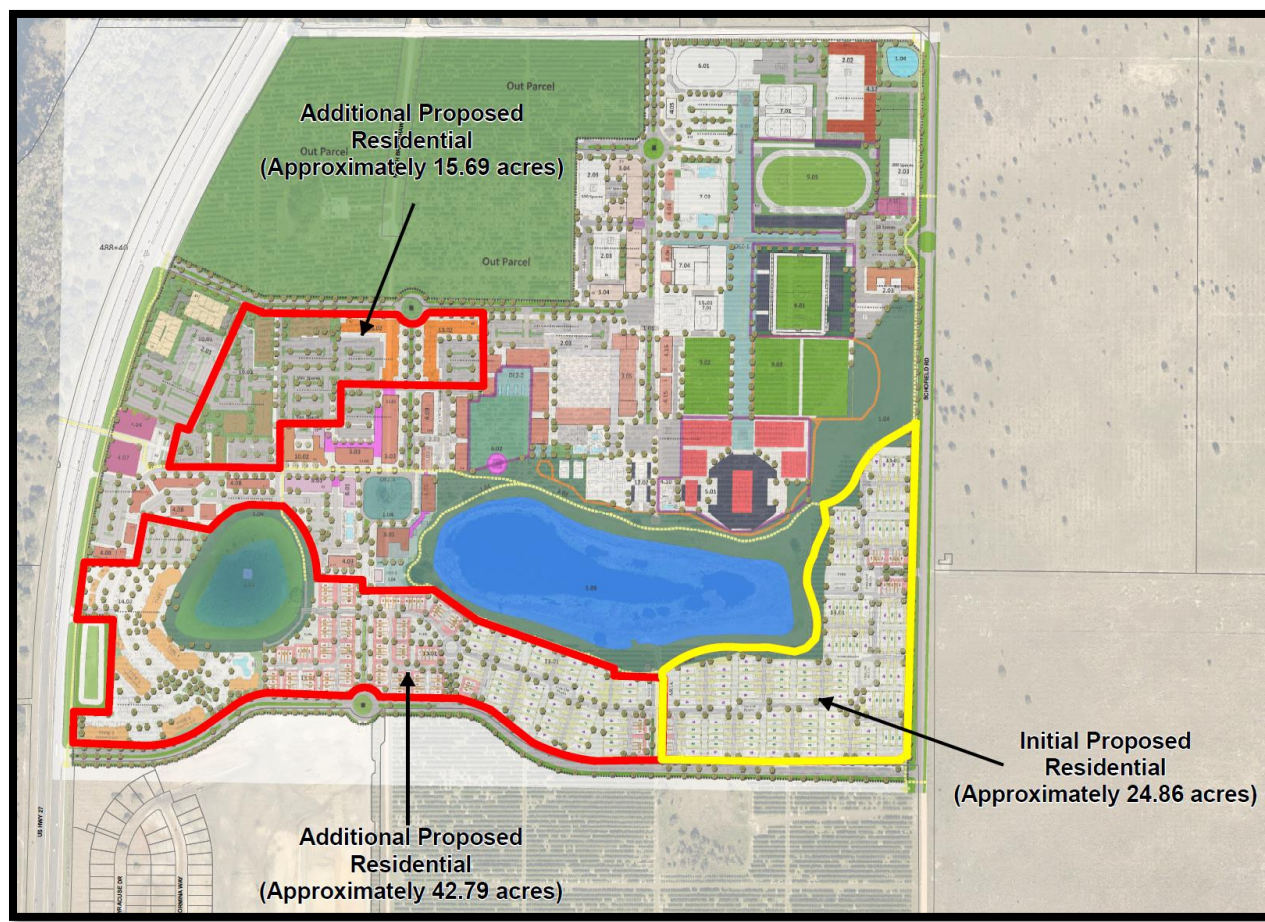
FUTURE LAND USE CATEGORY: Master Planned Development

ANALYSIS:

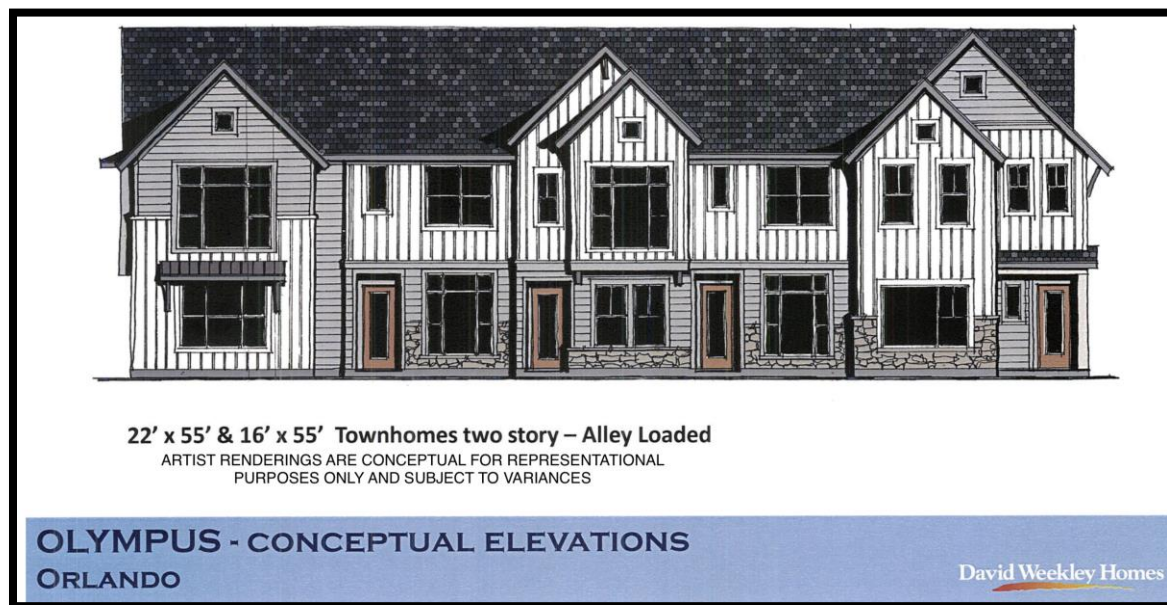
The applicant is requesting an amendment to PUD Ordinance 2020-40 to make some program adjustments and changes within the 243 +/- acre project. The project was originally approved by City Council in May of 2019 for a mixed-use project with residential, commercial, office, sports and entertainment uses. The applicant requested an amendment in 2020, which was approved by City Council in December 2020, to extend dates and timelines and to shift land uses within the project due to program changes. This amendment included shifting a portion of the residential (multifamily) from the upper northwest corner of the project to the southwest corner. The program capacity and entitlements did not increase or decrease in this amendment. The applicant is now requesting additional program changes, such as increasing the areas for residential uses within the project and decreasing lot width and sizes and including different housing types. The applicant is designating a majority of the lower portion of the project as the residential area. This area is not in the City's utility area and will be

served by Utilities, Inc. The upper portion of the project will be served by the City of Clermont and utilities to this area are not in place at this time. Utility service will be extended to this general area via a utility agreement recently approved for the South Lake Crossing PUD to the northeast of this project. The overall base number of residential units, 1088 dwelling units, will not change. The base number of units can be increased to 1413 dwelling units through the use of transportation conversion matrix included in the original Planned Unit Development.

The applicant has provided an updated regulating plan and site plan. In reviewing these plans, it was noted in some of the areas that were previously designated for non-residential use have been converted to residential use. The applicant has indicated that these program changes are due to changes in market conditions, the current housing demand, and the pandemic. Staff has noticed that the increase in land area for residential use has increased roughly by 50 acres from the original proposal while non-residential uses, mainly the wave pool area in the northeast corner and the hotel in the southern area, has been eliminated. The applicant has indicated that the residential portion has increased in land area, but the overall residential program has not changed. The applicant has indicated that the non-residential program will continue to be an important part of the project and will come during later phases.



One of the most notable changes being requested is found in the Development Standards document, which is exhibit 3 to the PUD. This document provides the specific details of how the project will be designed and developed. In the revised Development Standards document, the applicant is proposing the addition of a townhome product with a minimum width of 16 feet and lot size of 1600 square feet. The applicant has provided a sample elevation and has indicated this would only apply to the interior units within the townhome building with the end units being 22 feet in width. The overall townhome building will range from 2 to 6 units in each structure. The 16' wide units will have a target living area of 900 to 1400 square feet and the 22' wide units will be 1550 to 1900 square feet.



Some of the other Development Standard changes include, but are not limited to (1) a change in the side yard setback for detached single-family residential from 5 feet to 3-7 feet with a minimum of 10 feet between buildings, (2) first floor ceiling height in multi-family projects to be 10 feet instead of 12 feet, (3) an increase in the number of habitable stories from 5 to 8 in special use buildings, (4) Shared Parking, and (5) Construction Phase Flexibility.

At time of this amendment, the only site development that has been reviewed and approved is the 289 multi-family apartments in the southwest corner of the project. This site is referred to as the Integra Heights project within the Olympus development. The applicant is still working on the transportation impact fee agreement with Lake County and this project may not commence vertical construction until the transportation impact fee agreement is fully executed. The extension of City of Clermont utilities to the northern area has been designed and will commence shortly with Lennar installing and funding this improvement. A revised location for the fire station within Olympus has

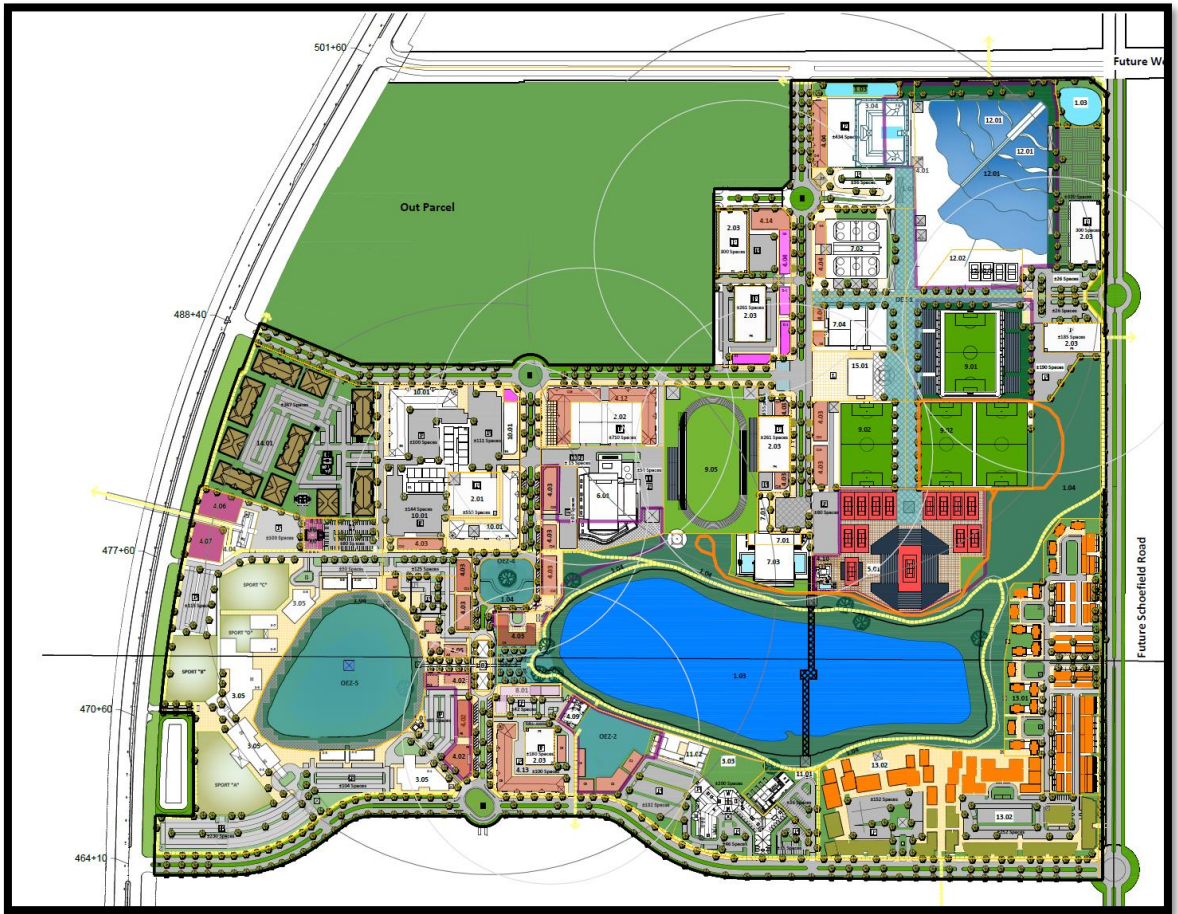
been proposed on the east side of the project on Schofield Road, south of Wellness Way.

Staff has reviewed the proposed amendments and timing of improvements. Staff recognizes the challenges and impacts due to the pandemic on this project along with changing market conditions and demands. The proposed smaller lot widths of the townhome product is untested in Lake County and within the City of Clermont. The applicant has indicated a similar project has been constructed in Laureate Park at Lake Nona and has been successful. Staff is looking to Council for their review and approval of this new product within the City of Clermont, if the Council desires to support this type of product. Overall, the proposed amendments by the applicant are within reason and staff would expect timelines and program changes to occur within a project of this magnitude.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project as designed complies with the Land Development Regulations and general requirements for granting an amendment to a Planned Unit Development (PUD). The Code requires all PUD Site Development Plans be designed in a manner that provide a complete living environment that is designed to provide quality development that will enhance and creates a uniform development pattern which complies with the general requirements and regulatory process for approval of the project. The submitted site plan along with the detailed exhibits indicates a complete uniform development plan once the program fully develops. The phasing and timing of the project has had some challenges and changes, in which the applicant is requesting this amendment. Some of the timeframes have been pushed further out due to the pandemic and when the northern utilities and road network will be available. Staff is able to support these requests with the understanding Council is in support of the townhome product. The applicant has provided satisfactory responses to the Shared Parking and Phasing Sections in the Development Standards. Therefore, staff recommends **approval** of Ordinance No. 2021-027.

May 2019 – Site Plan



December 2020 – Site Plan



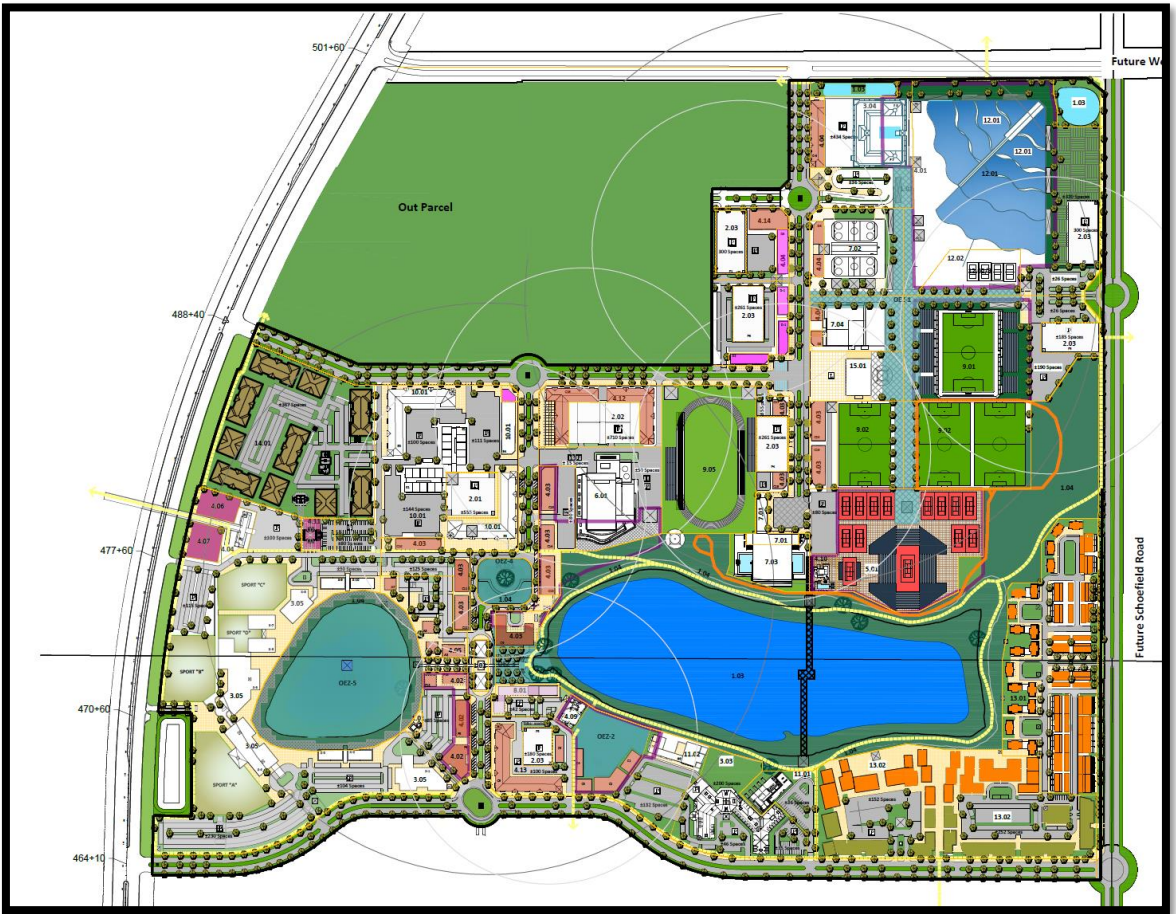
May 2019 – Site Plan



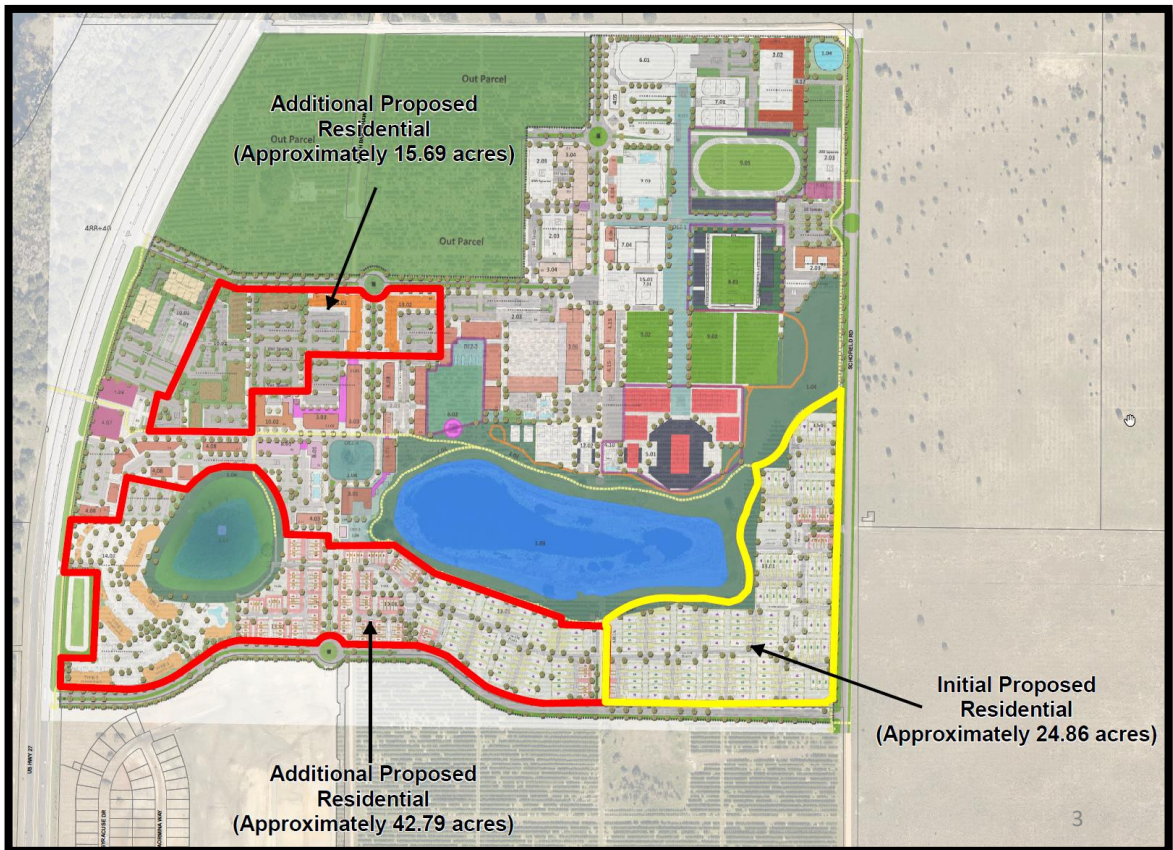
September 2021 – Site Plan



May 2019 – Site Plan



Comparison from May 2019 to September 2021 – Site Plan





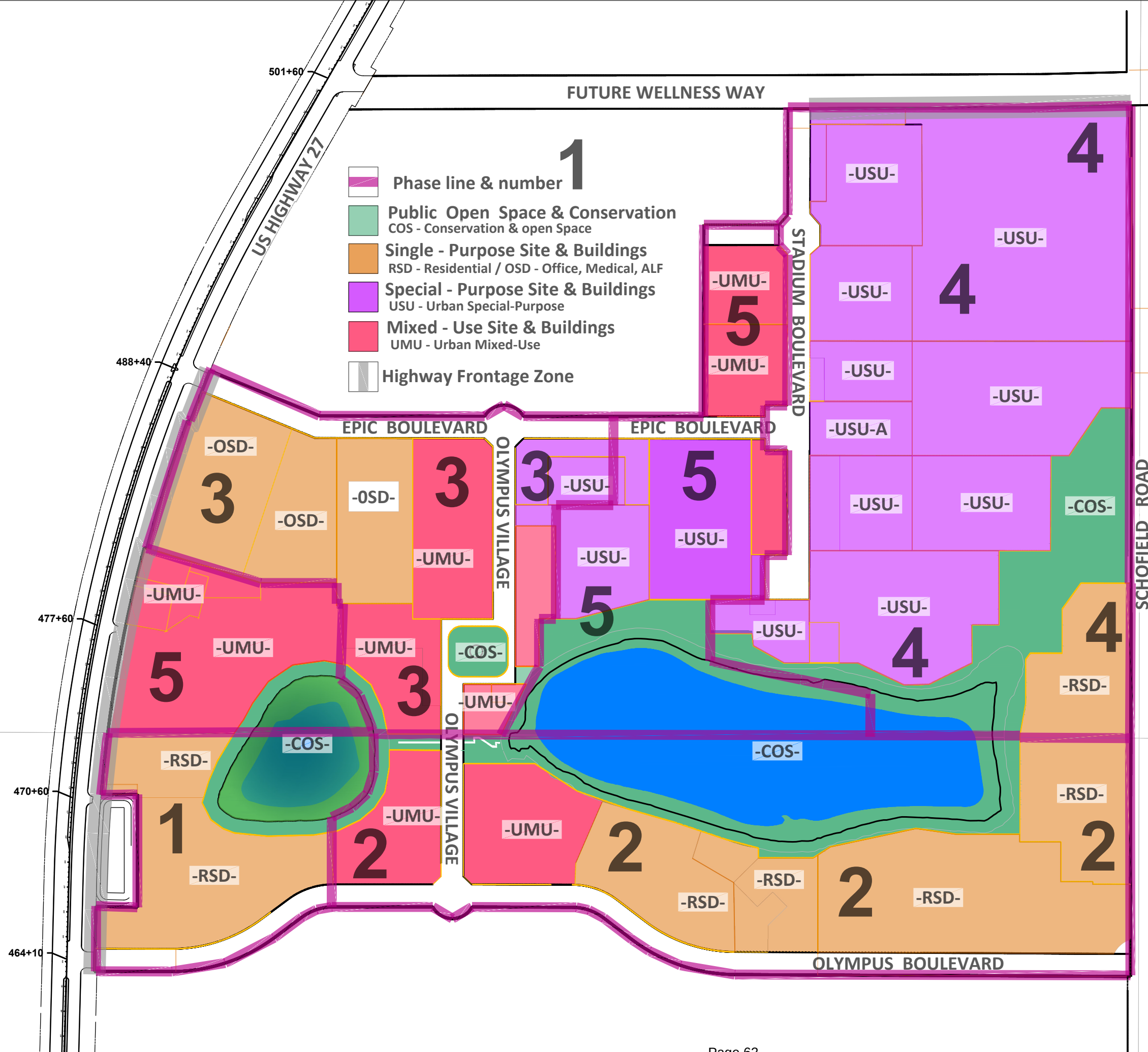
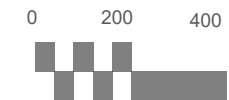
OSE PUD REGULATING
PLAN Exhibit - 1

This drawing is not intended to be used for
quantity measurements.

08 / 26 / 2021



OLYMPUS



501+60

Future Wellness Way

08 /26 / 21

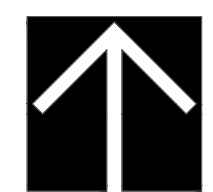
OSE PUD SITE PLAN E-2 MULTI USE PUBLIC TRAIL SYSTEM E-7

This illustrative drawing is not intended to be used for contract pricing or quantity calculation.
All content is subject to Permits, Final Engineering & Architectural Review

ARB COORDINATION

- | | |
|--|---------------------------------------|
| ☐ Site Plan | ☐ Landscape |
| ☐ Site Coverage | ☐ Architecture |
| ☐ Drainage | ☐ Other |

0 200 400



OLYMPUS

- GATEWAY / MONUMENTS / KIOSK
- ATHLETE TRAINING CLAY TRAIL
- MULTI USE PUBLIC TRAIL SYSTEM
- MULTI USE PROMENADE
- PLAZA
- PERVIOUS STABILIZED GRASS PARKING
- PAD SITES / INFILL BUILDINGS
- COTTAGE COURT
- ENTERTAINMENT ZONE BOUNDARY
- OUTDOOR EVENT ZONE (OEZ)

Out Parcel

Out Parcel

Out Parcel

Future Schoefield Road



Development Standards–Exhibit H

September 1, 2021

Olympus Clermont

1: PURPOSE AND INTENT

For the purposes of the Olympus Sports & Entertainment (OSE) Standards, significant development districts within the Olympus PUD have been categorized as Single-use or Urban Districts as shown in PUD Exhibit -1 Regulating Plan. In general, standards and provisions for urban based districts are designed to create walkable, mixed-use environments, whereas the conventional Single-Use districts are more reflective of conventional, primarily automobile-dependent, configuration.

The delineation of Urban Districts within the Olympus PUD serves to regulate land uses that share an Urban character & Master Site resources but require different development controls, parking provisions and management.

The OSE PUD includes proposed street ROW internal to the PUD that will be designed to complement OSE District Standards. PUD internal streets shown & named on PUD Exhibit -1 include “Olympus Village”, “Epic”, and “Stadium” which are collectively referred to as the PUD internal streets. “PUD street frontage” refers to OSE District, parcel & lot frontage along the ROW of only the PUD internal streets. External Streets named “Olympus”, “Wellness Way”, & Schofield are not regulated as Internal PUD frontage, although ROW donation and ROW construction may occur by agreement with the OSE CDD.

2: SUMMARY OF PUD BASED DISTRICTS

–CONSERVATION & OPEN SPACE DISTRICT (COS)

The COS district is intended to preserve areas that contain sensitive habitats, active or passive open spaces and urban parks, plazas, trails, and limited community garden or horticultural uses. This District typically does not contain buildings, with the exception of small civic structures, iconic features, interpretive elements, monuments or supportive open space recreation & accessibility facilities. There are no specific development standards listed for this district.

–RESIDENTIAL NEIGHBORHOOD SINGLE-USE DISTRICT (RSD)

The Residential Neighborhood District is a zone of suburban & urban residential units and limited ancillary non-residential (club house, facilities management offices, amenity elements) development. A wide range of building types exist in the Residential Neighborhood District, including, but not limited to, apartment buildings, rowhomes, duplexes, and both attached and detached single-family housing. SF – RSD denotes single family detached configuration and lot standards. Single Family Attached (duplex/tri-plex/town house) utilizes RSD standards and is subject to Conceptual Site Plan submittal & review by the City Site review Committee.

-OFFICE & MEDICAL SERVICES SINGLE-USE DISTRICT (OSD)

The Office Single-Use District is a zone of urban & suburban office buildings and limited ancillary internally scaled commercial development. (vending, pre-prepared food services, facilities management offices, amenity elements) A wide range of building types exist in the Office Single-Use District, including, but not limited to, multi-story buildings, parking structures, free standing buildings & attached buildings forming an urban street frontage, plaza shade elements, arcade or above ground floor connections between buildings. Internalized parking levels may be incorporated within the building facades. Related ancillary uses include senior housing providing Independent Living Units, Assisted Living Units, Skilled Nursing Facilities & Memory Care Facilities.

-HOSPITALITY SINGLE-USE DISTRICT (HSD)

If shown on the Regulating Plan, the Hospitality Single-Use District is a zone of Hotel core facilities, hotel rooms and limited ancillary commercial (full service food & beverage, facilities management offices, spa services, conference, amenity elements) development. A wide range of building types exist in the District, including, but not limited to, above & below grade parking structures, with storage, and hotel related buildings providing rooms separated from core hotel buildings. Hotel & other short term rental & managed condo-hotel may be incorporated into the Urban Districts as an allowable use following the applicable Urban District development standards.

-URBAN MULTI-USE MIXED-USE DISTRICT (UMU)

This Core district consists of higher density buildings & mixed-use buildings that accommodate commercial, retail, offices, and residential units. Defined streets allow this district to be a highly walkable area. Buildings are set very close to the street to define the public realm and allow for visible activity along the streetscape.

-URBAN SPECIAL-USE DISTRICT (USU)

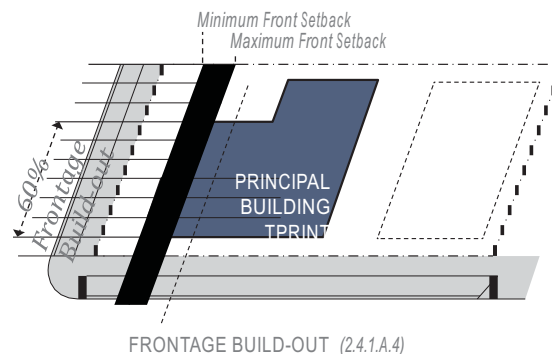
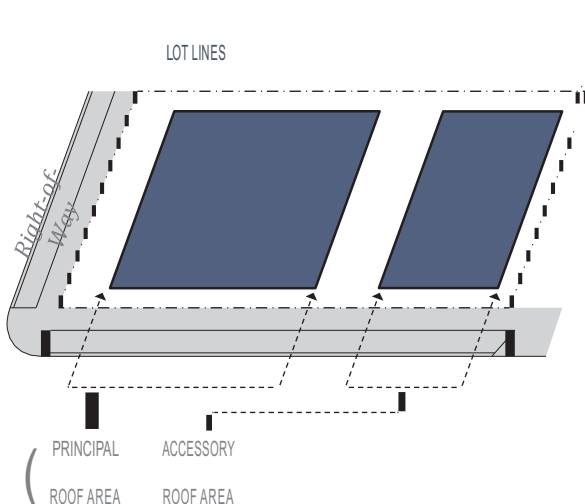
This district consists of higher density, mixed-use ~~liner~~ buildings that accommodate retail, offices, and ~~residential~~ units located along primary thoroughfares. The mixed-use buildings provide frontage orientation and street character for larger specialty-use buildings, structures, stadiums, and related service facilities that are located internal to the lot or parcel. Internally orientated specialty buildings may also have street frontage A network of streets & pedestrian passages allows this district to be a highly walkable area. Buildings are set very close to the street in order to define the public realm and allow for visible activity along the streetscape. Specialty buildings may be set back from the street to produce plazas or other functional space.

2.1-2.3 Intentionally Reserved

2.4.1 DISTRICT STANDARDS

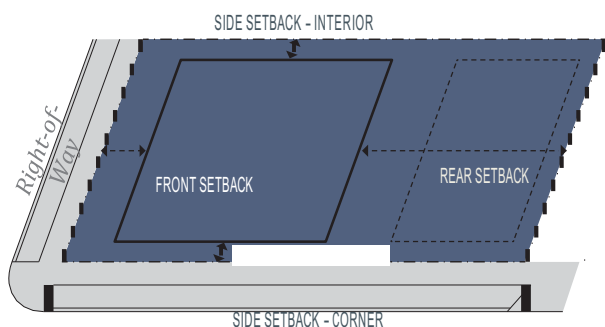
DISTRICT	SF -RSD-	-HSD	-OSD	-RSD	-UMU	-USU
A. LOT CONFIGURATION						
1. Lot Width at Front Setback	32' min. detached 16' min. attached	n/a	n/a	n/a	n/a	n/a
2. Minimum Lot Size	3200 s.f. detached 1600 s.f. attached	n/a	n/a	n/a	n/a	n/a
3. Maximum Lot Coverage ¹	95%	95%	90%	80% of parcel area	100%	100%
4. Frontage Build-Out ^{2,3}	60% min 95% max	20% min	40% min	60% min; 95% max	75% min	60% min
¹ This percentage indicates maximum lot coverage by roofs; & total impervious coverage. Parcels individually & in aggregate may also be subject to Stormwater sub-basin limits. ² See Section 2.5.1.B for additional frontage build-out standards.						
B. PRIMARY BUILDING PLACEMENT						
1. Front Setback	10'		n/a	0 ft min	0 ft min	0 ft min
		n/a		15 ft max	max. Prevailing Setback on block	15 ft max
2. Side Setback - Corner /Alley	5'-7.5'	n/a	n/a	0 ft min	0 ft min	0 ft min
		n/a	n/a	10 ft max	15 ft max	15 ft max
3. Side Setback - Interior	5' or 3'-7' (10' min. separation)	10 ft min	10 ft min	5 ft min, or 0 ft if attached	0 ft min	0 ft min
4. Rear Setback ⁴	10'	10 ft min	10 ft min	10 ft min	0 ft min	5 ft min
5. Rear Setback from Alley ⁴	3' or 20' min.	n/a	n/a	3' or 20' min.	0 ft	0 ft
6. Attached Garage Setback (from front facade) ^{5, 6}	5' min.	n/a	garage doors shall not face the street			
C. ACCESSORY BUILDING PLACEMENT - see section 3.11 for additional requirements						
1. Front Setback	accessory structures shall be located behind the front facade of the primary structure, except as provided for in Section 2.5.4 (Waterfront Lots)					
2. Side Setback - Corner / Alley ⁵	2' - 10'	n/a	n/a	3 ft min	0 ft min	0 ft min
3. Side Setback - Interior	0'-10' (10' min. separation)	10 ft min	10 ft min	5 ft min	0 ft min	0 ft min
4. Rear Setback ⁴	10'	10 ft min	10 ft min	5 ft min	0 ft min	0 ft min
5. Rear Setback from Alley ⁴	3'	n/a	n/a	3 ft min	3 ft min	3 ft min
6. Garage Door Setback (from front facade) ⁵	20'	n/a	n/a	20 ft min	shall be located behind primary building and accessed via alley or side street ⁷	
³ US27 ROW does not count as Street Frontage for any building requirement. ⁴ US 27 ROW does not count towards the calculation of overall Street Frontage % for any PUD District Land Use ⁵ In addition to the setback requirements listed above, garage doors/carports which face a PUD or public right-of-way, except for rear alleys, shall be set back a minimum of 20 ft from that right-of-way. ⁶ The (RSD) neighborhoods are exempt from this standard when garage doors do not face a PUD street or public right-of-way. ⁷ Also see Section 2.5.7(Street Access Standards).						
D. BUILDING FORM						
1. Primary Building Height - see Section 2.6	2 stories min ⁸	2 stories min	2 stories min	2 stories min ⁸	2 stories min	2 stories min ⁸
	3 stories max 56 ft max	8 stories max 130 ft max	6 stories max 102 ft max	4 stories max; 68 ft max 3.5 stories max fronting Schofield Road	4 stories max at property line, 102 ft max	175 ft max
2. Accessory Building Height	2 stories max	2 stories max	4 stories max	2 stories or 30 ft max	4 stories max ¹⁰	4 stories max ¹⁰
3. Building Width at Frontage	16 min.	440 ft max ⁹	300 ft max ⁹	240 ft max ⁹	280 ft max ⁹	460 ft max ⁹
⁸ 2 stories are only required at significant intersections, in accordance with Section 2.6.3 ⁹ Buildings shall comply with the Large Footprint Building standards in the City Architectural Standards & the OSE Architectural Guidance Document. ¹⁰ Buildings or Parking Structures exceeding 2 story may incorporate affordable dwellings as defined by City Ordinance.						
E. PARKING GARAGE LOCATION- there are no interior side setbacks for parking buffers . See Section 2.5.8 for additional provisions						
1. Front Setback	n/a	40 ft min	10 ft min	40 ft min	40 ft min	20 ft min
2. Side Setback - Corner	n/a	25 ft min	10 ft min	15 ft min	5 ft min	5 ft min
3. Rear Setback	n/a	0 ft min	10 ft min	15 ft min	0 ft min	0 ft min

LOT CONFIGURATION (2.4.1.A)

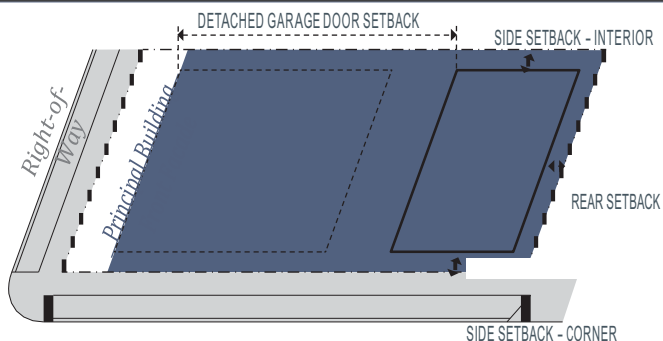


Frontage build-out is the percentage of the lot width where the front elevation of the building is located between the minimum and maximum front setbacks established for the district.

