



**CITY OF CLERMONT  
PLANNING AND ZONING COMMISSION AGENDA  
LOCATION: CLERMONT CITY HALL  
685 WEST MONTROSE STREET  
6:30 PM, Tuesday, August 1, 2023**

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
MINUTES**

Approval of the June 6, 2023 Planning and Zoning Commission meeting minutes

**REPORTS  
NEW BUSINESS**

Item 1 - Ordinance No. 2023-020  
*Sidewalk Cafe Permit LDC Amendment*

Consider an amendment to the Land Development Code, Section 125-526 Sidewalk Cafe permits.

Item 2 - Ordinance 2023-024  
*Lennar Swap Comprehensive Plan Amendment*

Consider a request to change the future land use on 247+/- acres known as the Lennar Swap from Lake County Wellness Way Neighborhood and Multi Use W to the City of Clermont Neighborhood and Multi Use W.

**UNFINISHED BUSINESS  
Discussion of Non-Agenda Items**

**ADJOURN**

**Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.**

**In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact Development Services at (352) 241-7335.**

**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 Committee Clerk for the City's records.**

**City of Clermont**  
**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**June 6, 2023**

Chairman Max Krzyminski called the meeting of the Planning & Zoning Commission to order on Tuesday, June 6, 2023 at 6:30 p.m. Members present were: Matthew Norton, Jane McAllister, Dieter Grube, David Colby, Vincent Niemiec and Ariel Guerrero. Also, present for City staff was City Attorney Dan Mantzaris, Curt Henschel, Planning Director, Senior Planner Regina McGruder, and Planning Coordinator Rae Chidlow.

**MINUTES:**

**MOTION TO APPROVE** the May 6, 2023 minutes of the Planning & Zoning Commission made by Commissioner McAllister; seconded by Commissioner Niemiec. Passed unanimously.

**REPORTS FROM THE COMMISSION:**

Chairman Krzyminski reminded everyone that this Friday is the Wine Stroll and the first Friday Food Truck event.

Curt Henschel, Planning Director, stated that the July Planning and Zoning meeting will be canceled.

**NEW BUSINESS**

**Item #1: Ordinance No. 2023-021 – The Citrus Cabanas Rezoning**

Planning Director Curt Henschel presented as follows:

The applicant, Victory Coast, LLC is requesting a rezoning from Central Business District (CDB) to Planned Unit Development (PUD) for a 0.515 +/- acre parcel located at the southwest corner of Montrose Street and West Avenue. The property was formerly used as a bed and breakfast, called the Mulberry Inn. The main building, which was constructed in 1880, has had renovations and upgrades over the years. The applicant is requesting PUD zoning in order to place eight (8) small residential units, also known as the “cabanas”, on the property to be used for short term rentals along with using the historic two-story home for short term rental as well. The cabanas will range in size from approximately 400 square feet up to 550 square feet. They will consist of one bedroom, a bathroom, sitting area and small kitchen. The units will be self-contained. The historic home consists of three bedrooms and three bathrooms and will not be a bed and breakfast type operation. The applicant would also like to construct an outdoor seating area and summer kitchen for guests to use. This would be placed adjacent to the historic home and between the cabanas. The applicant has provided a conceptual site plan showing the location of the cabanas, historic home, parking, seating area, and other aspects of the project.

The Central Business District, under Section 125-370, would permit this type of use through the approval of a Planned Unit Development (PUD). The applicant is requesting two variances to the

Land Development Code that are considered within this PUD application. The variances are: (1) onsite parallel parking spaces to be 8 feet long by 22 feet wide instead of 10 feet by 23 feet, and (2) reduced landscape buffers on the south and west property line. Section 115-5 (b) allows on-street parking in the downtown area provided by the City to be reduced to 8 feet by 22 feet. The applicant is requesting the same ability as the City in the construction of these spaces. The applicant is required to have eleven spaces for the project and will be offering eleven spaces along with one ADA handicap space for a total of twelve spaces. The applicant is requesting a reduction in the landscape buffer width for the project. The applicant will still be installing landscaping around the site, but will not be at the width and extent of the code on the southern and western property line. The applicant is including a six (6) foot high opaque privacy fence incorporated into the landscape buffer along the parking area. The privacy fence may minimize impacts to the adjoining property.

Staff has reviewed the application in regards to Section 125-486 of the Land Development Code. Since the cabanas and the historic home will be used as a short term rental project, the project is viewed similar to a hotel and parking exceeds the minimum. The project would provide transient accommodations within the Downtown area for guests to stay overnight. Development of the project would still be required to meet the zoning requirements of the Central Business District except for the specific conditions in the PUD. Staff recommends approval of Ordinance 2023-021.

Darren Johnson, 1075 W. Lakeshore Dr., stated that the project is taking the Mulberry Inn and completing the renovations to use it as a historic rental home. He stated that there will not be used as a Bed and Breakfast and there will not be any events held there. He stated that in addition there will be 8 cabanas built there that will be built according to building codes and will be hurricane wind rated. He stated the landscaping will include citrus trees. He stated that there will be a 6 foot privacy fence on the west and south side with landscaping. He stated that there will be a communal space to the west of the house that will consist of a fire pit and grill. He stated that they are trying to provide some short term rental space for downtown events or relocation needs.

Commissioner Guerrero stated that he likes the idea.

Commissioner Niemiec asked if there is landscaping between the fence on the south side and curb for the parking spaces.

Mr. Johnson stated that there is already landscape on the south side on the adjacent property so they are not doing any landscape on the south side. He stated on the west side there is another resident and the fence is almost on the property line so no landscaping will be on the outside of the fence.

Commissioner Niemiec asked where the dumpsters will be located.

Mr. Johnson stated that he will be asking for 2 standard garbage cans and recycle cans. He stated that if the exceeds their garbage needs then he will need to look into commercial pickup.

Commissioner Niemiec asked about emergency vehicles.

Mr. Henschel stated that the emergency vehicles would likely do everything from the road. He stated that this will have to go through site review and that will be determined at that time.

Commissioner Colby stated that this is a great project and an upgrade from what was there previously. He asked about the landscape and fence on the north side of the property.

Mr. Johnson stated that they are not sure what the grade will be at this time so it is to be determined later pertaining the landscaping but it may just be a low fence with a hedge.

Commissioner Grube asked if the house will be rented by rooms or whole house.

Mr. Johnson stated that the house will be rented to a single renter and not by room.

Commissioner McAllister asked if the owner sells this property to a retail entity, what happens with the PUD.

Mr. Henschel stated that as long as the retail entity operated according to the PUD, they could do that but if they want changes they will need a new PUD.

Commissioner McAllister stated that the only issue she had was the small buffer on the west side of the property. She stated that since it is residential on that side there should be a 10-foot buffer. She stated that the buffer should be on the outside of the fence.

Mr. Henschel stated that in the CBD District no buffer is required and the parking triggers the 5-foot buffer.

Commissioner Norton stated that if the buffer was on the outside of the fence it would be a challenge to maintain that buffer.

City Attorney Dan Mantzaris asked if the fence was required.

Mr. Henschel stated that the fence is not required.

Mr. Mantzaris stated that the alternative is to not have the fence and just add natural vegetation as the buffer that they can maintain. He stated that from the applicant's and staff's position is that a fence is better than a natural vegetation buffer.

Commissioner Norton asked about the renovations and if it's currently in use.

Mr. Johnson stated that is it under renovations and not in use at this time.

Commissioner Norton asked if the intent is to open the house and cabanas at the same time.

Mr. Johnson stated that he had not given any thought to that but the intent is to open at the same time.

Commissioner Norton asked about time line for opening.

Mr. Johnson stated nine to twelve months.

Commissioner Norton asked about the coordination of the communal space usage between the house and the cabanas. He asked about rules and terms.

Mr. Johnson stated that it would be the same as a long term apartment as a first come first serve. He stated that the tenants would have to abide by all the downtown rules and codes.

Chairman Krzyminski asked why about the parking code for the city.

Mr. Henschel stated that code was changed a while back because the roads were narrower.

**Action:**

**MOTION TO APPROVE** Ordinance No. 2023-021 was made by Commissioner Norton, seconded by Commissioner Guerrero. Passed unanimously, 7-0.

With no further comments, Chairman Krzyminski adjourned the meeting at 6:59 P.M.

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Max Krzyminski, Chairman

ATTEST:

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Rae Chidlow, Planning Coordinator



# CITY OF CLERMONT

## AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                              |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                              |                                |
| Tuesday, August 1, 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                              |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                              |                                |
| Ordinance No. 2023-020<br><i>Sidewalk Cafe Permit LDC Amendment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                              |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                              |                                |
| Recommend approval of Ordinance No.2023-020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                              |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                              |                                |
| <p>City Staff is proposing a text amendment to the Land Development Code, Section 125-526 Sidewalk Cafe permits. The proposed changes will add language to clarify and enforce additional standards and criteria requirements for the permit. The amendment will add the language that private trash containers are required for each permit and the city will not be responsible for trash collection relating to the sidewalk cafe permits. The property owner or business occupant will be responsible for picking up and collecting trash in a timely manner. The current code does not have any existing language regarding trash collection for sidewalk cafe permits.</p> <p>Staff recommends approval of the proposed changes represented in the strikethrough (deletion) and underline (addition) language contained in Ordinance 2023-020, Sidewalk Cafe permits.</p> |                                                              |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                              |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                              |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Fund Number and Description</b>                           | <b>Available Budget Amount</b> |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                              |                                |
| 1. Ord. 2023-020 -Chapter 125-526 Sidewak Cafe (07.17.2023)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ord. 2023-020 -Chapter 125-526 Sidewak Cafe (07.17.2023).pdf |                                |
| 2. Legal ad - Ord. No. 2023-020 - Sidewalk Cafe Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Legal ad - Ord. No. 2023-020 - Sidewalk Cafe Amendment.pdf   |                                |



CITY OF CLERMONT  
ORDINANCE NO. 2023-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 125, SECTION 125-526 SIDEWALK CAFÉ; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, held a public hearing on August 1, 2023 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont held public hearings on the proposed amendment to Land Development Code, Chapter 125, Section 125-526 Sidewalk Café, in light of written comments, proposals and objections from the general public; and

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

**SECTION 1: AUTHORITY**

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

**SECTION 2.**

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

**Sec. 125-526 Sidewalk café.**

(a) *Necessity and intent.*

(1) There is a need for regulations and standards for the existence and operation of sidewalk cafés to facilitate and ensure a safe environment in these areas.

(2) The establishment of permit conditions and safety standards for sidewalk cafés is necessary to protect and promote the general health, safety and welfare of the residents of the city.

(b) *Sidewalk café authorized.* Restaurant operators, eating and/or drinking establishments located within the CBD Central Business District are allowed to operate a sidewalk café that conforms to the requirements of this section and other applicable provisions of this code, and are hereby made exempt from the prohibition of conducting business within a public right-of-way of this Code.



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(c) *Definitions.* The followings words, terms, and phrases, when used in this section, shall have meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

*Permittee* means the recipient of a sidewalk café permit under the terms and provisions of this section.

*Sidewalk café* means seating located on a sidewalk or pedestrian mall which is associated with an adjacent eating and/or drinking establishments where food or beverages are delivered for consumption on the premises. It is characterized by movable tables and chairs and may be shaded by umbrellas. Sidewalk cafés shall be permitted only as an accessory use to a licensed restaurant or food/drinking establishment.

(d) *Permit and application requirements.*

(1) It shall be unlawful for any person to operate a sidewalk café on any sidewalk or public right-of-way within the city without obtaining a permit as required by this article. Sidewalk cafés shall only be located where permitted by the city's land development code. No person shall establish a sidewalk café on a public sidewalk unless such person has obtained a valid permit to operate that sidewalk café pursuant to this Code.

(2) The chief of police or designee shall have the right to remove, after 24 hours' notice, any tables, chairs and other objects on public property which are used in connection with a sidewalk café which do not have a permit, and shall have the right to immediately remove any tables, chairs or other objects on public property which impede pedestrian traffic or pose a threat to the public health, safety or welfare.

(3) A permit for a sidewalk café shall be issued only to the operator of a valid food and/or drink license and operating restaurant who wishes to provide moveable tables and chairs on the sidewalk or pedestrian mall adjacent to the restaurant.

(4) Application forms for permits to operate a sidewalk café are provided by the development services department.

(5) A scaled drawing of the café area shall be required with each sidewalk café permit application with measurements outlining the location, boundary, tables, chairs, barriers, stanchions, host or hostess stations, and other features.

(6) A copy of a valid business tax receipt to operate a food and/or drinking establishment in front of which the proposed sidewalk café will be located. The number of chairs or seats to be utilized for the sidewalk café must be included in the number of seats authorized by the license.

(7) A copy of the state alcoholic beverage license and state approved site plan identifying the extension of this permit to the sidewalk where the café seating will operate as required by this Code.

(e) *Fees.* Fees may be required as adopted by resolution of the city council.