BUILDING PLACEMENT (2.4.1.B-C)



PRINCIPAL BUILDING SETBACKS (2.4.1.B)



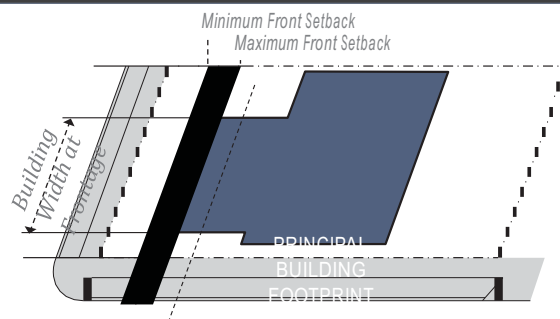
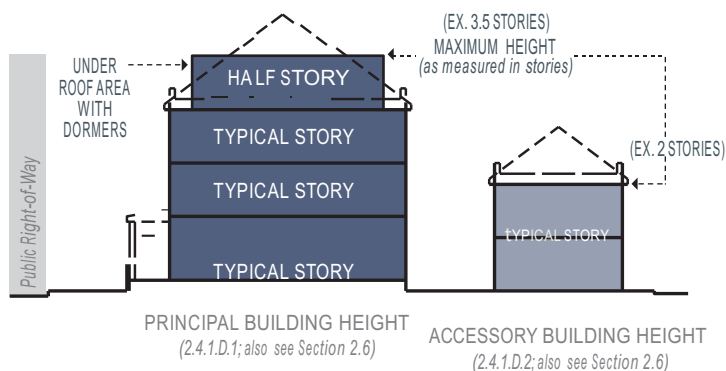
ACCESSORY BUILDING SETBACKS (2.4.1.C)

BUILDING FORM (2.4.1.D)

Maximum height in stories is measured by counting the number of floors, or a portion thereof which is habitable.

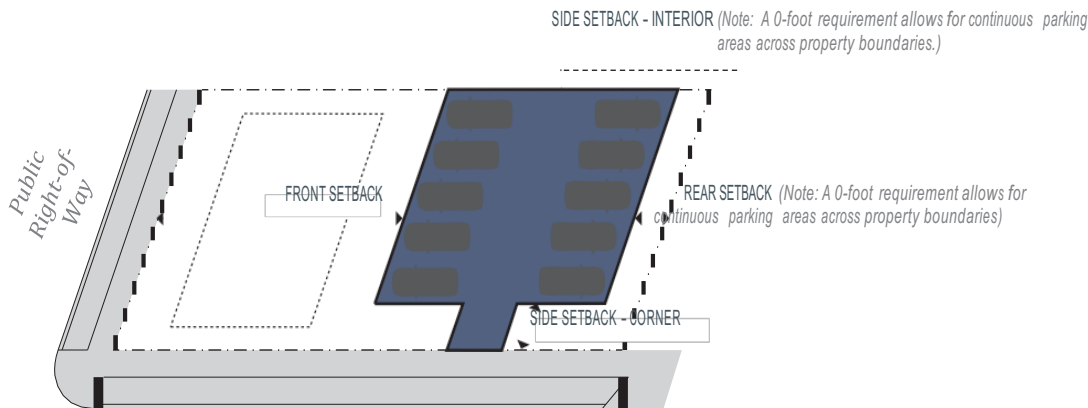
If maximum heights are listed by a dimensional standard, height is measured from adjacent grade, above base flood elevation, if applicable, to the highest point of roof height including roof top elements. USU district building height

Shall not exceed 175' total and shall not be regulated by height per story. Maximum habitable height limit of 5 stories.



The building width at frontage is measured as the width of any portion of the front elevation located between the minimum and maximum front setbacks established for the district.

GARAGE PLACEMENT (2.4.1.E)



An Accessory Dwelling Unit may be located within an accessory structure of a primary dwelling unit on the lot in accordance with these standards. The typology of the Accessory Dwelling Unit may be in the form of a guest house, pool house, or carriage house above or to the side of a garage. Occupancy shall extend to the owner/occupant of the Primary dwelling without division by term, rental or physical modification into two dwellings.

Group sleeping within institutional and athletic buildings provided as a short term or emergency accommodation to athletic teams, school groups and similar groups with adult chaperones that request overnight accommodation may be provided within the facility and attendant security services. Such accommodation shall not be construed as regulated Group Housing or Community Care Facilities available to the public.

As shown in Section 3 Land Use Provisions, there is no PUD District in which Drive-Thru Facilities are permitted which are defined as any building where food or other products or services may be purchased or obtained by motorists without leaving their vehicle. Parking lot or garage facilities with collection systems shall not be considered a Drive-Thru Facility.

Dwelling / Dwelling Unit / Housing Unit as referenced within the OSE Development Standards describes a room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities but not more than one kitchen which collectively constitute an independent housekeeping unit occupied by one household.

An encroachment may occur as described within the OSE Development Standards to accommodate an architectural feature, or non-structural element such as a gallery, balcony, bay window, terrace, deck or awning that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, build-to-line, or into the street ROW frontage.

2.5.1 BUILDING PLACEMENT AND ORIENTATION

City Review: Sketch Site Plan submittal & Architectural Elevation Sketches shall be provided for incremental parcel, lot or infill pad site development review by the City Site Review Committee. Conceptual Site Plan submittals shall be in substantial conformance with the PUD provisions and PUD Regulating Plan Exhibit-1.

Frontage and Orientation on Street: All buildings in Urban Mixed-Use Districts & Urban Special-Use Districts shall front a PUD internal street right-of-way, (reference PUD Exhibit-1, OSE Development Standards, Section 1) and have a usable entrance on the Primary Frontage with the following conditions and exceptions:

1. Multi-Building Sites:

- a. Buildings shall be located to break up the site into a series of smaller blocks defined by streets, drive isles, driveways and pedestrian walkways, and to frame and enclose parking areas, outdoor dining areas, and/or gathering spaces for pedestrians between buildings.
 - b. Perimeter buildings and outparcels shall be configured and located to define street edges, development entry points, and spaces for gathering between buildings.
 - c. Perimeter buildings shall be oriented so that the primary facade(s) faces a public street and has a usable entry on that street. Buildings that are interior to a lot or with green space frontage that otherwise meet the frontage requirement may have entrances that do not face the Primary Street Frontage.
2. **Live/Work Buildings:** Where such buildings are permitted, the entrance to the commercial space shall face the Primary Frontage. However, the entrance to the residential space may be located on the side or rear.
 3. **Utility and Conservation Lots:** Lots platted for the sole purposes of being sites for public utilities (e.g., water, sewer, electric, stormwater) or as conservation areas shall not be required to abut a dedicated public street. Adequate access by easement shall be provided. Buildings associated with utilities shall meet the OSE ARB architectural building standards and Written Narrative of the PUD zoning district.
 4. **Lots May Front on Civic or Open Space:** Lots shall be permitted to front on a civic plaza, promenade or open space as defined.

B. Frontage Build-Out:

1. Facades shall be built parallel or angular to the principal frontage line or to the tangent of a curved principal frontage line, and along a minimum percentage of the frontage width at the setback, as specified.
 - a. Exceptions:

Exceptions may be granted by the City Manager where the parcel has an irregular configuration, utility easements or legal constraints which prevent compliance, or if building is sited to take advantage of specific topographical and natural characteristics.
2. Front facades shall front PUD internal streets or public rights-of-way. In the case where buildings front multiple streets, or desire to have entrances facing the parking lot, multiple front facades may be designed.
3. For parcels that may contain multiple structures in different phases, an overall Conceptual Site Plan, showing proposed building locations and site circulation, shall be prepared to ensure that the cumulative frontage build-out is being met as closely as possible. These parcels will not be required to be built out all at once and may be phased over time. The Conceptual Site Plan is subject to future modifications as long as the intent of this standard continues to be met — this will be evaluated by the Olympus Design Review (OSE ARB) as each individual project phase/parcel or buildings are designed.

4. Pedestrian-use areas (such as plazas, courtyards, and sidewalk cafes) within the minimum and maximum front setbacks are exempt from the frontage build-out when all of the following conditions are met:
 - a. The existing sidewalk is less than 8' wide
 - b. The primary facade is within 10' of the build-to line
 - c. One of the appropriate frontage types is utilized.
5. Where rear access is not possible, driveways are also exempt from this requirement, and their width may be subtracted from the total lot width to determine the build-out percentage.

C. Corner Lots:

1. Buildings located at street intersections shall place the primary building, or part of the building, at the corner; however, gathering spaces may be appropriate at corners of larger buildings.
2. Parking shall not be located between the building and the PUD Primary Street(s).

D. Pedestrian Entries from Frontage Line:

1. Buildings shall have their principal pedestrian entrances on a frontage line.
2. All buildings with shared entrances shall be oriented so that the primary entrance(s) face(s) the PUD street.
3. In the case of corner lots, the primary entrance(s) shall face the PUD street from which the building derives its street address.
4. In the UMU and USU zones, blank facades are not permitted. Multiple pedestrian entrances for public access shall be provided every 100 feet, or more frequently unless the building space program would be functionally reduced. The OSE ARB may modify the spacing of the entrances based on the amount of glazing, interior layout, and general design & functional nature of the structure.

E. **Frontage Types:** The private frontage of the building shall comply with the standards laid out in the OSE ARB Architectural Guidelines.

F. **Building Types:** More specific standards may apply based on a specific building type as defined and regulated by the OSE ARB Architectural Guidelines.

2.5.2 INFILL LOT STANDARDS

- A. **Pad Sites:** Designed to accommodate freestanding buildings may orient based on a specific building type. Reference PUD Exhibit-2 for locations.

2.5.3 WATER-ORIENTED FACILITIES

Water-oriented facilities such as docks, platforms boardwalk, overlooks, bridges etc., shall be allowed to encroach into required setback areas along shorelines and into lakes, streams and other bio-swales.

2.5.4 WATERFRONT LOTS

- A. **Detached Garage:** Notwithstanding the requirements for detached garages, detached garages for residential

dwelling may be placed in front of the principal building elevation, with the following conditions:

1. Garage shall meet the typical front and/or side setback requirements, and
 2. Garage doors shall be oriented perpendicular to the public right-of-way to minimize visibility.
- B. **Conservation Area or Wetland Buffer:** As required by ERP permit or SJRWMD standards.

2.5.5 IRREGULAR LOT CONDITIONS

- A. **Irregular Lot Lines:** Generally, side lot lines shall be perpendicular or radial to the street right-of-way, and rear lines should be approximately parallel to fronting right-of-way lines. Irregularly shaped lots shall be permitted at the discretion of the City Manager when unique site conditions exist & where shown on the PUD site plan.
- B. **Irregular Lot Setbacks:** The location of required front, side, and rear yards (or setbacks) on irregularly shaped lots shall be determined by the City Manager, based on the prevailing spacing of buildings on the adjacent parcels. Where questions arise as to appropriateness, the applicant may be requested to provide additional design information.
- C. **Double- and Triple-Frontage Lots:** On lots with two street frontages, not located at a corner, or with three frontages and located at a corner, the front setback will apply to both the street that the building derives its address from, in addition to the opposite, parallel street.
- D. **Flag Lots:**
1. The front setback on flag lots shall be measured from the front property line within the main building site as opposed to the property line adjoining the public right-of-way.
 2. Flag lots may be permitted if the lot has an access strip with a minimum width of 20' serving the main building site of the property.
 3. Flag lots shall be permitted, using the process for Administrative Adjustment, if all of the following conditions apply:
 - a. connectivity and circulation via a network of streets, alleys, pathways, etc. will be maintained.
 - b. there is no reasonable alternative, due to extreme topographic conditions or other physical condition.
 - c. the lot has an access strip with a minimum width of 20 feet serving the main building site of the property. The front setback on flag lots shall be measured from the front property line within the main building site, as opposed to the property line adjoining the public right-of-way.
 - d. For waterfront lots, standards from Section 2.5.4 shall also be met.
 4. Flag lot access shall meet the minimum fire apparatus access clearance requirements as outlined in the International Fire Code (IFC Section 503.2)

2.5.6 ENCROACHMENTS

The features listed below shall be permitted to encroach into a required yard or right-of-way, as applicable.

- A. **Encroachments over Sidewalks:** With approval of the City, or CDD (whichever has authority over a street), awnings, arcades, canopies, and galleries may encroach over the sidewalk to within 4 feet of the curb, but they shall provide a vertical clearance of at least 13.5 feet from any sidewalk finished grade.
- B. **Upper Story Encroachments:** Bay windows, balconies, and similar features projecting from the principal building may encroach up to 50% of the depth of the front and street

side setback. With approval of the City, or CDD (whichever has authority over a street), upper-story balconies or bay windows may encroach over the right-of-way (ROW) a maximum of 6 feet, but they shall provide a vertical clearance of at least 13.5 feet from the sidewalk grade.

- C. **Lower Story Encroachments:** Cornices, eave overhangs, chimneys, flues, bay windows, and similar projections (including gutters) may encroach up to 2 feet into any required setback.
- D. **Covered Porches:** Covered porches may encroach a maximum of 8 feet into any required front yard or street setback and 4 feet into any interior side or rear yard setback.
- E. **Uncovered Porches, Decks, and Patios:** Uncovered and unenclosed porches, decks, patios, and other similar features may encroach into the side and rear setback to within 5 feet of the property line.
- F. **Steps, Stairs, Walkways, and Driveways:** Uncovered and unenclosed steps, stairs, walkways, and driveways may encroach up to 100% of the depth of any required street yard but may not encroach upon any public sidewalk.
- G. **Handicapped Ramps:** Ramps for handicap accessibility and fire escapes that are required by the “Accessibility Code” may encroach into any required yard but may not be closer to any property line than 2 feet. Such features shall not be located in a front yard if it is possible to accommodate them in a side or rear yard.
- H. **Fences and Walls:** Fences and yard walls may encroach into required setbacks. The support structures for fences shall be located on the inside of the fence, and no fence, wall or hedge shall exceed the following dimensions:
 - 1. **Front or Street Side Setback:** 4 feet in height measured with retaining wall top elevation if present
 - 2. **Interior Side or Rear Setback of a - RSD District:** 6 feet in height measured with retaining wall top elevation if present. Side measurement shall not extend forward of the front building wall projection.
 - 3. **Interior Side or Rear Setback of a - UMU:** 8 feet in height measured with retaining wall top elevation if present. Side measurement shall not extend forward of the front building wall projection.
 - 4. **Interior Side or Rear Setback of a - USU:** 10 feet in height measured with retaining wall top elevation if present. Side measurement shall not extend forward of the building wall projection.
- I. **Mailboxes:** Mailboxes may encroach into a front setback area. The following standards apply:
 - 1. Freestanding mailboxes are not permitted. Mailboxes shall be attached to a wall, fence or the structure itself.
 - 2. When grouped or ganged mailboxes are required as part of a new parcel or zone of development, a structure shall be provided to house the individual mail box units. The structure may encroach into a typical front or side setback. The structure shall be included in the site plan and the design shall be approved by the appropriate Olympus Design Review Body.

2.5.7 STREET ACCESS STANDARDS

- A. **Access to Lots from Alleys/Rear Lanes:**
 - 1. Lots served by alleys shall access garages and/or off-street parking areas from the alley and shall not have driveways in front or corner side yard areas.

2.5.8 EXCEPTIONS TO SECTION 2.4.1.E - PARKING LOCATION

- A. The provisions shall not apply to cars parked on plazas or street edge associated with valet or VIP event parking.
- B. Where lot depth is less than 60' deep, the City Manager shall evaluate this requirement on a case-by-case basis. In no case shall parking be located in front of a building in UMU and USU districts.
- C. Where lots have frontage on more than one Primary Street and build-out on one of the streets is planned to be phased, parking may be permitted within the parking setback, provided it doesn't prevent or preclude future build-out of the overall master plan for the parcel.

2.6: HEIGHT

Building heights by district, as specified in Section 2.4.1, shall be determined according to the provisions below.

2.6.1 MEASUREMENT OF BUILDING HEIGHT

- A. Building height for life/safety Building Code purposes is measured as the number of habitable stories (syn. floors) in a building & for City land development regulations as a maximum dimensional measurement. A story is a habitable level in a building of no more than 16 feet in height from finished floor to finished ceiling. Stories measured above the ground floor shall not exceed 14' each for non-residential or 12' each for RSD buildings. Top floor habitable story height including roof top elements may exceed maximum story height without exceeding the maximum building dimensional height limits.
- B. Where a maximum height is also provided in feet, that height shall be taken from the adjacent sidewalk or unimproved site grade at or along the front facade of the building to the highest roof height or top of the parapet. Where the building is located adjacent to a lake flood zone, the height shall be taken from the lowest adjacent grade as determined above the base flood elevation for the sub-basin design storm event.
- C. Under-roof areas with dormers shall be counted as half-stories.
- D. Mezzanines shall be counted as stories, unless they are within a floor-to-ceiling volume that is no more than 16 feet in height.
- E. Unoccupied attics less than 7 feet in height to the ridge beam or collar tie (whichever is lower) and raised basements less than 6 feet above the adjacent grade shall not be calculated as stories.
- F. Certain buildings (such as gymnasiums, stadiums institutions, theatres, etc.) may require finished floor-to-ceiling heights greater than 16 feet. In such instances, the number of stories is not regulated, the maximum habitable number of stories is 8 and the maximum building height is 175 feet.

2.6.2 BUILDING HEIGHT ABOVE GRADE

- A. **General to All Zones:**
 - 1. **Freeboard:** In addition to the standards listed below, where a parcel is located in a lake flood-zone, the minimum FFE elevation above grade is 2 foot above base post-development 500 year flood elevation.
 - 2. **Exception:** Commercial buildings that have been floodproofed, per ASCE Section 24 or most recent version, do not have to be elevated fully above grade. Storage or parking basement levels may be constructed below the base flood elevation.

B. Specific to - RSD Zones:

1. If the finished floor of new residential construction will be lower than the average grade along any property line, the finished floor must be elevated a minimum of 6" above finished grade adjacent to the building exterior, excluding pedestrian access points, garage entry and fire exits.
2. The finished ground floor elevation for s.f. attached 2- 6- unit buildings shall be elevated a minimum of 2 feet above the average adjacent PUD main street sidewalk, or 6" above adjacent street curb grade where no sidewalk is present. Alternative FFE may be set by SJRWMD permitted plans.
3. The finished ground floor height for residential structures shall be elevated a minimum of 16 inches above the average adjacent sidewalk grade or adjacent street grade where no sidewalk is present. Apartment Houses are permitted to be a minimum of 18" above grade excluding pedestrian access points, garage entry and fire exits. Alternate FFE may be set by SJRWMD permitted Plans.
4. The ground floor height of multi-family residential structures shall be a minimum of 10 feet from finished floor to ceiling.
5. The ground floor height of ancillary habitable buildings shall be a minimum of 12 feet from finished floor to ceiling. This includes amenity structures, clubhouse, office or mail center and excludes garage or workshop structures.
6. Each full story above the ground floor shall be a minimum of 9 feet from floor to ceiling.

D. Specific to UMU Zones:

1. The finished ground floor height for residential structures shall be elevated a minimum of 2 feet above the average adjacent PUD main street sidewalk grade. Apartment Houses are permitted to be a minimum of 18" above grade, excluding points of entry, fire exit, and garage threshold.
2. The ground floor height of residential structures shall be a minimum of 12 feet from finished floor to ceiling.
3. The ground floor height of single-story commercial buildings shall be a minimum of 16 feet from finished floor to ceiling.
4. The ground floor height of multi-story mixed use commercial buildings shall be a minimum of 16 feet from finished floor to ceiling.
5. Each full story above the ground floor shall be a minimum of 10 feet from floor to ceiling.

2.6.3 TWO-STORY HEIGHT REQUIREMENTS

Specific to Zones UMU and USU: minimum Two-story buildings are required within 250 feet of any internal street ROW, as measured from the centerline of the street. Any building that is partially within the 250-foot radius will be required to comply with the two- story height requirements.

Where a two-story minimum building height is required, the following configurations are permitted in addition to a typical two-story building with habitable space on each level:

- A. **Two-Story Mass:** This can be an open, double-height structure with a minimum building height of 24 feet. The second floor does not need to be built out or habitable.
- B. **Mezzanine:** The intent of mezzanines is to provide upper-level activity along street facades. Mezzanines shall meet the following conditions:
 1. All buildings shall include a minimum massing of two stories extending fully along all street-fronting facades and any facade that is visible from a corner. If a building cannot meet this standard through the use of a mezzanine, then the mezzanine will not be permitted to fulfill the two-story requirement.
 2. Mezzanines shall be located on the Primary Facade(s) of a building.

3. A mezzanine shall be designed as usable primary interior floor space, not storage or other secondary, mechanical, or service functions.
4. All mezzanine floor space shall be located in direct contact with street-fronting second-floor windows and is required to meet all of the window transparency requirements of a second floor.
5. When being used to satisfy a two-story building height requirement, a mezzanine level shall meet all ceiling height standards of a second floor.

2.6.4 DIMENSIONAL HEIGHT STANDARDS & EXCEPTION - Site Elements

Height measurement requirements for signs, lighting, landscape, screens, and all other site elements, site structures or objects for which a dimensional height requirement is not established by the City or OSE Standards shall be measured as the vertical distance from the average sidewalk or site grade at the structure or object's mounting foundation to its highest point.

2.6.5 ITEMS NOT INCLUDED IN HEIGHT CALCULATIONS

The habitable building height limitations of the OSE Standards or City Code shall not apply to spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, mechanical penthouses, observation towers, transmission towers, chimneys, flagpoles, masts and antennas. The City Manager & OSE ARB shall consider the Architectural Merit of vertical elements incorporated into the building design along with functional requirements to determine the appropriate scale, location and configuration.

2.7 CORRIDOR OVERLAY Certain areas of the PUD Site fall into one or more of the following overlay districts:

2.7.1 RETAIL US-27 & WELLNESS WAY FRONTAGE OVERLAY

- A. **Purpose and Intent:** In all districts, it is desirable to maintain pedestrian street character while permitting allowable uses & mixed uses to occur in buildings that front designated streets.
- B. **Certain Commercial Permitted:** Where designated on the PUD Regulating Plan as a retail frontage overlay, the buildings, parcels & lots with direct access to the designated fronting street is permitted to be occupied by certain additional commercial uses, as indicated in the Table of Permitted Uses in Section 3.2.
- C. **Designation:** Retail frontage overlays are designated on the PUD Regulating Plan by a grey transparent line, as indicated in the map key.

2.8.1 SMALL-SCALE PLANNED INFILL DEVELOPMENT

- A. **Purpose:** The alternative development options of this section allow for variety in OSE Development Standards while maintaining the overall character of the PUD. These options have several public benefits:
 - They promote better site layout and opportunities for private recreational areas;
 - They promote opportunities for affordable housing by allowing for a mixture of lot and building sizes, and
 - They promote energy-efficient development.
- B. **Definition:** A small-scale planned infill development or pad site is in a **USU** or **UMU** zone in which the building pads are allowed to be smaller (in area and width), have reduced setbacks, and/or are oriented in a different manner than otherwise required for the underlying base zoning district, but in which the overall density cannot exceed the maximum density limit for the underlying zoning district.
- C. **Applicability:** **USU** or **UMU** parcel that comprise a minimum size building pad may utilize these standards.

- D. **Conflict with Other Regulations:** If there is a conflict between the small-scale planned infill standards of this section and any other City Code or requirement of the OSE Standards, the standards of this section take precedence. Otherwise, a small-scale planned infill is subject to all other applicable requirements of the City & OSE Standards.
- E. **Approval Procedures:** small-scale planned infill developments are subject to the Olympus architectural review procedures and City Building Permit procedures.
- F. **Lot Size:** There is no set minimum lot size (area or width) requirement within a small-scale planned infill development. Individual lot sizes shall be adequate to meet all required density and development standards.
- G. **Setbacks and Building Separation:** The minimum setback and frontage standards of the base zoning district apply along the perimeter of a small-scale planned infill development. All detached structures within a small-scale planned infill development shall be separated by a minimum distance of 10 feet. This distance may be reduced subject to the building code.
- H. **Open Space Requirement:** A portion of the gross area of the PUD development shall be reserved for some type of usable, common open space, so zero open space is required for infill pad sites.

2.8.2 COTTAGE COURTS (A.K.A. BUNGALOW COURTS, POCKET NEIGHBORHOODS, COURTYARD HOMES)

- A. **Purpose:** The alternative development options of this section allow for development of smaller dwelling units, organized around a common outdoor green space. They provide a space-efficient and economical alternative to traditional attached or detached single dwelling unit development. The ownership model may be either fee-simple or condominium-style and can achieve the same benefits as those listed in Section 2.8.1.A.
- B. **Definition:** A Cottage Court development is a residential development in which small buildings are oriented around a central green or open space that is accessible by all residents.
- C. **Conflict with Other Regulations:** If there is a conflict between the cottage courts standards of this section and any other requirement of the City Code or OSE Standards, the standards of this section control. Otherwise, cottage courts are subject to all other applicable requirements of the City Code.
- D. **Approval Procedure:** Cottage courts are subject to the City subdivision review procedures, with revised standards to allow the common tract lot frontage with lane access.
- E. **Number of Buildings:** Cottage courts shall contain a minimum of 4 residential buildings. For courts that have 8 or more buildings, a community structure shall be provided. Examples of these include garden sheds, pavilions, community houses, mail kiosk etc.
- F. **Building Size & Details:**
 - 1. Buildings may have a minimum 800 square foot footprint (not including porches) and may be no more than 3.5 stories tall.
 - 2. Front porches shall be provided facing the common space, and they shall be a minimum of 8 feet deep.
 - 3. Where a building is located on both a public street and a public space, it shall address the street with either a porch, stoop, balcony, enhanced window treatment or secondary entries.
 - 4. The public spaces of the home shall be located facing the common space. These include living, dining, and kitchen areas. First-floor bedrooms should not be located fronting the civic space. An exception to this shall be made on corner lots, where public spaces may face the street.

- G. **Setbacks and Building Separation:** The minimum setback and frontage standards of the SF-RSD district apply along the perimeter of a cottage court development. Buildings may be attached or detached. All detached structures within a cottage court development shall be separated by a minimum distance of 10 feet.
- H. **Parking Requirements & Configuration:** One space per unit is required. Adjacent on-street parking spaces may count towards this requirement. Off street parking shall generally be screened from the public right-of-way by buildings or screen walls. A common parking area, accessed via a drive, is recommended. Access easement(s) shall be provided as part of the final plat.
- I. **Open Space Requirement:** A minimum of 400 square feet of common open space is required per unit. The open space shall be connected to the public right-of-way either by opening up to the street, or via a paved path no less than 8 feet wide connected to an internal street sidewalk. Joint ownership and maintenance requirements shall be in accordance with Property Ownership Declarations.
- J. **Civic/Open Space**
Development shall be required to reserve usable, common open space in accordance with the standards.
No portion of the RSD District shall be further than 1400 feet from a Community Green Space. Existing or reserved common open spaces outside of the RSD boundaries may be used to satisfy this requirement.

3:LAND USE PROVISIONS

3.1.1 USE PERMISSIONS DEFINED

The Conditional Use & Special Exception review procedure & approval shall be determined by the OSE Administrator and both are considered a permitted use under the City Codes if submitted for building or tenant improvement permits.

The use table in Section 3.2 assigns 1 of 5 permissions to each defined use in each Zoning sub-district as follows:

- A. **Permitted Use (P):** The use is permitted by-right, with no additional conditions or requirements.
- B. **Conditional Use (C):** The use is permitted by-right, provided that the additional use conditions set forth in this article are met.
 - 1. The specified standards are intended to ensure that these uses are compatible with other development permitted within the sub-districts.
- C. **Special Exception (SE):** The use is permitted only when a Special Exception has been approved.
 - 1. Special Exceptions are required for uses that may be compatible with other uses permitted in a sub-district, but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the PUD as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.
 - 2. All applications for Special Exceptions shall, at a minimum, meet the standards for the sub-district in which they are located, and the additional standards set forth in this article for that use. There may also be specific building design standards (OSE ARB) that must be met.
- D. **Retail Frontage Only (RE):** The use is permitted only when the subject building meets all Street Frontage requirements and the location is not adjacent to (UMU) street frontage.
- E. **Athlete Center Only (A)** The use is permitted within the Building & Building envelope, including roof area associated with the restricted access areas associated with the Athlete Center within the **Urban Special-Use District** (depicted as USU-A on the Regulating Plan)

3.2 TABLE OF PERMITTED USES

Land uses in location-based sub-districts shall be permitted in accordance with the table below. Special provisions related to uses where noted.

DISTRICT	NA	NA	RSD	HSD	OSD	UMU	USU	NA	NA	NA	NA	ADD'L STANDARDS WHEN APPLICABLE
RESIDENTIAL												
Household Living												
Single-Family Dwelling	—	---	P	--	--	--	--	—	—	—	—	—
2- or 3-Unit Dwelling	—	—	P	--	--	P	--	—	—	—	—	4.1.2
Rowhome	—	—	P	—	---	P	P	—	—	—	—	4.1.2
Apartment House / Multifamily Dwelling - 4+ units)	—	—	P	—	---	P	P	—	—	—	—	4.1.2
Home Occupation - Minor	—	----	SE	--	---	P	P	—	—	—	—	
Home Occupation - Major	—	----	C	--	---	P	P	—	—	—	—	
	----	—	—	—	—	—	—	—	—	—	—	
Live/Work Unit	—	—	—	—	----	P	P	—	—	—	—	4.1.2
	—	—	—	—	—	—	—	—	—	—	—	
Group Living												
Group Dwelling (≤ 8 residents)	—	—	—	P	----	P	P	—	—	—	—	—
Group Dwelling (> 8 residents)	—	—	—	P	SE	P	P	----	—	—	—	—
PUBLIC AND CIVIC												
Civic / Government Facilities	—	—	SE	SE	P	P	P	—	—	—	—	4.1.2
Educational Facilities												
College/University/Trade/Vocational	—	—	—	—	P	SE	P	—	—	—	—	4.1.2
School, Public or Private	—	—	----	----	C	P	P	—	—	—	—	4.1.2
Parks and Open Space												
Shelter/ Monument/Bridge/Wall			P	P	P	P	P					
Plaza/Park/Open Space			P	P	P	P	P					7.1.2
INSTITUTIONAL												
Community Service	—	—	SE	SE	P	P	P	—	—	—	—	4.1.2
P=Permitted Use C=Conditional Use SE=Special Exception RF = Retail Frontage Only A=ATHLETE CENTER ONLY — = Prohibited use												

DISTRICT	NA	NA	RSD	HSD	OSD	UMU	USU	NA	NA	NA	NA	ADD'L STANDARDS WHEN APPLICABLE
Day Care Facility												
Family Day Care Home (≤ 6 clients)												
Group Day Care Home (7-12 clients)	---	---	---	C	C	P	---					4.1.2
Commercial Day Care Center (>12 clients)	---	---	C	C	P	P	A					4.1.2
Treatment Facility	---	---	---	---	P	SE	P					4.1.2
ILF, ALF Health Care Facilities-			---	SE	P	SE	P					4.1.2
Religious Institution			---	P	P	P	P					4.1.2
COMMERCIAL			---	P	P	P	P					4.1.2
Indoor Entertainment			C	P	C	P	P					4.1.2
Outdoor Entertainment			---	P	C	SE	P					permit required
Office		---	C	P	P	P	P					4.1.2
Overnight Guest Accommodation			---	P	---	P	A					4.1.2
Self-Service Accessory Storage			---	P	P	P	P					4.1.2
Inn/Motel/Hotel	---	---	---	P	---	P	A					4.1.2
Recreational Vehicle Parking	---	---	---	SE	---	---	P		---	---	---	ancillary
Restaurants				SE	RF	P	P					4.1.2
Retail Sales and Service			---	SE	RF	P	P					4.1.2
Animal Hospital/Kennel	---	---	---	---	C	---	---			---	---	4.1.2
General Retail/Service	---	---	---	C	RF	P	P					4.1.2
VEHICLE- AND BOAT-RELATED												
Vehicle and Boat Rental			---	SE	---	---	SE					
Drive-Thru Facility			---	---	---	---	---					
Scooter/NEV/Bike Rental & Repair			---	SE	SE	P	P					
Minor Vehicle Service and Repair			---	---	---	---	---					
Parking/ Commercial/ Surface			---	P	SE	P	P					
Parking/ Commercial/ Structure			---	P	P	P	P					4.1.2
Passenger Transit Hub			---	SE	C	---	SE					4.1.2
Water Oriented Facilities			SE	SE	---	SE	SE					Ancillary
INDUSTRIAL												4.1.2

DISTRICT	NA	NA	RSD	HSD	OSD	UMU	USU	NA	NA	NA	NA	ADD'L STANDARDS WHEN APPLICABLE
Light Industrial Services-Accessory			—	—	SE	—	SE					4.1.2/Ancillary
Data Center / Production / Broadcast			—	—	SE	C	P					4.1.2
TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE												
Minor Infrastructure/Utilities			C	C	C	C	C					4.1.2
Recycle/Waste Related Services			P	P	P	—	P					4.1.2
Wireless Communications Facility			—	—	SE/C	—	C					4.1.2
FORESTY/ AGRICULTURE/HORTICULT			C	C	C	C	C					Ancillary Greenbelt
P=Permitted Use C=Conditional Use SE=Special Exception RF = Retail Frontage Only A=ATHLETE CENTER ONLY — = Prohibited use												

3.2.1 OVERVIEW OF USE CATEGORIES

- A. **Definition of Use Category:** See City Code & OSE Standards (Definitions of Specialized Terms)
- B. **Basis for Classification:** Use categories classify land uses and activities into categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses into appropriate assigned Districts.
- C. **Principal Uses:** Principal uses are assigned to the category that most closely describes the nature of the principal use. The “Characteristics” subsection of each use category describes the common characteristics of each principal use.
 1. **Developments with Multiple Principal Uses:** When all principal uses of a development fall within one use category, the entire development is assigned to that use category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.
- D. **Accessory Uses:** Accessory uses are allowed by-right in conjunction with a principal use, unless otherwise stated in this Code. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions.
- E. **Use of Examples:** The “Examples” subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself a “wholesale warehouse,” but sells mostly to consumers, is included in the “Retail Sales and Service” category rather than the “Wholesale Sales” category. This is because the actual activity on the site matches the description of the “Retail Sales and Service” category.
- F. **Similar Use Interpretation Criteria:** The following considerations shall be used in making similar use interpretations:
 1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category

2. The relative amount of site area or floor space and equipment devoted to the activity
 3. Relative amounts of sales from each activity
 4. The customer type for each activity
 5. The relative number of employees in each activity
 6. Hours of operation
 7. Building and site arrangement
 8. Vehicles used with the activity
 9. The relative number of vehicle trips generated by the use
 10. How the use advertises itself
- G. Artisan-Oriented:** Preparation, display, classes/education, performance- and sale of individually crafted artwork and visual and performing arts such as, jewelry, furniture, sculpture, pottery, leathercraft, textiles, drawing, photography, music, theater, painting, sculpture and writing.
- H. Trail-Related:** This limited subset of Retail Sales and Service specifically caters to the Public-use Trail System. Retail uses include the sale, rental, and/or repair of outdoor recreational equipment, goods, or clothing.

3.3.1 ADDITIONAL STANDARDS FOR COMMERCIAL USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2. In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

A. Entertainment Uses (Indoor and Outdoor)

1. **Specific to RSD:** Indoor and outdoor entertainment are permitted if the property is owned by a neighborhood association or property owners’ association, and if the use is owned or managed by that association.
2. **Specific to OSD:** Indoor Entertainment, unless temporary and scaled to the office staff & related guests, the individual or collective Entertainment venue shall be limited to 2,500 SF.
3. **Specific to HSD / USU:** Outdoor Entertainment is permitted on parcels 4 acres or larger, or designated Outdoor Entertainment Zones (OEZ) subject to City Permit, unless the event activity is contained within a defined event zone by fenced, walled, or access controlled perimeter.

B. Overnight Guest Accommodation

1. **Specific to UMU:**
 - a. All residential dwelling Units may be utilized for short term rental, subject to Local Bed Tax provisions directly by the owner or with contracted management services.
 - b. **Signs:** No additional sign area or rental advertisement is allowed.
 - c. **Parking:** No additional parking for short term rental or management services is required or permitted.
 - d. **Meals:** No Guest meals will be served outside of individual dwelling units
 - f. **Events:** Business meetings, receptions, teas, and other events are permitted,

provided that the events are hosted for owners or guests.

2. **Inn/Hotel/Motel**

a. **Specific to UMU**

- i. Inns are permitted as long as the building frontage standards are met, and parking is provided either on site or via managed remote surface lot parking or structured parking.
- ii. Inns with 6-24 rooms are permitted in mixed use buildings.

b. **Specific to USU-A:** This use is allowed on premises as remote Guest accommodations in association with off-site full service Hotel facilities and/or remote OSE management services. Such Guest accommodation is not open to the public and may be reserved for invited VIP, Athletes registered for events, appearances, training or on-site activities within the PUD.

3. **General Retail/Service**

a. **Specific to UMU within the US 27 Overlay:** The additional types of general retail/service uses permitted are prepared food, artisan-oriented and trail-related uses. The following conditions apply:

- i. Freestanding signs are limited to one per lot, with a maximum size of 5 square feet.
- ii. No outside amplified music is permitted.
- iii. No package alcohol sales are permitted.
- iv. New construction and exterior changes to proposed or existing bridge structures to accommodate such uses shall be subject to Article 4 Building Design and Infill Standards.
- v. Specific to trail-related uses:
 - a. The floor area of each tenant space is limited to 2,500 square feet.
 - b. On-site parking shall be provided at the rate of 1 space per 300 square feet.
 - c. The hours of operation shall be limited to between 5:00 a.m. and 8:00 p.m. EST.
 - d. Any use that includes outdoor seating including roof or bridge level shall have a trash container available for disposal of goods consumed on the premises.

4. **Self-Service Storage-Ancillary to on site uses in OSD/ HSD/ UMU/ USU**

- a. **Screening:** Self-service storage may be constructed within basement or partial basement & parking structures for the use of the property owner or tenant, it must be screened from public rights-of-way with fencing and/or vegetation or be located behind another building that would provide appropriate screening. Where fencing and/or vegetation is used, it must meet the requirements for parking lot landscape. A habitable office component of the building may be used to screen the storage area from the right-of-way.
- b. **Specific to UMU:** This use is permitted in upper floor habitable space, loft, or mezzanine for existing buildings tenants only.
- c. **Specific to USU / HSD:** Such use shall be setback a minimum of 100' feet from the public right-of-way, external to the PUD, with the following exceptions:
 - i. **Multi-Story:** Multi-story structures, with two or more habitable floors, may comply with the standard setbacks if the ground floor contains an office and/or retail component and meets all of the design standards in Section 4.

- ii. **Liner Building:** If a Liner Building exists between the storage area and the right-of-way, these uses may be located less than 100' from the public right-of-way.
- d. **Operation**
 - i. The only uses allowed on-site shall be the rental of storage bays to adjacent tenants, the pickup and deposit of goods or property in dead storage, Daily vehicle, cart or bile rental may also be permitted as an accessory use.
 - ii. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or to conduct similar repair activities, garage sales or retail sales of any kind, or any other commercial or industrial activity on the site.
 - iii. Individual storage bays or private boxes within a self-service storage facility shall not be considered premises for the purpose of assigning a legal address.
 - iv. No security or caretaker quarters may be developed on the site.
 - v. All property stored on the site shall be contained entirely within enclosed buildings, or wall enclosed zones meeting PUD & City Codes.
- e. **Building Appearance**
 - i. Garage doors serving individual storage units shall be perpendicular to a public or private street, so as to not be visible from adjacent streets.
- f. **Fencing**
 - i. Fences shall be between 6 and 10 feet tall.
 - ii. Chain link fencing and entry gates within the PUD or along public rights-of-way is prohibited.
 - iii. Razor wire that is visible from public rights-of-way is prohibited.
 - iv. Wooden entry gates without structural support are prohibited.

3.8: INDUSTRIAL USE CATEGORIES

3.8.1 OVERVIEW OF INDUSTRIAL USE CATEGORIES

A. Light Industrial Service – Accessory to Principal Use.

1. **Characteristics:** Light Industrial Service activities are engaged in the repair or servicing of on-site facilities, principal customer business operations maintenance, or consumer machinery, equipment, and products or by-products. Specialty Contractors and building maintenance services and similar uses perform services on-site. Few customers, especially the general public, come to the site other than associated with the principal use.
2. **Accessory Uses:** Accessory activities may include offices, parking, and storage.

B. Data Center / Production / Broadcast

1. **Characteristics:** Enclosed building housing computer servers, broadcast studio, editing & post production equipment. Outdoor equipment for electronic data transfer.
2. **Accessory Uses:** Accessory activities & features include UPS battery & generators, satellite uplink & large dish reception, redundant power connections, closed-loop solvent or water-based cooling pumps, heat exchange equipment, mobile broadcast van or truck.

C. **Waste-Related Service**

1. **Characteristics:** Waste-Related Services are characterized by uses that receive solid or liquid wastes from within the PUD boundary for temporary storage and assemblage for disposal off the site or for transfer to another off site storage location, uses that collect sanitary wastes, medical waste, or uses that manufacture or produce goods or fertilizer from the composting of organic material.
2. **Accessory Uses:** Accessory uses may include recycling bins of materials, offices, and repackaging and transshipment of sorted by-products.
3. **Examples:** Examples include waste transfer or composting and recycling centers.
4. **Exceptions:** Disposal of dirt, concrete, asphalt, and similar non-decomposable materials is considered “fill” or construction debris.

3.8.2 **ADDITIONAL STANDARDS FOR INDUSTRIAL USES**

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2 as Conditional (C), Special Exception (SE), or Athlete (A). In addition, any Building Design standards, as set forth in City Codes apply.

A. **Light Industrial Services, Specific to OSD:** Rear setback is increased to 25 feet minimum.

B. **Data Center / Production / Broadcast, Specific to OSD District:**

1. The rear setback is increased to 25 feet minimum. Buffer planting, is required. If a rear lane is present within the 25-foot setback, buffer plantings shall be installed to the maximum extent possible, while still permitting the rear access to function.
2. The operation of the facility shall not become a nuisance to surrounding property owners per City Code.

3.9: TRANSPORTATION, COMMUNICATION, & INFRASTRUCTURE USES

3.9.1 OVERVIEW OF TRANSPORTATION, COMMUNICATION & INFRASTRUCTURE USE CATEGORIES

A. Telecommunications Facilities

1. **Characteristics:** Telecommunications facilities include all devices, equipment, machinery, structures, or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self-supporting, guyed, or mounted on poles, other structures, light posts, power poles, or buildings. Facilities also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system.
2. **Accessory Uses:** Accessory use include transmitter facility buildings, co-location huts, risers & dedicated utility rooms in buildings that may serve more than one building.
3. **Examples:** Examples include broadcast towers, communication towers and point-to-point microwave towers, satellite uplink or reception dish, fixed or mobile.
4. **Exceptions**
 - a. Receive-only antennas are not included in this category.
 - b. Radio and television studios are classified in the Data Center/Broadcast category.
 - c. Radio and television broadcast facilities that are also public safety facilities are classified as Basic Utilities.

B. Infrastructure/Utilities (Major and Minor)

1. **Characteristics:** Major utilities are infrastructure services providing PUD-wide or regional service in association with authorized utility services providers.
Minor utilities are infrastructure services that need to be located in or near the area where the service is provided.
2. **Accessory Uses:** Accessory uses include public utility accessways, parking and control, monitoring, and data or transmission equipment. Services may be publicly or privately provided.
3. **Examples**
 - a. Examples of major utilities include above-ground public re-pump or pressure stations, above ground utility connections, public utility plants, water towers, waste collection , and telephone exchange co-location huts.
 - b. Examples of minor utilities include underground public utility lines, utility risers, public utility lift stations, transformers, water and sewage pump stations, electrical junction boxes, and block- or neighborhood-scale stormwater management facilities. Minor utility uses generally do not regularly have employees or visitors at the site.
4. **Exceptions**
 - a. Maintenance yards and related buildings are classified as Industrial Services.
 - b. Utility offices are classified as Offices.

3.9.2 ADDITIONAL STANDARDS FOR TRANSPORTATION, COMMUNICATION & INFRASTRUCTURE USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2. In addition, any Building Design standards, as set forth in City Codes, apply. Site location & construction of permanent fixed telecommunications equipment towers shall follow the City of Clermont Code. Mobile temporary telecommunications equipment shall be reviewed by the City Site Plan Review Committee prior to installation.

A. Minor Infrastructure/Utility

1. **Location:** Above-ground structures shall be located on interior properties, rather than on properties aligned with other lots that have continuous street frontage. Where this is not possible and the structures must be located on a street, they shall not be located on corners.
2. **Screening and Buffer:** Structures greater than 3 feet in height that cannot adhere to the scale, volume, spacing, setback, and typology of existing buildings along fronting streets, shall be designed so they do not have an adverse effect on the streetscape. Treatments may include a wall, landscaping, or architectural design solutions as approved by the OSE ARB Administrator.
3. **Accessory Uses:** No office, commercial operation, storage of vehicles, or equipment shall be allowed on the premises.
4. **Signage:** No commercial or branding signage is permitted.
5. **Specific to Public Utility Substations**
 - a. **Screening:** Public utility substations shall be enclosed by a wall or fence at least 6 feet in height above finished grade.
 - b. **Location:** Public utility substations shall not be located where visible from a primary public right-of-way. They shall be located internally on a property and screened from the right-of-way with buildings, site structures, or terraced walls. Where this is not possible and the structures must be located on a street, they shall not be located on corners.
 - c. **Design:** Building design shall comply with the standards of the specific district as outlined.
 - d. **Buffer:** A landscaped strip not less than 5 feet in width shall be planted and maintained around the facility, where room exists, and relocation is not possible.
 - e. **Accessory Uses:** No office, commercial operations, or storage of vehicles or equipment shall be allowed on the premises.
- C. **Waste Related Services, Buffer:** An additional 10 feet of landscape buffer or an 8 foot wall, landscaped with 1 overstory tree per 50 feet, is required around the designated property. If the adjacent property is zoned RSD, both the wall and an additional 25 feet of landscape buffer shall be included.

D. Wireless Communications Facility

1. **Collocation:**
 - a. **Due Diligence:** All applications where wireless communication facilities are not being provided through collocation shall include a collocation study that

demonstrates there is not a suitable collocation site that can serve the needs of the user. Placement on existing towers, water towers or other tall structures shall be fully considered prior to making an application for a new tower.

- b. **Proximity:** When a new tower is proposed within two miles of an existing tower, the applicant will be expected to prove that there is no technologically and structurally suitable space available within the search ring. The applicant shall submit satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers are not available for use. The proposed tower, if approved, shall be either camouflaged or stealth in design.
 - c. **Speculation Towers:** Speculation towers are prohibited.
 - d. **Expansion:** The design of ground structures for new towers shall be such that modular expansion to accommodate collocation is feasible.
2. **Freestanding Towers:** The following conditions shall be met before a freestanding telecommunication tower is approved:
- a. **Maximum Height:**
 - i. 125 feet for towers with provisions for two or three co-locations
 - ii. 180 feet for towers for provisions for four or more co-locations
 - b. **Setbacks Requirements:**
 - i. **Collapse Zone (syn. Fall Zone):** A collapse zone shall be designed so that tower collapse will occur only within the property owned or leased by the tower company, or controlled by an easement held by the tower company.
 - ii. **Residential Setback:** The tower must be set back a distance of its height plus 50 feet from any residential structure, unless the owner of the structure waives this requirement by a notarized affidavit.
 - c. **Buffer Requirements:** A buffer shall be provided around the entire perimeter of the parent property containing the tower (not just the leased area). For camouflage and stealth towers, the City Site review Committee may approve a modification of this requirement based on site design.
 - d. **Lighting Requirements:** All towers 150 feet or taller shall be lighted. Lighting shall be in accordance with Federal Aviation Administration (FAA) Advisory Circular AC 70/7460-1K (and all future updates) and FAA Advisory Circular AC150/5345-43E (and all future updates) and shall be red strobe lights (L-864) at night and medium-intensity flashing white lights (L-865) during daylight and twilight use, unless otherwise required by the FAA. No general illumination shall be permitted. All commercial communication towers approved by the City prior to the adoption of this PUD and operating in conformance with those approvals shall be deemed to be a lawful, nonconforming use and structures and are not subject to these lighting requirements. Status as a lawful nonconforming use of structure under this section shall terminate upon expiration or revocation of a commercial communication tower's permit, or upon any modification to the height of the tower.
 - e. **Color:** The color of the tower and its antennae shall be one that will blend to the greatest extent possible with the natural surroundings and shall be approved by the OSE Architectural Design Review Board.
 - f. **Perimeter Security:** The tower shall be appropriately secured by means of a wall, at least 7 feet high; however, razor wire shall not be permitted directly adjacent to a public right-of-way. Fencing shall be solid masonry wall w/ stucco finish painted. The immediate perimeter of the fence or wall surrounding the tower and associated structure shall be planted with evergreen shrubs capable of obtaining a height of 12 feet, with a maximum spacing of 10 feet. These plants shall be at least three-gallon container plants or 24 inches tall at the time of planting.

- g. **Signage:** A sign of no more than two square feet shall be mounted in an easily noticeable location, no more than four feet above the ground, providing tower identification and an emergency notification number.
 - h. **Application Disputes:** If disputed evidence occurs in the review of the application, the City may hire, at the developer's expense, a communications expert or engineer of its own choosing to assist in determining the facts.
 - i. **Abandonment:** All towers, antennae, accessory structures, or equipment that is not used for communication purposes for more than 180 days shall be considered abandoned and shall be removed by the owner within 60 days. Removal costs shall be the responsibility of the communications tower owner. The OSE CDD or City reserves the right to dismantle any abandoned communications structure and associated equipment that has not been removed within the allotted time period. In that event, the City may retain any and all materials, and dispose, use, or sell said materials unless reimbursed by the communications tower owner within 30 days of being sent an invoice.
3. **Roof-Mounted Telecommunication Towers :** The following conditions apply to roof-mounted telecommunication towers:
- a. No tower may be located on any residential structure.
 - b. A proposed roof-mounted tower shall not extend more than 20 feet above the highest part of the structure.
4. **Special Height Review:** The City may approve towers up to 250 feet in height in the OSE PUD after a public hearing and findings of fact based on the following criteria:
- a. All application requirements and all conditions outlined in City Codes are met.
 - b. The applicant has demonstrated that additional height is necessary for service to occupants of the immediate area within the City. The City has the authority to establish setback requirements and such additional conditions as it deems necessary to remove danger to health and safety, and to protect adjacent property.
 - c. Existing, in-service cellular service towers are scheduled for removal or relocation that would create a diminishment of service volume in the area.

3.9.3 VEHICULAR PARKING, MANAGED PARKING & SHARED PARKING

The PUD and PUD Site Plan shall utilize two forms of vehicular parking generation and tabulation of required parking:

- Single Land Use with rate defined parking provided within the building, lot, or parcel containing the single land use.
- Mixed-use and Specialty Land Uses employing managed parking facilities and shared parking as the basis for tabulating required parking.

The developer or CDD shall provide a tabulation of parking demand and hours of peak utilization for the entire development program to be updated annually with the monitoring report. The parking allocation tabulation shall be updated and submitted with project site plan approval prior to issuance of building permits. Shared parking is not permitted by right. In order to utilize shared parking, it must be justified by the built development program and resulting shared parking opportunity based on that built program, and not any assumed percentage reduction in the TIS methodology.

Hotel & related hospitality rooms, food service, & pool shall provide 1 vehicular on-site parking space per room located within the Hotel parcel or a designated surface lot or garage. Drop-off & Valet services located on Hotel sites are

not eligible to offset on-site parking requirements. On-site Hotel Parking is not subject to shared parking reduction, although the minimum required on-site Hotel parking provided can serve to establish internal capture, mode split, and peak time parking reductions for other land use within the PUD. Employee parking spaces may occur within or beyond the limits of the Hotel parcel or designated guest parking.

Residential & related amenity spaces, pools, & pavilions shall provide 1 vehicular space per single bedroom dwelling and 1.5 spaces per dwelling with more than 1 bedroom. The required parking shall be provided within buildings, ancillary structures, surface lots and circulation areas within the Residential parcel and shall collectively be considered on-site parking. This parking requirement shall not be subject to shared parking reduction, may be designated as private or access controlled. The cumulative on-site parking provided by Residential designated parcels shall be considered as a basis for internal capture, mode split, and peak time parking reductions for other Land Uses within the PUD.

Medical Services & Office shall provide 1 vehicular space per 300 square feet net leasable area (NLA). The required parking shall be provided within buildings, ancillary garage structures, surface lots and circulation areas within the land use parcel and shall collectively be considered on-site parking. This parking base-line requirement shall not be subject to shared parking reduction; however it may not be designated as private or access controlled between the hours of 5:00 pm and 6:00 am. The on-site parking facilities, space availability and duration may be managed to support employee parking, visitor parking, patient or client parking, loading, and related customer and public use.

The cumulative on-site parking provided by Medical Services & Office designated parcels shall be considered as a basis for internal capture, mode split, and peak time parking reductions for other Land Uses within the PUD.

Mixed-use and Specialty Use buildings and facilities shall utilize shared parking reduction factors to determine the required vehicular parking, as well as the provisions for managed parking within the PUD. The required parking shall be provided by a combination of on-site, off-site, on-street, and managed parking facilities and vehicles operating under a managed transportation service. Employee parking spaces may occur within or beyond the limits of the Mixed-use or Specialty-Use parcel.

Shared Parking Methodology: The required parking for each eligible land use, building, mixed-use building occupant or pad site utilizing shared parking shall first utilize the ITE Parking Generation Rates 4th Generation table of base-line parking generation, as established from ITE, or alternatively an average parking generation between ITE and ULI parking rate standards based on case study examples. The required parking base-line for weekday, weekend and peak period shall be calculated for the proposed mix of uses. An active Excel spread sheet for this purpose will be provided to the City and will be maintained by the City & Applicant as Phased development occurs and refined as better Parking Generation data is collected and published.

If a specific PUD land use is determined to fall outside of the base-line parking generation table, a specific ITE or ULI parking generation rate can be utilized if the rate is considered to be more representative of the PUD land use or more recent or comprehensive. If a PUD Land Use is subject to conflicting parking generation rates as a base-line condition, the Applicant may employ a parking generation study utilizing independent land planning & engineering professionals to determine the peak parking demand and range of parking utilization over normal hours of operations.

Base-line parking generation associated with the PUD building, facility or pad site based on established methods provided above shall be subject to reduction as a result of the Olympus Site context allowing for a single parking duration to provide for more than one destination, and provisions for mode-split within the PUD and non-vehicular connectivity or transit outside of the PUD. All base-line parking generation for shared use eligible land uses shall be consistent with the approved TIS methodology when measured at the final cumulative construction phase. This reduction factor shall be adjusted +/- based upon linkage supported by the TIS methodology, mode split and internal capture percentage for the overall project.

The adjusted parking requirement provided by the formula of (base-line parking value) x (.63 or TIS adjustment) shall be met by the tabulation of available vehicular parking spaces within the specified pedestrian shed radius of the parcel limits of the Specialty land use or building pad limits or the Mixed-Use facility. Available spaces shall include, on-site, off-site,

on-street, service area, managed parking spaces available due to parking controls or off-peak availability of contributing un-managed parking facilities. Parking time-management of structured parking facilities and on-street parking may be utilized to ensure turn-over.

Employee parking demand may be met by assignment, agreement, cross access easement in locations that may exceed the 650' pedestrian shed requirement for Mixed-use sites and 1250' for Specialty-Use sites.

Sporting, Entertainment & Performance Events shall utilize time-based capacity management and assignable reservation of parking facilities to accommodate the peak parking demand associated with the primary event. Shoulder period sub-events designed to encourage early arrival and delayed departure may also serve to avoid serial performance parking overlap and traffic patterns that block parking availability. More remote structured or surface lot parking areas may be utilized to distribute circulation patterns and to program activities between parking and primary event destinations. The acceptable pedestrian shed for event facilities shall be 1250'. Additional temporary event parking requirements may be met by parking facilities located beyond the 1250' radius via the use of shuttle service, trams, drop-off zones, VIP lots, Valet and other forms of supporting trip end mobility. Shared parking reduction provisions shall also be applied.

3.10: FORESTRY, AGRICULTURE AND HORTICULTURE

3.10.1 OVERVIEW OF FORESTRY, AGRICULTURE AND HORTICULTURE USE CATEGORIES

- A. **Characteristics:** Agriculture includes activities that primarily involve producing crops either for personal or community consumption within the PUD boundary or for sale within the PUD allowed services & restaurants but not for general distribution.
Forestry includes the existing citrus trees and related activities that may be maintained within zones of the PUD that are scheduled for future development as a grandfathered use and for maintenance of greenbelt tax status. Additional tree planting may occur where such planting is normal grove management.
Horticulture includes the establishment of ornamental vegetation, annuals & perennials, that are utilized outside of growing areas within the PUD, either for common area display or usage & sales within Retail & Service establishments located within the PUD, but not for general distribution.
- B. **Accessory Uses:** Accessory uses include roof gardens, green walls, irrigation equipment, green house, overhead shade elements, potting sheds, equipment sheds, loading shelter.
- C. **Examples:** Examples include neighborhood common agricultural gardens and horticulture nurseries, tree farms, field to table restaurant provisioning & truck gardening.
- D. **Exceptions**
 - 1. Processing of animal or plant products that requires commercial trucking for distribution is classified as Manufacturing and Production.
 - 2. Plant nurseries that are oriented to general retail sales are classified as Retail Sales and Service.

3.10.2 ADDITIONAL STANDARDS FOR FORESTRY, AGRICULTURE AND HORTICULTURE USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2. In addition, any Building Design standards, as set forth in City codes, apply.

- A. **Specific to Uses**
 - 1. **Acreage**
 - a. **Specific to UMU** – Usage within Parcels can be a maximum of the building roof area less 15 % for roof equipment.
 - b. **All other zones – defined usage** Parcel area can be a maximum of the available roof area, net parcel ground area less vehicular use area & required paved circulation zones.
- B. **Specific to Agriculture, Horticulture:** This use shall be permitted according to the defined development zoning Districts as well as the defined COS District.

3.11: ACCESSORY USES AND STRUCTURES

3.11.1 PURPOSE

This Section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent in adopting this section is to allow a broad range of accessory uses. Such uses shall be located on the same site as the principal use and shall comply with the standards set forth in this section in order to reduce potentially adverse impacts on surrounding lands.

3.11.2 USES CUSTOMARILY ACCESSORY TO RESIDENTIAL DWELLINGS

A. Accessory Dwelling Unit (ADU)

1. For free standing ADUs, see Section 2.4
2. For attached ADUs, all standards apply, with the following addition: Any additional entrances will be located in the side or the rear of the primary structure. Additional external stairways or fire ladders are strongly discouraged but may be permitted at the discretion of the Fire Marshal when no practical alternative exists.

B. Private Garage, Carport or Workshop Standards

1. **Quantity:** One garage, carport or workshop is permitted per lot or per dwelling unit on a multi-unit parcel.
2. **Footprint**
 - a. A garage or carport shall not exceed 50% of the footprint of the dwelling; however, in no case shall the footprint of the structure exceed 600 square feet.
 - b. A workshop shall not exceed 320 square feet.
3. **Services**
 - a. A garage or carport may be provided with electricity, a sink, and a commode.
 - b. A workshop may be provided with electricity and a sink, but shall not be used as an accessory dwelling unit.

C. Shed or Storage Building

1. One shed or storage building, up to 120 square feet, is permitted. Steel cargo storage containers or modified versions thereof are not permitted. Sheds shall not be located in front of the front line of the dwelling. Sheds may be provided with electricity and a sink.
2. Sheds shall be located a minimum of 15 feet from the primary structure, unless approved to be closer by the Fire Marshal if materials are sufficiently fire resistant.

D. Swimming Pool

1. One private swimming pool, which may have a bath house or cabana up to 200 square feet in size and 25 feet in height, measured from average adjacent grade, is permitted. Swimming Pools shall abide by the requirements for Accessory Building Placement in 2.4.1.C.
2. Barriers shall be required per Florida Building Code, or City Code equivalent as updated.

E. Covered, Open-Air Structures: Gazebos and trellises up to 200 square feet are permitted.

F. Outdoor Living and Recreation: Playhouses, picnic tables, dog houses, basketball goal, flagpoles and furniture designed specifically for outdoor use are permitted, and do not require a Project Permit, if they are not permanently affixed to the ground (e.g., on a slab or movable platform). If a any structure under roof (e.g., playhouse, doghouse,) is permanently affixed to the ground, it is considered a shed and shall comply with the standards in paragraph C of this section.

3.11.3 USES CUSTOMARILY ACCESSORY TO RETAIL BUSINESS, OFFICE USES AND RECREATIONAL FACILITIES

- A. **Accessway loading Zone:** Off-street loading area or a temporary storage area for customers, clients, or employee-owned vehicles is considered an accessory use. Such zones may exist in addition to permanent off-street loading zones, or temporal on-street loading zones.
- B. **Storage for Merchandise:** A completely enclosed building for the storage of supplies, stock, or merchandise is permitted. Steel cargo storage containers, or modified versions thereof, are not permitted.
- C. **Storage for Equipment-Enclosed:** Sheds or tool rooms attached to the principal building perimeter wall for the storage of equipment used in operations or maintenance are permitted subject to City Conceptual Site Plan review. Steel cargo storage containers, or modified versions thereof, are not permitted.
- D. **Specific to the USU:** Open yard use for the storage of materials or equipment is subject to City Review of Conceptual Site Plan Submittal and the following conditions:
 - 1. Such uses shall be separated from adjoining properties by an opaque screen, fence, or wall at least 8 feet in height above finished grade. If adjacent to a public right-of-way, the screening fence shall be placed at or behind the building setback line.
 - 2. Junk or other salvage is not permitted as part of an open storage yard.
- E. **Light Assembly and Repair:** A light assembly and/or repair facility, incidental to the principal use is permitted, provided that it is not a nuisance, as defined by City Code, to adjacent parcels, and provided such operation is not otherwise specifically prohibited in the District in which the principal use is located.

3.11.4 USES CUSTOMARILY ACCESSORY TO PUBLIC USES, BUILDINGS OR ACTIVITIES

There shall be no limitations regarding accessory uses to any use, building, or activity operated within the publicly owned property or land, except that such uses, buildings, or activities must be directly related and subordinate to the principal public use.

3.11.5 SATELLITE DISHES

- A. **General Requirements:** No form of advertising shall be allowed on the dish or framework, other than the manufacturer's small identification plate.
- B. **Within UMU / OSD based Districts:** Satellite dishes shall be placed on the roof. Dishes shall not be visible from any adjacent front yard, or in a location that is visible from the public right-of-way, unless a company licensed to install satellite dishes in the city certifies that it is the only place for the dish to be operational. Satellite dishes shall be screened from the street, and to the degree feasible, from adjoining properties. Such screening can be accomplished through fencing, Parapet wall height, landscaping, or placement of the dish between or behind architectural features of the building.
- C. **Within USU District:** The preferred location for all dishes is in the rear or side service area or on the roof. Dishes are encouraged to be screened from the street and to the degree feasible, from adjoining properties. Screening can be accomplished through fencing, landscaping, or placement of the dish between/behind architectural features of the building. Dishes greater than 2 meters in diameter must be located in the side or rear service yard, or on the roof, and must be screened from the street, and to the degree feasible, from adjoining properties.

3.11.6 Accessory Use Structures - Urban Districts

A. Special Requirements Specific to Urban Districts:

1. Disposition: Parking structures shall meet the required building setbacks except where Liner Buildings are required. In that case, parking structures should be set back from the property lines of the adjacent PUD Primary Street(s) a minimum of 25 feet to reserve room for Liner Buildings between parking structures and the lot frontage unless the garage ground level is designed to receive commercial or office space internal to the garage facade for at least 70% of the garage frontage.
2. Frontage Types: Shopfront/Awning, Gallery/Colonnade, Arcade — Balconies may be used if there is true habitable space on the upper floor(s).
3. Liner Buildings
 - a. Liner Buildings are required in the Urban Districts along Primary PUD street frontage(s). Where parking structures face more than 1 street, requirements for Liner Buildings at secondary frontages are at the discretion of the OSE Design Review Body. They may be used in other districts to fulfill the requirements of the OSE Standards, such as height and parking location.
 - b. Exceptions to this requirement may be granted when lot width or depth is less than 140 feet.
 - c. Liner Buildings may be constructed concurrently with the parking garage, or space may be reserved for their construction in the future.

3.12: TEMPORARY USES

3.12.1 PERMITS REQUIRED

Unless otherwise provided, all permitted temporary uses listed below shall require a Temporary Use Permit that shall be reviewed and issued by the City Manager, subject to the procedures outlined in the City Codes & OSE PUD.

3.12.2 PERMITTED TEMPORARY USE

- A. Outdoor Sporting Events, Trade Show, Trail System competition, competitive swim, kayak, and similar events, for a period not to exceed the City Permit Term for the type and location of the event as determined by the City Manager. In the USU Districts, sporting & related events that occur within the confined stadium & event grounds designed for the events shall not be considered a Temporary Use or require City Permits.
- B. Open lot sale of seasonal produce and plant products including Christmas trees, in the UMU, Public Open Space Districts for a period not to exceed 30 days.
- C. Temporary real estate sales offices, in conjunction with an approved parcel of construction or building development project, in any district, for a period not to exceed 1 year, provided no cooking or sleeping accommodations are maintained in the structure. These may be renewed, upon written request, for periods of 6 months at a time if the parcel or structure has an active Project Permit.
- D. For new construction, a contractor's mobilized office and equipment sheds, including steel cargo storage containers, in any Districts, for a period of 6 months, or the duration of active construction, provided a Project Permit has been issued for construction on the site, and such facilities are placed on the property to which it is appurtenant. Site placement subject to City Site Review Committee.
- E. **Temporary classroom facilities** shall not be located at any school, religious institution, or other teaching or training use, unless a plan for improvements designed to eliminate the temporary classrooms at a time certain in the future — within 18 months — has been approved by the City & OSE administrator. Such plan shall include a review of the placement of the temporary classrooms and may require screening and buffering in order to comply with the OSE Standards. Extensions of up to 1-year may be permitted by the OSE administrator, upon written request, if the units have not proven to be a nuisance and the plan for elimination is still active.
- F. **Food Trucks/Concession:** Are allowable in association with programmed & scheduled events. City Permits & Vendor License requirements shall apply.
- G. **Portable steel storage containers** are permitted in any USU District for purposes of event preparations, loading or unloading, for a period not to exceed 14 days with placement subject to City Site Review Committee & Event Permit if required.
- H. **Cargo or freight storage containers**, or modified versions thereof, are permitted to be used as temporary storage facilities in the USU Districts for up to 2 consecutive months in any 12-month period, on the condition that the containers are not visible from the street, and the storage function is related to event turnover, temporary seating, event security equipment or re-purpose of flooring & seating configuration of interior venues.

4: BUILDING DESIGN & INFILL STANDARDS

4.1.1 PURPOSE

The purpose of this section is to:

- A. protect and enhance Clermont's unique aesthetic character
- B. support high quality streets and public spaces
- C. encourage architecture that blends harmoniously with the natural sloped surroundings and neighboring development
- D. safeguard property values and long-term economic assets
- E. carefully establish the character of the Olympus Clermont PUD, Community Development brand while permitting appropriate growth.

4.1.2 INTENT

The use of Architectural standards and guidelines are not meant to stifle innovative design or creativity. Instead, they are intended to serve as the minimum standards and guidelines necessary to ensure that new development and future incremental infill development meets the purposes described above. Future Building Design will be reviewed based on the "City of Clermont – Architectural Standards" dated October 23, 2007. These minimum City Standards as well as "Architectural Style Guidance" for the OSE Administrator & OSE ARB shall serve collectively to form review process and building design conventions within the OSE PUD. The Building Design & Infill Standards & "Architectural Style Guidance" documents will address design & character details not regulated by the PUD but required via property ownership declarations & procedures. Where conflicts may exist or be created by building typologies not anticipated by the City of Clermont Architectural Standards, the OSE project specific standards shall prevail .

5: LANDSCAPING, PARKING & LIGHTING

5.1 PURPOSE

The purpose of this article is to

- A. recognize the importance of trees and other landscaping and their contribution to health, welfare, beauty, safety, history and general well-being in all areas within the jurisdiction of the city.
- B. establish reasonable minimum standards governing the preservation, planting, protection and maintenance of trees and other landscaping.
- C. protect and enhance property values.
- D. maintain the aesthetic quality of the OSE community & surroundings as a whole.
- E. moderate climate and reduce energy costs,
- F. mitigate the negative impact of noise, glare, air and water pollution, and soil erosion.

5.2: PARKING

5.2.1 PURPOSE

The purpose of this section is to regulate and ensure the provision of adequate parking and access for bicycles, NEV's and motor vehicles. The section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the community.

5.2.2 APPLICABILITY

The parking standards of this section shall apply to new parcel developments and when a structural alteration in an existing building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity.