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(f) *Standards and criteria.*

- (1) Sidewalk cafés shall be located in such a manner that a minimum width of four feet is maintained at all times as an unobstructed pedestrian path.
- (2) Sidewalk cafés are restricted to the usable sidewalk area and adjacent outdoor seating area of the licensed establishment to which the permit is issued or within the usable sidewalk area of the building where the validly licensed restaurant is located.
- (3) All tables, chairs, umbrellas, heaters, signs or other personal or business property will not be permitted within four feet of a pedestrian crosswalk or handicap corner curb cut.
- (4) The sidewalk café demonstrates that the café's seating will not obstruct vehicle passengers from exiting their cars with the placement of their curbside tables.
- ~~(5) All furniture shall be stored inside the establishment whenever the business is closed.~~
- (5) Private trash containers are required for each café permit. The containers shall be kept clean, orderly and placed in safe locations to help prevent capsizing of the containers.
- (6) The containers shall be monitored and emptied on a consistent basis to prevent any trash and debris overflows. The containers shall not be used for disposing of table waste generated by the restaurant and /or sidewalk café customers.
- (7) Any trash surrounding a sidewalk café permit will be the responsibility of the owner and/or business occupant to pick up and collect in a timely manner. The city will not be responsible for trash collection relating to the sidewalk café permit.

(g) *Special restrictions.*

- (1) Sidewalk cafés shall be required to keep the sidewalk and close proximity free of trash and debris as a result of the sidewalk café.
- (2) Sidewalk café operations may be required to cease immediately at the sole discretion of the city.
- (3) Sidewalk Café permits are valid for one year. Applicants may reapply provided there are no outstanding code enforcement violations relating to the Sidewalk Café permit.
- (4) The sidewalk café permit is a license to temporarily use the city's sidewalks within the city's rights-of-way. It is not intended and shall not be constructed as an interest in the real property.
- (5) For the purpose of public safety, at any time after obtaining a sidewalk café permit, the permittee may be limited to use of non-breakable beverage containers after the police department receives complaints or there are observations for the need to amend the sidewalk café permit to impose the non-breakable beverage provision.
- (6) The permit covers the public sidewalk and right-of-way adjacent to the establishment. Tables and chairs on private property will be governed by other applicable regulations. No additional outdoor seating authorized pursuant to this Code shall be used for calculating seating requirements pertaining to applications for or issuance of an alcoholic beverage license for any establishment; nor shall the outdoor seating be used as the basis



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for computing required seating for restaurants and dining rooms, or as grounds for claiming exemption from such requirements under the provisions of any city ordinance or state law. However, additional outdoor seating authorized pursuant to this Code shall be included in determining required plumbing or accessibility fixtures or other fire and building code requirements.

- (7) Approval of a sidewalk café permit shall be conditioned upon obtaining the necessary state alcoholic beverage license and meeting all state alcoholic beverage requirements. The approved site plan by the state for the state alcoholic beverage license to allow service outside of the establishment must conform to the proposed site plan for the café seating and must be submitted with the application for a sidewalk café permit. All tables and chairs must not exceed the boundaries of the state alcoholic beverage plan and the sidewalk café plan.

(h) *Alcohol service.*

- (1) Sidewalks cafés are hereby made exempt from the prohibition on the sales and consumption of alcoholic beverages outside of a licensed building as provided by this Code.

(i) *Liability and indemnification.*

- (1) Prior to the issuance of a permit, the applicant shall furnish a signed statement indemnifying the city, its officers and employees for any damages to property or injury to persons which may be occasioned by any activity carried under the terms of the permit.
- (2) A permittee shall pay, and by its acceptance of a permit specifically agrees to pay, any and all damages or penalties which the city may be legally required to pay as a result of the permittee's operation or maintenance of a sidewalk café under this part, whether or not the acts or omissions complained of are authorized, allowed or prohibited by the city.
- (3) A permittee shall also pay all expenses incurred by the city in defending itself with regard to any and all damages and penalties mentioned in subsection (1) above. These expenses shall include all out-of-pocket expenses, including a reasonable attorney's fee and the reasonable value of services rendered by any employee of the city.
- (4) The permittee shall maintain, throughout the term of the permit, liability insurance insuring the city and the permittee with regard to all damages mentioned in subsection (1) above caused by the grantee or its agents, in the minimum amounts of:
- a. Workers' and unemployment compensation insurance as provided by the laws of this state.
  - b. Two hundred thousand dollars for property damage, bodily injury, or death payable to any one person and \$1,000,000.00 for property damage, bodily injury or death when totaled with all other claims or judgments arising out of the same incident or occurrence.
  - c. The insurance policies obtained by a permittee in compliance with this section shall be issued by a company or companies acceptable to the city and a current certificate or certificates of insurance, along with written evidence of payment of all required



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premiums, shall be filed and maintained with the city during the term of the permit. The policies shall name the city as an additional insured and shall contain a provision that written notice of cancellation or reduction in coverage of the policy shall be delivered by registered mail to the city at least 30 days in advance of the effective date thereof.

d. An applicant for a permit shall be required to submit evidence of liability insurance.

(j) *Revocation or suspension; emergencies.*

(1) The approval of a sidewalk cafe permit is conditional at all times. A sidewalk café permit may be revoked or suspended if it is found that:

- a. Any necessary business or health permit has been suspended, revoked or canceled.
- b. The permittee does not have insurance which is correct and effective in the minimum amounts described in this section.
- c. The permittee exceeds the approved number of seats by placing additional tables, chairs, et cetera, in or beyond the approved area.
- d. The permittee has failed to correct violations of this Code or conditions of this permit within 24 hours of receipt of the director's notice of such violations delivered in writing to the permittee.

(2) If the permittee fails to remove any tables, chairs and other objects related to sidewalk café within 48 hours of receipt of the chief of police or designee final notice of revocation or suspension, the chief of police or designee shall have the right to remove such objects.

(3) If a permittee is found in violation of the codes and given a written citation on three occasions in a single year as identified as the beginning date of the permit issuance, the sidewalk café permit shall be suspended for a period of time or revoked as determined by the chief of police or designee, effective immediately upon receipt of a third violation. In addition if the chief of police or designee believes that a permittee has engaged or is engaged in conduct warranting the suspension or revocation of the permit, the chief of police or designee shall serve the permittee by certified mail or hand delivery at his business address as disclosed in the application for the permit or at the permitted premises, a written administrative complaint which affords reasonable notice of facts or conduct which warrant the intended action. The permittee shall be given adequate opportunity to request an administrative hearing before the code enforcement board unless the chief of police or designee finds that an emergency condition exists involving serious danger to public health, safety or welfare, in which case advance notice and hearing shall not be required. In the case of an emergency suspension or revocation, the permittee shall immediately be advised of the chief of police or designee's action and afforded a prompt post-suspension or revocation hearing in accordance with the procedures set forth in this Code. Appeals of applications or café seating plans rejected by the city may be heard by the planning and zoning commission for either upholding the decision of the chief of police, further revising and approving the plan or approving the submitted plan.



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**SECTION 3: CONFLICT**

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

**SECTION 4: SEVERABILITY**

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 5: CODIFICATION**

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

**SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR**

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, sections of the 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 7: PUBLICATION AND EFFECTIVE DATE**

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



*CITY OF CLERMONT*  
**ORDINANCE NO. 2023-020**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County,  
Florida on this 8<sup>th</sup> day of August 2023.

CITY OF CLERMONT

\_\_\_\_\_  
Tim Murry, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Ackroyd Howe, MMC  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

|                          |                                                                 |
|--------------------------|-----------------------------------------------------------------|
| <b>Account Number:</b>   | 526733                                                          |
| <b>Customer Name:</b>    | City Of Clermont-Legals                                         |
| <b>Customer Address:</b> | City Of Clermont-Legals<br>P.O. BOX 120219<br>CLERMONT FL 34712 |
| <b>Contact Name:</b>     | Christina Perry                                                 |
| <b>Contact Phone:</b>    |                                                                 |
| <b>Contact Email:</b>    | cperry@clermontfl.org                                           |
| <b>PO Number:</b>        |                                                                 |

|                           |            |
|---------------------------|------------|
| <b>Date:</b>              | 06/28/2023 |
| <b>Order Number:</b>      | 8998508    |
| <b>Prepayment Amount:</b> | \$ 0.00    |

|                          |         |
|--------------------------|---------|
| <b>Column Count:</b>     | 1.0000  |
| <b>Line Count:</b>       | 49.0000 |
| <b>Height in Inches:</b> | 0.0000  |

**Print**

| Product                 | #Insertions | Start - End             | Category            |
|-------------------------|-------------|-------------------------|---------------------|
| LEE Daily Commercial    | 2           | 07/17/2023 - 07/24/2023 | Govt Public Notices |
| LEE dailycommercial.com | 2           | 07/17/2023 - 07/24/2023 | Govt Public Notices |

|                                 |                 |
|---------------------------------|-----------------|
| <b>Total Order Confirmation</b> | <b>\$153.08</b> |
|---------------------------------|-----------------|

## Ad Preview

### LEGAL NOTICE

On Tuesday, August 1, 2023 at 6:30 PM the Clermont Planning and Zoning Commission will consider the proposed ordinance to amend the land development codes. The final enactment of the ordinance will be heard by City Council on Tuesday, August 8, 2023 at 6:30 P.M.

#### ORDINANCE NO. 2023-020

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 125, SECTION 125-526 SIDEWALK CAFÉS, PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION; THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERRORS, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

All public meetings will be held in the Clermont City Hall, Council Chambers, located at 685 W. Montrose Street, Clermont FL 34711.

This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

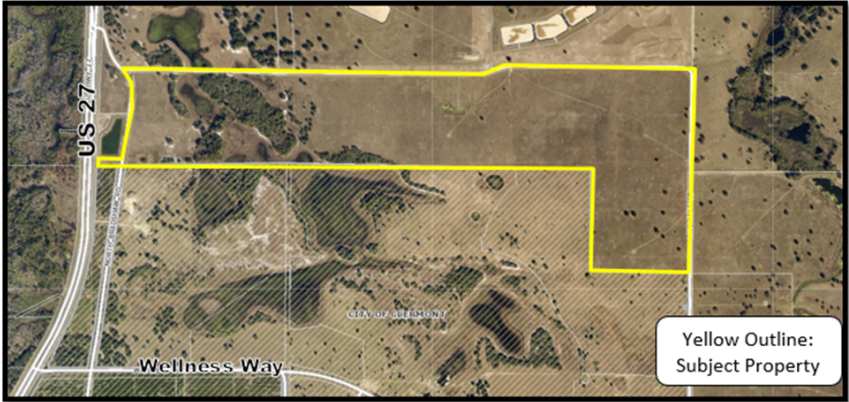
All interested parties will be given an opportunity to express their views on this matter.

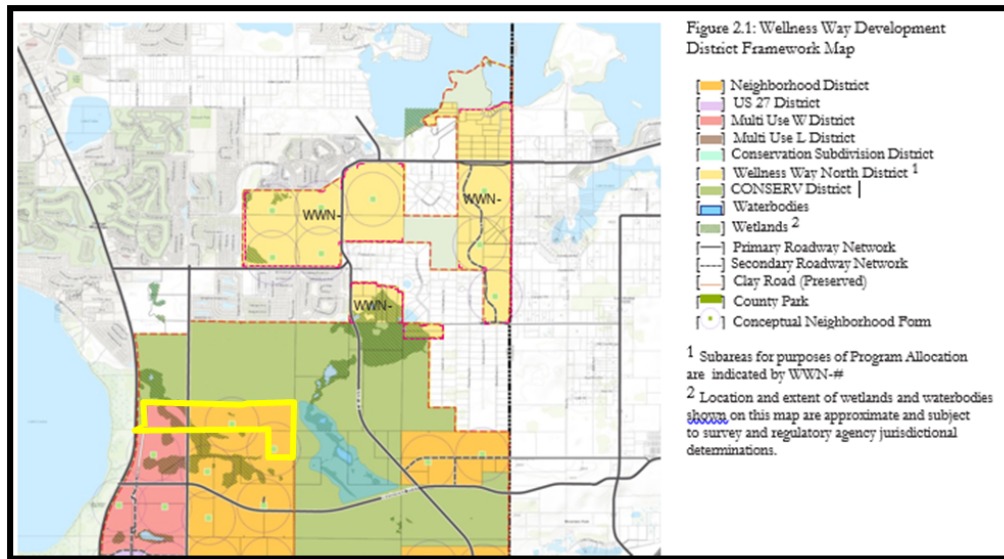
Please be advised that under State law, if you should decide to appeal a decision made with respect to this matter, you may need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352)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

Tracy Ackroyd Howe, MMC  
City Clerk

8998508 July 17, 24, 2023

# AGENDA ITEM

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| Tuesday, August 1, 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Ordinance 2023-024<br><i>Lennar Swap Comprehensive Plan Amendment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Recommend transmittal of the comprehensive plan amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <p>The applicant, VHB, has requested an amendment to the Future Land Use Map. The applicant is requesting the City to designate the property with a future land use category consistent with Land Uses within the Wellness Way Urban Service Area (WWUSA) upon annexation. The subject site is 247 +/- acres in size. The property has historically been used for agricultural purposes. The applicant has three pending requests before the City of Clermont. These include: (1) Annexation, (2) Comprehensive Plan Amendment, and (3) Rezoning to a Planned Unit Development (PUD).</p> |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <p>Due to the required review by the State of Florida Department of Economic Opportunity (DEO) for the amendment to the Comprehensive Plan, this application is being presented to the Planning and Zoning Commission and the City Council to make a recommendation for transmittal. If transmitted, then DEO and other State agencies will review and render their comments prior to a public hearing on the adoption of this amendment. The anticipated adoption hearing will be in October of 2023.</p>                                                                                |  |
| <p>The property has 2 existing Future Land Use designations in unincorporated Lake County. The western portion, approximately 56 acres, is Multi Use W District, and the eastern portion, approximately 191 acres, is Neighborhood District. The County adopted Wellness Way Future Land Uses identical to the City of Clermont with the goal of having a consistent development plan within the WWUSA.</p>                                                                                                                                                                               |  |
| <p>The Wellness Way Comprehensive Plan amendment was originally adopted by the City on February 28, 2023 and Lake County on June 6, 2023. Upon annexation, the property will receive the same Future Land Use Designation, Multi Use W District and Neighborhood District, within the City of Clermont as it currently exists in Lake County. The property is outlined in yellow in Figure 2.1.</p>                                                                                                                                                                                       |  |



The residential density and non-residential capacity for the project will be governed by the City's Comprehensive Plan Policy 2.3.2: Future Land Use Categories Capacity Allocation tables. The applicant has requested a rezoning to a Planned Unit Development requesting up to 699 dwelling units and up to 229,000 square feet of non-residential uses. The PUD will be considered by City Council during the adoption phase of the Comprehensive Plan Amendment to ensure that the proposed development density and intensity is in compliance with Policy 2.3.2. In addition, the development standards for the PUD will be required to meet the Wellness Way Design Guidelines that were adopted by the City on June 28, 2022.

The subject property is located entirely within the City of Clermont Utility Service Area and is adjacent to the City limits. The project is located within the City's JPA and ISBA boundary, and the City can provide adequate public facilities and services. The application is consistent with Objective 2.3, Policy 2.3.1 and 2.3.2, of the City of Clermont Comprehensive Plan. Staff supports the applicant's request for a change from Lake County Multi Use W District and Lake County Neighborhood District to the City of Clermont Multi Use W District and City of Clermont Neighborhood District and recommends transmittal of the comprehensive plan change.

#### Additional Analysis

#### Fiscal Impact Summary

#### Fiscal Impact

#### Fund Number and Description

#### Available Budget Amount

#### Exhibits Attached (copies of original agreements)

|    |                                              |                                                  |
|----|----------------------------------------------|--------------------------------------------------|
| 1. | Ord. 2023-024 - Lennar Swap CPA (07.18.2023) | Ord. 2023-024 - Lennar Swap CPA (07.18.2023).pdf |
| 2. | Lennar Swap Map                              | Lennar Swap Map.pdf                              |
| 3. | WW Before                                    | WW Before.pdf                                    |
| 4. | WW After                                     | WW After.pdf                                     |
| 5. | Justification                                | Justification.pdf                                |
| 6. | Swap_CPA_Application_Signed                  | Swap_CPA_Application_Signed.pdf                  |
| 7. | Property Record Card                         | Property Record Card.pdf                         |
| 8. | Lennar Swap transmittal legal ad             | Lennar Swap transmittal legal ad.pdf             |



*CITY OF CLERMONT*  
**ORDINANCE NO. 2023-024**

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

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

**WHEREAS**, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statutes 163.3191; and

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

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

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

**SECTION 1.**

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

**LEGAL DESCRIPTION**

A Parcel of land lying in Sections 15, 16 and 22, Township 23 South, Range 26 East, Lake County, Florida.

Being more particularly described as:

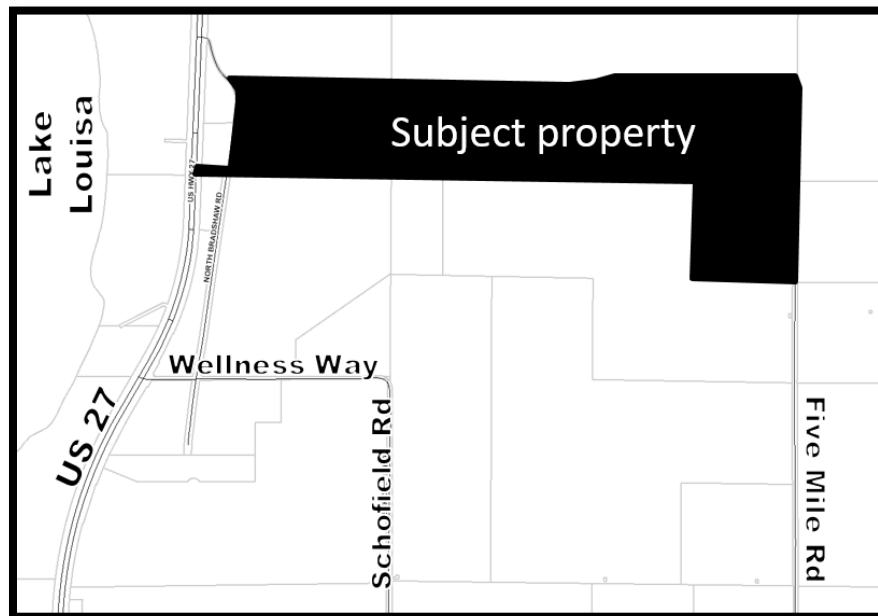


*CITY OF CLERMONT*  
**ORDINANCE NO. 2023-024**

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE RUN SOUTH 89°16'46" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER FOR A DISTANCE OF 2479.84 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY #27 /STATE ROAD #25 ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION MAP SECTION 238422 1; THENCE RUN NORTH 02°16'40" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 97.09 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE RUN NORTH 89°52'47" EAST FOR A DISTANCE OF 357.99 FEET TO A POINT ON THE EAST LINE AT BRADSHAW ROAD AS MAINTAINED BY LAKE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES ALONG SAID EAST LINE: NORTH 08°31'11" EAST FOR A DISTANCE OF 108.76 FEET; THENCE RUN NORTH 08°04'22" EAST FOR A DISTANCE OF 203.58 FEET; THENCE RUN NORTH 07°32'08" EAST FOR A DISTANCE OF 301.61 FEET; THENCE RUN NORTH 08°01'59" EAST FOR A DISTANCE OF 100.03 FEET; THENCE RUN NORTH 06°13'32" EAST FOR A DISTANCE OF 99.03 FEET; THENCE RUN NORTH 01°53'26" WEST FOR A DISTANCE OF 106.21 FEET; THENCE RUN NORTH 17°53'11" WEST FOR A DISTANCE OF 101.00 FEET; THENCE RUN NORTH 32°15'43" WEST FOR A DISTANCE OF 124.94 FEET; THENCE RUN NORTH 25°06'36" EAST FOR A DISTANCE OF 22.17 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF 5 MILE ROAD AS MAINTAINED BY LAKE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES ALONG SAID SOUTH LINE: SOUTH 88°38'57" EAST FOR A DISTANCE OF 193.29 FEET; THENCE RUN NORTH 89°50'32" EAST FOR A DISTANCE OF 154.07 FEET; THENCE RUN SOUTH 88°57'53" EAST FOR A DISTANCE OF 597.94 FEET; THENCE RUN SOUTH 89°04'13" EAST FOR A DISTANCE OF 1648.76 FEET; THENCE RUN SOUTH 89°10'22" EAST FOR A DISTANCE OF 300.67 FEET; THENCE RUN SOUTH 89°29'11" EAST FOR A DISTANCE OF 299.23 FEET; THENCE RUN SOUTH 89°35'06" EAST FOR A DISTANCE OF 500.01 FEET; THENCE RUN SOUTH 89°37'32" EAST FOR A DISTANCE OF 399.93 FEET; THENCE RUN SOUTH 88°36'09" EAST FOR A DISTANCE OF 100.54 FEET; THENCE RUN NORTH 88°01'31" EAST FOR A DISTANCE OF 99.52 FEET; THENCE RUN NORTH 88°41'15" EAST FOR A DISTANCE OF 389.00 FEET; THENCE RUN NORTH 75°39'41" EAST FOR A DISTANCE OF 180.49 FEET; THENCE RUN NORTH 70°38'01" EAST FOR A DISTANCE OF 85.81 FEET; THENCE RUN NORTH 75°47'42" EAST FOR A DISTANCE OF 48.13 FEET; THENCE RUN NORTH 84°56'34" EAST FOR A DISTANCE OF 22.09 FEET; THENCE DEPARTING SAID SOUTH MAINTAINED LINE RUN SOUTH 00°18'54" WEST FOR A DISTANCE OF 47.05 FEET; THENCE RUN SOUTH 89°41'06" EAST FOR A DISTANCE OF 40.00 FEET; THENCE RUN NORTH 00°18'54" EAST FOR A DISTANCE OF 50.00 FEET TO THE AFORESAID SOUTH MAINTAINED LINE OF 5 MILE ROAD; THENCE RUN THE FOLLOWING COURSES ALONG THE AFORESAID SOUTH MAINTAINED LINE AND THE WEST MAINTAINED LINE OF 5 MILE ROAD: SOUTH 89°19'15" EAST FOR A DISTANCE OF 248.15 FEET; THENCE RUN SOUTH 89°51'57" EAST FOR A DISTANCE OF 200.19 FEET; THENCE RUN SOUTH 89°48'55" EAST FOR A DISTANCE OF 196.42 FEET; THENCE RUN SOUTH 89°25'54" EAST FOR A DISTANCE OF 201.34 FEET; THENCE RUN NORTH 89°56'45" EAST FOR A DISTANCE OF 301.13 FEET; THENCE RUN SOUTH 89°48'02" EAST FOR A DISTANCE OF 400.83 FEET; THENCE RUN SOUTH 88°41'42" EAST FOR A DISTANCE OF 100.78 FEET; THENCE RUN NORTH 89°48'54" EAST FOR A DISTANCE OF 197.56 FEET;

**CITY OF CLERMONT**  
**ORDINANCE NO. 2023-024**

THENCE RUN SOUTH 89°50'13" EAST FOR A DISTANCE OF 304.21 FEET; THENCE RUN SOUTH 83°05'13" EAST FOR A DISTANCE OF 97.81 FEET; THENCE RUN SOUTH 60°30'46" EAST FOR A DISTANCE OF 47.74 FEET; THENCE RUN SOUTH 43°04'26" EAST FOR A DISTANCE OF 62.59 FEET; THENCE RUN SOUTH 04°59'22" EAST FOR A DISTANCE OF 80.69 FEET; THENCE RUN SOUTH 02°24'26" WEST FOR A DISTANCE OF 404.28 FEET; THENCE RUN SOUTH 00°32'02" WEST FOR A DISTANCE OF 779.65 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 22; THENCE RUN NORTH 88°49'23" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 1.79 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE AT 5 MILE ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 357, PAGE 21 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 00°19'09" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 1310.25 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN NORTH 89°00'54" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1290.91 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN NORTH 00°20'55" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF AFORESAID SECTION 22 FOR A DISTANCE OF 1314.56 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN NORTH 88°49'23" WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22 FOR A DISTANCE OF 3969.87 FEET TO THE POINT OF BEGINNING.  
CONTAINING 10,770,217 SQUARE FEET OR 247.25 ACRES, MORE OR LESS.



**Location:**

1.5 miles south of Hartwood Marsh Road, east US 27 and south of Five Mile Road  
Alternate Key 3926960



*CITY OF CLERMONT*  
**ORDINANCE NO. 2023-024**

**CHANGE IN FUTURE LAND USE CLASSIFICATION**

FROM LAKE COUNTY: WELLNESS WAY MULTI USE W AND NEIGHBORHOOD  
TO CITY OF CLERMONT: WELLNESS WAY MULTI USE W AND NEIGHBORHOOD

**SECTION 2: CONFLICT**

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

**SECTION 3: 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 4: ADMINISTRATIVE CORRECTION**

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 5: PUBLICATION AND EFFECTIVE DATE**

This Ordinance shall be published as provided by law and it shall become law and shall take effect after a period of thirty days plus one following its Second Reading and Final Passage.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2023-024**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 24<sup>th</sup> day of October 2023.