5.2.3 BICYCLE PARKING

- A. **Applicability:** Dedicated or ride-share Bicycle parking is required in all Districts, the OSE Administrator has the authority to waive the bicycle parking requirement if it is not appropriate or feasible in a specific location.
- B. **Location and Configuration:** Bicycle parking shall be placed in a usable and accessible location. The rack(s) shall be placed so that neither the rack nor the bike within it blocks pedestrian or vehicular access ways and shall always be maintained and kept clean and in proper working order .
- C. **Size:** Parcel or Building Pad Developments shall provide either racks for 25% of the number of required vehicular parking spaces or contribute the equivalent bicycle inventory, to a ride-share program, or combination. whichever is equal.

5.2.4 NEIGHBORHOOD ELECTRIC VEHICLE (NEV)

- A. **Applicability:** User Dedicated, General or ride-share NEV parking is required in all Districts, the OSE Administrator has the authority to waive the NEV parking requirement if it is not appropriate or feasible in a specific location.
- B. **Location and Configuration:** NEV parking shall be placed in a usable and accessible locations, underground or service level storage areas, structured garages, surface lots, edge of travel lanes. Charging facilities if provided shall be placed so that neither the charging station, cords nor the NEV blocks pedestrian or vehicular access ways

and shall always be maintained and kept clean and in proper working order. NEV parking shall be shown on Site Plan submittals to the City Site Review Committee.

- C. Size: Parcel or Building Pad Developments shall provide either space for 15% of the number of required vehicular parking spaces or contribute the equivalent NEV inventory, to a ride-share program, or combination, whichever is equal. Operations of Tram based transportation can offset the NEV parking requirements based on the ratio of 1 NEV space per 4 passenger seats.

5.2.5 PARKING SPACE REQUIREMENTS

- A. Minimum Number of Parking Spaces: The number of permanent on-site motor vehicle parking spaces required shall be determined by the methodology defined in the PUD written narrative.
- B. Credits for On-Street Parking
 - 1. On-street parking spaces along the lot frontage may count toward the minimum number of required parking spaces if needed.
 - 2. For multi-family dwellings over 3 units, adjacent existing on-street parking within 400 feet from the property line may be used to count toward the on-site parking requirement if needed.
- C. Maximum Number of Parking Spaces: The maximum number of off-street parking spaces shall be as follows:
 - 1. For buildings with a footprint less than or equal to 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted.
 - 2. For buildings with a footprint greater than 60,000 gross square feet, no more than 110% of the required minimum number of parking spaces are permitted.
 - 3. Exceptions:
 - a. Group Housing or Multi-Family buildings built specifically to accommodate athlete or student housing are permitted a maximum of 1 parking space per bedroom

5.2.6 PARKING EXCEPTIONS

- A. In the UMUDistrict, all nonresidential uses, except for motels/hotels/extended stay guest accommodations, shall be exempt from the off-street parking requirements of this section. Where such uses elect to provide off-street parking, it shall meet the design requirements of this section.

5.2.7 SHARED PARKING AND PARKING REDUCTIONS

- A. Parking Reductions
 - 1. The City Manager may grant a reduction in the parking requirements set forth in this section in the following cases:
 - a. Where uses in the same or adjoining development parcel, having different peak hour demand, seek to share parking, the applicant must submit to the administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use — for the entire development to justify the shared use of parking spaces for separate uses.
 - b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking.
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.

2. The City Manager shall consider the following in determining whether a reduction is warranted:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow
 - c. The impact of periodic overflows upon the public streets and other parking facilities
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern
3. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the OSE applicant.

5.2.8 PARKING LOT DESIGN

A. General Design Standards

1. **Design:** Off-street parking stalls shall be located in areas that will not require backing into access driveways or streets, except where allowed for residences, or when no other practical alternative exists, as determined by the City Manager.
 - a. **Parking Stall Dimensions:** Off-street parking spaces shall be at least 9 feet wide by 18 feet long, exclusive of access or maneuvering.
 - b. **Travel Lane Dimensions:** Travel lanes without 90 degree opposed parking shall not exceed 20 feet wide for 2-way traffic, except in specific areas that may require additional room for drop-off or truck loading access. A minimum of 24 feet clear travel lane between 90 degree parking spaces shall be provided for 2-way traffic. One-way accessway may be permitted to have travel lane width reduced to 10 feet if approved by the fire marshal.
 2. **Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing grass, or other vegetative surfacing, or plazas & motor courts that are used for valet or temporary VIP parking. Removable cones, colored pavers or planters may be used for temporary marking.
- ### B. Pedestrian Corridors in Parking Lots:
- Parking lots with 40 spaces or greater shall be designed to separate pedestrian travel from vehicles. They shall include designated pedestrian walkways to provide safe access to building entries for pedestrians and are subject to City Site Review Committee review.
1. Perimeter sidewalks — typically located on public rights-of-way— and/or interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.
 2. Pedestrian pathways (if provided) shall be a minimum 5 feet in width where no adjacent perpendicular parking space exists or a minimum of 8 feet in width where vehicular overhang from parking bays may encroach on the sidewalk.
 3. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway shall be provided, following the shortest practical route across the parking lot between at least 1 such entrance on each side of the building facing a public street.
 4. Pedestrian pathways shall be clearly delineated. This may be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.

C. Connectivity

1. Parking lots shall provide for internal connectivity to adjoining parking lots (except those serving residential buildings of less than 4 units) unless determined not-feasible, or not required by the City Site Review Committee and shall be interconnected or designed to interconnect in the future.
2. Where a parking lot inter-connection is provided, an easement for ingress and egress to adjacent lots shall be recorded by the property owners with the City of Clermont or County Clerk.

D. Materials

1. Parking spaces and driveways shall be paved with a material that supports the anticipated load and context. Pervious or semi-pervious paving materials are encouraged. Where possible, such materials shall be used in combination with on-site stormwater control devices.
2. Parking provided above the minimum required parking spaces shall be with a pervious material.

E. Accessible Parking: All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).

F. Tandem Parking in Residential Driveways is allowed.

5.2.9 STRUCTURED PARKING

Parking Structures shall be designed to accommodate structural support elements, life-safety, ventilation & site access limitations. Structured Garage Parking space size & circulation configuration may adjust typical surface lot parking dimensions & geometry.

5.2.10 PARKING OF SPECIFIC VEHICLES

A. Parking, Storage or Use of Campers, RV's or Other Major Recreation Equipment:

1. No major recreational equipment shall be parked or stored in any RSD or UMU District in a manner which poses a nuisance, or constitutes a hazard. When parked in a permanent garaged location, such equipment shall observe all setbacks, yard, and other requirements set forth within the Districts in which they are located.
2. Parking or storage of recreational equipment shall not be permitted in any District between the street and the building face. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in any location not approved for such uses.

5.3: LIGHTING

5.3.1 PURPOSE

The standards set forth in this section are designed to:

- A. ensure that all site lighting is designed and installed to maintain adequate lighting levels on-site,
- B. prevent excessive light spillage and glare directed at adjacent properties, neighboring areas, and motorists, and
- C. provide security for people and land.

5.3.2 ILLUMINATION OF OUTDOOR SPORTS FIELDS AND PERFORMANCE AREAS

Lighting of outdoor sports fields and performance areas shall comply with the following standards:

- A. Glare Control Package: All lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
- B. Hours of Illumination: The hours of operation for the lighting system for any game or event shall not continue more than 1.5 hours after the end of the game or event.

5.3.3 PROHIBITED LIGHTING TYPES

- A. Laser Source Light: The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited unless approved by the OSE Administrator in association with scheduled events or activities in advance.
- B. Searchlights: The operation of searchlights for advertising purposes is prohibited.
- C. Flashing Lights: With the exception of motion-activated security lighting, lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
- D. Awning and Canopy Back-Lighting: Awnings and canopies used for building accents over doors, windows, etc. shall not be up-lit. Lighting that illuminates the sidewalk, or downlights onto the architectural features of a building, may be installed under canopies.

6: SIGNS

6.1.1 PURPOSE

The purpose of this section is to regulate the time, place and manner in which signs shall be permitted. In furtherance of these purposes, standards are provided that are designed to protect and promote the public health, safety, and welfare, and to enhance the physical appearance while providing way-finding for visitors and provide significant OSE information.

It is the desire of the OSE PUD to allow business owners the opportunity to post adequate signage that contributes to the public realm, while preventing distractions and obstructions to motor vehicle operators and pedestrians that might lead to accidents or traffic congestion, removing obstructions to light, air and open space, and reducing the accumulation of clutter. The OSE PUD shall conform to the City Code as a minimum with additional signage design and controls defined within the OSE ARB and OSE Administration.

6.2: ADMINISTRATION AND MASTER SIGN PLANS

6.2.1 APPLICABILITY

A. Applicability: The regulations of this article shall apply to all OSE PUD Districts.

6.2.2 MASTER SIGN PLANS

A. Applicability: Master Sign Plans are required for the following development types:

1. New multi-tenant or multi-building development with 5 or more occupiable spaces.
2. Existing multi-tenant or multi-building development when the primary tenant proposes signage changes — the owner/manager of the multi-tenant/multi-building center shall be responsible for preparing the Master Sign Plan. For existing multi-tenant/multi-building centers where there is no clear primary tenant (for example, when there are several tenant spaces of equal size,) a Master Sign Plan shall not be required, but is highly encouraged.

- B. Approval Required: No City permit shall be issued for an individual sign requiring a permit unless and until a Master Sign Plan for the parcel or lot has been reviewed and approved by the appropriate OSE body.
- C. Conformance with Plan: After approval of a Master Sign Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan.
- D. Amending a Master Sign Plan: A Master Sign Plan may be amended by filing a new plan that conforms with all requirements of the OSE Standards then in effect.
- E. Voluntary Restrictions: The Master Sign Plan may contain such other restrictions as the owners of the parcels or OSE ARB may reasonably determine.
- F. Design: The design, material, color, location, and illumination of signage shall be compatible with the overall design of the development.

6.3: OTHER SIGNS THAT REQUIRE A PERMIT

6.3.1 CHANGEABLE COPY SIGNS

A. Permitted Location: Changeable copy signs are permitted for performance businesses, sports or institutions that require sign messages to change on a regular basis. These include, but are not limited to, restaurants, theaters, stadiums, arenas, schools, non-profit organizations with multi-purpose assembly space.

B. Maximum Area

1. Restaurants: establishments, the changeable copy area shall not be more than 40% of the sign face of any freestanding sign.
2. Schools and Theaters: The changeable copy area may be up to 12 square feet in addition to the identification & site signage permitted by the City.
3. Digital Signs: Changeable copy is not permitted to be digital with the following exceptions:
 - a. variable messaging signs in the USU Districts are permitted to be digital. The changeable copy area shall not be more than 25% of the maximum freestanding signage allowed. Animated or flashing digital content is prohibited.

7: Land Development

7.1 PURPOSE

- A. Land subdivision & Commercial site development shall conform to the City Codes & Ordinances as a minimum standard as conditioned, adjusted or waived by the Clermont City Council & OSE PUD.
- B. Gated Streets: New gated streets, driveways or drive isles are not encouraged. However, they may be permitted, at the discretion of the City & OSE Administrator in RSD Districts or other PUD Districts where public connection to the existing street grid is not practicable due to topography or existing surrounding conditions. They may be permitted by the applicable OSE Design Review Authority when the access proposed to be gated is an alley, parking lot connection or rear lane and is not the primary building frontage.

7.2 OTHER VEHICULAR CIRCULATION WITHOUT ROW

Drive Isles or driveways within and connecting parking areas may form connecting accessways for vehicular circulation network without ROW by the use of access easements between parcels with different ownerships. All of these potential circulation segments not marked as “streets” in the Regulating Plan or defined by Typical Cross Section will provide a minimum 20’ two-way paved travel lanes or 10’ one-way travel lanes. The location & configuration will be determined by careful design during the Parcel Site Plan submittal process to address unique site-specific considerations. As such, these accessways are specifically tailored to a unique development context and deviate from the standards enumerated in the typical street ROW sections. In most cases, sidewalks or street trees will not be necessary since the specific accessway section may apply only to a portion of a vehicular driveway within or connecting parking isles. Conceptual Site Plan submittal to the City Site Review Committee shall delineate accessways.

7.3 OVERHEAD UTILITIES

Overhead Electric or overhead Tele-communications utilities are not allowed within the Olympus PUD. Some individual overhead utilities components may be placed within the ROW or Building Envelope to provide Solar collection for small scale electronics, WIFI repeaters, 5G cellular, Photo-cells, Security Cameras, ITS Cameras where necessary.

7.4 TREE PLANTING STANDARDS

The following standards shall be used in conjunction with the appropriate street sections.

- A. **Minimum Quantities:** Street trees shall be installed according to PUD Exhibit-4 Typical street sections. In addition, external street ROW may be utilized for street tree planting where the ROW is adjacent to the PUD Boundary & the street tree planting is acceptable to the owner of the ROW. OSE may enter into maintenance agreements with the adjoining ROW ownership for the long term support of street trees and understory landscape & turf. Utilization of enhanced adjacent ROW Landscape may be utilized to meet PUD perimeter landscape requirements.
- B. **Minimum Spacing:** Arrangement of and distance between hardwood trees should correspond to the expected mature spread of the trees and shall in no instance be less than
 - 1. 44 feet between overstory trees along the street edge & 60’ within medians
 - 2. 25 feet between overstory trees and understory trees
 - 3. 15 feet between understory trees and palms if used.

- C. **Conflict with Street Lighting:** Street trees shall be located and planted so as not to diminish the effectiveness of required street lighting, and in no instance shall street lights be located closer than
 - 1. 15 feet to overstory trees
 - 2. 8 feet to understory trees
- D. **Tree Wells**
 - 1. In commercial areas where there is no verge planting strip, trees shall be provided with grates, hard surface tree wells, perimeter low rail or other approved methods of tree root protection.
 - 2. Tree wells for overstory trees shall be as specified per street section. The ideal tree well size is 5 feet by 10 feet; however, tree wells may be reduced to 5 feet by 5 feet if structural soils or silva cells are provided. Root barrier fabric is required.

8.1: COMMUNITY GREEN SPACE AND OPEN SPACE

8.1.1 PURPOSE AND INTENT

- A. **Intent:** Community Green Space and Open Space (COS) is intended for the use and enjoyment of the OSE development's residents, employees, & visitors. These spaces serve to preserve natural areas, ensure access to open areas and recreation, reduce the heat island effect, enhance stormwater quality, and provide community health benefits. Community Green Space and Open Spaces are not, by definition, required to be deeded or to be granted via easement to any public entity or municipality. The OSE Administrator may elect to form an ownership entity, transfer the land to a CDD or dedicate the land to an existing entity with deed restrictions for conservation & maintenance as Open Space.
- B. **Purpose:** The purpose of this section is to provide a set of Community Green Space and Open Space associated standards to use within all PUD Districts with frontage on COS. Community Green Space and Open Space in this section are distinct from those areas that are environmentally sensitive and must be otherwise protected as regulated through Environmental Protection.

8.1.2 COMMUNITY GREEN SPACE AND OPEN SPACE REQUIREMENT

- A. **Minimum Requirements:** Development in all PUD Districts shall not encroach into the Community Green Space and Open Space, other than to provide for connectivity to circulation and to terrace grades for maximizing open space utilization.
- B. **Areas to be Included in Community Green Space and Open Space Calculations:** The features and areas identified in (COS) PUD Exhibit-1 shall be credited towards the PUD open space requirements for the purposes of complying with the City Standards.
- C. **Areas not to be Included in Community Green Space and Open Space Calculations:** The following areas shall not be counted toward open space requirements:
 - 1. Private yards which are not subject to an open space or conservation easement
 - 2. Public road rights-of-way or private street easements, including sidewalks & medians located within those rights-of-way or easements
 - 3. Open stabilized grassed parking areas and driveways
 - 4. Land covered by structures or restricted sports field & not designated for active public recreational uses
 - 5. Designated outdoor VUA or storage areas

- D. **Playgrounds and Community Gardens:** These may be incorporated into the COS or any of the other Districts or may stand alone.
- E. **Waterfront:** When Community Green Space and Open Space exists, adjacent developments that contain waterfront access should include some type of common access to at least 25% of the waterfront.
- F. **Accessory Structure Standards:** All accessory structures within parks and open spaces — including, but not limited to, restrooms, open-air pavilions, gazebos, monuments, picnic shelters, and outdoor theaters — shall not be subject to the physical requirements of the District building form or siting standards. They shall be designed to be consistent with the character of the open space in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development as determined by the OSE Administrator.

8.2 OWNERSHIP AND MAINTENANCE OF COMMUNITY GREEN SPACE AND OPEN SPACE SPACE

- A. Provision must be made by the OSE Administrator to ensure preservation and long term maintenance and management of Community Green Space and Open Spaces through one of the following mechanisms:
 - 1. Conveyance of the land to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining it for its intended purposes
 - 2. Conveyance of the land to a third-party beneficiary, such as a nonprofit environmental or civic organization, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purpose
 - 3. Dedication of the land to the City or other appropriate public agency that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purposes
- B. All methods utilizing private ownership shall require deed restrictions, covenants, or other legal instruments that ensure continued use of the land and facilities for their intended uses, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
- C. Failure to maintain Community Green Space and Open Space areas or other community facilities shall be a violation of the OSE Standards & City Code subject to remedies and penalties.
- D. If the owner of the Community Green Space and Open Space fails to maintain it in reasonable condition, and in accordance with approved plans, and fails to correct deficiencies cited by the City, the City shall have the authority to correct the deficiencies per the City's Code of Ordinances.

9: CONSTRUCTION PHASE FLEXIBILITY

Individual parcel development may shift between phases as long as the projected limits of utility flows and trip generation assignable to the parcel shift delta does not exceed the total trip generation and utility flow projected for the cumulative Phase.

Parcel phase shift may be further restricted if the Shared Parking Tabulation indicates that parking demand would not be met due to peak time-share, pedestrian shed distance or internal capture limits created as a result of the proposed parcel development phase shift.

If shared parking limitations are the single limiting factor for acceptable parcel phase shift, the Olympus Master Developer can construct temporary parking facilities within the pedestrian shed and maintain availability and assignability of sufficient numbers to support the shared parking demand until the programmed, phase shifted parcel development occurs with permanent parking.

If the only limiting factor supporting a parcel phase shift is exceeding projected cumulative utility flows, the City may allow the proposed parcel phase shift if the capacity exists within the City treatment and delivery system. Determination of City System capacity is exclusively reserved by the City Utility Department.

If the only limiting factor supporting parcel phase shift is the projected cumulative trip generation, based upon the developer provided annual monitoring report documenting constructed, committed, or reserved trips by phase, the proposed parcel shift may not be approved if the total increase in cumulative phase trip generation exceeds the maximum assignment per phase.

10: DEFINITIONS OF SPECIALIZED TERMS

Abutting Parcel. Any parcel that shares a lot line with another parcel.

Accessory Dwelling Unit. An auxiliary dwelling unit located within an accessory structure of a primary dwelling unit on the lot. Includes, but is not limited to dwelling units in guest houses, carriage houses, pool houses, and above or beside a garage.

1. **Single Family Detached Dwelling Unit.** A structure containing one primary dwelling unit on a single lot.
2. **Two Single Family Attached Unit./Duplex.** A structure containing two dwelling units on a single lot.
3. **Three Single Family Attached Unit./Tri-plex.** A structure containing three dwelling units on a single lot.
4. **Multi-Family/Unit.** A structure containing four or more dwelling units on a single lot.
5. **Multi-Family Development.** One parcel that contains multiple buildings containing housing units, either as apartments, or condominium. Each building may have multiple dwelling units.

City “Manager” as defined herein shall be defined as any person or persons designated by the City of Clermont to fulfill the duties herein.

OSE “Administrator” as defined herein shall be defined as any person or persons designated by the Olympus Sports & Entertainment Entity or Olympus Clermont CDD to fulfill the duties herein.

ACI (Aggregate Caliper Inch). A measure of the total combined number of inches of existing and proposed trees used to meet landscaping requirements. Caliper inch sizes for individual proposed trees are measured as indicated in the American Standard for Nursery Stock (ANSI 260.1-2004). Caliper inch sizes for existing trees are measured in diameter at breast height (DBH).

Approved Phase. A phase of development that has been approved through the PUD, subdivision or commercial site plan approval process, or a phase thereof approved by the City Manager prior to a request for an inspection for a certificate of compliance.

Architectural Features. Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

ATM. An automated teller machine (computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel), located outdoors at a bank or in another location. Does not include drive-up ATM's.

Bar/ Tavern/Night Club.

1. **Bar, Tavern.** A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a micro brewery (“brew-pub”), and other beverage tasting facilities.
2. **Night Club.** A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc. Does not include adult-oriented businesses.

Basement. Any area of the building having its floor subgrade (below ground level) on all sides. A raised basement is a basement story with a floor level that is subgrade and ceiling level that is above grade.

Brew Pub. A pub or restaurant that also contains a microbrewery (see definition).

Buildable Area. The area of a lot that remains after removing the required front, side and rear yards for individual lots, as set forth for the particular District.

Building Type / Typology A structure defined by its combination of configuration, disposition and function.

Build-to Line (BTL). A line parallel to a property line or right-of-way where a building facade must be placed. The BTL may appear graphically on the regulating plan, sections or be stated as a dimension from the property line or right-of-way. Minor deviations from the BTL are allowed for architectural features, recessed entries, and recessed balconies and do not count against the calculations of % of BTL Defined by a building or Building at the BTL.

Bungalow Court. See (Building Type Standards).

Caliper. A horticultural method of measuring the diameter of a tree trunk for the purposes of determining the tree's size. The caliper of the trunk is measured six inches above the ground for trees with a diameter of four inches or less, twelve inches above the ground for trees with diameters more than four and less than ten inches, and at breast height (4½ feet) for trees with diameters of ten inches or greater.

Ceiling Height, Ground Floor. Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

Ceiling Height, Upper Floor(s). Height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

Civic Institution. A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, and transportation.

Civic Building. A structure operated by governmental or not-for-profit organizations and limited to civic and related uses. Civic Buildings may include the following:

1. **Library, Museum.** Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
2. **Theater (Cinema or Performing Arts).** An indoor facility for group entertainment, other than sporting events. Examples of these facilities include: Civic theaters, facilities for "live" theater and concerts, and movie theaters.
3. **Public Service Buildings.** These are municipal buildings which include City Hall, Courthouse, Police Stations, and Fire Stations. May also be considered "Community/Public Safety Facilities."
4. **Religious Institutions, Club House, Meeting Facilities**

Civic Space. An outdoor area, dedicated for community activities. These areas may be reserved for use by a specific neighborhood or community or group, or open for public use.

Colleges and Universities. A dedicated facility or branch location for post-secondary education that grants associates, bachelors, masters, or doctoral degrees, and may include research functions. Includes professional schools (e.g. law, medicine, etc.) and technical colleges.

Commercial. A term defining workplace, office and retail uses collectively.

Common Courtyard. An entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.

Community Garden. A site used for growing plants for food, fiber, herbs, and flowers and

shared and maintained by community residents.

Community Based Farmer's Market. The temporary use of a site for the outdoor sales of food and farm produce items.

Community Care Facilities. Facilities that provide living, sleeping, and sanitation accommodations for institutional purposes in coordination with the provision of social services, or team training. The facilities may include facilities for eating and cooking. This category does not include Group Homes, or Community Residences

Emergency Shelter. A facility that provides temporary housing on a first-come, first-served basis where the facility design can accommodate safe shelter during a period of emergency or evacuation due to natural disaster. Facilities that provide temporary shelter during extremely cold weather (such as churches) are also included.

Short Term Housing. A facility that provides housing for individuals or families (not to exceed 6 months) within a continued identified bed space. The facility would also provide personal assistance to students, patients, clients, or performers who do not utilize daily Hotel accommodations or utilize long term rental of dwelling units. Such personal assistance may include food service, training or re-habitation activities, and in addition may include other needed and necessary supportive services tailored to the individual.

Community/Public Safety Facility. A facility operated by a public agency including fire stations, other fire preventive and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch on the same site. May also be considered "Civic Facilities".

Day Care, Child or Adult. A state-licensed facility that provides non-medical care and supervision for adult clients or minor children for periods of less than 24 hours per day for any client. Each individual receiving care is considered one "client". These facilities include the following, all of which are classified and required to be licensed by the Department of Health & Department of Social Services.

1. **Family Day Care Home.** A licensed facility in a private home where an occupant of the residence provides family day care for up to 6 adult clients or minor children for periods of less than 24 hours per day for any client. Facilities include but are not limited to: infant centers, nursery schools, preschool, after-school or extended day care, and school age child care centers. See "Home Occupation - Minor."
2. **Group Care Home.** A licensed day care facility that provides non-medical care and supervision to 7-12 adult clients or minor children for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: infant centers, nursery schools, preschools, after-school or extended day care, and school age child care centers.
3. **Commercial Care Center.** A licensed day care facility licensed that provides non-medical care and supervision to more than 12 adult clients or minor children for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: infant centers, nursery schools, preschools, after-school or extended day care, and school age child care centers. Conditional Use. These uses that require Administrator approval for conditional uses allowed within a zone.

DBH (Diameter at Breast Height). A standard measure of tree size for existing trees. The tree trunk diameter is measured, in inches, at a height of four and one-half (4.5) feet above the ground. If a tree splits into multiple trunks below four and one-half (4.5) feet, but adjacencies of trunks clearly show sharing of a singular rootball, then diameters of trunks below four and one-half feet to be totaled as a single number indicating DBH.

Depth, Ground-Floor Commercial Space. The distance from the street-facing facade to the rear interior wall of the ground-floor space available to a commercial tenant.

District. A defined zone suitable for development patterns associated with permitted uses according to the PUD regulating plan.

Drive-Through Facility. Facilities where food or other products may be purchased or services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast-food restaurants, drive-through coffee, pharmacies, bank teller windows and ATMs, dry cleaners, etc., but do not include gas station or other vehicle services which are separately defined under “Vehicle Sales and Services.”

Dwelling /Dwelling Unit/Housing Unit. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

Encroachment. Any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, beyond the build-to-line, into the public frontage, or above a height limit.

Facade. The vertical surface of a building.

Facade Zone. The area between the minimum and maximum setback lines.

Fenestration. The arrangement of windows and doors on the exterior of a building.

Finish Level, Ground Floor. Height difference between the ground floor finished floor of residential or commercial space, excluding lobbies and common-use areas, and the adjacent public walk.

Flex Space. A room or group of internally connected rooms designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short-term uses, such as residential or live/work, until the full commercial demand has been established.

Formalized On-Street Parking. see “Parking, On-Street”

Formally Disposed. Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

Front. The primary frontage(s) of a lot, determined as follows:

- For lots with frontages along multiple thoroughfares, the Primary Frontage is determined by the Street address. All other frontages may be considered side street frontages.
- For lots with frontages along a thoroughfare and a civic space, the Front may be the frontage along either the thoroughfare or the civic space, or both frontages may be treated as Fronts, with the following exception: the frontage along certain Civic Spaces may be required to be a Front, as per the standards
- For lots with a single frontage along a thoroughfare or a Civic Space, but not both, that frontage is the Front.
- Frontages along alleys, service drives, and parking drives may never be a front.

Frontage. A strip or extent of land abutting a thoroughfare, civic space or other public right-of-way.

Frontage, Primary. The elevation(s) of a structure that fronts a Primary Street. See also “Primary Street.”

Frontage, Private. The area between the edge of the public right-of-way and the front or side façade

Frontage, Public. The area between the curb of the vehicular lanes and the frontage line.

Frontage Line. The property line(s) of a lot fronting a thoroughfare or other public way, or a civic space.

Garage. A structure, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

General Retail. Stores and shops intended to serve as destination retail, convenience shopping, and provision of general services, variety stores; including rental stores. May include sales of materials or artisanal elements produced on the premises.

General Services. Professional, commercial and public activities conducted in offices and storefronts, without outdoor storage needs, including but not limited to business and financial services, advanced technology uses that are compatible in terms of noise/ vibration impacts and hazards with adjoining buildings, minor repair services, health services, social services, legal services, educational services and cultural services. Does not include industrial or medical services.

1. **Bank/Financial Services.** Financial institutions, including, but not limited to: banks and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, other investment companies, securities/ commodity contract brokers and dealers, security and commodity exchanges, and vehicle finance (equity) leasing agencies. Includes ATM facilities (see “ATM”).
2. **Business Services.** Establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, elected official satellite offices, etc. This use does not include “Bank, Financial Services,” which is separately defined.
3. **Business Support Service.** An establishment within a building that provides services to other businesses. Examples of these services include, but are not limited to: Computer-related services (rental, repair) (see also “Maintenance Service - Client Site Services”), copying, quick printing, and blueprinting services, film processing and photofinishing (retail), mailing and mailbox services.
4. **Personal Services.** Establishments that provide non-medical services to individuals as a primary use. Examples of these uses include: barber and beauty shops, body piercing facilities, clothing rental, dry cleaning pick-up stores with limited equipment, home electronics and small appliance repair, laundromats (self-service laundries), locksmiths, massage (licensed, therapeutic, non-sexual), nail salons, pet grooming with no boarding, shoe repair shops, tailors, tanning salons, tattoo parlors. These uses may also include accessory retail sales of products related to the services provided.
5. **Professional, Administrative Services.** Office-type facilities occupied by businesses that provide professional services, or are engaged in the production of intellectual property. Examples of these uses include: Accounting, auditing and bookkeeping services, advertising agencies, attorneys, business associations, chambers of commerce, commercial art and design services, construction contractors (office facilities only), counseling services, court reporting services, design services including architecture, engineering, landscape architecture, urban planning, detective agencies and similar services, educational, scientific and research organizations, financial management and investment counseling, literary and talent agencies, management and public relations services, media postproduction services, news services, photographers and photography studios, political campaign headquarters, psychologists, secretarial, stenographic, word processing, and temporary clerical employee services, security and commodity brokers, writers’ and artists’ offices.

Ground Cover. Low-growing plants that grow in a spreading fashion to form a more or less solid mat of vegetation, generally planted to provide decorative landscaping or permeable cover for bare earth that prevents soil erosion.

Group Dwelling. A residential facility for unrelated persons providing living facilities, sleeping rooms, and meals. This category does not include homes for the developmentally disabled or other institutional uses such as protective living or sheltered care facilities.

1. **8 or Fewer Residents, in a Home or Dwelling.** Residential facility for eight or fewer unrelated persons providing living facilities, sleeping rooms, and meals. The resident number listed does not include the operator, members of the operator's family, or persons employed by the operator as staff, except that the total number of persons living in a group home shall not exceed 10. This category does not include a home for the developmentally disabled or other institutional uses such as protective living or sheltered care facilities.
2. **More than 8 Residents, in a Community Residence.**
 - a. **Dormitories.** A building or portion thereof which contains living quarters for nine or more students, staff, or members of a team, college, university, primary or secondary boarding school, theological school, or other athletic comparable organization, provided that such building is either owned or managed by such organization. Single family and two-family dwellings are defined separately. See "Rooming and Boarding Facilities."
 - b. **Convent or Monastery.** The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.
 - c. **Congregate Care Facility.** A facility for long-term residence exclusively by persons 62 years of age or older, and which may include, without limitation, common dining and social and recreational features, special safety and convenience features designed for the needs of the elderly, such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways, and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meal services, transportation, housekeeping, linen, and organized social activities.
 - d. **Nursing Home.** A health care institution other than a hospital or sheltered care home which provides inpatient or resident beds and is licensed by the Department of Health as a skilled nursing facility for two or more unrelated persons. A nursing home provides services to those who need continuous care but do not require hospital care or direct daily care from a physician.

Hedge. A group of shrubs planted in line or in groups that forms a compact, dense, living barrier that demarcates an area from on-site or off-site views.

Height, Overall. Overall building height shall be measured vertically from the natural grade or finished grade adjacent to the building exterior to the highest point of coping of a flat roof, the top of a mansard roof, or the highest point of the highest pitched roof.

Home Occupation - Major. Residential premises used for the transaction of business, the supply of professional services, and the limited supply of retail by the resident thereof. Major Home Occupations may include agent, architect, artist, broker, consultant, draftsman, dressmaker, engineer, family daycare home, interior decorator, lawyer, notary public, teacher, and other similar occupations, as determined by the City Manager. Such use shall not simultaneously employ more than 1 person in addition to the residents of the dwelling. The Home Occupation use shall not disrupt the general character of the neighborhood.

Home Occupation - Minor. Residential premises used for the transaction of business or the supply of professional services. Home Offices shall be limited to the following: agent, architect, artist, broker, consultant, draftsman, dressmaker, engineer, interior decorator, lawyer, notary public, teacher, and other similar occupations, as determined by the City Manager. The Home Office use shall not disrupt the generally residential character of the neighborhood.

Household. A group or family living in a single Dwelling Unit. A single household may include up to 5 unrelated people.

Eave/Parapet. Building height to eave/parapet shall be measured from the eave or top of parapet to natural grade or finished grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.

Impervious Surface Coverage/Ratio (ISR) The percent of a defined lot or property that is covered with non-infiltrating material. This includes all structures, slabs and paving material. Individual lots may have variable ISR standards that are collectively accounted & regulated by drainage sub-basin design criteria.

Infill. The development of vacant land that is currently largely surrounded by developed land. It is typically served by existing infrastructure, particularly roads, and may include properties which were previously developed or used for non-building or temporary functions.

Infrastructure and Utilities. Installations or facilities or means for furnishing to the public, electricity, gas, steam, chilled water, communications, Potable or reclaimed water, drainage, sewage disposal, or flood control, irrespective of whether such facilities or means are underground or above ground; utilities may be owned and operated by any person, firm, corporation, municipal department or board, duly appointed by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards; however, it does not include Maintenance Yards (see “Maintenance Yard”) or utility offices (see “General Service and Office”).

Intensive Level Survey. A survey that will be based on a systematic approach to the entire tract, usually at 100-foot intervals, that are differentiated between having high or low potential for containing archaeological and historic resources. Topography and soil types are also taken into consideration to help determine the areas of high and low potential. In addition, subsurface activity, such as shovel tests, are done, unless surface exposure is evident, and the materials are sifted. All of the findings, as well as a determination of eligible sites, will be compiled into a final report.

Landscape Strip, Perimeter. Vegetative material associated with the perimeter landscaping required for a parking lot area or property perimeter.

Liner Building. An occupiable structure specifically designed to mask a separate interior use from a frontage.

Live/ Work Unit. An integrated housing unit and working space, that accommodates both residential occupancy and work or commercial activity. Typically the commercial space is below or in front of the residential space.

Lodging. (syn. Overnight Guest Accommodation)

1. **Bed & Breakfast Inn (B&B).** (10 or Fewer Rooms) The use of a single structure for commercial lodging purposes, with up to ten bedrooms used for the purpose of the lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests.
2. **Hostel.** A facility for residence of under twenty-nine (29) days that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting, recreational, and educational use; that is chartered or approved by the International Hostel Federation or its national or regional affiliates, or similar organizations; and that is supervised by resident house-parents or managers.
3. **Hotel/Motel (25 or more rooms).** A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public. Additional services may include a restaurant, meeting rooms, and recreational facilities.
4. **Inn (6 to 24 rooms).** A building or group of buildings used as a lodging establishment having six to 24 guest rooms

providing overnight accommodations and breakfast to transient guests.

5. **Resort Hotel.** Lodging that serves as a destination point for visitors, located and designed with some combination of recreational uses or natural areas, pools, tennis, other special recreation opportunities, and/or a variety of restaurants and shops to serve the guests. Buildings and structures in the resort shall complement the scenic and natural qualities of the location and area where it is situated.
6. **Rooming and Boarding Facility.** A residence or dwelling, other than a hotel, wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent, or rental agent is in residence. Includes dormitories, single room occupancy, fraternities, and sororities.
7. **Short-Term Rental.** A single-family dwelling, individual two-family or three-family dwelling, multifamily dwelling, or any portion thereof, that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 6 months. When a portion of a dwelling unit is being rented, only one rental party may rent space at one time. If separate parties are renting rooms simultaneously, the use is considered a Bed and Breakfast.