CITY OF CLERMONT

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Tim Murry, Mayor

ATTEST:

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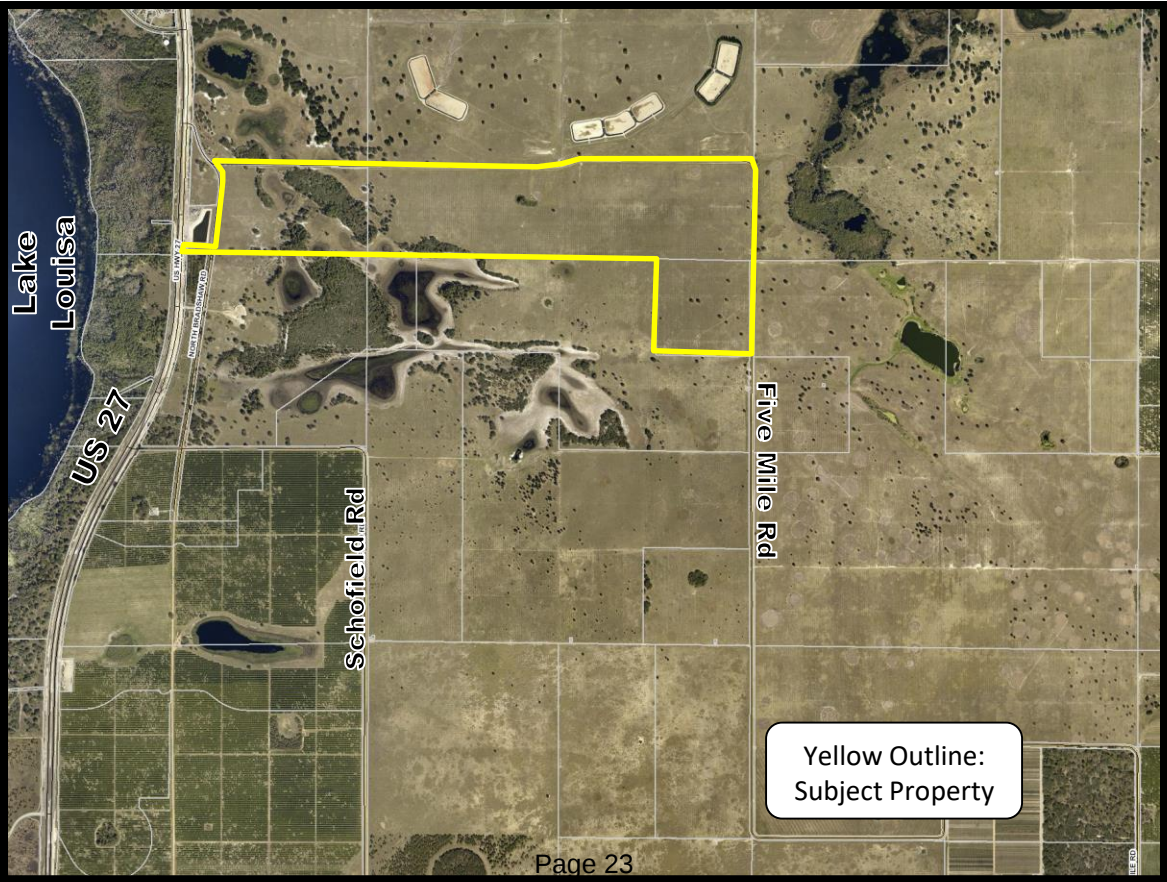
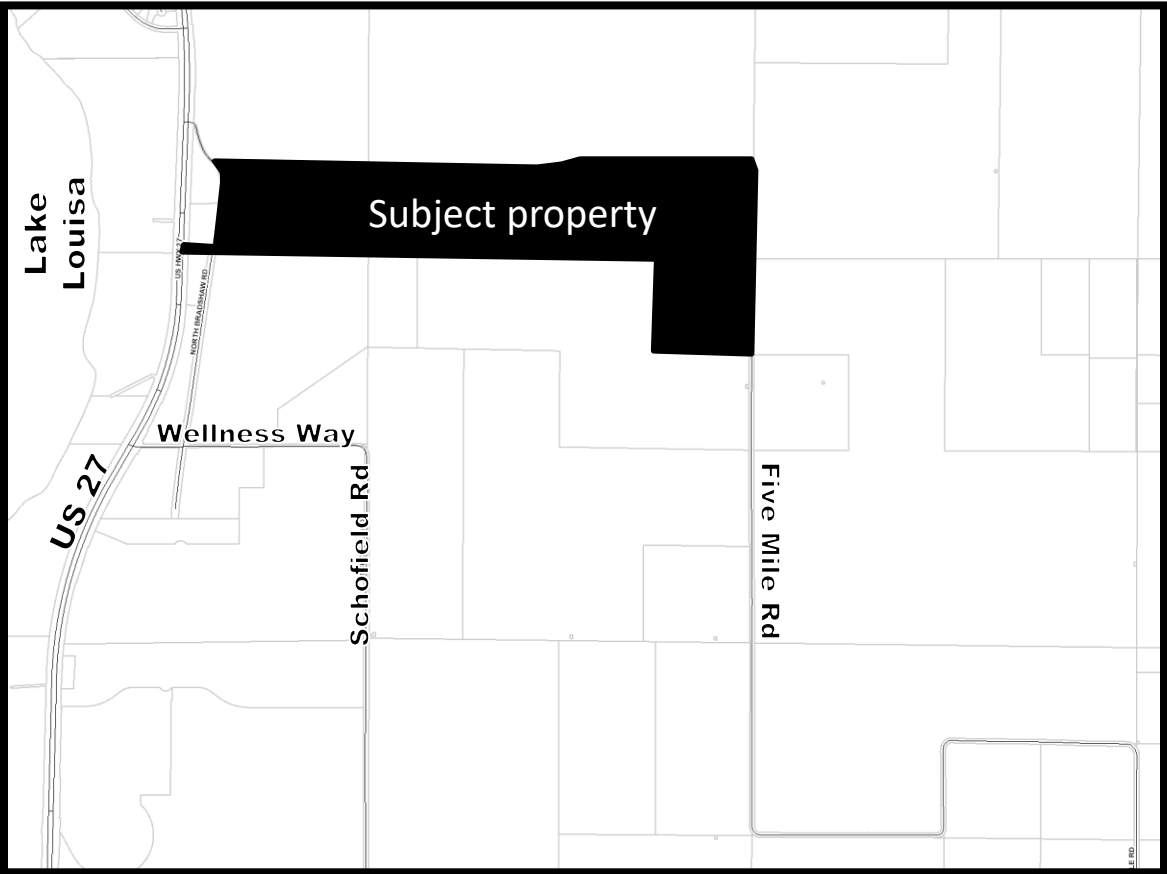
Tracy Ackroyd Howe, MMC  
City Clerk

Approved as to form and legality:

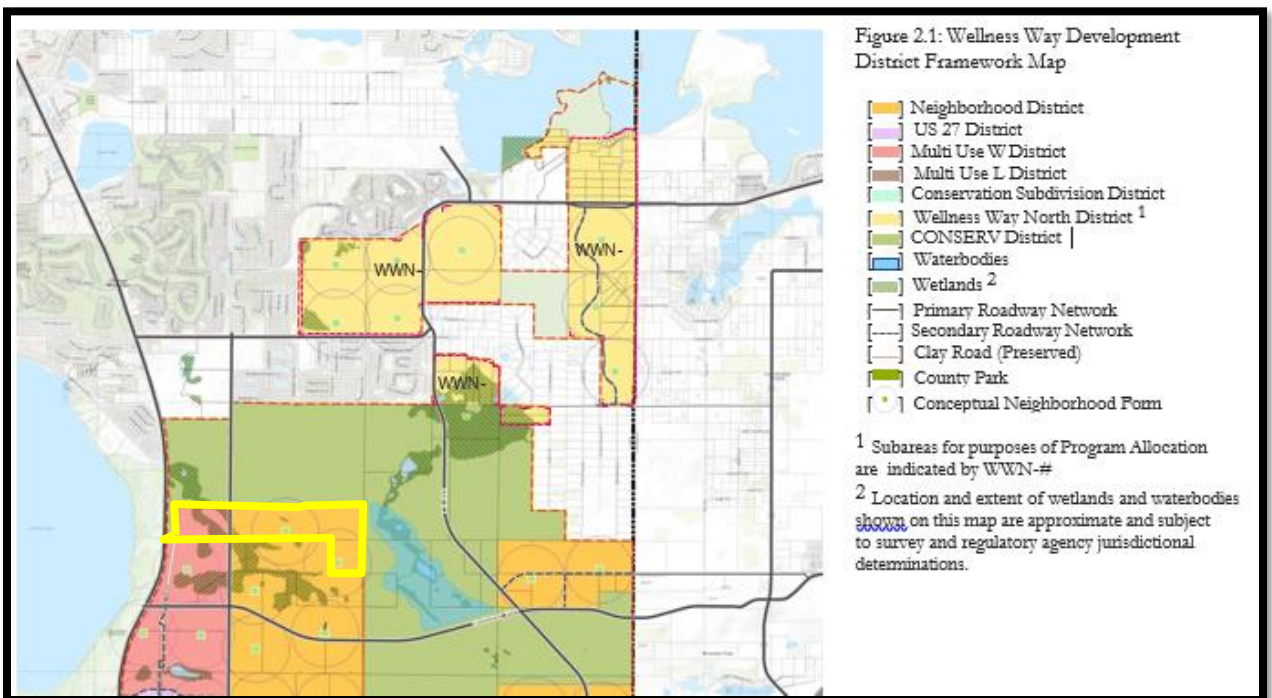
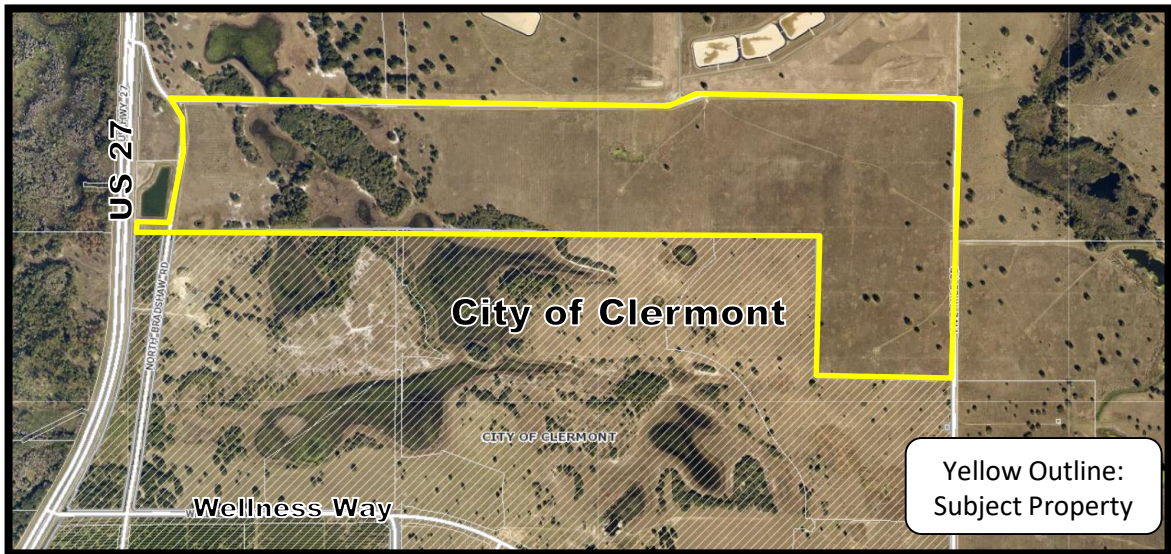
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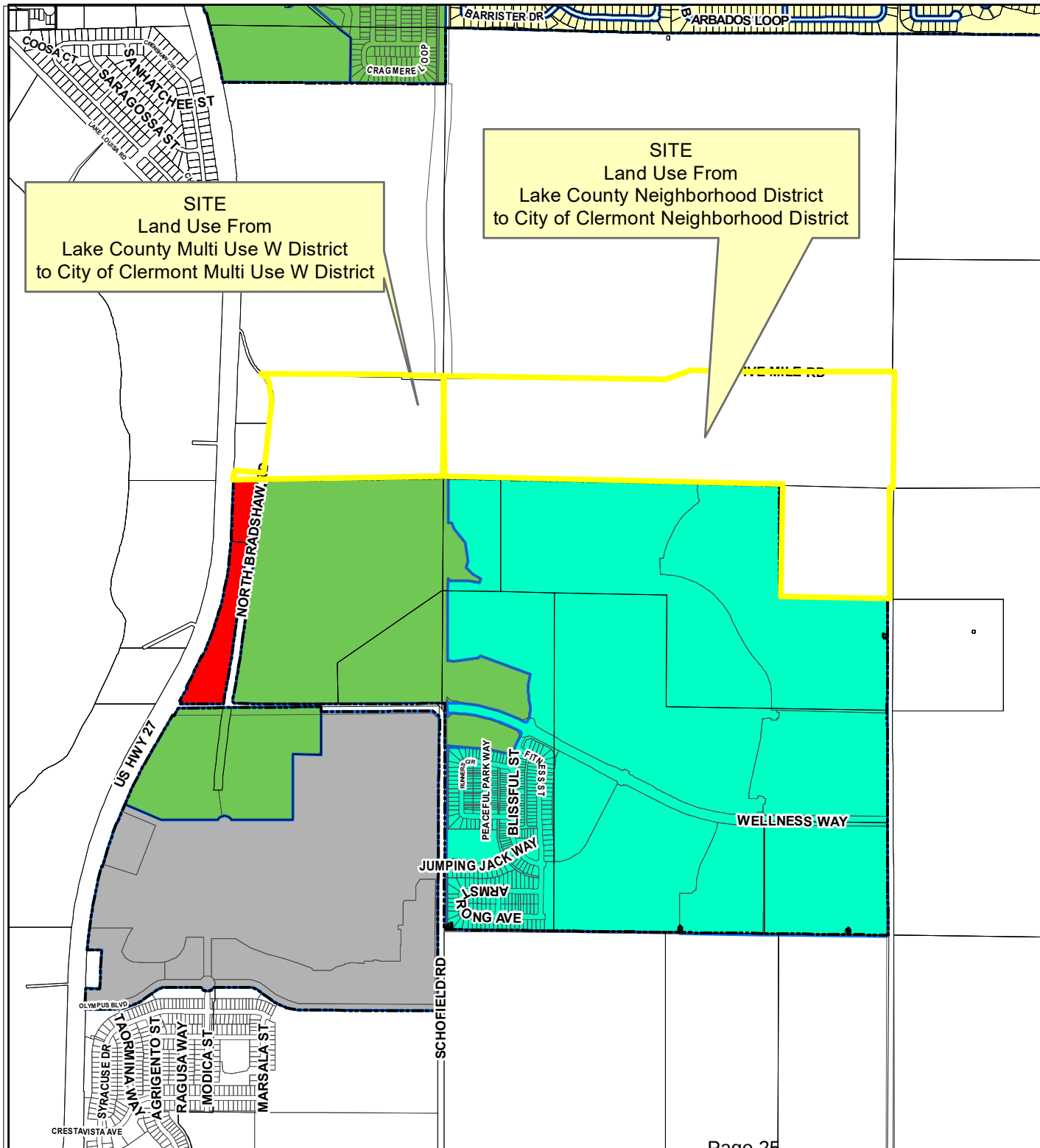
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Lennar Swap Property