Lot Area. Lot area refers to the horizontal land area within lot lines, excluding any wetlands.

Lot Width. Lot width is measured between side lot lines along a line that is parallel to the front lot line or its chord and located the minimum front setback distance from the front lot line.

Manufacturing, Processing, Packaging: Light. A facility accommodating manufacturing processes involving less intense levels of fabrication and/or production such as the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. The premises may include secondary retail or wholesale sales. Examples of light manufacturing/assembly uses include:

1. **Artisan/Craft Product Manufacturing.** An establishment that manufactures and/or assembles small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, where any retail sales are incidental to the manufacturing activity.
2. **Clothing and Fabric Product Manufacturing.** An establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Does not include custom tailors and dressmakers and not located on the site of a clothing store (see "Personal Services"). Does not include the production of textile fabrics and related materials.
3. **Furniture and Fixtures Manufacturing, Cabinet Shop.** A business that showcases and orders wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery without on-site manufacturing. hardware, window blinds and shades. Includes furniture re-upholstering businesses, and wood and cabinet shops, but not sawmills or planing mills.
4. **Handicraft Industries, Small-Scale Manufacturing.** Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, and taxidermists. Also includes manufacturing establishments producing small products not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists' materials; sporting and athletic goods; toys; etc.
5. **Media Production.** Facilities for motion picture, television, video, sound, computer, and other communications media production.

Manufacturing and Processing, Heavy. A facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products,

machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community.

Marine Industrial. A place of business serving marine-related needs including but not limited to: the loading and unloading of boats, boat storage (dry stack or boatyard), major boat repairs and servicing (engine, painting, body work, overhaul), commercial boat manufacturing, commercial fishing, the shipping of goods and containers, and other activities whose primary purpose is to facilitate the commercial maritime industry.

Medical Services: Clinic, Urgent Care; Doctor Office; and Extended Care.

1. **Clinic, Urgent Care.** A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: Medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, other allied health services. These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under “Offices - Professional/Administrative.”
2. **Doctor Office.** A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite.
A facility with five or more licensed practitioners is instead classified under “Medical Services – Clinic, Urgent Care.” Counseling services by other than medical doctors or psychiatrists are included under “Office – Professional, Administrative.”
3. **Extended Care.** Residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under “Residential Care.”

Maximum Lot Coverage. The percentage of a lot that is covered by roofs of the primary structure, and any accessory structures.

Medical Services: Hospital. A major institution where people receive medical, surgical, or psychiatric treatment and nursing care.

Meeting Facility, Public or Private. A facility for public or private meetings, including: Community centers, religious assembly facilities (e.g., churches, mosques, synagogues, etc.), civic and private auditoriums, halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use, and which are typically used only by on-site employees and clients and occupy less floor area on the site than the offices they support. Does not include: Cinemas, performing arts theaters, indoor commercial sports assembly or other commercial entertainment facilities. Related on-site facilities such as day care centers and schools are separately defined and regulated.

Microbrewery. (syn. Craft Brewery) A brewery that produces a small amount of beer (up to 10,000 barrels per year) for sale and consumption on or off premises. These establishments may be part of a brew pub (see definition).

Mining /Resource Extraction. Extractive uses such as surface mining for sand, gravel, clay and topsoil and any other such use. Quarrying is not permitted. Mass parcel grading & relocation of soil & terracing is not considered mining, where the activity is related to an approved phase of development.

Mixed-Use. Multiple functions & land use within the same building or the same general area through superimposition or within the same area through vertical or horizontal adjacency.

Mixed-Use Project. A development that combines both commercial and residential or other uses on the same site, typically with the commercial uses occupying the ground floor street frontage and the residential uses above.

Museum. See “Community Oriented Civic Facility.”

Naturally Disposed. A preservation of the existing natural condition or a composition of elements arranged as they would appear in a nature, with irregular shapes and asymmetry.

Neighborhood Market. A neighborhood serving retail store, primarily offering food products, which may also carry a range of merchandise oriented to daily convenience shopping needs, and may be combined with food service (e.g., delicatessen).

Office. See “General Services, Business Services, and Professional, Administrative Services.”

Open Air Retail. A retail sales establishment operated substantially in the open air including, but not limited to: kiosk display & sales, clothing, or event related merchandise, water based or trail recreation services and rental, and the like. Does not include community farmer’s markets (see “Community Farmer’s Market”), Vehicle Sales and Rental (see “Vehicle Sales and Rental”), Services”), home or garden supplies and equipment, or plant nurseries.

Outdoor Storage. Open yard area used for storage of materials or equipment associated with a primary use, excluding junk or other salvage. This is an accessory of primary use.

Outparcel. A small lot at the outer edge of a shopping center or commercial parcel typically with frontage along a highway. This is distinct from a Pad Site.

Pad Site. A small individual building site or lot that may occur internal to a multi-building parcel and is designed to integrate a new building into the adjacent buildings and site circulation without significant alteration.

Parking Facility, Public or Commercial, Surface or Structure. Parking lots or structures operated by the jurisdiction or a private entity, providing parking either for free or for a fee. Does not include towing impound and storage facilities.

Parking, On-Street. On-street parking is parking constructed parallel or diagonal to the street right-of-way, defined by a ribbon or vertical curb, utilizing a durable surface material such as asphalt, concrete, pavers, with appropriate stormwater controls.

Passive Recreation. Recreation requiring little or no physical exertion focusing on the enjoyment of one’s natural surroundings.

Pedestrian Shed. An area centered on a major destination. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge. Pedestrian sheds are useful for planning walkable areas and define acceptable proximity between parking and building occupancy.

Personal Storage Facility, Indoor-Ancillary Structures containing generally small, individual, compartmentalized stalls or lockers offered for rent or lease to the building tenancy or employees as individual storage spaces and characterized by low parking demand. Premises may include retail, recreational, spa or restaurant sales not related to personal storage functions.

Perimeter Buffer. The required installation of landscaping and screening materials between specified Districts.

Planting Strip. Areas intended for the placement of vegetation within the interior of parking lot areas or along street right-of-way edges, typically between the back of the curb and the inside edge of the sidewalk.

Primary Facade. The elevation(s) of a structure fronting a street. When located on a corner, this may be the elevation fronting only the Primary Street

Primary Street. The most significant street that a building fronts. When a structure only fronts one street, that street is considered the Primary Street.

Public Right-of-Way. The entire area between property boundaries which is owned by a governmental agency dedicated to public use, or impressed with an easement for public use; which is primarily used for pedestrian or vehicular travel; and which is publicly maintained, in whole or in part, for such use, and includes without limitations the street, curb, shoulder, sidewalk, parking or parking strip, planting strip, and any public way.

Public Right-of-Way Line. The line where the property meets the public right-of-way at a public street or public waterway, provided that this definition shall not include unimproved alleys, easements or other similar dedicated uses.

Public Way. Any street, accessway, path or right-of-way, whether privately or publicly owned, which is designed, or used for vehicular or pedestrian traffic or access.

Recreation Facility, Commercial or Institutional.

1. **Indoor.** An establishment providing indoor amusement and entertainment services for a fee or admission charge. Any establishment with four or more electronic games or amusement devices (e.g., pool or billiard tables, pinball machines, etc.) or a premises where 50 percent or more of the floor area is occupied by electronic games or amusement devices is considered a commercial recreation facility; three or fewer machines or devices are not considered a use separate from the primary recreation use of the site. Does not include adult-oriented businesses.
2. **Club.** This land use consists of meeting & service space and accessory facilities and uses including: clubhouses with bar and restaurant; locker and shower facilities; “pro shops” for on-site sales of equipment and clothing; and cart storage and rental facilities.
3. **Health/Fitness Facility.** A fitness center, gymnasium, or health and athletic club, which may include any of the following: Exercise machines, weight facilities, group exercise rooms, sauna, spa, hot tub, or swimming facilities, indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities. Does not include adult-oriented businesses.
4. **Outdoor.** A facility for outdoor recreational activities where a fee may be charged for use. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, concessions, ticketing offices, will-call, facility maintenance storage & equipment.

Recreational Vehicle Parking. Land area dedicated to the short term or overnight parking of recreational vehicles.

Redevelopment Area. For purposes of the OSE Standards, there is no defined redevelopment area, however development patterns once established in any District can become eligible for redevelopment activities designed to re-purpose or refresh building and site components. Forms of redevelopment can include demolition & reconstruction, retrofit of new uses into established building and site areas, and renovation.

Reserved Strip. A piece of land in a subdivision that is reserved, held or controlled for the purpose of prohibiting access to streets and roads.

Residential. Premises used primarily for human habitation.

Restaurant, Cafe, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption (“counter service”); and establishments where customers are served food at their tables for on-premise consumption (“table service”), that may also provide food for take-out, but does not include drive-through services, which are separately defined and regulated.

Root Flare. (syn. Trunk Flare). The outwardly curving base of a tree where it joins the roots.

School, Private or Public. Includes the following facilities:

1. **Elementary, Middle, Secondary.** A public or private academic educational institution, including elementary (kindergarten through 6th grade), middle and junior high schools (7th and 8th grades), secondary and high schools (9th through 12th grades), and facilities that provide any combination of those levels. May also include any of these schools that also provide room and board.
2. **Does not include pre-schools and child day care facilities (see “Day Care, Child or Adult”).** See also the definition of “Studio - Specialized Education/Training” for smaller-scale facilities offering specialized instruction.

Setback. The mandatory clear distance between a property line and a structure.

Sexually Oriented Business. Defined by the City of Clermont Code of Ordinances, Ch. 95

Shared Parking. Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Sharrow. A marking on the road delineating travel lanes to be shared by bikes and cars.

Signage - Entrance Monument. A structure or related structures, together with landscape and project logo and or logo type, colors & materials that are associated with the overall OSE project boundary location and do not advertise any specific internal establishment.

Special Event Sign. A sign which carries message regarding a special event or function which is of general interest to the community.

Sports Complex. See Division 2.5 (Civic and Open Space Types).

Square. See Division 2.5 (Civic and Open Space Types).

Storage, Outdoor. See “Outdoor Storage.”

Storefront. The portion of a frontage composed of the display window and/or entrance and its components, including windows, doors, transoms and sill pane, that is inserted into various frontage types, such as a shopfront or gallery, to accommodate retail uses.

Story. An above-grade habitable floor level within a building.

Studio - Specialized Education/ Training, etc. Small & medium scale facilities that provide individual and group instruction, education and/or training, including tutoring and vocational training in limited subjects, such as:

1. **The arts.** Production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.
2. **Vocational and Professional Schools.** Business, secretarial, and vocational school, computers and electronics school, driver education school, establishments providing courses by mail, language school, professional school (e.g. law, medicine, etc.), religious ministry training facilities.

Structure. Anything constructed or erected, the use of which requires attachment to the ground,

attachment to something located on the ground, or placement on the ground. The term “structure” shall include: Buildings; Walls or fences; Signs; Light fixtures; or anything else constructed or erected, the use of which requires a permanent or semi-permanent location on the ground or which is attached to something having a permanent or semi-permanent location on the ground.

Tandem Parking. A parking space deep enough to allow two cars to park, one behind the other.

Temporary Parking Lots. Parking lots that are not permanent, are only intended to fulfill a short-term need, and ultimately will be replaced by a permanent building or structure. Temporary Parking lots are not subject to the parking location regulations and liner requirements for above grade parking in the building form standards, but must comply with all landscaping standards.

Thoroughfare. A road, street, or path providing a connection between two places.

Traffic Impact Analysis (TIA). A study performed by professional engineers with expertise in traffic engineering principles and practice, which reviews development of a specific property and analyzes how it integrates into the existing and proposed city street network and ongoing traffic study. The analysis utilizes data and conclusions developed in previous studies, and identifies improvements needed to mitigate the impact of traffic generated by a development on the street network system.

Transit Station. A lot or structure used for the purpose of parking, loading and unloading passengers from tram, or bus transportation. May include parking facilities and other commercial amenities to service transit passengers.

Transit Stop. A location where buses or other transit providers stop to load and unload passengers. A transit stop may or may not include a shelter or a pullout.

Transitional/Supportive Housing. A state licensed residential dwelling occupied with a 24-hour per day resident attendant directly employed for the temporary care, assistance and supervision of not more than eight (8) adults, with or without children, who require transitional housing accommodations made necessary due to conflict or threat of personal harm arising from the person's former living arrangement.

Transportation Terminal. Facilities for the embarkation and departure of surface transit facilities, including but not limited to: bus, tram, taxi transit.

Vehicle and Boat Sales and Rental. A retail establishment selling and/or renting electric motorized vehicles, cycles, boats, and/or scooters. May also include ancillary repair and the sales of parts and accessories incidental to the use. Does not include businesses dealing exclusively in automobile used parts, auto wrecking and/or salvage; the sale of auto parts/accessories, but may include automobile rental services.

Waterfront Lot. Any lot that is bound on one or more sides by a significant and naturally occurring body of water. This includes wetlands, & lakes. This does not include retention or detention ponds, ditches, or pools.

Water/Marine Oriented Facilities. A non-for-profit or for-profit enterprise for on-water storage, servicing, charging, berthing, securing, loading and unloading of canoes, kayak, boats, and other marine related activities including: recreational and fishing, watercraft rentals, and marine-related retail supplies, etc.)

Olympus Sports & Entertainment PUD - **Final Draft 12/27/18 (added notes with residential limitations)**
Equivalency-Trip Conversion Matrix

Exhibit 4

Table 1 - Summary of Land Use & PM Peak Hour Net New External Trips			PM Pk. Net New External Trips (Trip Generation)		
Land Use Type	Includes	Density/Intensity	Total	Enter	Exit
General Office (Sq. Ft.)	main gate, welcome/sales center, leased offices, some buildings mixed use (primary office)	384,659	370	58	312
Medical Office (Sq. Ft.)	Sports Medicine, professional medical offices, wellness programs	382,637	1171	321	850
Shopping Center- Retail (Sq. Ft.)	retail-shopping centers, mixed use buildings (primary retail with restaurant(s) and/or office)	225,154	382	208	174
Restaurants (Sq. Ft.)	Stand alone sit-down/high-turnover	44,500	111	86	25
Multi-family Housing (DU)	Villas, townhomes, apartments	1088	198	117	81
Public Park (Acres)	surf park, beach volleyball, skateboard park	17.47	18	10	8
Soccer Complex (Fields)	soccer, track and field	5	81	54	27
Recreational Community Center (Sq. Ft.)	Tennis, arena (special events), ice sports, aquatics, multi-sport training, health & fitness center, EPIC center	379,748	513	247	266
Live Theatre (Seats)	Outdoor stage	1500	23	12	11
Hotel (Rooms)	Ancillary Restaurants, retail, office	1312	621	309	312
TOTAL:			3488	1422	2066

Table 2 - Land Use Conversion Table

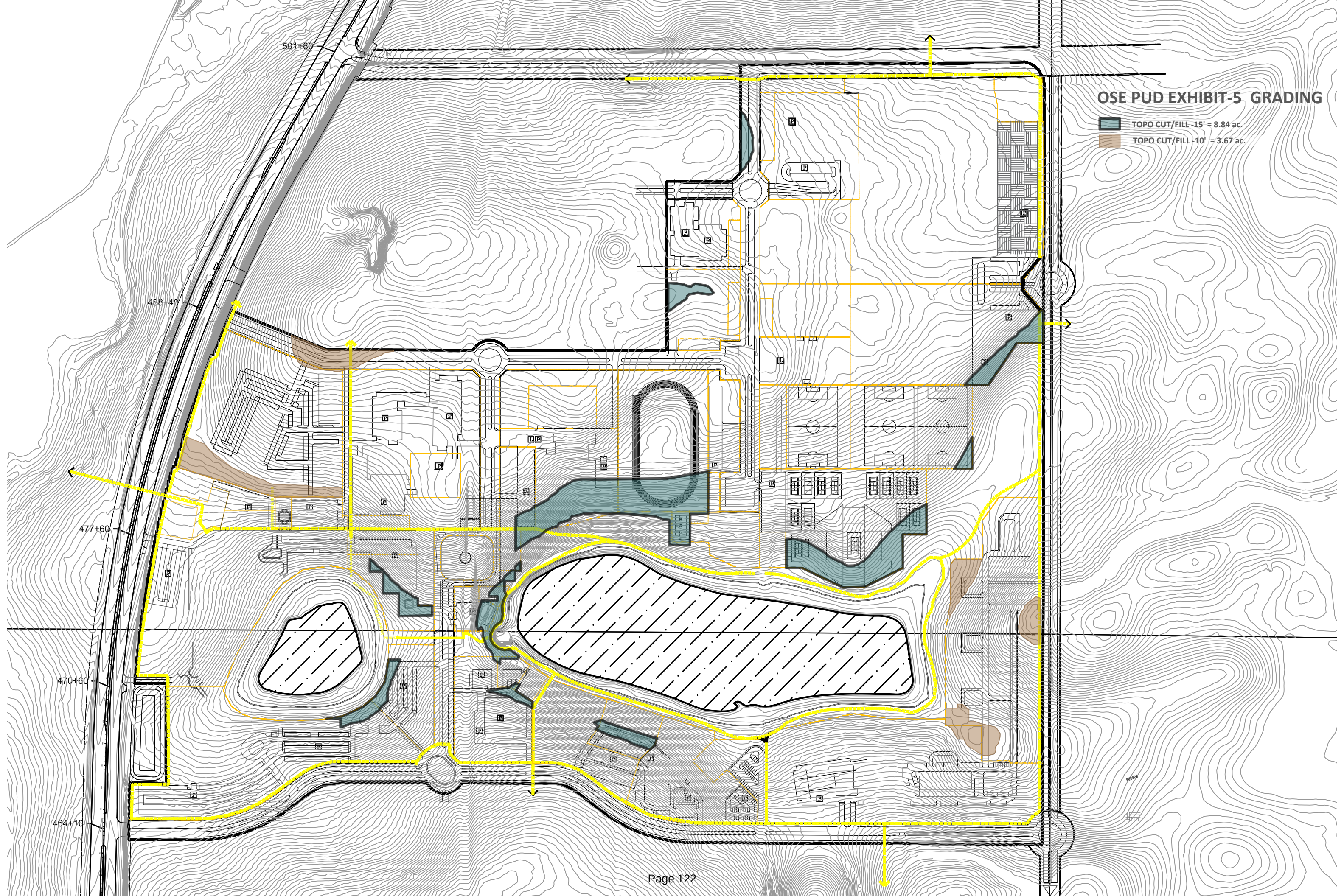
	TO:	General Office	Medical Office	Shopping Center- Retail	Restaurant	Multi-Family Housing *	Public Park	Soccer, Track and Field Complex	Recreational Community Center	Live Theater	Hotel	Institutional (University/ College)/ ITE 550	Day Care/ ITE 565	Single Family/ ITE 210 *
FROM:	Units	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.	DU	Acres	Fields	Sq. Ft.	Seats	Rooms	Sq. Ft.	Sq. Ft.	DU
General Office/ITE 710	Sq. Ft.		0.1798	0.146	0.0395	0.00068	0.004	0.0002	0.3149	.0203 (24,000 SF min.)	0.00316	0.4835	0.0337 (355,000 SF max.)	0.000258 (250,000 SF max.)
Medical Office/ITE 720	Sq. Ft.	5.563		0.874	0.2233	0.00389	0.02 (min. 400 SF)	0.00062	1.8013	0.1279	0.0033	2.63	0.1921	0.0015
Shopping Center - Retail/ITE 820	Sq. Ft.	6.85 (50,000 SF max.)	1.15 (300,000 SF max.)		0.285	.0065 (max. 700)	0.0142	0.0003	2.225	0.12	0.00435 (max. 500)	1.675 (9,000 SF min.)	0.2396 (120,000 SF max.)	0.00195 (130,000 SF max.)
Restaurant/ITE 932	Sq. Ft.	25.47 (15,000 SF max)	4.481	3.51 (limit 35,000 SF max.)		0.0175 (25,000 SF max)	0.0417	0.0003	7.09 (50,000 SF max)	0.31464	.01478 (1800 SF min.)	3.41 (2500 SF min., 9000 SF max.)	0.50 (10,000 SF max.)	0.0068 (10,000 SF max.)
Multi-family Housing/ITE 220 *	DU	1473.6	257.0 (1400 DU max.)	203.88 (limit 500 DU max.)	57.1		2.65 (min. 5 DU)	0.03344	406.5	17.21	0.868	197.44 (50 min. DU)	27.22 (470 DU max.)	0.4246 (500 DU max.)
Public Park/ITE 411	Acres	255 (min. 4 ac)	55 (min. 4 ac.)	70.6 (17.47 ac. max.)	26.54	0.40		0.0052 (limit 17.52 ac max.)	100 (4 ac. min.)	4.3 (limit 17.47 ac. Max.)	0.23	-	-	-
Soccer, Track and Field Complex/ ITE 488	Fields	4965.4 (5 field max)	1691.4	3503.9	1575	29.95	193.3 (limit 5 fields max.)		14,225.4	534.3	16.45	-	-	-
Recreational Community Center/ ITE 495	Sq. Ft.	3.182 (110,000 SF max.)	0.5562	0.45 (limit 300,000 SF max.)	0.1416	0.00248 (100,000 SF max)	0.01	0.000703		0.0796	0.00221 (limit 100,000 SF)	0.904 (10,000 SF min.)	0.1212	0.00093 (up to 250KSF), 0.00115 (>250KSF)
Live Theatre/ITE 441	Seats	49.11 (400 seats min.)	7.88	8.6 (1500 max.)	3.196	0.058	0.24	0.0019	12.68		0.0355	-	-	-
Hotel/ITE 310	Rooms	1612.5	284.98	229.93 (111,500 SF max.)	67.75 (75 rooms max.)	1.777 (450 DU max.)	5.58 (min. 2 rooms)	0.06088	518.25 (250 rooms max.)	30.63 (min. 5 rooms)		358.49	48.44	0.4527 (500 room max.)

TABLE 2 LAND USE CONVERSION TABLE NOTES:

General: The conversion limit of the table is straightforward. The shopping center-retail land use in square feet or Gross Leasable Area (GLA) could be converted to hotel, multi-family, general office or other land uses within this table by applying the appropriate multiplier. For example, Table 2 to convert from hotel rooms to medical office, one would look across the 'Hotel' line to the column headed 'Medical Office' and find that one hotel room is equal to 284.98 square feet. If 150 hotel rooms were to be converted to shopping center-retail, then 34,490 square feet (150 rooms x 229.93 sq. ft.) would be allowed. If 40,000 SF of medical office were to be converted to multi-family units, the results would be 155.6 or 156 multi-family units (40,000 x 0.00389) and still maintain the same impacts. Single and combinations of conversions have also been verified; however, limitations are noted in Table 2.

General: (1) For any land use conversion not shown in Table 2 or limited as noted, a detailed trip generation must be provided.
(2) The land uses within the TIS and Conversion Matrix are based on ITE classifications for trip generation purposes and do not represent additional land use assignments for the Olympus Sports & Entertainment PUD.

* Residential Limitations: Multi-family increase limited to 225 dwelling units (D.U.), Single family addition limited to 100 D.U.with Affordable Housing units (if added) considered as Multi or Single family based on construction type.



OSE PUD EXHIBIT-5 GRADING

- TOPO CUT/FILL -15' = 8.84 ac.
- TOPO CUT/FILL -10' = 3.67 ac.



- FLAGS and BANNERS
- Banners
- Flags

OSE PUD EXHIBIT 6

OSE PUD SITE PLAN Exhibit-2

This drawing is not intended to be used for contract pricing or quantity calculation. All content is subject to Permits, Final Engineering & Architectural Review

ARB COORDINATION

 Site Plan	 Landscape
 Site Coverage	 Architecture
 Drainage	 Other

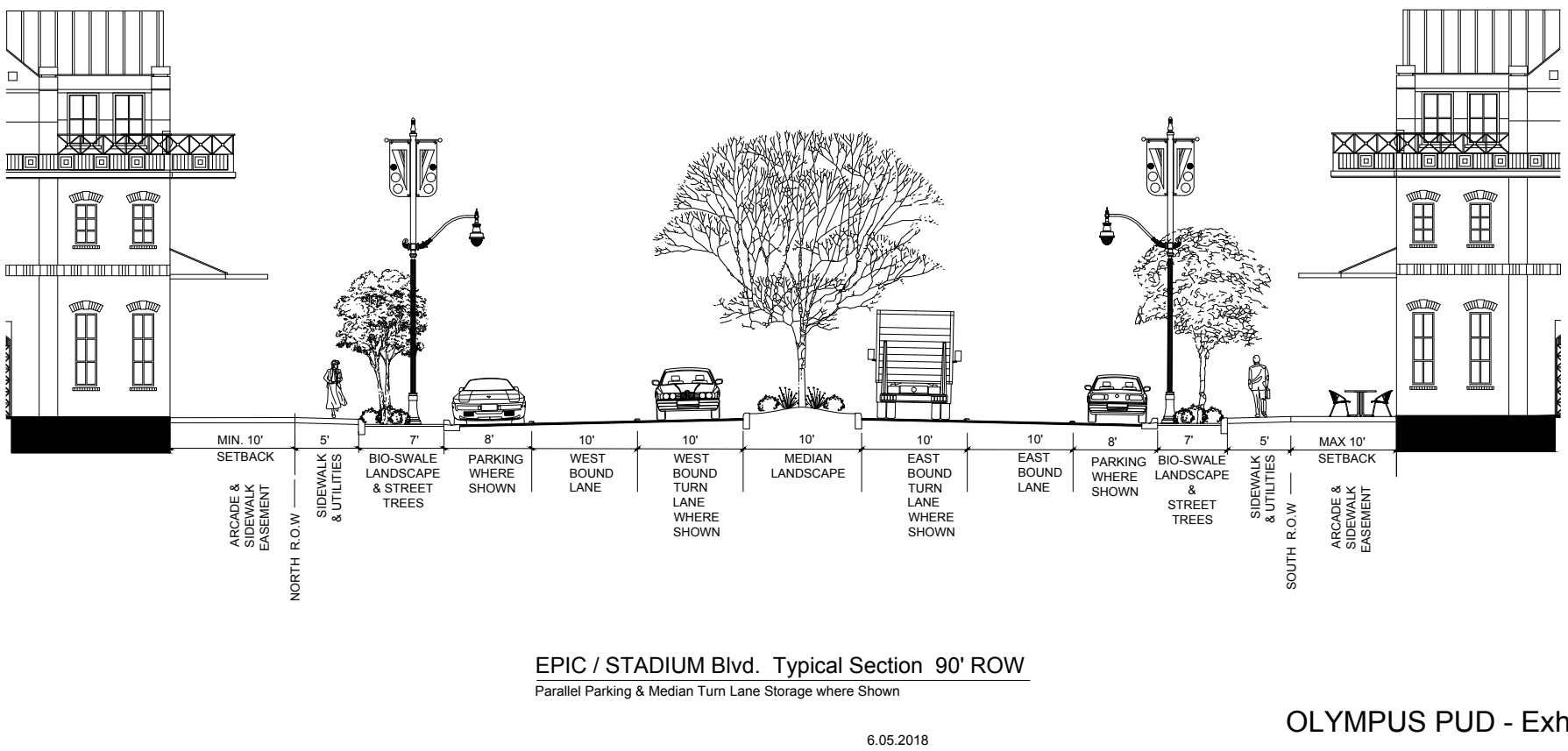
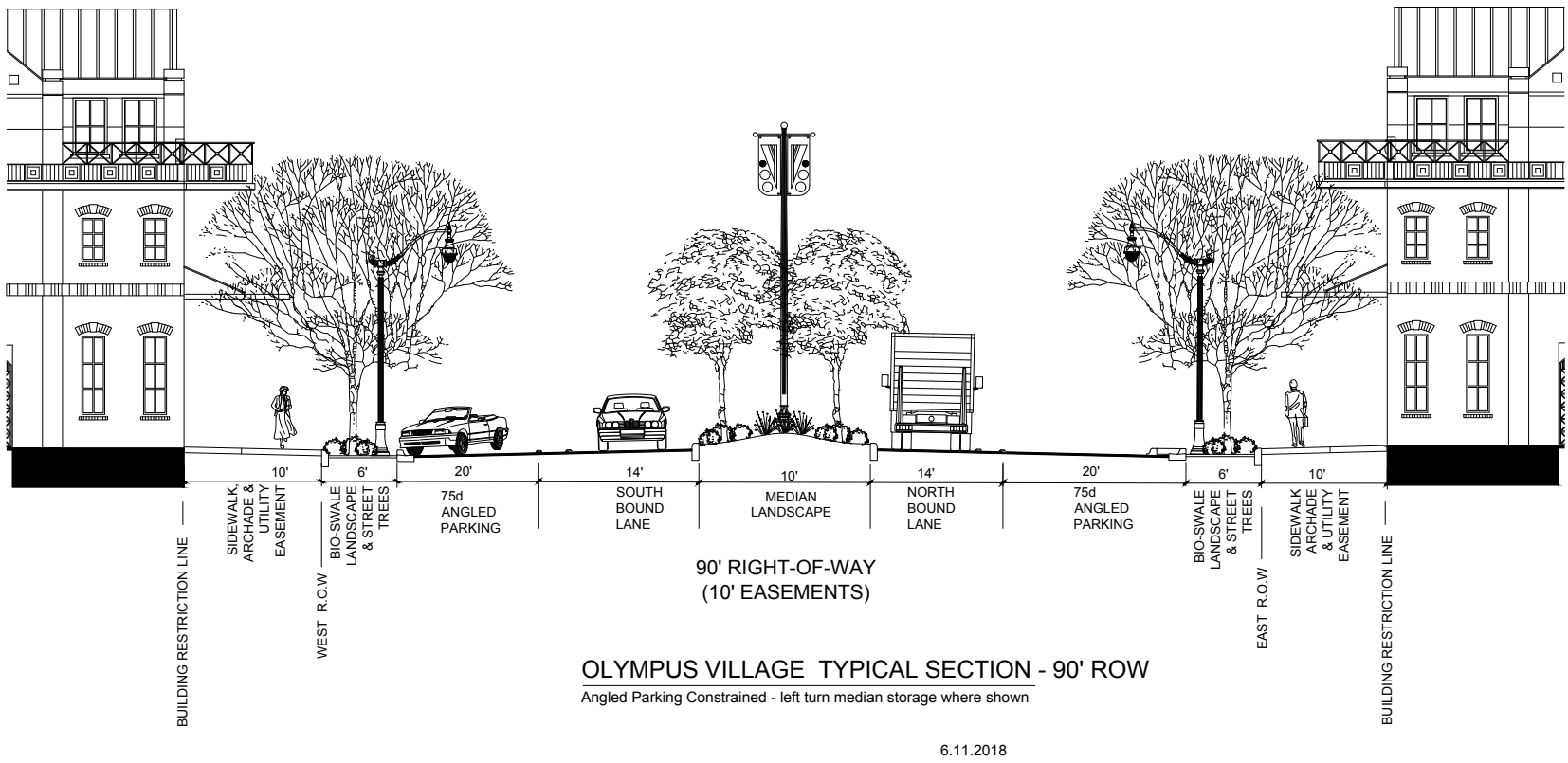
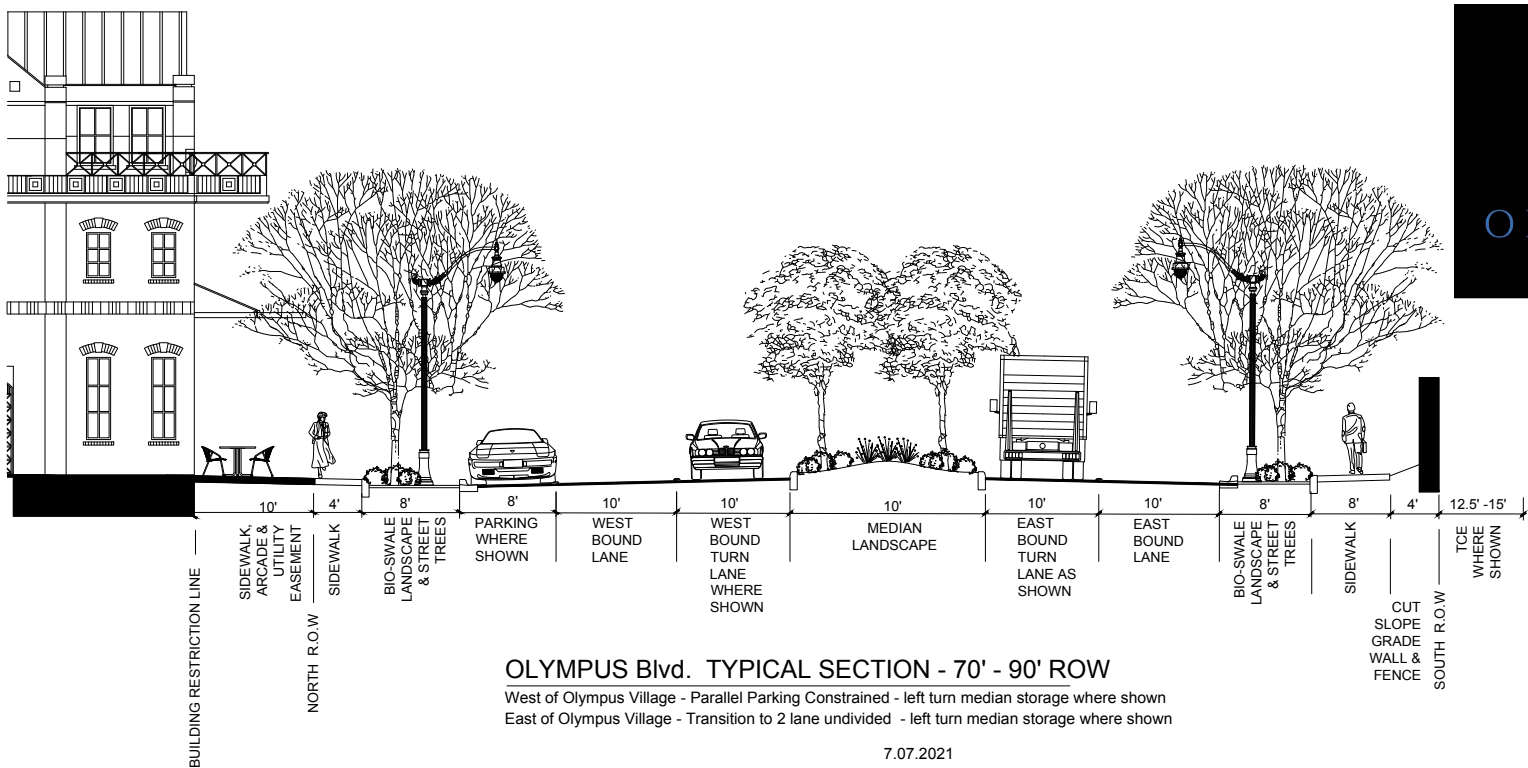
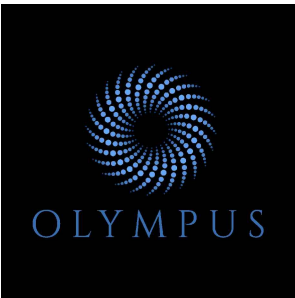
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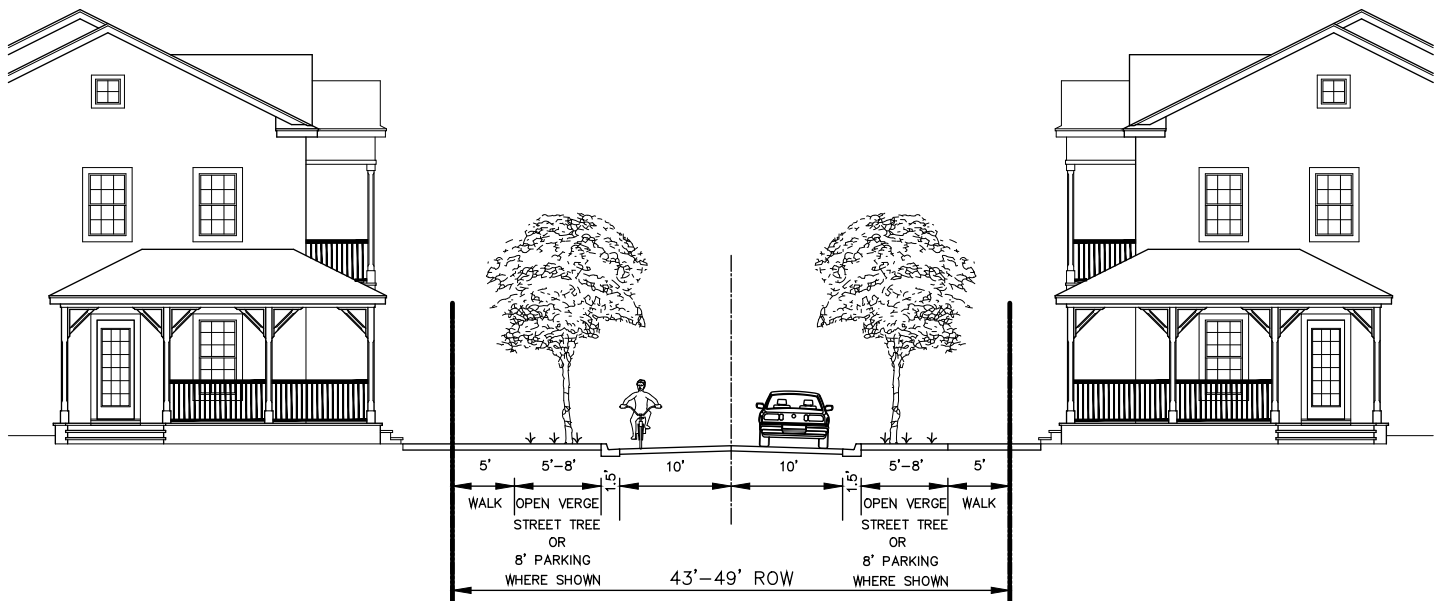