# Exhibit – Wellness Way Development District Framework Map – Lennar Swap Property



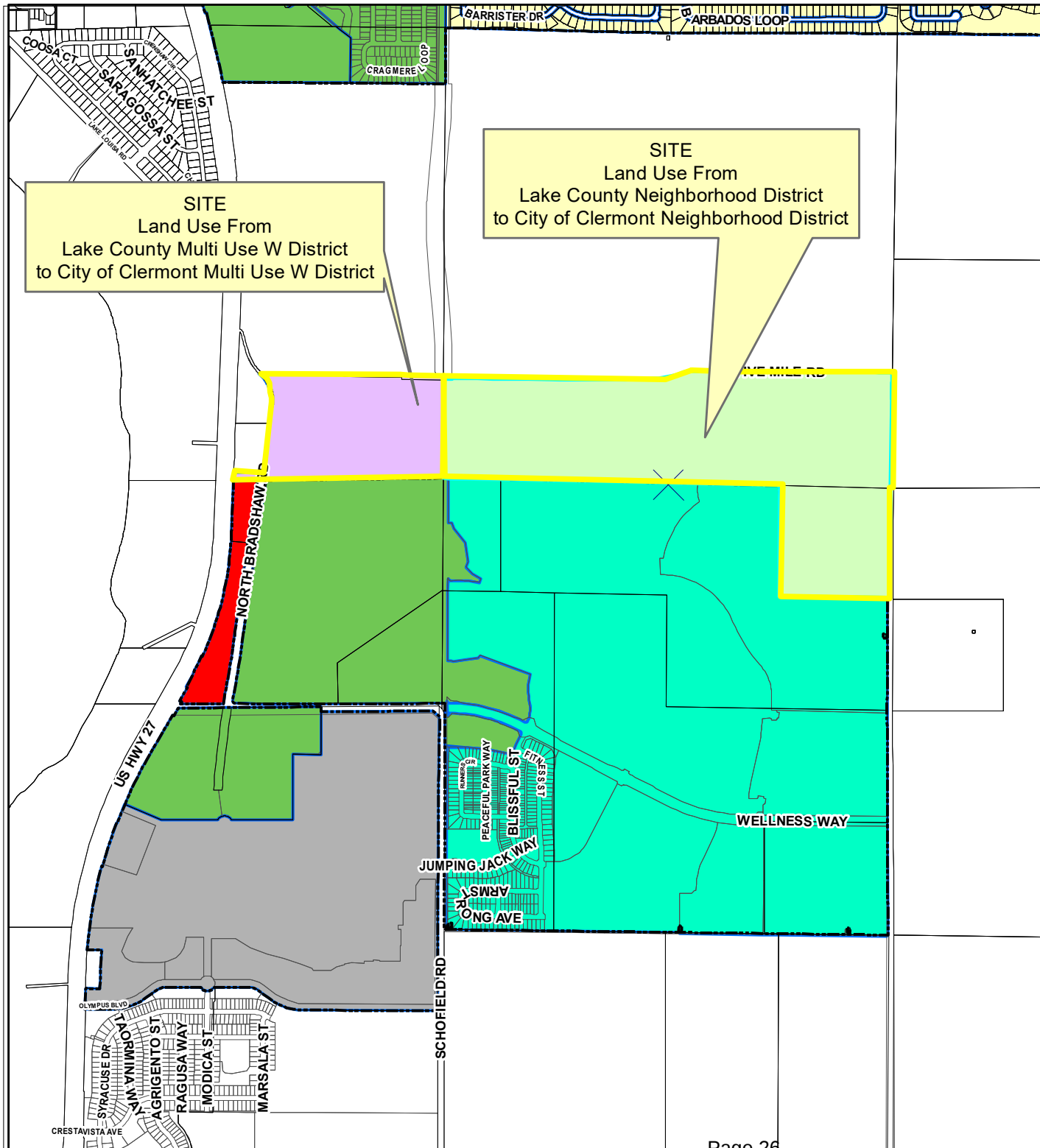


## Before

### Legend

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





**After**

**Legend**

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



# Swap Property PUD

---

PREPARED FOR

---

Lennar  
6675 Westwood Blvd  
5<sup>th</sup> Floor  
Orlando, FL 32821

PREPARED BY

---



225 E. Robinson Street  
Suite 300  
Orlando, FL  
407.839.4006

July 2022

## Introduction

This requested comprehensive plan map amendment is for 247.25± acres located within the Wellness Way Area Plan (WWAP) in southeast Lake County (see **Figure 2**). As shown in **Figure 1**, the subject property is east of US 27, with Five Mile Road running along the north and east boundary. The Wellness Way Area Plan was established in 2016 to address growth demands for an area that is identified as having significant economic development potential for Lake County. The overall WWAP boundary generally encompasses approximately 15,000 acres lying between US 27 and State Road 429 (SR 429). Wellness Way is envisioned as a mixed-use area with flexible land uses allowing employment, residential, institutional, agriculture and Wellness/Green Space.

Since the 2016 approval, an Implementation Plan was created to develop a comprehensive economic development and branding strategy that achieves the desired employment and housing mix. The Implementation Plan assisted in the revisions of the Wellness Way, Goals, Objectives, and Policies that was recently adopted in the City's Comprehensive Plan. Per the adopted Wellness Way policies, the subject property is designated with two future land use categories (FLUC) – Multi-Use and Neighborhood on the Wellness Way Development District Framework Map (see **Figure 3**). The Multi-Use FLUC is intended to the primary concentration of employment and non-residential uses in Wellness Way. There are two Multi-Use Districts, Multi-Use W District and Multi-Use L District; the subject property is within the Multi-Use W District which is centered on the intersection of Wellness Way and US 27. The Neighborhood FLUC is intended to support lower density neighborhood development outside the boundaries of Wellness Way's community and employment centers in the US 27 and Multi-Use Districts. This is the largest district and requires flexibility in design to accommodate neighborhood and housing types for many market segments. The proposed Preliminary PUD plan is based on the design principles listed in the Wellness Way Design Guidelines.

With the following Statement of Justification, we submit the request is consistent with the City of Clermont's Comprehensive Plan and is compatible with the surrounding development approvals of the neighborhood.

## History and Background

The Wellness Way Remedial Comprehensive Plan Amendment adopted by Lake County in January 2016 serves as the foundation for policy initiatives and plan strategies. The WWAP is a set of goals, objectives and policies that are adopted by both the City and Lake County. This will help ensure that all development within the Wellness Way area will have cohesive design. Additionally, the City and County have an approved Joint Planning Area (JPA) and an Interlocal Service Boundary Agreement (ISBA) that address how the two municipalities will coordinate the approval

of new development and the delivery of services to the area. The ultimate goal is to have a consistent set of policies and standards implemented between the two local governments.

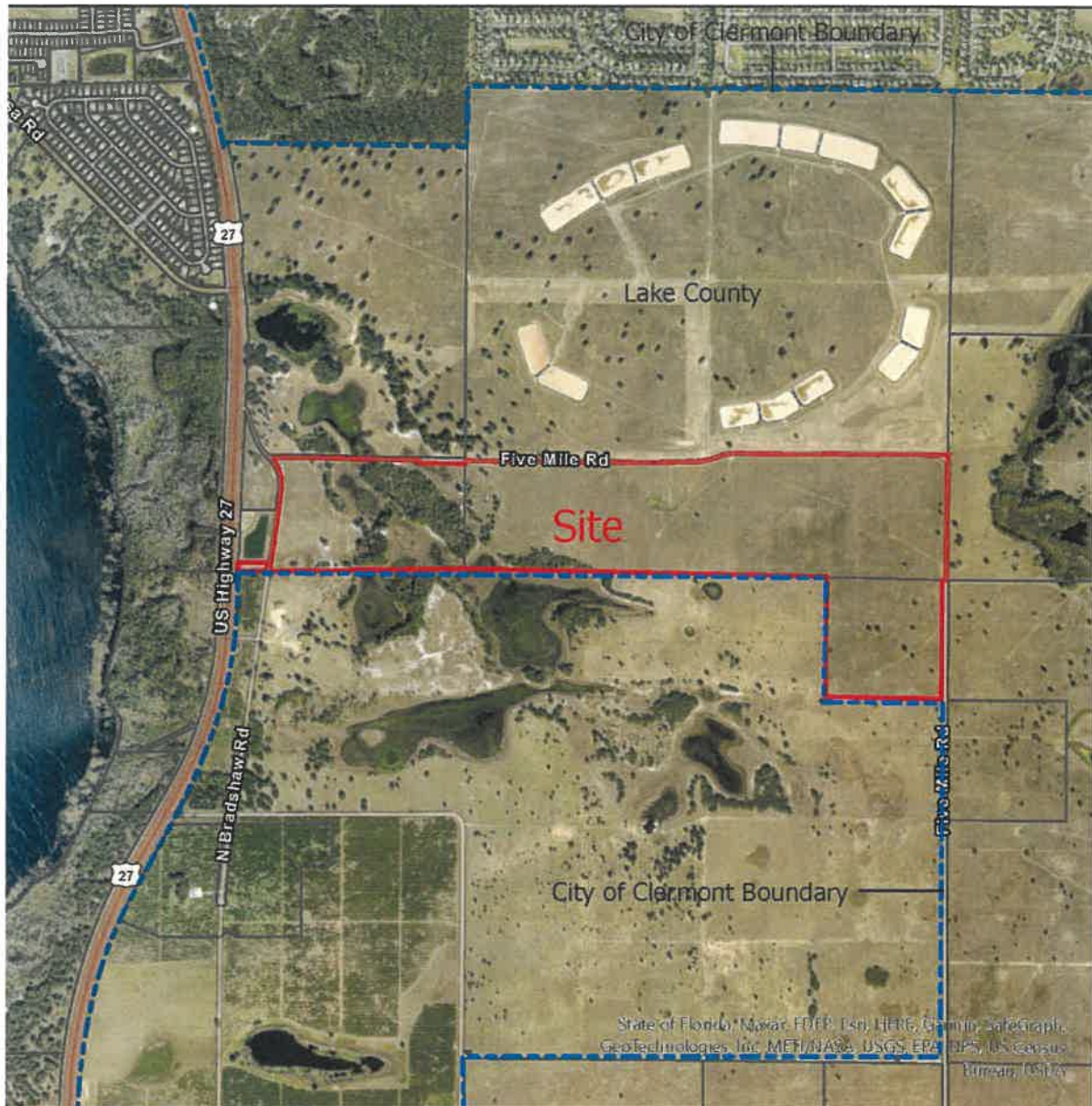
### Proposed Action

The applicant proposes a Future Land Use Map (FLUM) amendment to change the current County Wellness Way 1 and Wellness Way 4 designation to Wellness Way Neighborhood FLUC for the Subject Property. The anticipated use is for a mixed use development consisting of up to 700 residential units and approximately 230,000 square feet of non-residential use.

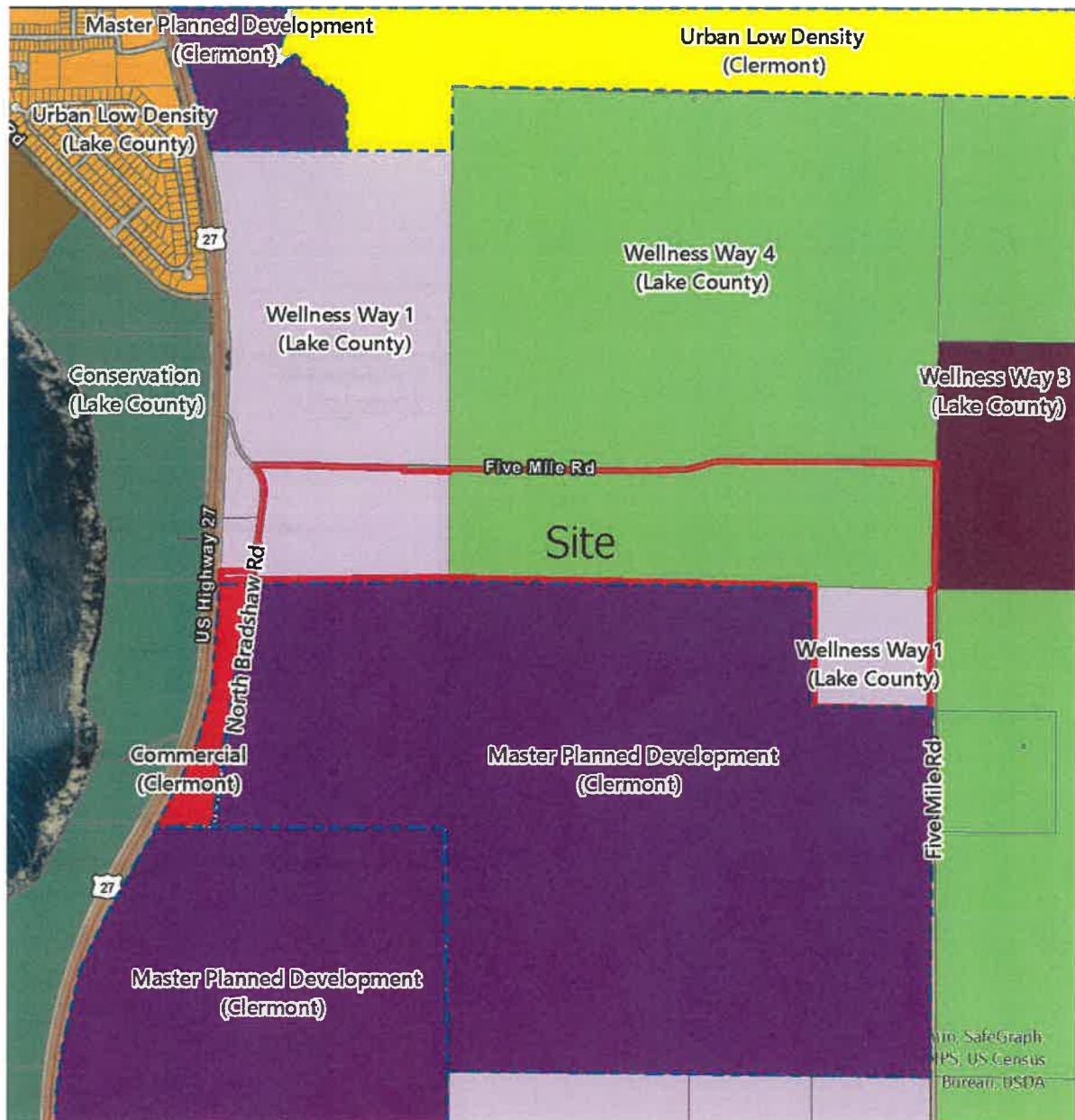
**Figure 1. Neighborhood Aerial**



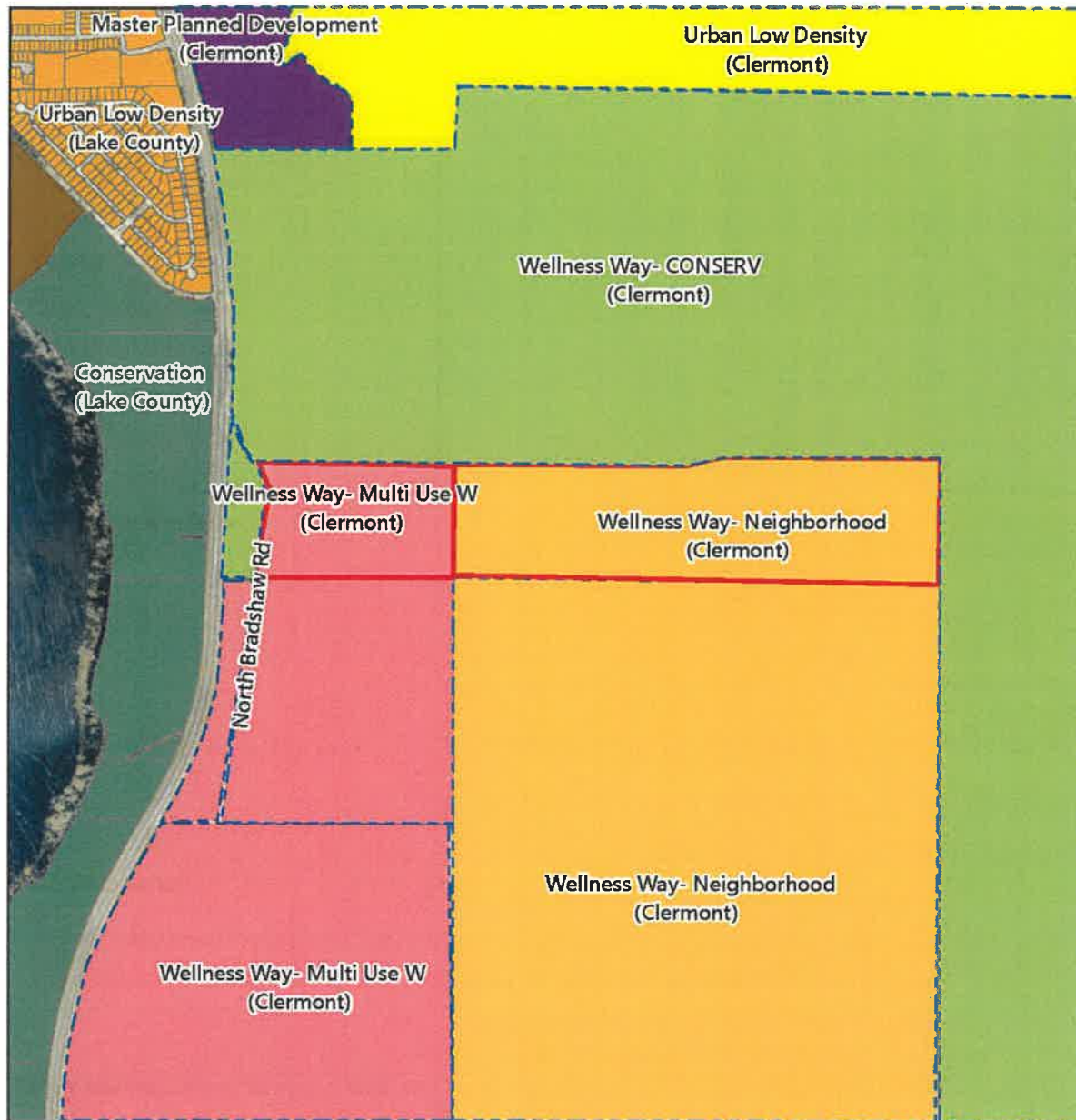
**Figure 2. Site Aerial**



**Figure 3. Current Future Land Use**



**Figure 4. Proposed Future Land Use**



## Consistency with the Comprehensive Plan

The requested map amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan. A review of the City of Clermont's Comprehensive Plan has been conducted. Relevant goals, objectives and policies have been identified below (italicized) and a brief statement regarding consistency of the proposed amendment has been provided.

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

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

The Subject Property is located within the JPA Boundary. Concurrently with this FLUM amendment application, an annexation and a PUD rezoning application will be processed. As part of that process a Developer's agreement outlining the provision for public facility service to support the proposed PUD.

**GOAL 2:**            *To create a long-term master plan for the wellness way area which promotes significant economic development while encouraging fiscally efficient and well- balanced development patterns that minimize environmental impacts and leverage existing resources.*

**Objective 2.1:**        ***Significant Initiatives of Wellness Way.** The City shall pursue the following initiatives:*

- *Job creation and economic development*
- *Regional transportation connectivity*
- *Creation of the wellness corridor/recreation/open space network*
- *Promotion of recreation and healthy living*
- *Water smart approaches*
- *Preservation of scenic resources including topography*
- *Health and wellness community development*

**Policy 2.1.1:** *To achieve these initiatives, these Goals, Objectives and Policies (GOPs) specifically address the unique conditions of Wellness Way. It is paramount for these GOPs to be flexible for the long-term horizon of development in Wellness Way. Further, to provide predictability, there are six (6) future land use categories (FLUC) as described below:*

- A. Multi Use*
- B. US 27*
- C. Neighborhood*
- D. Wellness Way North*
- E. Conservation Subdivision*
- F. Water Conserv II*

*These six future land use categories are depicted on the Future Land Use Map. The Map will also identify the five proposed arterial roadways that make up the primary roadway network. Final primary roadway alignments may be determined in the Planned Unit Development (PUD) process or through an independent alignment study.*

The application request is to change the current FLUM designation from Lake County Wellness Way 3 to City of Clermont Neighborhood and Multi-Use W District. As described earlier, the application proposes a mixed-use development of up to 700 residential units, approximately 230,000 square feet of non-residential uses and a 20-acre public facilities area that will include an elementary school and utility tract. The proposed density and intensity follow the WWAP Design Guidelines.

**Policy 2.3.1: Future Land Use Categories**

*The following six future land use categories, as depicted on the Future Land Use Map, are intended to provide for a broad range of compatible and complimentary uses including employment, housing, recreation, agriculture and conservation uses. The general purpose of each category is described below. Specific allowable uses shall be provided for in the implementing development regulations, design guidelines and standards.*

- A. The **Multi-Use FLUC** is intended to be the primary concentration of employment and non-residential uses in Wellness Way. There are two distinct Multi-Use Districts. The Multi-Use W District is centered on the intersection of Wellness Way and US 27. The Multi-Use L District, supporting increased options for logistics and distribution, occurs at the planned County Road 455 and the Lake-Orange Connector expressway.*
- C. The **Neighborhood FLUC** is intended to support lower density neighborhood development outside the boundaries of Wellness Way's community and employment centers in the US 27*

*and Multi-Use Districts. This is the largest district and requires flexibility in design to accommodate neighborhood and housing types for many market segments.*

As previously described the subject property is designated with both the Multi-Use and Neighborhood FLUC. The proposed PUD will follow with the land allocation requirements and development standards for each district.

**Policy 2.3.2: Future Land Use Categories Capacity Allocation**

*Development potential within Wellness Way shall be determined utilizing the "Maximum Capacity Allocation Table." The capacity calculations provided in the "Maximum Capacity Allocation Table" determine the maximum number of residential units that can be constructed within a PUD, and the minimum amount of non-residential acreage that must be set aside within the PUD. Regardless of the actual buildable densities and intensities (see Policy 2.3.3 for density and intensity calculations), the MAXIMUM number of residential units within a PUD cannot exceed the capacity calculations provided in the "Maximum Capacity Allocation Table." Similarly, the set asides for non-residential uses cannot fall below the MINIMUM capacity determined utilizing the "Maximum Capacity Allocation Table." "Capacity" is calculated utilizing "net acres" (gross acres minus wetland acres minus water body acres).*

*All net acreage within Wellness Way shall be allocated to one of three categories according to the table below:*

- 1. Open Space: Lands comprising the Wellness Space and Green Space areas*
- 2. Center: Area for required non-residential uses and associated residential uses*
- 3. Residential: Area of residential uses*

| <b>Future Land Use Category</b> | <b>Open Space<br/>Minimum</b> | <b>Residential<br/>Maximum</b> | <b>Center Minimum</b> |
|---------------------------------|-------------------------------|--------------------------------|-----------------------|
| <i>Neighborhood</i>             | 30%                           | 65%                            | 5%                    |
| <i>Multi-Use</i>                | 30%                           | 50%                            | 20%                   |

*Each upland acre regardless of tier designation shall receive an allocation of residential capacity and be required to set aside non-residential acreage according to the figures provided below, with the exception of existing PUDs, which maintain their current entitlements until such time as a PUD is approved.*

| <b>Future Land Use Category</b> | <b>Maximum Capacity /<br/>Net Residential Acre</b> | <b>Minimum FAR /<br/>Net Non-Residential Acre</b> |
|---------------------------------|----------------------------------------------------|---------------------------------------------------|
| <i>Neighborhood</i>             | 3.60 (du) <sup>1</sup>                             | 0.30                                              |
| <i>Multi-Use</i>                | 8.00 (du)                                          | 0.20                                              |

<sup>1</sup>This does not include potential right-of-way density bonuses (Policy 2.8.1).

*\*The maximum capacity for the neighborhood district may be enhanced up to 20%, using one or more of the following:*

1. *An extraordinary upfront capital contribution to off-site public infrastructure within Wellness Way including, but not limited to:*
  - a. *Public parks*
  - b. *Public open space*
  - c. *Public trail system*
  - d. *Water Conserv ii trail system*
  - e. *Bike/pedestrian bridge of US 27*
2. *Transfer of density from Conservation Subdivision District or Wellness Way North District via a final PUD.*

*Any proposed enhancement to the maximum capacity of the neighborhood district is not a right granted by this policy but must be proffered at the time of consideration of the PUD. The proposed maximum capacity enhancement shall be evaluated based on achieving the goal and objectives of the Wellness Way Area Plan.*

The proposed PD development program follows the requirements of the capacity allocation and maximum capacity tables. A density bonus is requested for the Neighborhood District; a specific off-site capital contribution shall be negotiated with the City.