Future Schoefield Road

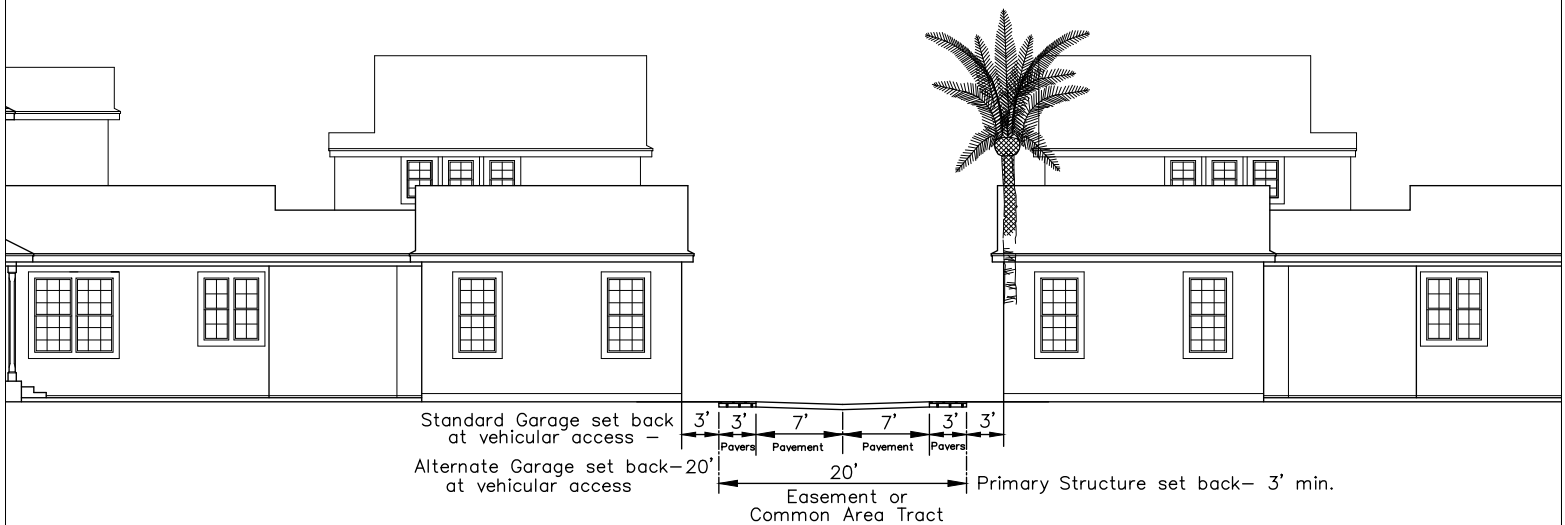
OLYMPUS™
SPORTS, WELLNESS, FITNESS

-  GATEWAY
-  PEDESTRIAN PATHWAYS
-  MULTI USE TRAIL SYSTEM
-  MULTI USE PROMENADE
-  PLAZA
-  PERVIOUS STABILIZED GRASS PARKING





RSD/UMU
LOCAL STREET



LANE SECTION

Depths at Finished Grade Locations:
 Electric: 42"
 Reclaim Water/Gas/FM/Water/Sewer: 36"
 CATV/Telephone: 18" - 24" Min.
 Sewer Service From R/W: 30" - 60" Deep



PUD EXHIBIT 4A TYPICAL SECTIONS



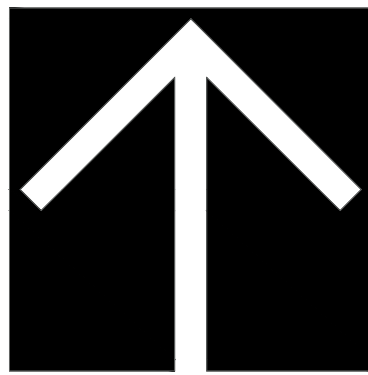
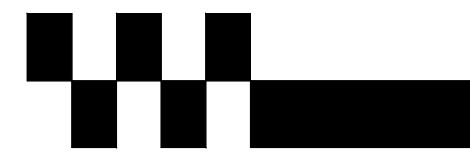
OSE PUD SITE PLAN Exhibit-2
MULTI USE PUBLIC TRAIL SYSTEM E-7

This drawing is not intended to be used for contract pricing or quantity calculation.
All content is subject to Permits, Final Engineering & Architectural Review

ARB COORDINATION

- | | |
|--|---------------------------------------|
| ☐ Site Plan | ☐ Landscape |
| ☐ Site Coverage | ☐ Architecture |
| ☐ Drainage | ☐ Other |

0 200 400



OLYMPUS

MULTI USE PUBLIC TRAIL SYSTEM



3/6/19 - Update corrected Hartle south of CFX (Prop. Share % wrong)

Buildout - Phase 5 (Year 2025)

EXISTING ROAD SEGMENTS

Road Name	From	To	LOS Standard	LOS Capacity	5 Year Growth Rate	Source Growth Rate	2025 Daily Traffic with Growth Rate	PM Peak Hour Total, Year 2025 with Growth Rate	PM Peak Hour/Peak Direction	Peak Dir.	2025 NB/EB	Remaining Trips (within Adopted	V/C Ratio	LOS	2025 SB/WB	Remaining Trips (within Adopted	V/C Ratio	LOS
CR 455/Hartle Road (+new 2L to Lost Lake)	SR 50	Magnolia Island	D	1800	6.58%	FDOT 11-8106	7024	792	303	SB	380	1420	0.21	C	412	1388	0.23	C
CR 455/Hartle Road (+new 2L to C-0854)	Magnolia Island	Hartwood Marsh C-0854	D	792	6.58%	FDOT 11-8106	7024	792	303	SB	380	412	0.48	C	412	380	0.52	C
S. Hancock Road	SR 50	Hooks Street	D	1800	3.38%	LC Sta. 165	25350	2096	1152	SB	945	855	0.53	C	1152	648	0.64	C
S. Hancock Road	Hooks	Johns Lake	D	792	3.38%	LC Sta. 165	25350	2096	1152	SB	945	-153	1.19	F	1152	-360	1.45	F
S. Hancock Road	Johns Lake	Hartwood Marsh	D	792	7.53%	LC Sta. 180	18576	1616	843	NB	843	-51	1.06	F	773	19	0.98	D
Hartwood Marsh Road	US 27	Hancock Road	D	675	7.79%	LC Sta. 146	27180	2407	1319	WB	979	-304	1.45	F	1319	-644	1.95	F
Hartwood Marsh Road	Hancock Road	N. 90 Degree Bend	D	675	6.92%	Avg. 146 & 150	23894	2413	1217	WB	945	-270	1.40	F	1217	-542	1.80	F
Hartwood Marsh Road	N. 90 Degree Bend	Orange County Line	D	612	6.04%	LC Sta. 150	18277	1600	1180	EB	1180	-568	1.93	F	419	193	0.68	D
Hooks Street	US 27	Citrus Tower Blvd.	D	1800	9.41%	LC Sta. 281	19240	1687	856	WB	831	969	0.46	C	856	944	0.48	C
Johns Lake Road	US 27	Hancock Road	D	675	1.00%	LC Sta. 170	6544	649	345	WB	302	373	0.45	C	345	330	0.51	D
Lake Louisa Road	Vista Del Lago	US 27	D	675	1.00%	LC Sta. 151	3920	317	212	WB	105	570	0.16	C	212	463	0.31	C
US 27 /SR 25	SR 50	John Lake Road	C	2940	3.91%	FDOT Avg. 11-5184 & 11-0012	49948	3467	1958	SB	1552	1388	0.53	C	1958	982	0.67	C
US 27 /SR 25	Johns Lake Road	Hartwood Marsh Road	C	2940	5.11%	FDOT 11-0011	53636	4175	2135	NB	2135	805	0.73	C	2061	879	0.70	C
US 27 /SR 25	Hartwood Marsh Road	Lake Louisa Road	C	2940	1.00%	FDOT 11-0311	27613	2485	1347	SB	1138	1802	0.39	C	1347	1593	0.46	C
US 27/SR 25	Lake Louisa Road	Schofield Road	C	2940	5.36%	FDOT 11-0007	40224	5270	2857	NB	2857	83	0.97	C	2413	527	0.82	C
US 27/SR 25	Schofield Road	Lake Louisa State Park - Ridgeview	C	2940	5.36%	FDOT 11-0007	40224	5270	2857	NB	2856	84	0.97	C	2414	526	0.82	C
US 27/SR 25	Lake Louisa State Park - Ridgeview	CFX Toll	C	2940	3.25%	FDOT Avg. 11-0007 & 11-0310	34220	4483	2430	NB	2430	510	0.83	C	2053	887	0.70	C
US 27/SR 25	CFX Toll	Boggy Marsh Road	C	2940	3.25%	FDOT 11-0007 & 11-0310	34220	4483	2430	NB	2430	510	0.83	C	2053	887	0.70	C
US 27/SR 25	Boggy Marsh Road	CR 474	C	2940	3.92%	FDOT 11-0310	61208	5509	2986	SB	2523	417	0.86	C	2986	-46	1.02	C
US 27/SR 25	CR 474	US 192	C	2940	3.92%	FDOT 11-0310	61208	5509	2986	SB	2523	417	0.86	C	2986	-46	1.02	C

Note (1): FDOT Available Counts Applied, Year 2017

WITH TOLL

NEW ROADWAYS (WELLNESS WAY FRAMEWORK PLAN) - ADDED TO OLYMPUS TIS MODEL NETWORK

					-----Forecasted 2025 Background Traffic without Project----->													
Road Name	From	To	Adopted LOS Standard	LOS Capacity	AADT, Background Traffic (2025 Model)	K (peak to daily factor), from review of local roads	D (directional split) from model No Build Network	Peak Dir. (from model TOD, No Build)	PM Peak Hour Total	PM Peak Hour/Peak Direction	2025 NB/EB	Remaining Trips (within Adopted LOS)	V/C Ratio	LOS	2025 SB/WB	Remaining Trips (within Adopted LOS)	V/C Ratio	LOS
CFX Lake-Orange County Connector	US 27	CR 455	C	4580	14100	0.12	63.5%	WB	1692	1074	618	3962	0.13	C	1692	2888	0.37	C
CFX Lake-Orange County Connector	CR 455	Orange Co.	C	4580	24300	0.12	60.8%	WB	2916	1773	1143	3437	0.25	C	2916	1664	0.64	C
CFX Lake-Orange County Connector	Orange Co.	Schofield Road w/o Toll 429	C	4580	24300	0.12	60.8%	WB	2916	1773	1143	3437	0.25	C	2916	1664	0.64	C
CR 455/Hartle Road	Hartwood Marsh- C-0854	Wellness Way	D	792	19200	0.11	51.5%	NB	2112	1088	1088	-296	1.37	F	1024	-232	1.29	F
CR 455/Hartle Road	Wellness Way	Schofield	D	792	14100	0.11	51.3%	NB	1551	796	796	-4	1.00	E	755	37	0.95	E
CR 455/Hartle Road	Schofield	CFX Toll	D	792	22600	0.11	51.5%	NB	2486	1280	1280	-488	1.62	F	1206	-414	1.52	F
CR 455/Hartle Road	CFX Toll	Sawgrass Bay Blvd.	D	792	6700	0.11	52.9%	NB	737	390	390	402	0.49	C	347	445	0.44	C
Hancock Ext	Hartwood Marsh	Wellness Way Parkway	D	792	12900	0.09	63.2%	NB	1161	734	734	58	0.93	D	427	365	0.54	C
Hanover Ridgeview PUD - Lake Louisa State Park	US 27	Schofield	D	792	4000	0.09	62.5%	EB	360	225	225	567	0.28	D	135	657	0.17	C
Schofield Rd. - Wellness Way Parkway	US 27	Stadium Blvd. (Road C)	D	1800	5400	0.09	50.7%	WB	486	246	240	1560	0.13	C	246	1554	0.14	C
Schofield Rd. - Wellness Way Parkway	Stadium Blvd. (Road C)	Hancock Ext, 1st 90 degree	D	1800	5400	0.09	51.0%	WB	486	248	238	1562	0.13	C	248	1552	0.14	C
Schofield Road	Hancock Ext, 1st 90 degree	Olympus Blvd. (Road A)	D	792	9100	0.09	60.0%	SB	819	491	328	464	0.41	C	491	301	0.62	C
Schofield Road	Olympus Blvd (Road A)	Shell Pond, 2nd 90 degree	D	792	9100	0.09	56.9%	NB	819	466	466	326	0.59	C	353	439	0.45	C
Schofield Road	Shell Pond, 2nd 90 degree	CR 455/Hartle Rd.	D	792	5700	0.09	56.9%	WB	513	292	221	571	0.28	C	292	500	0.37	C
Schofield Road	CR 455	Orange Co.	D	792	5500	0.09	56.9%	WB	495	282	213	579	0.27	C	282	510	0.36	C
Wellness Way Parkway	Hancock Road	CR 455	D	1800	5000	0.09	61.5%	WB	450	277	173	1627	0.10	C	277	1523	0.15	C
Wellness Way Parkway	CR 455	Orange Co.	D	1800	12100	0.09	58.6%	WB	1089	638	451	1349	0.25	C	638	1162	0.35	C
Wellness Way Parkway (Orange Co.)	Orange Co.	CR 545 or New Independence	D	1800	12100	0.09	58.6%	WB	1089	638	451	1349	0.25	C	638	1162	0.35	C

* Existing Roads - mitigate only project trips over capacity (see available capacity)
New Roads - mitigate all project trips on roadways not committed for funded by others

Olympus Net External PM Peak Hour Trips:

Enter = 1422
Exit = 2066

-----Forecasted 2025 Background Traffic with Olympus----->

					<---Olympus Project Traffic--->												
Enter or Exit	Project Traffic %	Project Trips	NB/EB	2025 Background Trips	Total Trips PM Peak Hour Trips 2025 with Olympus	Available Trips (within Adopted LOS)	V/C Ratio	LOS *	Enter or Exit	Project Traffic %	Project Trips	SB/WB	2025 Background Trips	Total Trips PM Peak Hour Trips 2025 with Olympus	Available Trips (within Adopted LOS)	V/C Ratio	LOS *
Exit	4.0%	83	NB	380	462	1338	0.26	C	Enter	4.0%	101	SB	412	513	1287	0.29	C
Exit	3.0%	62	NB	380	442	350	0.56	C	Enter	3.0%	43	SB	412	455	337	0.57	C
Exit	2.0%	41	NB	945	987	813	0.55	C	Enter	2.0%	34	SB	1152	1186	614	0.66	C
Exit	3.0%	62	NB	945	1007	(215)	1.27	F	Enter	3.0%	36	SB	1152	1188	(396)	1.50	F
Exit	6.0%	124	NB	843	967	(175)	1.22	F	Enter	6.0%	104	SB	773	877	(85)	1.11	F
Exit	6.0%	124	EB	979	1103	(428)	1.63	F	Enter	6.0%	68	WB	1319	1387	(712)	2.05	F
Exit	4.0%	83	EB	945	1028	(353)	1.52	F	Enter	4.0%	111	WB	1217	1328	(653)	1.97	F
Exit	3.0%	62	EB	1180	1242	(567)	1.52	F	Enter	3.0%	73	WB	419	492	183	0.73	D
Exit	2.0%	41	EB	831	873	927	0.48	C	Enter	2.0%	24	WB	856	880	920	0.49	C
Enter	4.0%	57	EB	302	359	316	0.53	D	Exit	4.0%	2	WB	345	347	328	0.51	D
Enter	10.0%	142	EB	105	247	86	0.74	C	Exit	10.0%	267	WB	212	479	196	0.71	D
Exit	7.0%	145	NB	1552	1697	1243	0.58	C	Enter	7.0%	242	SB	1958	2200	740	0.75	C
Exit	20.0%	413	NB	2135	2548	392	0.87	C	Enter	20.0%	304	SB	2061	2365	575	0.80	C
Exit	21.0%	434	NB	1138	1572	1368	0.53	C	Enter	21.0%	353	SB	1347	1700	1240	0.58	C
Exit	32.0%	661	NB	2857	3518	(578)	1.20	F	Enter	31.0%	435	SB	2413	2849	91	0.97	C
Enter	26.0%	370	NB	2856	3226	(286)	1.10	F	Exit	26.0%	486	SB	2414	2899	41	0.99	C
Enter	23.0%	327	NB	2430	2757	183	0.94	C	Exit	20.0%	333	SB	2053	2386	554	0.81	C
Enter	20.0%	284	NB	2430	2715	225	0.92	C	Exit	20.0%	242	SB	2053	2295	645	0.78	C
Enter	14.0%	199	NB	2523	2722	218	0.93	C	Exit	14.0%	242	SB	2986	3227	(287)	1.10	F
Enter	7.5%	107	NB	2523	2630	310	0.89	C	Exit	7.5%	192	SB	2986	3178	(238)	1.08	F

WITH CFX TOLL

-----Forecasted 2025 Background Traffic with Olympus----->

<---Olympus Project Traffic--->																	
Enter or Exit	Project Traffic %	Project Trips	NB/EB	2025 Background Trips	Total Trips PM Peak Hour Trips 2025 with Olympus	Available Trips (within Adopted LOS)	V/C Ratio	LOS *	Enter or Exit	Project Traffic %	Project Trips	SB/WB	2025 Background Trips	Total Trips PM Peak Hour Trips 2025 with Olympus	Available Trips (within Adopted LOS)	V/C Ratio	LOS *
Exit	0.0%	0	EB	618	618	3962	0.13	B	Enter	3.0%	43	WB	1692	1735	2845	0.38	B
Exit	13.0%	269	EB	1143	1412	3168	0.31	B	Enter	13.0%	185	WB	2916	3101	1479	0.68	B
Exit	13.0%	269	EB	1143	1412	3168	0.31	B	Enter	13.0%	185	WB	2916	3101	1479	0.68	B
Exit	5.0%	103	NB	1088	1191	(399)	1.50	F	Enter	6.0%	85	SB	1024	1110	(318)	1.40	F
Enter	2.0%	28	NB	796	824	(32)	1.04	F	Exit	3.0%	62	SB	755	817	(25)	1.03	F
Enter	13.0%	185	NB	1280	1465	(673)	1.85	F	Exit	15.0%	310	SB	1206	1516	(724)	1.91	F
Enter	3.0%	43	NB	390	433	359	0.55	C	Exit	2.0%	41	SB	347	388	404	0.49	C
Exit	16.0%	331	NB	734	1064	(272)	1.34	F	Enter	16.0%	228	SB	427	655	137	0.83	C
Enter	1.0%	14	EB	225	239	553	0.30	C	Exit	0.0%	0	WB	135	135	657	0.17	C
Enter	12.0%	171	EB	240	410	1390	0.23	C	Exit	12.0%	248	WB	246	494	1306	0.27	C
Exit	28.0%	578	EB	238	817	983	0.45	C	Enter	28.0%	398	WB	248	646	1154	0.36	C
Enter	10.0%	142	NB	328	470	322	0.59	C	Exit	10.0%	207	SB	491	698	94	0.88	C
Enter	14.0%	199	NB	466	665	127	0.84	C	Exit	15.0%	310	SB	353	663	129	0.84	C
Exit	15.0%	310	EB	221	531	261	0.67	C	Enter	14.0%	199	WB	292	491	301	0.62	C
Exit	2.0%	41	EB	213	255	537	0.32	C	Enter	3.0%	43	WB	282	324	468	0.41	C
Exit	4.0%	83	EB	173	256	1544	0.14	C	Enter	14.0%	199	WB	277	476	1324	0.26	C
Exit	4.0%	83	EB	451	533	1267	0.30	C	Enter	5.0%	71	WB	638	709	1091	0.39	C
Exit	4.0%	83	EB	451	533	1267	0.30	C	Enter	4.0%	57	WB	638,154	695	1105	0.39	C

PROPORTIONATE SHARE SPREADSHEET - DRAFT

Prepared/updated: 3/7/19 Update for Client - FINAL DRAFT
Buildout - Phase 5 (Year 2025)
1/24/19 Add Local Lake County Costs
3/6/19 - Update corrected Hartle south of CFX (Prop. Share % wrong)

EXISTING ROAD SEGMENTS

Road Name	From	To	Adopted LOS Standard	LOS Capacity	LINKED	LINKED	Seg. Deficiency *	Segment Length (mi.)	Segment Length (feet)	LINKED		LINKED		Project Trip to MITIGATE*	Deficiency includes background(Total Trips)	Hypothetical Improve. to Mitigate					
					Remaining Trips Before Project	Remaining Trips Capacity After Project				<---- NB or EB---->	Dir.	<---SB or WB---->	Dir.			Proposed Improvement	MSV Add	Cost per Mile	Total Cost (cost/mi x length)	% Proj. Trips to Capacity (% Prop. Share Cost)	PFS to Developer
S. Hancock Road	Hooks	Johns Lake	D	792				1.22	6450												
	NB or EB				(153)	(215)	Y			62	NB			62	(215)	Add NB Left (dual)	250	\$ 208,022	\$ 208,022	0.25	\$ 51,573
	SB or WB				(360)	(396)	Y					36	SB	36	(396)	Turn lane SB Right	250	\$ 200,845	\$ 200,845	0.14	\$ 28,560
S. Hancock Road	Johns Lake	Hartwood Marsh	D	792				1.75	9218												
	NB or EB				(51)	(175)	Y			124	NB			124	(175)	Turn lane NB Right	250	\$ 200,845	\$ 200,845	0.50	\$ 99,587
	SB or WB				19	(85)	Y					104	SB	85	(85)	Add separate SB Left	250	\$ 208,022	\$ 208,022	0.34	\$ 70,728
Hartwood Marsh Road	US 27	Hancock Road	D	675				0.68	3615												
	NB or EB				(304)	(428)	Y			124	EB			124	(428)	Widen EB thru 1L to 2L (future)	675	\$ 1,745,916	\$ 1,187,223.14	0.18	\$ 218,027
	SB or WB				(644)	(712)	Y					68	WB	68	(712)	Extend WB left (550' to 800'), Extend WB right (240' to 570') RURAL	500	\$ 545,276.56	\$ 545,276.56	0.14	\$ 74,437
Hartwood Marsh Road	Hancock Road	2nd - 90 Degree Bend	D	675				2.5	13181												
	NB or EB				(270)	(353)	Y			83	EB			83	(353)	Widen to 2L EB	792	\$ 1,431,080	\$ 3,577,700.55	0.10	\$ 373,310
	SB or WB				(542)	(653)	Y					111	WB	111	(653)	Extend WB left 200' to 500'	250	\$ 269,477	\$ 269,477.26	0.44	\$ 119,557
Hartwood Marsh Road	N. 90 Degree Bend	Orange County Line	D	612				1.4	7426												
	NB or EB				(568)	(567)	Y			62	EB			62	(567)	Widen 2L EB	792	\$ 1,745,916	\$ 2,444,282.93	0.08	\$ 191,345
	SB or WB				193	183	N					73	WB								
US 27/SR 25	Lake Louisa Road	Schofield Road	C	2940				0.98													
	NB or EB				83	(578)	Y			661	NB			578	(578)	Add NB thru (hypothetical) 1/3 cap. (includes exclusive right turn lanes)	1029	\$ 3,273,289.89	\$ 3,207,824.09	0.56	\$ 1,801,868.15
	SB or WB				527	91											6L to 8L URBAN				
US 27/SR 25	Schofield Road	Lake Louisa State Park	C	2860				1.0	5263												
	NB or EB				84	(286)	Y			370	NB			286	(286)	Add NB right turn lane	300	\$ 200,845	\$ 200,845	0.95	\$ 191,472.18
	SB or WB				526	41	N														
US 27/SR 25 (outside SA)	Boggy Marsh Road	CR 474	C	2940				2.01	10639												
	NB or EB				417	218	N			199	NB										
	SB or WB				(46)	(287)	Y					242	SB	242	(287)	Add SB right turn lane	300	\$ 208,022.20	\$ 208,022.20	0.81	\$ 167,612
US 27/SR 25 (outside SA)	CR 474	US 192	C	2940				1.71	9047												
	NB or EB				417	310	N			107	NB										
	SB or WB				(46)	(238)	Y					192	SB	192	(238)	Add left turn lane	300	\$ 208,022	\$ 208,022	0.64	\$ 133,229.90
																				Subtotal	\$ 3,521,306

NEW Roadway Segments - Added to Olympus TIS Model Network

NEW Roadway Segments - Added to Olympus TIS Model Network											LINKED		LINKED		LINKED		LINKED							
					LINKED	LINKED					<-----NB or EB---->		<---SB or WB---->											
Road Name	From	To	Adopted LOS Standard	LOS Capacity	Remaining Trips Before Project	Remaining Trips Capacity After Project	Seg. Impact *	Segment Length (mi.)	Segment Length (feet)		Project Trips	Dir.	Project Trips	Dir.	Project Trips to MITIGATE*	Deficiency? Includes background(Total Trips)	Proposed Improvement	MSV Add	Cost per Mile	Total Cost (cost/mi x length)	% Proj. Trips to Capacity (% Prop. Share Cost)	PFS to Developer		
CR 455/Hartle Road	Hartwood Marsh- C-0854	Wellness Way	D	792				3.25	17161															
	NB or EB				(296)	(399)	Y				103	NB			103	(399)	Rural 2L	792	\$ 1,072,071	\$ 3,484,231	0.13	\$ 454,446		
	SB or WB				(232)	(318)	Y						85	SB	85	(318)	Rural 2L	792	\$ 1,072,071	\$ 3,484,231	0.11	\$ 375,347		
CR 455/Hartle Road	Wellness Way	Schofield	D	792				1.6	8450															
	NB or EB				(4)	(32)	Y				28	NB			28	(32)	Rural 2L	792	\$ 1,072,071	\$ 1,715,314	0.04	\$ 61,595		
	SB or WB				37	(25)	Y						62	SB	62	(25)	Rural 2L	792	\$ 1,072,071	\$ 1,715,314	0.08	\$ 134,236		
CR 455/Hartle Road	Schofield	CFX TOLL	D	792				0.29	1531															
	NB or EB				(488)	(673)	Y				185	NB			185	(673)	Rural 2L	792	\$ 1,072,071	\$ 310,901	0.23	\$ 72,567		
	SB or WB				(414)	(724)	Y						310	SB	310	(724)	Rural 2L	792	\$ 1,072,071	\$ 310,901	0.39	\$ 121,652		
CR 455/Hartle Road	CFX TOLL	SAWGRASS WAY	D	792				3.1	16368															
	NB or EB				402	359					43	NB			43		Rural 2L	792	\$ 1,072,071	\$ 3,323,420	0.05	\$ 179,011		
	SB or WB				445	404							41	SB	41		Rural 2L	792	\$ 1,072,071	\$ 3,323,420	0.05	\$ 173,389		
Hancock Ext	Hartwood Marsh- C-0854	Wellness Way		792				2.19	11549															
	NB or EB				58	(272)	Y				331	NB			331	(272)	Rural 2L	792	\$ 1,072,071	\$ 2,347,835	0.42	\$ 979,925		
	SB or WB				365	137	N						228	SB	228		Rural 2L	792	\$ 1,072,071	\$ 2,347,835	0.29	\$ 674,469		
Schofield Rd. - Wellness Way Parkway	US 27	Stadium Blvd.	D	1800				0.25	1320															
	NB or EB				1560	1390					171	EB			171		2L to 4L Urban	1800	\$ 825,000	\$ 206,250	0.09	\$ 19,553		
	SB or WB				1554	1306							248	WB	248		2L to 4L Urban	1800	\$ 825,000	\$ 206,250	0.14	\$ 28,408		
Schofield Rd. - Wellness Way Parkway	Stadium Blvd.	Hancock Ext, 1st 90 degree		1800				0.35	1870															
	NB or EB				1562	983					578	EB			578		2L to 4L Urban	1800	\$ 825,000	\$ 288,750	0.32	\$ 92,798		
	SB or WB				1552	1154							398	WB	398		2L to 4L Urban	1800	\$ 825,000	\$ 288,750	0.22	\$ 63,872		
Wellness Way Parkway	Hancock Road	CR 455	D	1800				2.52	13312															
	NB or EB				1627	1544					83	EB			83		Urban 4L - Use 2LD future 4L	1800	\$ 2,425,500	\$ 6,112,260	0.05	\$ 280,621		
	SB or WB				1523	1324							199	WB	199		Urban 4L - Use 2LD future 4L	1800	\$ 2,425,500	\$ 6,112,260	0.11	\$ 676,016		
Wellness Way Parkway	CR 455	Orange Co.	D	1800				0.54	2875															
	NB or EB				1349	1267					83	EB			83		Urban 4L - Use 2LD future 4L	1800	\$ 2,425,500	\$ 1,309,770	0.05	\$ 60,133		
	SB or WB				1162	1091							71	WB	71		Urban 4L - Use 2LD future 4L	1800	\$ 2,425,500	\$ 1,309,770	0.04	\$ 51,730		

* Existing Roads - mitigate only project trips over capacity (see available capacity)
New Roads - mitigate all project trips on roadways not committed for funded by others
Subtotal \$ 4,499,772
TOTAL \$ 8,021,077

Prop. Share Credit Against Impact Fees and Proposed Credits
Credits: Olympus Blvd. Remaining Capacity, Regional Trails, Signal Fiber Optics

Lake County Costs, 1/24/19

Const. Cost Per CEMEX Agreement

New 2L Urban - future 4L	\$3,675,000
New 2L Undiv. Rural 4' Sh	\$1,624,350
Widen 2L inside 4L div. U	\$1,250,000

Contingency 10%, Design 12%, CEI 10%

1.32

General FDOT 2018 Costs (No Specific D-5 Available)

Note: Divide cost by 2, 1/2 road improvement per direction

<u>Section</u>	<u>Cost/Mile</u>	<u>Description</u>
New: Urban 2LU \$	4,981,800	with 4' bike lanes
Rural 2L \$	2,202,091	5' paved shoulders
Rural 4LD \$	4,312,785	(2' paved shoulders inside, 5' outside)
Urban 4L \$	7,448,544	22' median and 4' bike lanes
Widen: 2L to 4LDU \$	2,862,158	2L ex. Add 2L 5' paved shoulders
4LR add turn lane \$	170,510	ADD LEFT TURN lane
4LR add turn lane \$	164,627	ADD RIGHT TURN lane
6LD to 8LD (rural) \$	2,879,092	Add outside lanes
6LD to 8LD (urban) \$	5,366,049	Add outside lanes has B/L
Turn Lane Ext Rural \$	226,065	Ext. 300' left turn D3 Cost
Turn Lane Ext Rural \$	220,883	Ext. 300' right turn D3 Cost
Turn Lane Ext Urban \$	307,636	Ext. 300' left turn D3 Cost
Turn Lane Ext Urban \$	277,180	Ext. 300' right turn D3 Cost
2LU to 4LD \$	5,456,415	22' median and 4' bike lanes

1.22

10% contingency in above FDOT Costs, Use Design 12% and CEI 10% @ 22%



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 schedule 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 in a PDF format on a CD or electronically via email to planning@clermontfl.org:

- 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 submitter with the application.
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, or deed)
- Legal Description in a word document to be used for legal advertising and in the ordinance for rezoning.
- Plot plan (drawn to scale) of the property involved showing the location of existing building or structures and the location of proposed building or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans 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, plus the cost of traffic review, if necessary



CITY OF CLERMONT

REZONING

APPLICATION

DATE July 1, 2021		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Olympus			
Applicant Olympus Sports and Entertainment Group			
Contact Person Michael J. Carroll			
Address 941 W Morse Blvd., Suite 100	City Winter Park	State FL	Zip 32789
Telephone (407) 754-6945	Fax n/a		
Email mjc@olympusorlando.com			
OWNER INFORMATION			
Owner's Name Olympus Orlando Holdings, LLC			
Owner Address 941 W Morse Blvd., Suite 100	City Winter Park	State FL	Zip 32789
Telephone (407) 754-6945	Email mjc@olympusorlando.com		
PROPERTY INFORMATION			
Address of Subject Property 7200-8582 N Bradshaw Rd.	City Clermont	State FL	Zip 34714
Legal Description (include copy of survey) Please see attached legal description. A copy of survey is also attached.			
Acreage 243.63	Land Use (City verification required) Master Planned Community		
Present Zoning (City verification required) Planned Unit Development	Proposed Zoning Planned Unit Development		



CITY OF CLERMONT REZONING APPLICATION

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

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

We are proposing updates to the following Olympus PUD Exhibits:

E1: Regulating Plan (Current and Proposed Attached)

E2: Site Plan (Current and Proposed Attached)

E3: Development Standards (Current and Proposed Attached)

E4 and E4-A: Right-of-Way Cross Sections and Local Sections (Current and Proposed Attached)

E7: Trail Map (Current and Proposed Attached)

Append Written Description to match PUD modification.

Check box to indicate additional materials are provided via attachment. ☒

Michael J. Carroll

Applicant Name (print)

x 
Applicant Name (signature)

Michael J. Carroll

Owner Name (print)

x 
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

5/22/2020

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. 2021-027

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, AN EFFECTIVE DATE AND PUBLICATION.

LOCATION

1.5 miles south of the Lake Louisa Road and US Hwy 27 intersection
East of US Hwy 27 and west of Schofield Road
Approx. 243.63 +/- Acres
Alternate Key 3914659

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

ALL OF TRACTS 47, 50, 51, 52, 53, 59, 60, 61, 62, AND 63, A PORTION OF TRACTS 33, 34, 35, 41, 45, 46, 48, 49, 54, 55, 58 AND 64, A PORTION OF THAT CERTAIN UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACTS 41, 44-46, 48 AND THOSE CERTAIN UN-IMPROVED 30.00 FOOT PLATTED RIGHT OF WAYS LYING SOUTH OF TRACT 47 AND WEST OF TRACTS 52 AND 61, THAT CERTAIN UN-IMPROVED 15.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACTS 59 - 63 AND A PORTION OF THAT CERTAIN UN-IMPROVED 15.00 FOOT PLATTED RIGHT OF WAY LYING SOUTH OF TRACT 58 AND EAST OF U.S. HIGHWAY 27, ALSO A PORTION OF SAID RIGHT OF WAY LYING SOUTH OF TRACT 64 AND WEST OF SCHOFIELD ROAD; SAID TRACTS AND UN-IMPROVED RIGHTS OF WAY LYING WITHIN THE PLAT OF MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EAST OF US HIGHWAY 27, SOUTH AND WEST OF SCHOFIELD ROAD IN SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST.