***Policy 2.3.4: Future Land Use Categories Density and Intensity Calculations***

*Within Wellness Way, density and intensity calculations provide guidelines for the construction of residential units and non-residential square footage. Density and intensity calculations do not determine the total number of residential units and non-residential square footage allowed; those calculations are referred to as "capacity" and are provided in Policy 2.3.2. Densities and intensities are calculated utilizing "net buildable acres" (Gross acres minus wetland acres minus water body acres minus designated open space, see Policy 2.3.9 for open space guidelines) within the building footprint for that land use type (residential vs. non-residential). The total number of residential units within a PUD cannot exceed the maximum residential capacity calculation as indicated in Policy 2.3.2.<sup>2</sup> The minimum and maximum net density and intensity for any development site within a PUD is set by the following table.*

<sup>2</sup> *This does not include potential right-of-way density bonuses (Policy 2.8.1).*

| <b><i>Density/Intensity Tier</i></b> | <b><i>Minimum Density/ Net Buildable Acre</i></b> | <b><i>Maximum Density/ Net Buildable Acre</i></b> | <b><i>Minimum Average FAR</i></b> | <b><i>Maximum Average FAR</i></b> |
|--------------------------------------|---------------------------------------------------|---------------------------------------------------|-----------------------------------|-----------------------------------|
| <i>Tier A</i>                        | <i>6.00 (du)</i>                                  | <i>25.00 (du)</i>                                 | <i>0.25</i>                       | <i>2.00</i>                       |
| <i>Tier B</i>                        | <i>3.00 (du)</i>                                  | <i>20.00 (du)</i>                                 | <i>0.25</i>                       | <i>2.00</i>                       |
| <i>Tier D</i>                        | <i>2.00 (du)</i>                                  | <i>10.00 (du)</i>                                 | <i>0.15</i>                       | <i>2.00</i>                       |

The proposed development program for the PUD is within the minimum and maximum density and intensity requirements listed in the Future Land Use Category Density/Intensity Tier Summary Table. The subject property is within Tiers A, B and D.

**Policy 2.3.6: Urban Form Guiding Principles.** *Wellness Way is envisioned as a mixed-use area proximate to arterial thoroughfares. Land uses are intended to be flexible allowing employment, residential, institutional, agriculture and Wellness/Green Space. The following are the urban form guiding principle:*

- A. The overall community is intended to include a mix of uses that integrate residential, non-residential and open space networks. The overall Framework Plan and standards were developed to ensure the desired percentage distribution of uses within Wellness Way.*
- B. An interconnected Wellness/Green Corridor network including a trail system to reach destinations within Wellness Way such as Centers, schools, parks as well as neighborhoods.*
- C. Plan for and implement regional roadway connectivity as generally depicted on the Future Land Use Map.*
- D. An emphasis on complete streets and multi-modal facilities (bike trails, on-street parking, enhanced pedestrian environments).*
- E. A green strategy considering a balance of development, preservation, energy, conservation and water conservation.*
- F. School centered development pattern with a co-located neighborhood park and connectivity to the Wellness Corridor network for each school.*
- G. Neighborhood scale development based upon a pedestrian orientation with neighborhood centers/parks as the center of the neighborhood to create neighborhood identity and place.*
- H. Allow interim and/or permanent agricultural uses.*
- I. All development will adhere to dark sky standards.*

*These guiding principles shall be specifically demonstrated in all PUDs.*

It is anticipated that offsite utility and transportation improvements will be needed due to the impacts of the proposed development. A developer's agreement outlining the specific commitments will be processed with the PUD rezoning application.

**Policy 2.3.10: Minimum Wellness and Green Space Allocation**

*All PUDs will identify and reserve 20% of the net acres as Wellness Space and 10% of the net acres as Green Space. Wetlands and water bodies cannot be counted towards a PUD's Wellness Space or Green Space allocation, with the exception of water bodies that are completely surrounded by uninterrupted Wellness Space, in which case, up to 25% of the water body may be counted towards the Open Space requirement. A 50-foot-wide continuous upland buffer is required around all wetlands and waterbodies counted towards Open Space.*

The proposed PUD provides the required Green Space and Wellness Space as listed in Policy 2.3.10.

**Policy 2.4.1: Primary Roadway Network**

*System-wide transportation capacity within Wellness Way shall be achieved through the design and development of an interconnected, multi-modal roadway network with appropriately spaced and properly sized roadway, pedestrian, bicycle, transit and alternative vehicular components.*

*Planned Unit Developments (PUD) shall be generally consistent with the primary roadway network identified on the Framework Map and as listed below. Any deviations from the number and location of primary roadways identified on the Framework Map shall not deteriorate the high level of interconnectivity within the Urban Service Area's network. Deviations to a significant extent are possible to protect environmentally sensitive lands so long as the continuity of the network and each of the multimodal features for that facility are maintained.*

*Primary Roadway Network*

- a. Wellness Way from US 27 to the Orange County Line*
- b. Hancock Road from Wellness Way to Hartwood Marsh Road*
- c. Schofield Road from the intersection of Wellness Way and Hancock Road to the Orange County Line*
- d. CR 455 Extension from Hartwood Marsh Road to Sawgrass Bay Boulevard*

*Each PUD shall be required to assess its proportionate share of roadway impacts to the Primary Roadway Network, as well as impacts to US 27 and Hartwood Marsh Road. The findings of this assessment shall be used as the basis for mitigating transportation impacts in a Roadway/Transportation Impact Fee Credit Agreement with Lake County.*

A portion of the Hancock Road extension from Wellness Way to Hartwood Marsh is depicted on the PUD master plan. A traffic study is in process and will be submitted for review during the PUD application process.

**Policy 2.5.2: Identification and Preservation of Wetlands and Water Bodies**

*Wetlands and water bodies shall be delineated during the PUD process. The types, values, functions, sizes, conditions and locations of wetlands within the planning area, shall be determined through on-site studies and field verification as the primary data source conducted by qualified professionals in accordance with state and federal regulations, guidelines and procedures. The existing wetland systems have several important functions, including flow of water (lakes are connected by waterways*

*and streams), and habitat for plants and wildlife. Wetland impacts shall be carefully planned so as to avoid inordinate impacts to the wetlands system.*

*A mandatory minimum setback of 50 feet from all jurisdictional wetland lines shall be established in the PUDs, and a minimum 50-foot-wide buffer shall apply to all retained isolated and non-isolated wetlands, and rivers and streams, except where the required buffer makes a lot unbuildable, in which case a variable buffer consisting of a minimum width of 15 feet and average width of 50 feet shall be provided.*

Wetlands are shown and identified on the proposed PUD plan, with wetland buffers shown. No impacts are being proposed at this time.

***Policy 2.6.1: Identification of Water Supplies***

*All new development shall connect to non-potable sources of water, such as reclaimed water, for landscape irrigation, when available. The availability of, and requirement to connect to, Alternative Water Supplies, including reclaimed water, will be determined during the PUD approval process unless the use of water from other water sources is authorized by the St. Johns River Water Management District pursuant to part II of the Chapter 373, F.S.*

Along with the FLUM Amendment and PUD rezoning application, an annexation application will be processed concurrently which will require the project to be served by City of Clermont utilities. The project will connect to all water sources as required by the SJWMD and the City of Clermont LDC.

***Policy 2.6.2: Potable and Re-Use Water Facilities***

*PUDs within Wellness Way shall include an analysis of potable and re-use water demand required to accommodate projected impacts and maintain the City's adopted level of service (LOS) for such facilities. If it is determined that sites and/or right-of-way is needed to accommodate the projected impacts, then those sites shall be conveyed prior to the issuance of building permits for development within the PUD.*

Through early coordination with City Staff, the proposed PUD master plan shows a utility tract that will be conveyed as required. A public facilities analysis will be submitted during the PUD analysis.

***Policy 2.6.3: Sanitary Sewer Facilities***

*PUDs within Wellness Way shall include an analysis of sanitary sewer demand required to accommodate projected impacts and maintain the City's level of service (LOS) for such facilities. If it*

*is determined that sites and/or right-of-way is needed to accommodate the projected impacts, then those sites shall be conveyed prior to the issuance of building permits for development within the PUD.*

Through early coordination with City Staff, the proposed PUD master plan shows a utility tract that will be conveyed as required. A public facilities analysis will be submitted during the PUD analysis.

***Policy 2.6.4: Solid Waste Services***

*PUDs within the Wellness Way shall include an analysis of solid waste collection demand required to accommodate projected impacts and maintain the City's level of service (LOS) for such services.*

A public facilities analysis will be submitted during the PUD analysis.

***Policy 2.6.5 Parks and Trails Facilities***

*PUDs within Wellness Way shall include an analysis of parks and trails required to accommodate projected impacts and maintain the City's adopted level of service (LOS) for such facilities. If it is determined that one or more publicly dedicated park sites within the proposed PUD are needed to accommodate projected impacts, then conditions shall be provided within the PUD approval to ensure that those sites are conveyed with the development of the phase of the project. The Framework Map and Design Guidelines and Standards shall be used as a guide to provide parks and trails facilities within the Wellness Way area.*

*Trails within a proposed PUD that serve as a component of the multi-modal mobility system shall be identified as part of the PUD process. Conditions for the conveyance of the right-of-way required for such trails shall be established in the PUD approval*

Pedestrian facilities, including a trail is planned within the PUD master plan. The trail shall connect to the Wellness Way trail system.

***Policy 2.6.6: Provision of Educational Facilities***

*All PUDs within Wellness Way shall include an analysis of impacts to public schools and, when necessary, include mitigation conditions consistent with the policies and procedures identified in the First Amended Interlocal Agreement between Lake County and Lake County School Board and Municipalities for School Facilities Planning and Siting (the ILA). If it is determined that one or more school sites within the proposed PUD are needed to accommodate projected impacts, then those sites shall be consistent with the PSFE's School Facility Siting objective and policies.*

*PUDs shall analyze the impacts of the future residential land uses on public schools and identify the facilities needed. The City shall act in accordance with Objective 1.7 and associated policies of the Intergovernmental Coordination Element of this Comprehensive Plan when coordinating with the Lake County School Board.*

*In addition to the PSFE's school facility siting objective and policies, the public school siting provisions of Sections 333.03 and 1013.36, F.S., and the First Amended Interlocal Agreement between Lake County and Lake County School Board and Municipalities for School Facilities Planning and Siting (the ILA) shall be followed when identifying and dedicating public school sites.*

*Future school sites shall be suitable for development as a public school and have the ability to be served with the necessary infrastructure, such as the following: potable and non-potable water, sanitary sewer, electrical power, high-speed internet service and transportation facilities.*

*When it is not possible to avoid soil conditions on a public school site that would require remediation in order to permit vertical construction, such remediation will be included in the applicant's capital improvements plan for mitigation of the impacts on public schools.*

Coordination with Lake County Schools has started and one (1) elementary school site is shown on the proposed PUD master plan.

### **Objective 2.8 Implementation**

*To develop a straightforward, predictable and efficient process for the preparation, review and approval of Planned Unit Developments (PUDs) and subsequent development approvals within Wellness Way.*

#### **Policy 2.8.1: Planned Unit Developments (PUDs)**

*Development within Wellness Way shall be accomplished utilizing the adoption of Planned Unit Developments (PUDs). Each PUD shall be developed in sufficient detail to allow evaluation of the interrelationship of its parts and establish consistency with principles and criteria contained within the City of Clermont Comprehensive Plan and the Wellness Way Goal, Objectives and Policies.*

*Each PUD shall be evaluated to determine that adequate facilities and services are or will be available at the time of development. Where facilities or services are determined to be deficient, the developer(s) shall have the option of entering into a funding agreement with Lake County, the City of Clermont and/or Lake County School Board to correct any deficiency and allow development to proceed. All development in the PUD will be served by central sewer and water service.*

The proposed PUD is designed following the Wellness Way Area Plan Standards and Design Guidelines.

**Policy 2.9.1: Funding Mechanisms for Regional Infrastructure**

*Each PUD shall identify the revenue sources implementable by county or City ordinance (or by resolution of a dependent district created by City ordinance) to provide essential regional infrastructure including transportation, public safety and park improvements required to implement the economic development uses incorporated in the PUD. A density bonus of two (2) dwelling units per acre may be granted to a PUD for right-of-way donated for arterial or collector roads.*

*Given the unique nature of the existing land ownership patterns, much of the Wellness Way Roadway Network will require acquisition of road right-of-way from CONSERV. Any funding provided by a landowner/developer to the County for acquisition of road right-of-way, including ponds, easements, and trails, may also be eligible for a density bonus of two (2) dwelling units per acre in addition to transportation impact fee credits.*

## Compatibility with Surrounding Land Uses

**North:** The area to the north is owned by Orange County and the City of Orlando for the Water Conserv II reuse project; the area is used for rapid infiltration basins (RIBs). This property is within the WWAP boundary and designated as CONSERV District on the future land use map. The proposed PUD is designed with proper buffering for the future development.

**East:** To the east of the subject property is additional Conserv District area.

**South:** The original Wellness Way PUD is located along the southern boundary of the subject property. This PUD was approved by the City of Clermont prior to the adoption of the WWAP GOPs and Design Guidelines and Standards. The uses located in this area include residential on the east side of the proposed Hancock Road extension and non-residential uses. The proposed PUD is designed with similar uses in this area.

**West:** North Bradshaw Road is located along the west boundary of the subject property. This land is also owned by Orange County and City of Orlando and designated CONSERV District.

## Conclusion

This proposed Future Land Use Map Amendment is consistent with the County's Comprehensive Plan. This proposed project will help achieve the WWAP ultimate goal and kick start economic development in the area. Additionally, planned roadway improvements are able to be achieved at a quicker rate with the development of the proposed project. The proposed mixed-use development will provide additional housing opportunities and neighborhood services for current and future residents of the area.

An application for voluntary annexation is concurrently submitted with this application for FLUM amendment. Additionally, a PUD rezoning application will be submitted and processed concurrently with this FLUM amendment application. The proposed PUD will adhere to the PUD Approval Process as outlined in Section 1.5 of the WWAP Design Guidelines and Standards.