TOGETHER WITH:

A PORTION OF THE NORTH 1/2 OF SECTION 28, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING EAST OF US HIGHWAY 27 AND WEST OF SCHOFIELD ROAD.

SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE S89°14'48"W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28, A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SCHOFIELD ROAD AND THE POINT OF BEGINNING; THENCE S00°01'04"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 931.06 FEET; THENCE N89°42'25"W, A DISTANCE OF 1573.58 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 690.00 FEET, A CENTRAL ANGLE OF 37°01'49", A CHORD BEARING OF N71°09'08"W AND A CHORD DISTANCE OF 438.22 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 445.95 FEET TO A POINT OF TANGENCY; THENCE N52°38'14"W, A DISTANCE OF 141.27 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 37°11'05", A CHORD BEARING OF N71°13'47"W AND A CHORD DISTANCE OF 133.91 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 136.29 FEET TO A POINT OF TANGENCY; THENCE N89°49'20"W, A DISTANCE OF 402.76 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 122°26'41", A CHORD BEARING OF N89°57'14"W AND A CHORD DISTANCE OF 157.77 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 192.34 FEET TO A POINT OF NON TANGENCY; THENCE N90°00'00"W, A DISTANCE OF 401.32 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 36°34'07", A CHORD BEARING OF S71°42'56"W AND A CHORD DISTANCE OF 131.77 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 134.03 FEET TO A POINT OF TANGENCY; THENCE S53°25'53"W, A DISTANCE OF 138.26 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 700.81 FEET, A CENTRAL ANGLE OF 36°26'20", A CHORD BEARING OF S71°56'47"W AND A CHORD DISTANCE OF 438.22 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 445.70 FEET TO A POINT OF TANGENCY; THENCE N89°50'03"W, A DISTANCE OF 309.89 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (VARIABLE RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422.1 DATED NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING TEN (10) COURSE AND DISTANCES: (10) COURSE AND DISTANCES: N01°26'21"E, A DISTANCE OF 243.71 FEET; THENCE S88°33'39"E, A DISTANCE OF 172.00 FEET; THENCE N01°26'21"E, A DISTANCE OF 130.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 5426.57 FEET, A CENTRAL ANGLE OF 03°25'59", A CHORD BEARING OF N03°09'20"E AND A CHORD DISTANCE OF 325.11 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 325.16 FEET TO THE END OF SAID CURVE; THENCE N89°59'56"W, A DISTANCE OF 172.60 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5598.79 FEET, A CENTRAL ANGLE OF 10°19'04", A CHORD BEARING OF N09°52'52"E AND A CHORD DISTANCE OF 1006.87 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1008.24 FEET TO THE END OF SAID CURVE; THENCE S74°57'37"E, A DISTANCE OF 10.00 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5588.79 FEET, A CENTRAL ANGLE OF 05°31'44", A CHORD BEARING OF N17°48'16"E AND A CHORD DISTANCE OF 539.10 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 539.31 FEET TO THE END OF SAID CURVE; THENCE S69°25'52"E, A DISTANCE OF 9.78 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 02°25'19", A CHORD BEARING OF N21°46'48"E AND A CHORD DISTANCE OF 235.82 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 235.84 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE SOUTH RIGHT OF WAY LINE SCHOFIELD ROAD; THENCE RUN EASTERLY AND SOUTHERLY ALONG SAID RIGHT OF WAY THE FOLLOWING THREE (3) COURSES: THENCE N89°30'42"E, A DISTANCE OF 1304.07 FEET; THENCE S50°10'00"E, A DISTANCE OF 102.97 FEET; THENCE S00°23'52"W, A DISTANCE OF 2510.57 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,612,604 SQUARE FEET OR 243.63 ACRES MORE OR LESS.

REQUESTED ACTION: Amend Planned Unit Development (PUD)

Ordinance No. 2020-40 to adjust uses within the property boundary, amend design guidelines and update exhibits



This request will be considered by the Planning & Zoning Commission on Tuesday, September 7, 2021 at 6:30 P.M.

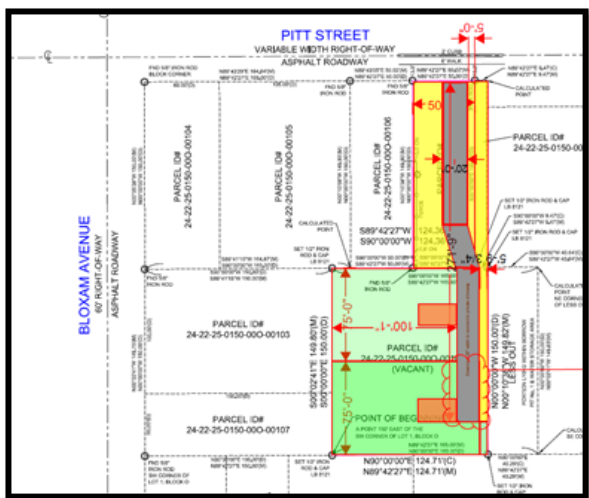
A public meeting to consider the request will be held before the City Council on Tuesday, September 14, 2021 at 6:30 P.M. for (Introduction) and on Tuesday, September 28, 2021 for (Final Adoption) at 6:30 P.M.

The meetings will be held at City Hall, first floor Council Chambers, 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.

AGENDA ITEM

Meeting Date	
Tuesday, September 28, 2021	
Agenda Item Name	
Variance Request <i>Perez</i>	
Requested Action	
Recommend denial of requested variance.	
Staff Report	
The applicant is requesting a variance to the Land Development Code for vacant property located on Pitt Street and Bloxam Avenue. The variance request is to allow for the use of a 20 foot shared access driveway on Pitt Street instead of the minimum lot width requirements for a single-family dwelling unit of 50 feet. The R-3 Residential/Professional zoning district, Section 122-185 (2), requires a 50 foot width measured along the property line contiguous to any street frontage or road for access. The intent and purpose of the R-3 zoning minimum lot and height requirement is to ensure each single family residential lot has the ability to meet the minimum standards for a buildable lot in that zoning category along with ample vehicular access. The definition of a buildable lot is an area of contiguous land, having sufficient area and dimensions to meet the applicable zoning codes.  The applicant has indicated the property owner would like to split the lot and construct two single-family homes that will share a 20-foot access driveway off Pitt Street to allow for accessibility to the proposed single-family lots. In the event the property is sold in the future, the 20-foot shared access driveway for the proposed two lots and single-family homes would create non-conforming lots that are inconsistent with the minimum standards for single-family residential lots and homes. The proposed design layout of the 20 foot wide shared access driveway may prevent and limit the mobility of any emergency vehicles, fire trucks and the collection of garbage and recycling trucks at this location. In addition, maintenance obligations of the access road could become an issue as well. Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on four of the five criteria. Therefore, staff recommends denial of the requested variance.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	New 86-174 Review Criteria- Pitt Street Residential VAR	New 86-174 Review Criteria- Pitt Street Residential VAR.pdf
2.	LOCATION MAP	LOCATION MAP.pdf
3.	Perez Project Survey with land proposal REV01	Perez Project Survey with land proposal REV01.pdf
4.	Survey XXX Pitt Street Model (1)	Survey XXX Pitt Street Model (1).pdf
5.	City of Clermont written justification of the variance letter	City of Clermont written justification of the variance letter.pdf
6.	Variance-Application-2021 filled	Variance-Application-2021 filled.pdf
7.	Legal AD	Legal AD.pdf

Pitt Street Residential - Variance

The requirements for a variance are as follows:

“Sec. 86-174, Review Criteria and Finding. When reviewing an application for a variance, the City Council shall not vary the requirements of the land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:”

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: *See Justification Letter*

Staff comments: *The applicant is requesting a variance to allow a 20 feet access driveway be constructed for the proposed two single family dwelling units in the R-3 zoning category. The Land Development Code, Section 122-185 (2) requires any single-family structure must provide a minimum 50 foot width contiguous to any street. The single-family structure as designed will provide limited access for any type of emergency vehicles.*

Negative Finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: *See Justification Letter*

Staff comments: *The proposed construction of two single family homes with a 20-foot access instead of the required 50- foot requirement by the code. The proposed development will be out of character with other development in the area that was able to comply with the code requirements to allow for construction.*

Negative Finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: *See Justification Letter*

Staff comments: *The requested variance to allow a 20 foot shared driveway does not meet the minimum requirements of Section 122-185, the minimum requirements for single family lots provides development standards that allows each lot the ability to stand alone and be consistent with other development and structures in the same zoning category.*

Negative Finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan:
Applicant response: *Promotes the precision of a more safe and sanitary housing to meet the needs of the present and future population of the City.*

Staff comments: *The requested variance is not in conflict with the Clermont Comprehensive Plan.*

Positive Finding

- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;

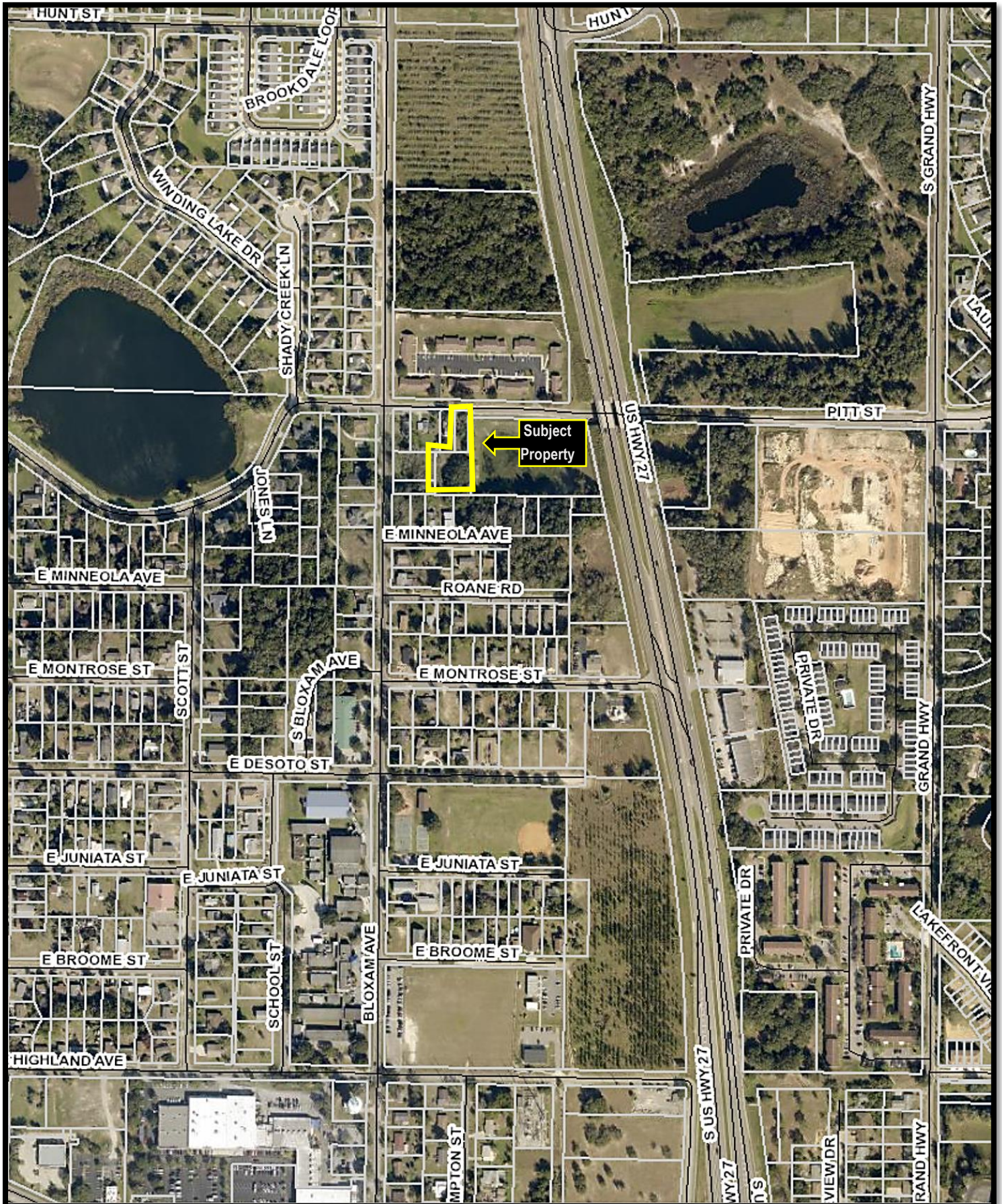
Applicant response: Please see Applicant Justification Letter

Staff comments: The variance request to allow a 20 foot shared access for two single-family homes is inconsistent with the intent and purpose of single family residential lots to protect the residential character of the areas and to ensure each lot has the ability to meet the minimum requirement and to promote consistent development standards for each zoning category in the City. If the variance is granted the lot, will become non-conforming and out of character with other lots in the R-3 zoning district.

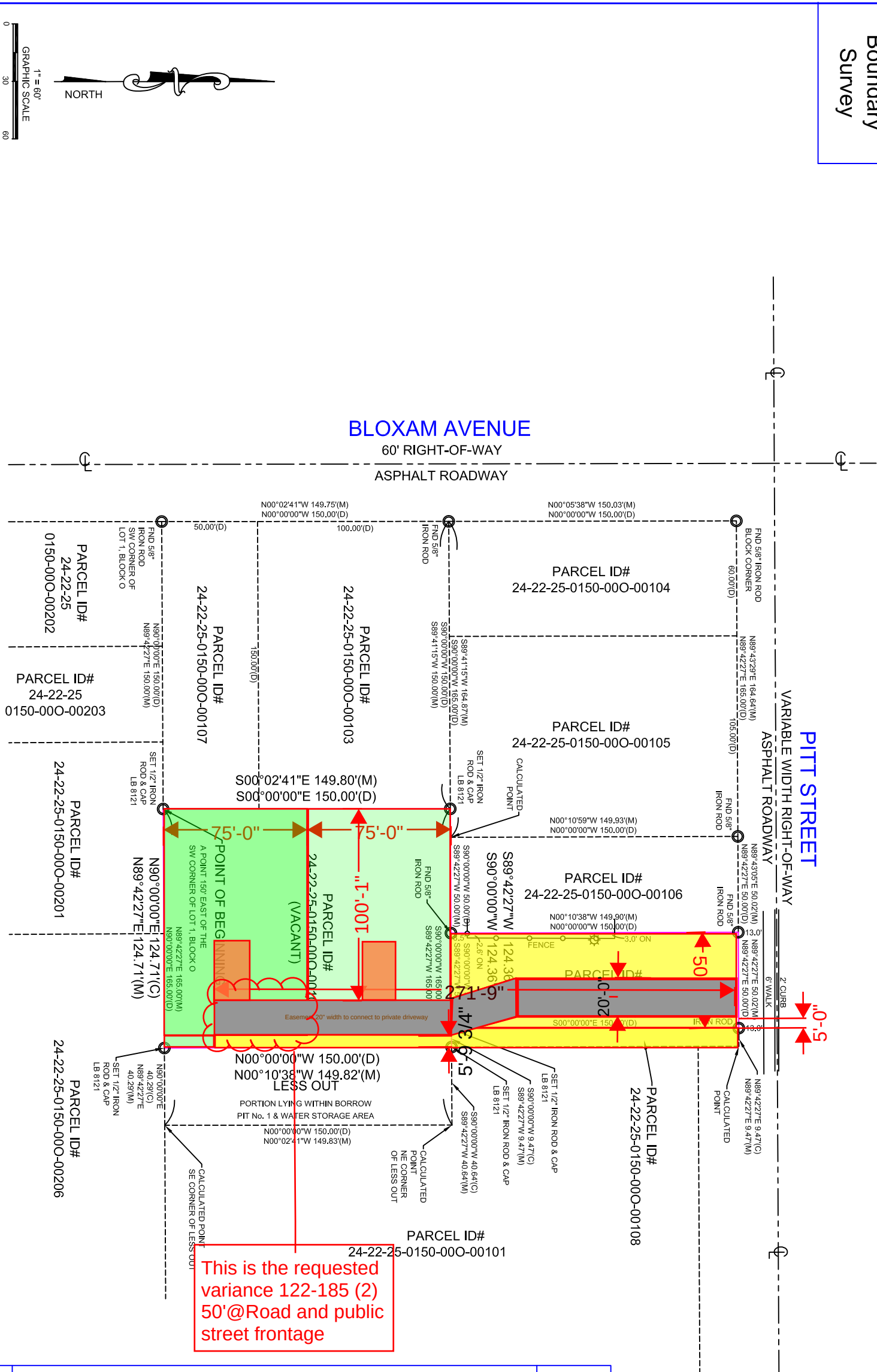
Negative Finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on **four** of the Review Criteria and Findings. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

LOCATION MAP



Boundary
Survey



ADDRESS
PITT STREET
CLERMONT, FLORIDA 34711

LEGAL DESCRIPTION: (AS FURNISHED)

THE EAST 50 FEET OF THE NORTH 150 FEET OF THE EAST 150 FEET OF THE WEST 265 FEET OF LOT 1, BLOCK 0, CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

AND:

BEGINNING 150 FEET EAST OF THE SOUTHWEST CORNER OF LOT 1, BLOCK 0, IN THE CITY OF CLERMONT AS THE SAME IS SHOWN AND REPRESENTED ON THE MAP OF THE TOWN SITE OF CLERMONT, DULY RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; RUN THENCE EAST 165 FEET; THENCE NORTH 150 FEET; THENCE WEST 165 FEET; THENCE SOUTH TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES OF BORROW PIT NO. 1 AND WATER STORAGE AREA STATION 1717+60.67 PURSUANT TO FINAL JUDGMENT UNDER CASE NO. 7150, LAKE COUNTY, FLORIDA:

COMMENCE ON THE NORTH LINE OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST AT A POINT 1420.06 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 19, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 5729.65 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 02 DEGREES 07 MINUTES 49 SECONDS EAST RUN ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01 DEGREE 42 MINUTES 16 SECONDS A DISTANCE OF 170.44 FEET TO THE END OF CURVE; THENCE RUN SOUTH 0 DEGREES 25 MINUTES 33 SECONDS EAST A DISTANCE OF 494.22 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 5729.65 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13 DEGREES 21 MINUTES 0 SECONDS A DISTANCE OF 1335 FEET TO THE END OF CURVE; THENCE RUN SOUTH 13 DEGREES 46 MINUTES 33 SECONDS EAST 700.36 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 27 SECONDS WEST 82.27 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 42 MINUTES 27 SECONDS WEST A DISTANCE OF 400 FEET; THENCE RUN SOUTH 00 DEGREES 17 MINUTES 33 SECONDS EAST 278.45 FEET; THENCE NORTH 88 DEGREES 29 MINUTES 27 SECONDS EAST 457.78 FEET; THENCE NORTH 13 DEGREES 46 MINUTES 03 SECONDS WEST 276.28 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF PITT STREET, BEING N 89°42'27" E PER DEED.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17 FLORIDA ADMINISTRATIVE CODE. FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.02(2) OF THE FLORIDA STATUTES AND CHAPTER 54-17 OF THE FLORIDA ADMINISTRATIVE CODE.

DATE OF FIELD WORK: 03/30/19
DATE SIGNED: 04/02/19
SURVEYOR'S NAME: BILL H. HYATT LS4636



DEAL LAND SURVEYING, LLC LB 8121

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

DATE REVISION DATE REVISION

CLIENT #:

FIELD DATE: 03/30/19

DRAFTER: DJC

APPROVED: BHH

SCALE: 1" = 60'

FLOOD ZONE INFORMATION

(FOR INFORMATIONAL PURPOSES ONLY)
SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE X, AREA OUTSIDE OF THE 100 YEAR FLOODPLAIN, AND FLOOD ZONE AE, 100 YEAR FLOODPLAIN, BASE FLOOD ELEVATION 99.00'
PER F.I.R.M. PANEL NUMBER 120690C 0590E
LAST REVISION DATE 12/18/12

NOTES

1. All utility properties have been researched for gas, water, and electric lines.
2. In accordance with F.A.C. §1017.003(4)-E, if the location of any utility lines or other off-property features is not shown on the survey, the surveyor is not responsible for their location.
3. Fences shown on this survey are those located by the surveyor, unless otherwise noted.
4. No underground improvements or structures were located by this survey, unless otherwise noted.
5. Property lines and/or improvements shown were physically located.
6. Any specific use or other information is provided by the owner.
7. Property lines and/or improvements shown were physically located.
8. Any specific use or other information is provided by the owner.
9. Calculated lines and information are noted by (C).
10. Computations of lines and/or data not found are shown as (C).
11. All survey information obtained was legal description provided by client or from publicly published county tax records.
12. If only a digital survey copy is required, a survey report will be placed in this. The digital survey is not full and complete without the survey report file.

LIST OF POSSIBLE ENCROACHMENTS: NONE VISIBLE

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.



FOR ALL INQUIRIES CONTACT:
Deal Land Surveying, LLC
804 S French Avenue
Sanford, FL 32771
407-878-3796
INFO@deallandsurveying.com

- LEGEND
- A/C - Air Conditioner
 - C - Calculated
 - E - Easement
 - OB - Concrete Block
 - CONC - Concrete
 - COV - Covered
 - D - Description
 - DE - Drainage Easement
 - DUE - Drainage & Utility Easmt
 - DIV - Driveway
 - ESMT - Easement
 - FEE - Finished Floor Elevation
 - F - Foundation
 - IR - Iron Rod
 - M - Measured
 - N&D - Nail & Disk
 - NR - Non-Residential
 - OHU - Overhead Utility Line
 - OR - Official Records Book
 - P - Plat
 - PR - Point of Beginning
 - PI - Point of Intersection
 - POB - Point of Beginning
 - POC - Point of Commencement
 - PP - Power Pole
 - PRC - Point of Reverse Curvature
 - PRM - Permanent Reference Monument
 - R - Radial
 - RAD - Radial
 - R&C - Rubber & Cap
 - RFC - Roofed
 - UE - Utility Easement
 - WM - Water Meter
 - Δ - Delta (Central Angle)
 - b- - Wood PVC Fence
 - c- - Chain Link Fence
 - w- - Wood Power Pole
 - L- - Light Pole



720 Business Park Blvd Ste#18
Winter Garden, FL 34787
(407)218-7710 Office Main
www.boacorporation.com

August 4, 2021

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

To whom it may concern:

My name is David Rosa from Builders of America Corp (CGC1525969) This is the letter of justification you are requesting from our client for the Variance application. In this letter we will explain the conditions and circumstances of the hardship and the necessity of the action.

First, granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city.

Second, the variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category. The owner purchased these 3 lots believing that they can put their own house and at least one other for their children. As you can see in the proposed survey, we are only requesting a variance to share a small portion of a private driveway that leads to the required 50' of public street frontage so the daughter can build a small house for herself. The private share driveway will be 20 feet wide and as per recommendation of the fire department we will build the houses with a sprinkler system as well. Each property will have about 7,500 sqft or more. As of the code stand right now, they can build a duplex "2 houses with a shared garage wall" but this will be difficult under one owner for inheritance purposes and bank loans. We are only asking to separate them so they can each have their own unique properties so in the future there would be no conflicts between siblings. They do have the space to do so as you can see in the proposed survey.

City of Clermont have at least 2 other properties nearby with the same easement already in existence.

Specified provisions set forth in the physical shape condition of the property, compliance would result in a particular hardship upon the owner.

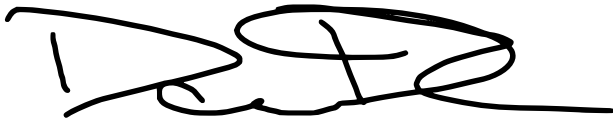
Third, In the context presented, strict compliance with the land's development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

Forth, the granting of the variance will not cause any conflicts with the city's comprehensive plan.

Fifth, the variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance was denied.

If you need additional information, please contact me at 407-218-7710 x 1.

Sincerely,

A handwritten signature in black ink, appearing to read 'DR', with a long horizontal line extending to the right.

David Rosa, CGC/Owner
Builders of America Corp



CITY OF CLERMONT
VARIANCE
FILING INSTRUCTIONS

Check List

The following information shall be provided:

- ☒ Proof of ownership (i.e. Lake County Property record card, tax receipt, or deed.)
- ☒ Legal description of the property – may be on information above.
- ☒ 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 variance request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on the Variance).
- ☒ A written justification based on Sec. 86-174, which explains the conditions and circumstances of the alleged hardship and the necessity of the action. Staff will review the application based on the review criteria. Therefore, it is in the applicant's best interest to submit the application with those five (5) items in mind to justify the variance request.
- ☒ Visual aids that may clarify the variance request such as overhead projections, large scale drawings, etc. A location map must be included that identifies the location of the property. These will be presented by the applicant at the public hearing.
- ☒ The original application and all supplemental materials. All materials can be submitted in PDF format on a CD or via email to planning@clermontfl.org
- ☒ Fee: \$300.⁰⁰ plus advertisement for existing single-family residential.
\$600.⁰⁰ plus advertisement for all others.

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



CITY OF CLERMONT
VARIANCE
APPLICATION

DATE 07/16/2021		FEE:	
Project Name (if applicable) Perez residential project			
Applicant David Rosa			
Contact Person David Rosa			
Address 720 Busienss Park Blvd Ste 18		City Winter Garden	State FL Zip 34787
Telephone 407-218-7710 Ext 1		Fax 407-269-5353	
Email david@boacorporation.com			
OWNER INFORMATION ☐ (Check box if information is same as Applicant)			
Owner's Name Francisco J Perez Valle			
Owner Address 9108 Queen Elizabeth Ct		City Orlando	State FL Zip 32818
Telephone 407-738-5434		Email aperez1011@gmail.com	
PROPERTY INFORMATION			
Address of Subject Property Alt:1109965, Alt:1616565, Alt:3905346		City Clermont	State FL Zip 34711
General Location Pitt St. Clermont, FL 34711			
Legal Description & Alternate Key (include copy of survey) Alt:1109965, Alt:1616565, Alt:3905346			
Land Use (City verification required)			
Zoning (City verification required)			



CITY OF CLERMONT **VARIANCE** FILING INSTRUCTIONS

Any person requesting a Variance shall file a complete application in the Development Services Department at least thirty (30) days prior to the hearing date of the City Council. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed.

A Pre-Application meeting with the Development Services Director (or designated staff) is required prior to submittal of the application. The Development Services Director shall determine if the application is complete and properly filed.

APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

Notification of Public Hearing

All variance requests shall be considered at public hearings, which shall be noticed as follows:

- (1) The City shall send notice of the proposed variance to the owners of all adjoining properties to the subject property. Such notice shall include the date, time, and place of the public hearing before the City Council, along with a clear and concise description of the proposed variance. For the purposes of such notification, adjoining properties shall include those properties within 150 feet of the subject property even when separated from the subject property by a road, canal, easement, right-of-way or similar barrier.
- (2) Notice of public hearing shall be published in a newspaper of general circulation within the City no less than five (5) days prior to the date set for hearing the variance request.

Conditions of Approval and Denial

- (1) When any variance is granted, construction of the structure or other variance item must be started within one year from the date the variance is granted. It shall be the obligation of the owner to file written notice with the Administrative Official and the Development Serves Director that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.
- (2) A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and approved plan originally granted.
- (3) Variance requests which have been denied may not be resubmitted for a period of one (1) year.



CITY OF CLERMONT
VARIANCE
APPLICATION

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:
122-185 (2) 50'@Road Public Street Frontage

What are you proposing to do that would require a variance and why?
Public Street Frontage

How does the Code create a hardship?
Create an easement from the second house to connect to share driveway that connects to public street frontage.

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

- (2) The variance will allow a reasonable used of the property, which use in not out of character with other properties in the same zoning category;

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;



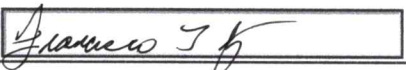
CITY OF CLERMONT
VARIANCE
APPLICATION

- (4) The granting of the variance is consistent with the city’s comprehensive plan; and
- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied.

David Rosa
Applicant Name (print)

x 
Applicant Name (signature)

Francisco J Perez
Owner Name (print)

x 
Owner Name (signature)

NOTICE

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

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



The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune | News Herald
Northwest Florida Daily News

Order Confirmation

Not an Invoice

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Chris Dudeck
Contact Phone:	(352) 708-5997
Contact Email:	cdudeck@clermontfl.org
PO Number:	

Date:	09/01/2021
Order Number:	6245040
Prepayment Amount:	\$ 0.00

Column Count:	1
Line Count:	55.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	09/07/2021 - 09/07/2021	Govt Public Notices
LEE dailycommercial.com	1	09/07/2021 - 09/07/2021	Govt Public Notices

Total Order Confirmation

\$86.90

Ad Preview

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variances: (1) to allow a residential lot street frontage to be less than the required 50 foot measured along the property lines contiguous to any street as required for the Land Development Code, Section 122-185 at the following location:

LOCATION

Vacant parcels located on Pitt
Street
and Bloxam Avenue
(Alternate Keys 1109965, 3905346,
and 1616565)

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

The Clermont City Council will consider this request at a public hearing to be held on Tuesday, September 14, 2021 at 6:30 P.M. at the Clermont City Hall, first floor Council Chambers located at 685 West Montrose Street.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

6245040
September 07, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 28, 2021		
Agenda Item Name		
Ordinance No. 2021-021 <i>Withdrawn</i> <i>Karma Housing CPA</i>		
Requested Action		
Staff Report		
The applicant is requesting to withdraw Ordinance 2021-021 as this request is not needed.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Karma SSCPA Withdrawal Letter	Karma SSCPA Withdrawal Letter.pdf	
2. Legal ad 2021-21	Legal ad 2021-21.pdf	

September 14, 2021

Mr. John Kruse
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

Re: Karma Housing

Dear Mr. Kruse:

Please find the enclosed supplemental information regarding the Karma Housing Rezoning request located on the southwest corner of State Road 50 and East Avenue. As you are aware, it is our intention to provide workforce housing at this location and therefore are requesting an amendment to Section 122.358 of the Land Development Code as a part of our rezoning application currently under consideration by the City. Additionally, please find enclosed a revised concept plan that reflects our intention to provide a development that does not require a waiver(s) to the City's code. Lastly, please accept this correspondence as our formal request for withdrawal of our Small-scale Comprehensive Plan Amendment request (draft Ordinance No. 2021-021).

We appreciate your review and consideration. Should you have any questions, or would like to discuss the matter further, please do not hesitate to contact us.

Sincerely,



Jimmy D. Crawford
CRAWFORD, MODICA & HOLT
CHARTERED ATTORNEYS AT LAW

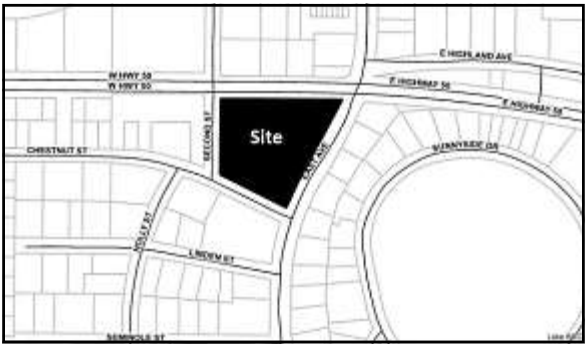
ATTACHMENTS

CC: CLIENT

CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE Small Scale Comprehensive Plan Amendment ORDINANCE NO. 2021-021

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, September 7, 2021 at 6:30 P.M., and a public meeting will be held before the Clermont City Council on Tuesday, September 28, 2021 at 6:30 P.M. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 3.04 +/- acre parcel below from Clermont Commercial to Clermont Master Planned Development Land Use Designation. (Parcel Alternate Key #1619432, 2697431, 2919761).



Location:

Site located on the southwest corner
State Road 50 and East Avenue
Alternate Key #1619432, 2697431, 2919761
3.04+/- Acres

ORDINANCE 2021-021

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL-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 SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment.

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 through 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) 241-7330, at least 48 hours prior to the public meetings.

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, September 28, 2021	
Agenda Item Name	
Ordinance No. 2021-022 <i>Table Karma Housing Rezoning</i>	
Requested Action	
Recommend denial of Ordinance 2021-022.	
Staff Report	
The applicant is requesting an amendment to the existing PUD Ordinance 2020-01 for property located southwest of the SR 50 and East Avenue intersection. This ordinance was approved by City Council on January 14, 2020 to allow a total of 36 multi-family dwelling units on the site, which is the maximum density permitted of 12 dwelling units per acre. The zoning was originally C-1 Light Commercial prior to this PUD. The conceptual site plan had two buildings, three-stories high, with 18 units in each building. No waivers to the code were requested or required. The applicant is now requesting an amendment to Ordinance 2020-01 to increase the existing density by utilizing Section 122-358 Workforce housing density bonus. The applicant is requesting an overall density of 18 dwelling units per acre, or a maximum of 54 multi-family units. This is an increase of 18 dwelling units over the current approved PUD. The applicant intends to add a third building with 18 multi-family units. In reviewing the application, several items are inconsistent and in conflict with the Land Development Code. The Workforce Housing density bonus (Section 122-358 (e)) of the Land Development Code provides two geographic areas within the City that may qualify for the density bonus. These two areas are the Hooks Street Corridor and Wellness Way Area. The project is not located within the two approved geographical areas and is well over a mile from the closest designated area. Secondly, the applicant is proposing to place all the workforce housing units in one building. The provisions of the Workforce density bonus criteria of the Land Development Code, Section 122-358 (e), prohibits the segregation of any floating units that are permanently designated for Area Median Income (AMI) qualifying tenants and households within any housing development. The intent and purpose of the code encourages and promotes housing that is inclusionary and attainable for all households. The proposed plan, as identified, would segregate the qualified workforce housing tenants from the available market rate tenants. The Land Development Code requires workforce housing units be dispersed throughout the development and these units cannot be permanently designated as workforce units. This strategy allows housing for all, and prevents segregation based upon income within any project. The applicant is proposing one of the other buildings as market-rate rentals and the final building will be condominium sales. Staff is very concerned with the management and operation of rentals and ownership within the project and how the proposed management of housing units will be operated within the project. In addition, the Workforce units are required to provide inclusive housing units that will provide the same quality and design, with the same access of the amenities as the other residents within the development. The length of affordability requires the workforce housing units to remain in perpetuity for the life of the project. The applicant has not provided a management agreement indicating this will be done and how the workforce units will be managed. The agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring Fair Housing compliance, determination of income qualifications, and other elements contained in Section 122-358. The project is required to have 17 workforce units. See the Staff's Analysis Report for more details. In comparing the conceptual plan under Ordinance 2020-01 and the new conceptual plan provided by S&ME, several waivers are now required due to the added density. The waivers identified are:	

1. The proposal is not in conformance with Section 122-358 for Workforce Housing Density Bonus.
2. The retaining wall along East Avenue does not have the five foot separation with landscaping from the sidewalk, as required in Section 122-343 (e)(8).
3. Required landscape buffers along adjacent rights-of-way for multifamily developments are less than what is required in Section 118-37(f).
4. Landscape islands are less than the required 300 square feet, as required in Section 118-38(c)(2).

Staff is not supporting any of the waiver requests. The applicant has an approved PUD, Ordinance 2020-01, that allows a multi-family project meeting the Land Development Code and the Comprehensive Plan. The proposed amendment, through the requested increase of density on the site, has necessitated the waiver requests. Staff's analysis is evident that the proposal is in conflict with Section 122-343 (Workforce Housing) of the Land Development Code and cannot support the request. Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project, as designed, does not comply with the Land Development Regulations and general requirements for granting a Planned Unit Development (PUD). Staff recommends denial of Ordinance 2021-022.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | Ord 2021-022 - Karma Housing PUD Amendment (08.30.2021 V1) - RF BL | Ord 2021-022 - Karma Housing PUD Amendment (08.30.2021 V1) - RF BL.pdf |
| 2. | Legal ad 2021-22 | Legal ad 2021-22.pdf |

CITY OF CLERMONT
ORDINANCE NO. 2021-022

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, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, 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:

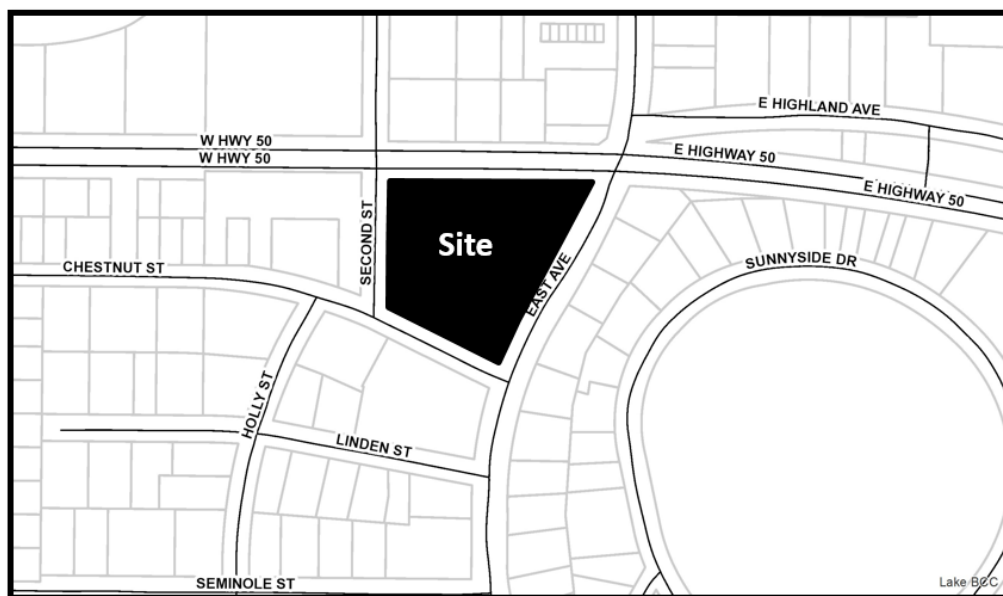
LEGAL DESCRIPTION

ALL OF LOTS 1 THROUGH 20, BLOCK 8, ELLA VISTA HEIGHTS, ACCORDING TO THE OFFICIAL MAP OF THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LESS THE PART OF LOT 20 CONVEYED TO THE STATE OF FLORIDA AS RECORDED IN O.R. BOOK 624, PAGE 449 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND LESS THE RIGHT OF WAY FOR STATE ROAD 50.

CONTAINING 3.04 ACRES OF LAND, MORE OR LESS.

LOCATION

Vacant parcel located on the Southwest corner of State Road 50 and East Avenue.
Alternate Key 1619432, 2697431 and 2919761





CITY OF CLERMONT
ORDINANCE NO. 2021-022

REQUESTED ACTION

To amend Ordinance No. 2020-01 to increase density of the Planned Unit Development (PUD) project from 36 units up to 54 units using the workforce housing density bonus criteria

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 PUD Plan, prepared by S&ME, Sheet C6.0. 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. 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.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. A total of up to 54 multi-family dwelling units (d.u) may be permitted on the site, not to exceed a base density of 18 dwelling units/acre.
2. A minimum of 18 units shall be designated as workforce housing units and shall remain as workforce housing units for the life of the project. This shall be detailed in the management agreement, as required in Section 122-358, at the time of site plan approval.
3. Building setbacks shall be 25 feet from the property lines along local streets and 50 feet from SR 50.
4. Maximum building height shall be up to 55 feet, measured at the highest point.
5. Individual retaining wall height up to 6 feet in height are permitted to deal with grade changes on the perimeter of the project. A minimum 5 foot transition shall be required between the walls with landscaping incorporated within the terracing of the exterior perimeter wall sections. A waiver to allow a 2 foot separation from the property line along East Avenue and the retaining wall is being requested with no landscaping.

CITY OF CLERMONT
ORDINANCE NO. 2021-022

6. Internal landscape islands may be less than 300 square feet, but not less than 200 square feet, in the areas shown on the conceptual plan.
7. The buildings shall be constructed in a manner that closely resembles the architectural style and elevations as presented at the end of this ordinance and shall meet the City of Clermont's Architectural Standards.
8. An on-site amenity shall be required. The proposed amenity is the conversion of the former church building into a clubhouse/recreation center for all residents. This shall be completed prior to the project receiving a final certification of completion.
9. If required by Lake County or Florida Department of Transportation, the developer shall be responsible to coordinate the modification of the existing traffic signals and turn lane improvements to accommodate safe and efficient traffic flow resulting from the project as identified in the Transportation Impact Analysis prepared on August 5, 2021 by Traffic Impact Group, LLC.
10. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
11. Additional right-of-way may be required for offsite improvements and the sidewalk. This dedication shall be made at no cost to the County or the City.
12. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
13. A waiver to allow reduced landscape buffers along the right-of-ways are being requested. The buffer along East Avenue will be placed on top of the first step of the retaining wall. The buffer along Second Street is 10 feet. The SR 50 buffer is 15 feet and the Chestnut Street buffer will be 15 feet. The reduced buffers shall have 30 percent more planting material.
14. As required in Section 122-358, a management agreement is required between the applicant and the City, a community land trust or mutually agreeable instrument to the applicant and City. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing compliance, determination of income qualifications, and other elements as determined by the City Manager or his/her designee. This agreement must be recorded and obligate all successors and assigns. This agreement shall be recorded at the time of site plan approval.
15. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.
16. 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 continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the C-1 Light Commercial Zoning Designation.



CITY OF CLERMONT
ORDINANCE NO. 2021-022

SECTION 6: SEVERABILITY

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 6: ADMINISTRATIVE CORRECTION

This Ordinance may be re-numbered or re-lettered, and/or corrected for typographical and/or scrivener's errors which do not affect the intent of said resolution, as authorized by the City Manager or designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 5: RECORDING

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

SECTION 7: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-022

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of September, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

EXHIBIT A

Sample Elevations:

RENDERING



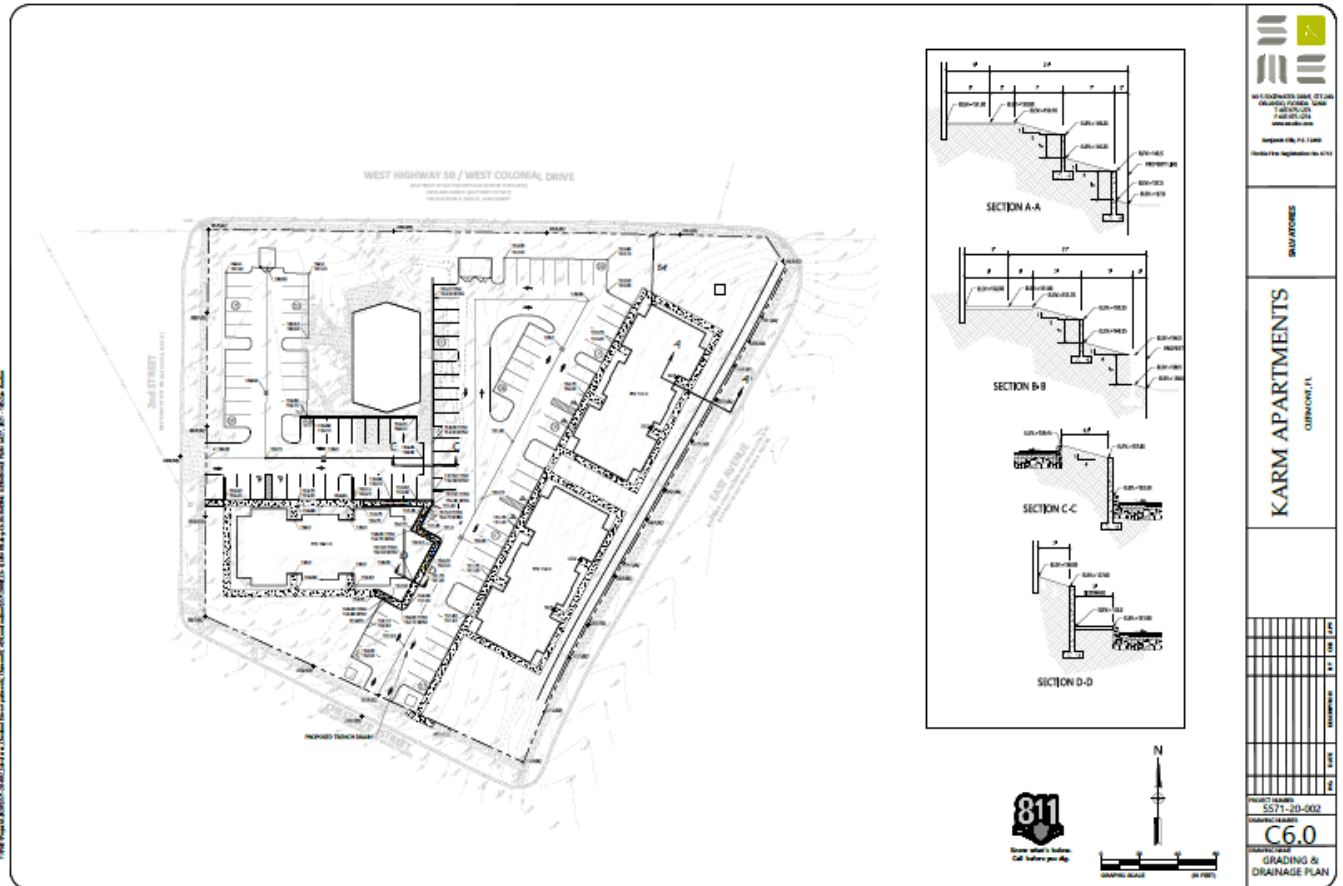
ELEVATIONS



CITY OF CLERMONT
ORDINANCE NO. 2021-022

EXHIBIT B

Conceptual Site Plan:



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 shall be given an opportunity to express their views on this matter.

ORDINANCE NO. 2021-022

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

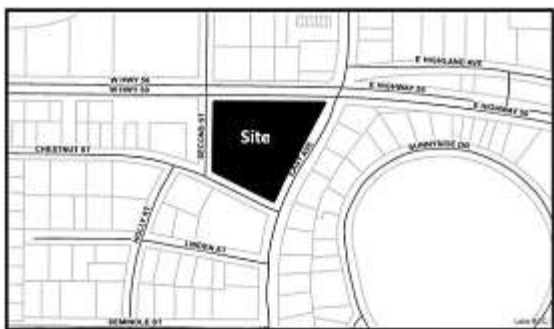
Site located on the southwest corner State Road 50 and East Avenue

Alternate Key #1619432, 2697431, 2919761
3.04+/- Acres

LEGAL DESCRIPTION

ALL OF LOTS 1 THROUGH 20, BLOCK 8, ELLA VISTA HEIGHTS, ACCORDING TO THE OFFICIAL MAP OF THE CITY OF CLERMONT, AS RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LESS THE PART OF LOT 20 CONVEYED TO THE STATE OF FLORIDA AS RECORDED IN O.R. BOOK 624, PAGE 449 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND LESS THE RIGHT OF WAY FOR STATE ROAD 50.

To amend Ordinance No. 2020-01 to increase density of the Planned Unit Development multifamily project from 36 units up to 54 units



This request will be considered by the Planning & Zoning Commission on Tuesday, September 7, 2021 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, September 14, 2021 at 6:30 P.M. for (Introduction) and on Tuesday, September 28, 2021 for (Final Adoption).

The meetings will be held at City Hall, first floor Council Chambers, 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 28, 2021		
Agenda Item Name		
Ordinance No. 2021-024 <i>Table</i> <i>The Vue Small-scale CPA</i>		
Requested Action		
Staff Report		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2021-024 The VUE CPA ORDINANCE	2021-024 The VUE CPA ORDINANCE.doc	
2. Legal ad 2021-24	Legal ad 2021-24.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2021-024

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL-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 SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND 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 to consider this amendment to the Future Land Use Map of the Comprehensive Plan and considered all written and oral comments, proposals and objections from the general public; and

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

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01 07'06" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE NORTH 89 06'23" WEST, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; NORTH 89 29'29" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID. RIGHT-OF-WAY LINE ALSO BEING



CITY OF CLERMONT
ORDINANCE NO. 2021-024

THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89 25'03" WEST, A DISTANCE OF 13.22 FEET TO A POINT, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 810.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, ACCORDING TO OFFICIAL RECORD BOOK 2010, PAGE 316 AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 488.84 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 30; THENCE ALONG SAID SOUTH LINE OF TRACT 30 RUN SOUTH 89 28'17" WEST, A DISTANCE OF 414.01 FEET TO A POINT ON THE LIMITS OF EXHIBIT "F", ACCORDING TO OFFICIAL RECORD BOOK 2011, PAGES 1374-1385, AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID EXHIBIT "F" RUN THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES:

(1) NORTH 10 08' 26"E, A DISTANCE OF 44.71 FEET; (2) NORTH 06 25' 18" EAST, A DISTANCE OF 96.44 FEET; (3) NORTH 04 35' 47" EAST, A DISTANCE OF 73.34 FEET; (4) NORTH 01 13' 39" WEST, A DISTANCE OF 50.70 FEET; (5) NORTH 08 35' 38" WEST, A DISTANCE OF 18.39 FEET; (6) NORTH 00 49' 27" WEST, A DISTANCE OF 31.39 FEET; (7) NORTH 04 06' 29" WEST, A DISTANCE OF 67.50 FEET; (8) NORTH 24 32' 13" WEST, A DISTANCE OF 40.66 FEET; (9) NORTH 48 54' 30" WEST, A DISTANCE OF 20.21 FEET; (10) NORTH 56 25' 05" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN (11) NORTH 64 21' 22" WEST, A DISTANCE OF 32.96 FEET; (12) NORTH 76 08' 43" WEST, A DISTANCE OF 49.91 FEET; THENCE RUN (14) NORTH 84 09' 50" WEST, A DISTANCE OF 73.93 FEET; (15) SOUTH 82 00' 50" WEST, A DISTANCE OF 88.19 FEET; THENCE RUN (16) SOUTH 74 59' 30" WEST, A DISTANCE OF 79.78 FEET; (17) SOUTH 59 52' 00" WEST, A DISTANCE OF 67.76 FEET; THENCE RUN (17) SOUTH 67 38' 10" WEST, A DISTANCE OF 55.50 FEET; (18) SOUTH 65 13' 47" WEST, A DISTANCE OF 125.15 FEET; THENCE RUN (19) SOUTH 72 17' 15" WEST, A DISTANCE OF 85.35 FEET TO A POINT SAID POINT BEING A POINT ON THE CENTERLINE OF A UNNAMED RIGHT-OF-WAY, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING VACATED PER CITY ORDINANCE NUMBER. 2016-21;

THENCE DEPARTING SAID LINE OF EXHIBIT "F", AND ALONG SAID CENTERLINE OF VACATED UNNAMED RIGHT-OF-WAY RUN NORTH 00 15'44" EAST, A DISTANCE OF 146.25 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1650.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 88 38'03" EAST AND DISTANCE OF 1073.30, AND A CENTRAL ANGLE OF 37 57'48"; THENCE DEPARTING SAID CENTERLINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE RUN ALONG SAID CURVE A DISTANCE OF 1093.26 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

LOCATION

Site located southwest of the Miss Florida Avenue and Hooks Street intersection,
directly north of the East Ridge High School baseball field.
Portion of Alternate Key #3905347
6.63 +/- Acres



CITY OF CLERMONT
ORDINANCE NO. 2021-024

CHANGE IN FUTURE LAND USE DESIGNATION:

FROM: LOW DENSITY RESIDENTIAL

TO: 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.

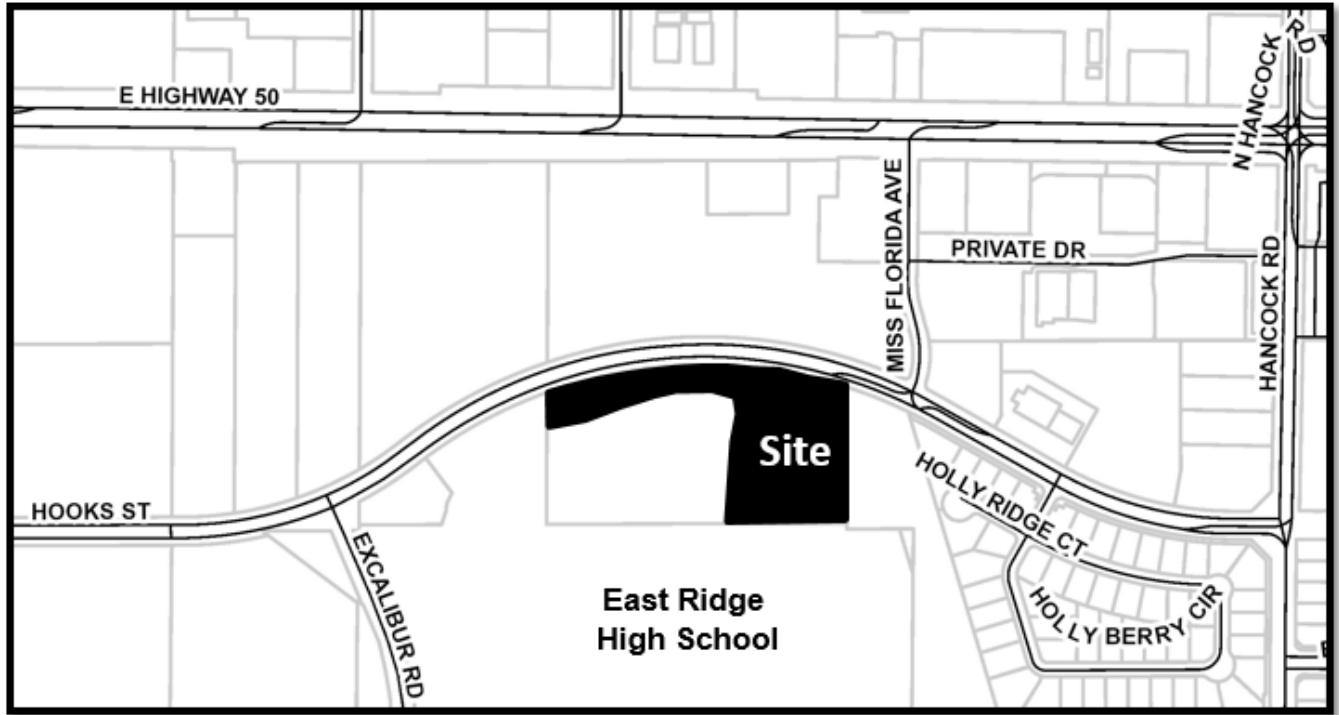
SECTION 3.

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. 2021-024

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of October 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

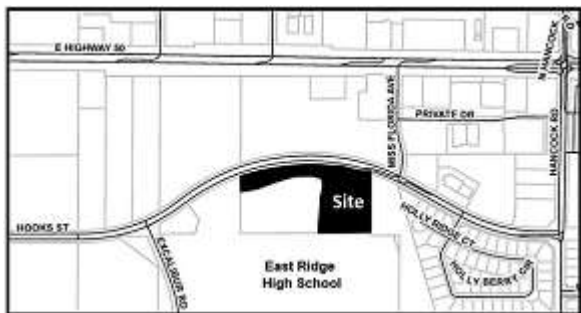
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE Small Scale Comprehensive Plan Amendment ORDINANCE NO. 2021-024

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, September 7, 2021 at 6:30 P. M., and a public meeting will be held before the Clermont City Council on Tuesday, September 28, 2021 at 6:30 P.M. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 6.63 +/- acre parcel below from Clermont Low Density Residential to Clermont Commercial Land Use Designation. (Portion of Alternate Key #3905347).



Location:

Site located west of the Miss Florida Avenue and Hooks Street intersection, south of Hooks Street, directly north of the East Ridge High School baseball field.

Portion of Alternate Key #3905347

6.63 +/- Acres

Ordinance 2021-024

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL-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 SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. 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 through 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) 241-7330, at least 48 hours prior to the public meetings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

August 23, 2021 and September 13, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 28, 2021		
Agenda Item Name		
Ordinance No. 2021-025 <i>Table The Vue Rezoning</i>		
Requested Action		
Request to table Ordinance 2021-025 to October 26, 2021.		
Staff Report		
Table Final to October 26, 2021.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORD 2021-025 The VUE REZ JK V1	ORD 2021-025 The VUE REZ JK V1.docx	
2. Legal ad 2021-25	Legal ad 2021-25.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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 CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, 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

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the east 1/4 corner of said Section 28; thence run north 00°42'51" east along the east line of the northeast 1/4 of said Section 28 for a distance of 664.12 feet to the northeast corner of the south 1/4 of the northeast 1/4 of said Section 28; thence run south 89°24'16" west along the north line of said south 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave westerly having a radius of 270.00 feet and a chord bearing of south 01°23'58" west and the Point of Beginning; thence run southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave northwesterly having a radius of 25.00 feet and a chord bearing of south 63°07'26" west; thence run southwestly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave southerly having a radius of 1750.00 feet and a chord bearing of north 87°56'35" west and the north right of way line of Hook Street, as described in ORB 2010, Page 316, of the Public Records of Lake County, Florida; thence run westerly along said north right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the east right of way line of an unnamed right of way, according to the plat of Lake Highlands Company, as recorded in PB 2, Page 28, of said Public Records; thence run north 00°10'52" east along said east right of way line for a distance of 718.43 feet to the south right of way line of Highway 50; thence run north 89°24'19" east along said south right of way line for a distance of 1127.57 feet; thence run south 89°29'29" east along said south right of way line for a distance of 150.11 (120.11) feet to the west line of the east 60 feet of Tract 19, of said Lake Highlands Company; thence run south 00°26'52" west along said west line for a distance of 445.90 feet to the point of curvature of a curve concave easterly having a radius of 280.00 feet; thence run southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run south 15°18'56" east for a distance of 105.46 feet to the point of curvature of a curve concave westerly having a radius of 270.00 feet and a chord bearing of south 12°51'43" east; thence run southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in ORB 4613, Page 945, described as



CITY OF CLERMONT
ORDINANCE NO. 2021-025

follows: A portion of the southwest 1/4 of the northeast 1/4 of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the northeast corner of said Section 28; thence S01°07'06"W along the east line of said northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06'23"W, a distance of 1322.25 to a point on the south right-of-way line of Highway 50. (Right-of-way varies per right-of-way map Section 11070); thence continue N89°06'23"W, a distance of 60.00 feet to the Point of Beginning; thence S00°51'39"W, along the west right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet west of the east line of said southwest 1/4 of the northeast 1/4 of Section 28 and the east line of Tract 19 of Lake Highlands Company, according to the plat thereof as recorded in PB 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08'21"W, a distance of 291.58 feet to a point; thence N00°51'39"E, a distance of 230.29 feet to a point; thence S89°08'21"E, a distance of 64.35 feet to a point; thence N00°51'39"E, a distance of 139.00 feet to a point on the south line of an unnamed unimproved street, also being the north line of said Tract 19; thence N89°50'25"E, along the north line of said Tract 19, a distance of 42.23 feet to a point on said south right-of-way line of Highway 50; thence S89°06'23"E, along said south right-of-way line of Highway 50, a distance of 185.01 feet to the Point of Beginning.
Containing 744,665 Sq. Ft. of 17.100 Acres more or Less.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in ORB 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and north of the right of way for Hook Street.

SECOND SURVEY

That portion of the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly described as follow: Commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida, thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of Highway 50 (a variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet to the point of beginning: thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 718.43 feet to a point on the northerly right of way line of Hook Street (A 100 foot wide public right of way) said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1750.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°02'34", a distance of 31.85 feet, said curve being subtended by a chord bearing and distance of S 70°37'05" W, 31.85 feet; thence departing said north right of way line, run N 0°14'51" E, a distance of 728.72 feet to a point on the aforementioned southerly right of way line of Highway 50; thence N 89°28'03" E, along said north right of way line, a distance of 30.00 feet to the point of beginning.
Containing 0.50 acre, more or less

THIRD SURVEY

That portion of the north/south roadway between Tracts 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly



CITY OF CLERMONT
ORDINANCE NO. 2021-025

described as follow: commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida; thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of Highway 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 824.65 feet to a point on the southerly right of way line of Hooks Street (A 100 foot wide public right of way); thence departing said southerly right of way line, run S 0°14'51" W, along the west line of said Tract 29, a distance of 473.42 feet to the southwest corner of said Tract 29; thence S 89°28'17" W, a distance of 30.00 feet to the southeast corner of aforementioned Tract 28; thence N 0°14'51" E, along the east line of said Tract 28, a distance of 462.39 feet to a point on the southerly right of way line of aforementioned Hook Street, said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1650.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°06'54", a distance of 32.11 feet, to the point of beginning, said curve being subtended by a chord bearing and distance of N 69°22'29" E, 32.11 feet.

Containing 0.32 acres, more or less

FOURTH SURVEY

Tracts 21 and 28 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; less that portion of Tract 28, lying south of Hook Street, (County District NO. 2-1346).

CONTAINING 30.66 Acres +/-

LOCATION

Site located west of the Miss Florida Avenue and Hooks Street intersection,
North and south of Hooks Street, directly north of the
East Ridge High School baseball field.

Alternate Key #3905347, 3334566, & 3927260

30.66 +/- Acres

**To amend Ordinance No. 2017-24 to add multifamily projects to the
Planned Unit Development consisting of up to 320 units**

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 PUD Plan, prepared by BESH Halff dated October 2020, Skorman Apartments. 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. 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.

SECTION 3. Land Uses and Specific Conditions

1. A total of up to 204 multi-family dwelling units (d.u) may be permitted on the site, not to exceed a base density of 12 dwelling units/acre.
2. Building setbacks shall be 25 feet from the property lines.
3. Maximum building height shall be up to 55 feet, measured at the highest point.
4. The project may have elevation changes of up to 13 feet maximum cut and 13 feet maximum fill up to 10% of the project site, as shown on the cut and fill exhibit – Grading Plan Variance prepared by BESH Halff, dated October 2020. These elevation changes will be submitted to the City Engineer at the time of final engineering.
5. Individual retaining wall height up to 6 feet in height are permitted to deal with grade changes on the perimeter of the project and in the stormwater pond. A minimum 5 foot transition shall be required between the walls with landscaping incorporated within the terracing of the exterior perimeter wall sections.
6. Trash compacters may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project.
7. The project will be gated and the streets will be privately owned and maintained by the HOA, owner, or developer.
8. The buildings shall be constructed in a manner that closely resembles the architectural style and elevations as presented at the end of this ordinance and shall meet the City of

Clermont's Architectural Standards.

9. If required by Lake County or Florida Department of Transportation, the developer shall be responsible to coordinate the modification of the existing traffic signals and turn lane improvements to accommodate safe and efficient traffic flow resulting from the project as identified in the Transportation Impact Analysis prepared on September, 2020 by Kimley-Horn.
10. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
11. Additional right-of-way may be required for offsite improvements and the sidewalk. This dedication shall be made at no cost to the County or the City.
12. The Developer shall install sidewalks along Excalibur Road prior to first Certificate of Occupancy.
13. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.
14. 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 continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the UE Urban Estate Zoning Designation.
15. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
16. The property management office shall prominently display a notification sign informing potential tenants of the sounds resulting from activities by the adjacent schools, such as but not limited to; daytime PE classes, night games, bands playing, bus noise, etc. The sign shall be a minimum of 11 inches x17 inches. In addition, as part of the rental contract, similar wording shall also be included that the applicant acknowledges.

SECTION 4.

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

SECTION 5.



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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

SECTION 6.

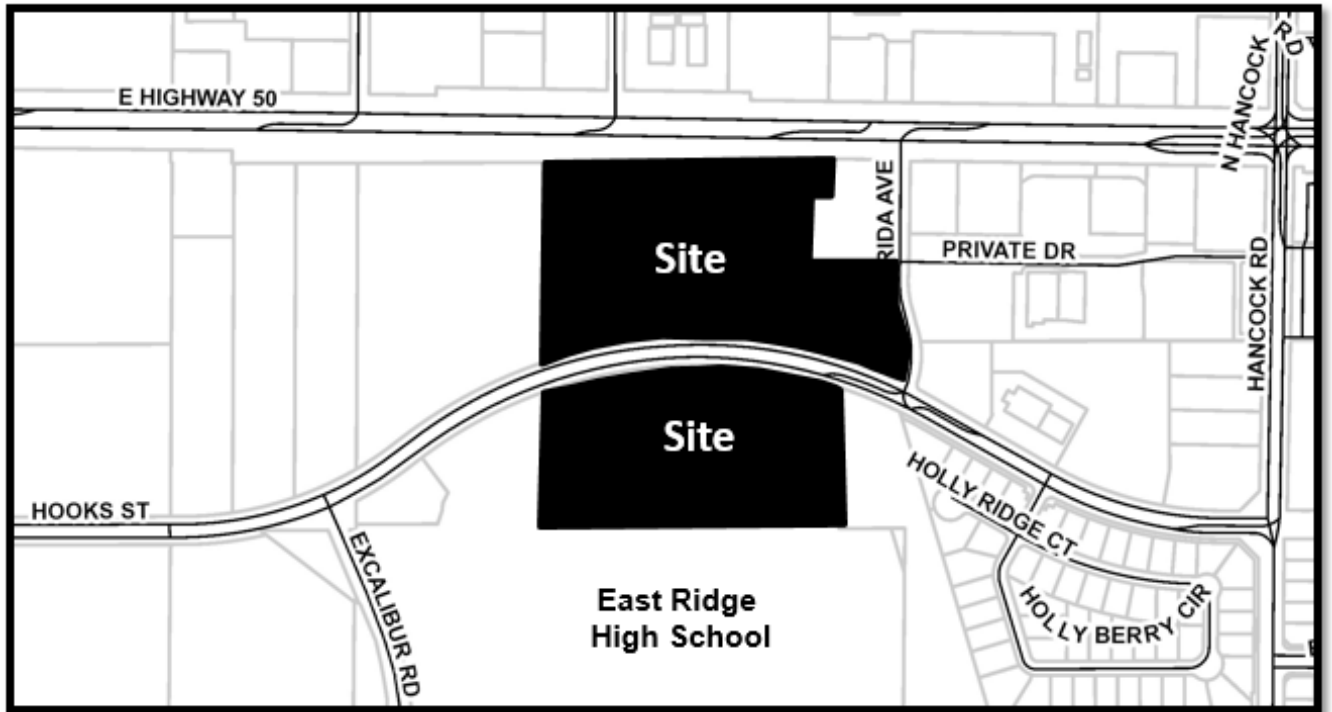
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

DRAFT

Location map:



Cut/Fill Exhibit:

Sample Elevations:

Conceptual Site Plan:

DRAFT



CITY OF CLERMONT
ORDINANCE NO. 2021-01

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of September, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

DRAFT

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 shall be given an opportunity to express their views on this matter.

ORDINANCE NO. 2021-025

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 CONFLICT SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, AN EFFECTIVE DATE AND PUBLICATION.

LOCATION

Site located west of the Miss Florida Avenue and Hooks Street intersection, North and south of Hooks Street, directly north of the East Ridge High School baseball field.
Alternate Key #3905347, 3334566, & 3927260
30.66 +/- Acres

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

THAT PART OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 28; THENCE RUN NORTH 00°42'51" EAST ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28 FOR A DISTANCE OF 664.12 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE RUN SOUTH 89°24'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 1/4 FOR A DISTANCE OF 1335.19 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 01°23'58" WEST AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°36'59" FOR A DISTANCE OF 111.29 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 63°07'26" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°49'56" FOR A DISTANCE OF 43.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET AND A CHORD BEARING OF NORTH 87°56'35" WEST AND THE NORTH RIGHT OF WAY LINE OF HOOK STREET, AS DESCRIBED IN ORB 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°57'58" FOR A DISTANCE OF 1281.78 FEET TO A NON-RADIAL LINE AND THE EAST RIGHT OF WAY LINE OF AN UNNAMED RIGHT OF WAY, ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PB 2, PAGE 28, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°10'52" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 718.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50; THENCE RUN NORTH 89°24'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1127.57 FEET; THENCE RUN SOUTH 89°29'29" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 150.11 (120.11) FEET TO THE WEST LINE OF THE EAST 60 FEET OF TRACT 19, OF SAID LAKE HIGHLANDS COMPANY; THENCE RUN SOUTH 00°26'52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 445.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°45'47" FOR A DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 15°18'56" EAST FOR A DISTANCE OF 105.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 12°51'43" EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°54'24" FOR A DISTANCE OF 23.12 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT PARCEL CONVEYED BY MAYNARD K. KNAPP, INDIVIDUALLY AND AS TRUSTEE TO AKRAM ISMAIL, M.D., BY SPECIAL WARRANTY DEED RECORDED APRIL 17, 2015, IN ORB 4613, PAGE 945, DESCRIBED AS FOLLOWS: A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S01°07'06"W ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE N89°06'23"W, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070); THENCE CONTINUE N89°06'23"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°51'39"W, ALONG THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE (ORB 2345, PAGE 748), ALSO BEING PARALLEL TO AND 60.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28 AND THE EAST LINE OF TRACT 19 OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PB 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, A DISTANCE OF 369.94 FEET TO A POINT; THENCE N89°08'21"W, A DISTANCE OF 291.58 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 230.29 FEET TO A POINT; THENCE S89°08'21"E, A DISTANCE OF 64.35 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 139.00 FEET TO A POINT ON THE SOUTH LINE OF AN UNNAMED UNIMPROVED STREET, ALSO BEING THE NORTH LINE OF SAID TRACT 19; THENCE N89°50'25"E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 42.23 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50; THENCE S89°06'23"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 744,665 SQ. FT. OF 17.100 ACRES MORE OR LESS.

PARCEL 2 (EASEMENT ESTATE)

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE INGRESS-EGRESS EASEMENT GRANTED BY AKRAM ISMAIL TO MAYNARD K. KNAPP, TRUSTEE, TO RECIPROCAL EASEMENT AGREEMENT RECORDED APRIL 17, 2015, IN ORB 4613, PAGE 948, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3 (SOUTHERN PORTION)

TRACT 29 AND TRACT 30, AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION LYING WITHIN AND NORTH OF THE RIGHT OF WAY FOR HOOK STREET.

SECOND SURVEY

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF HIGHWAY 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY) SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°02'34", A DISTANCE OF 31.85 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°37'05" W, 31.85 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 0°14'51" E, A DISTANCE OF 728.72 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRE, MORE OR LESS

THIRD SURVEY

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF HIGHWAY 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOKS STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 0°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 0°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 462.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'54", A DISTANCE OF 32.11 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°22'29" E, 32.11 FEET.

CONTAINING 0.32 ACRES, MORE OR LESS

FOURTH SURVEY

TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION OF TRACT 28, LYING SOUTH OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

CONTAINING 30.66 ACRES +/-

To amend Ordinance No. 2017-24 to add multifamily projects to the Planned Unit Development consisting of up to 320 units



This request will be considered by the Planning & Zoning Commission on Tuesday, September 7, 2021 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, September 14, 2021 at 6:30 P.M. for (Introduction) and on Tuesday, September 28, 2021 for (Final Adoption).

The meetings will be held at City Hall, Council Chambers, 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