Therefore, we respectfully request the Local Planning Agency recommend approval to the City of Clermont City Council and that the City Council approve this request for a Large Scale Comprehensive Land Use Plan Amendment to change the future land use designation of the Subject Property from Wellness Way 3 to Neighborhood District and Multi-Use W District.



**CITY OF CLERMONT**  
***COMPREHENSIVE PLAN AMENDMENT***  
**Application**

DATE: \_\_\_\_\_

FEE: \_\_\_\_\_

**Project Name** (if applicable): \_\_\_\_\_

**Applicant:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**OWNER:** \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**General Location:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Legal Description** (include copy of survey): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Property size** (in acres or square feet): 247.25 AC

**Flood hazard area** (yes) \_\_\_\_\_ and approx. acreage \_\_\_\_\_ (no) \_\_\_\_\_

**Existing (Actual) Land Use:** \_\_\_\_\_

**Existing Zoning:** \_\_\_\_\_

**Existing Future Land Use:** \_\_\_\_\_

**Proposed Future Land Use:** \_\_\_\_\_

**Type of development proposed:** \_\_\_\_\_

\_\_\_\_\_



**Proposed density (dwelling units/acre) or intensity:** \_\_\_\_\_

**Proposed Zoning District:** \_\_\_\_\_

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

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The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

**\* \* \* \* \* NOTICE \* \* \* \* \***

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.**

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



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Erika Hughes, who being

by me first duly sworn on oath, deposes and says:

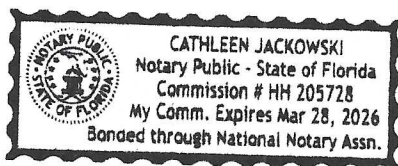
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.
2. That he (she) desires a Future Land Use Amendment from WellnessWay1 & WellnessWay4 to WW Neighborhood District/Multi Use W District for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

ERIKA HUGHES  
Affiant - Applicant Name (print)

X [Signature]  
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26<sup>th</sup> day of July, 2022.



X [Signature]  
Notary Public, State of Florida at Large

My Commission Expires: 3/28/2026



OWNER'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Thomas H. Brown, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from WellnessWay1 & WellnessWay4 to WW Neighbourhood District/Multi Use W District for the property legally described on the attachment of this application.
3. That the owner of said property has appointed VHB- Erika Hughes to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Thomas H. Brown  
Affiant - Applicant Name (print)

X [Signature]  
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 27 day of May, 2022

X Patrice Campitelli  
Notary Public, State of Florida at Large

My Commission Expires: 11/9/24



Patrice Campitelli  
Notary Public  
State of Florida  
Comm# HH061830  
Expires 11/9/2024

# PROPERTY RECORD CARD

## General Information

|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                           |                                                                                               |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Name:</b>                 | SOUTH LAKE CROSSINGS IV LLC &                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Alternate Key:</b>                     | 3926960                                                                                       |
| <b>Mailing Address:</b>      | 527 MAIN ST<br>WINDERMERE, FL 34786<br><a href="#">Update Mailing Address</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Parcel Number:</b> ⓘ                   | 13-23-25-0900-049-00000                                                                       |
|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Millage Group and City:</b>            | 0003<br>Unincorporated                                                                        |
|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>2021 Total Certified Millage Rate:</b> | 13.7509                                                                                       |
|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Trash/Recycling/Water/Info:</b>        | <a href="#">My Public Services Map</a> ⓘ                                                      |
| <b>Property Location:</b>    | FIVE MILE RD<br>CLERMONT FL, 34714<br><a href="#">Update Property Location</a> ⓘ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Property Name:</b>                     | --<br><a href="#">Submit Property Name</a> ⓘ                                                  |
|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>School Information:</b>                | <a href="#">School Locator &amp; Bus Stop Map</a> ⓘ<br><a href="#">School Boundary Maps</a> ⓘ |
| <b>Property Description:</b> | MONTE VISTA PARK FARMS PB 2 PBG 27 SEE 16-23-26 BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 16, RUN SOUTH 89-16-46 WEST ALONG THE SOUTH LINE OF SOUTHEAST 1/4 A DISTANCE OF 2479.84 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF US HIGHWAY 27, NORTH 02-16-40 EAST ALONG SAID EAST RIGHT OF WAY LINE 97.09 FEET, NORTH 89-52-47 EAST 357.09 FEET TO A POINT ON THE EAST LINE OF BRADSHAW ROAD, THENCE ALONG SAID EAST LINE NORTH 08-31-11 EAST 108.76 FEET, NORTH 08-04-22 EAST 203.58 FEET, NORTH 07-32-08 EAST 301.61 FEET, NORTH 08-01-59 EAST 100.03 FEET, NORTH 06-13-32 EAST 99.03 FEET, NORTH 01-53-26 WEST 106.21 FEET, NORTH 17-53-10 WEST 101 FEET, NORTH 32-15-43 WEST 124.94 FEET, NORTH 25-06-36 EAST 22.17 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF 5 MILE ROAD, THENCE RUN ALONG SAID SOUTH LINE SOUTH 88-38-57 EAST 193.29 FEET, NORTH 89-50-32 EAST 154.07 FEET, SOUTH 88-57-53 EAST 597.94 FEET, SOUTH 89-04-13 EAST 1648.76 FEET, SOUTH 89-10-22 EAST 300.67 FEET, SOUTH 89-29-11 EAST 299.23 FEET, SOUTH 89-35-06 EAST 500.01 FEET, SOUTH 89-37-32 EAST 399.93 FEET, SOUTH 88-36-09 EAST 100.54 FEET, NORTH 87-01-31 EAST 99.52 FEET, NORTH 88-41-15 EAST 389 FEET, NORTH 75-39-41 EAST 180.49 FEET, NORTH 70-38-01 EAST 85.81 FEET, NORTH 75-47-42 EAST 48.13 FEET, NORTH 84-56-34 EAST 22.09 FEET, THENCE RUN SOUTH 00-18-54 WEST 47.05 FEET, SOUTH 89-41-06 EAST 40 FEET, NORTH 00-18-54 EAST 50 FEET TO THE SOUTH MAINTAINED LINE OF 5 MILE ROAD, RUN SOUTH 89-19-15 EAST 248.15 FEET, SOUTH 89-51-57 EAST 200.19 FEET, SOUTH 89-48-55 EAST 196.42 FEET, SOUTH 89-25-54 EAST 201.34 FEET, NORTH 89-56-45 EAST 301.13 FEET, SOUTH 89-48-02 EAST 400.83 FEET, SOUTH 88-41-42 EAST 100.78 FEET, NORTH 89-48-54 EAST 197.56 FEET, SOUTH 89-50-13 EAST 304.21 FEET, SOUTH 83-05-13 EAST 97.81 FEET, SOUTH 60-30-46 EAST 47.74 FEET, SOUTH 43-04-26 EAST 62.59 FEET, SOUTH 04-59-22 EAST 80.69 FEET, SOUTH 02-24-26 WEST 404.28 FEET, SOUTH 00-32-02 WEST 779.65 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22 TOWNSHIP 23 SOUTH RANGE 26 EAST, NORTH 88-49-23 WEST ALONG SAID NORTH LINE 1.79 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 5 MILE ROAD, THENCE SOUTH 00-19-09 WEST 1310.25 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22, THENCE RUN NORTH 89-00-54 WEST 1290.91 FEET TO THE SOUTHWEST CORNER OF THE |                                           |                                                                                               |

NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22,  
THENCE RUN NORTH 00-20-55 EAST ALONG THE WEST LINE OF  
NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22 A DISTANCE  
OF 1314.56 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST  
1/4 OF THE NORTHEAST 1/4 OF SECTION 22, NORTH 88-49-23 WEST  
3969.87 FEET TO THE POINT OF BEGINNING--LESS ROAD RIGHT OF  
WAY--IN SECTIONS 15, 16, 22 TOWNSHIP 23 SOUTH RANGE 26 EAST  
ORB 5630 PGS 1595 PG 1599

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

## Land Data

| Line | Land Use                                      | Frontage | Depth | Notes  | No. Units | Type | Class Value | Land Value     |
|------|-----------------------------------------------|----------|-------|--------|-----------|------|-------------|----------------|
| 1    | AG / PASTURE -<br>IMPROVED HAY AVERAGE (6300) | 0        | 0     | CATTLE | 215.380   | Acre | \$350.00    | \$3,876,840.00 |
| 2    | WETLAND (9600)                                | 0        | 0     |        | 35.100    | Acre | \$0.00      | \$1,580.00     |

[Click here for Zoning Info](#) [FEMA Flood Map](#)

## Miscellaneous Improvements

There is no improvement information to display.

## Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

| Book/Page                   | Sale Date | Instrument         | Qualified/Unqualified | Vacant/Improved | Sale Price |
|-----------------------------|-----------|--------------------|-----------------------|-----------------|------------|
| <a href="#">5630 / 1599</a> | 01/2021   | Misc Deed/Document | Unqualified           | Vacant          | \$0.00     |
| <a href="#">5630 / 1595</a> | 12/2020   | County Deed        | Unqualified           | Vacant          | \$0.00     |

[Click here to search for mortgages, liens, and other legal documents.](#)

## Values and Estimated Ad Valorem Taxes

**Values shown below are 2022 CERTIFIED VALUES.**

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

| Tax Authority                     | Market Value | Assessed Value | Taxable Value | Millage | Estimated Taxes |
|-----------------------------------|--------------|----------------|---------------|---------|-----------------|
| LAKE COUNTY BCC GENERAL FUND      | \$3,878,420  | \$76,963       | \$76,963      | 5.0529  | \$388.89        |
| SCHOOL BOARD STATE                | \$3,878,420  | \$76,963       | \$76,963      | 3.5940  | \$276.61        |
| SCHOOL BOARD LOCAL                | \$3,878,420  | \$76,963       | \$76,963      | 2.9980  | \$230.74        |
| LAKE COUNTY WATER AUTHORITY       | \$3,878,420  | \$76,963       | \$76,963      | 0.3229  | \$24.85         |
| ST JOHNS RIVER FL WATER MGMT DIST | \$3,878,420  | \$76,963       | \$76,963      | 0.2189  | \$16.85         |
| LAKE COUNTY MSTU STORMWATER       | \$3,878,420  | \$76,963       | \$76,963      | 0.4957  | \$38.15         |
| LAKE COUNTY MSTU AMBULANCE        | \$3,878,420  | \$76,963       | \$76,963      | 0.4629  | \$35.63         |
| LAKE COUNTY VOTED DEBT SERVICE    | \$3,878,420  | \$76,963       | \$76,963      | 0.0918  | \$7.07          |
| LAKE COUNTY MSTU FIRE             | \$3,878,420  | \$76,963       | \$76,963      | 0.5138  | \$39.54         |

|               |               |
|---------------|---------------|
| <b>Total:</b> | <b>Total:</b> |
| 13.7509       | \$1,058.33    |

## Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

|                                                                                       |                            |                              |
|---------------------------------------------------------------------------------------|----------------------------|------------------------------|
| Homestead Exemption (first exemption up to \$25,000)                                  | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Additional Homestead Exemption (up to an additional \$25,000)                         | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Limited Income Senior Exemption (applied to county millage - up to \$50,000)          | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Limited Income Senior Exemption (applied to city millage - up to \$25,000)            | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Limited Income Senior 25 Year Residency (county millage only-exemption amount varies) | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Widow / Widower Exemption (up to \$500)                                               | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Blind Exemption (up to \$500)                                                         | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Disability Exemption (up to \$500)                                                    | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Total and Permanent Disability Exemption (amount varies)                              | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Veteran's Disability Exemption (\$5000)                                               | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Veteran's Total and Permanent Disability Exemption (amount varies)                    | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Veteran's Combat Related Disability Exemption (amount varies)                         | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Deployed Servicemember Exemption (amount varies)                                      | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| First Responder Total and Permanent Disability Exemption (amount varies)              | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Surviving Spouse of First Responder Exemption (amount varies)                         | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Conservation Exemption (amount varies)                                                | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Tangible Personal Property Exemption (up to \$25,000)                                 | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)   | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Economic Development Exemption                                                        | <a href="#">Learn More</a> | <a href="#">View the Law</a> |
| Government Exemption (amount varies)                                                  | <a href="#">Learn More</a> | <a href="#">View the Law</a> |

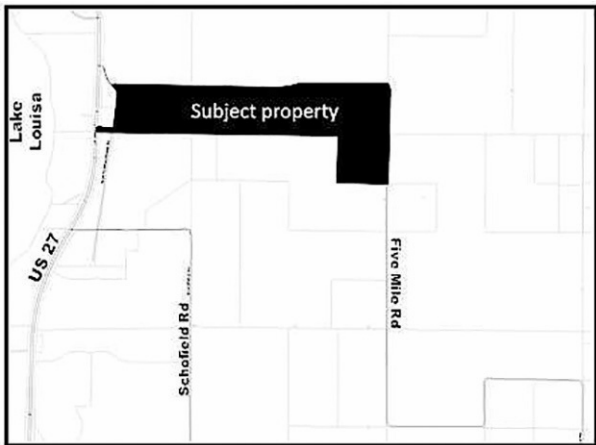
**NOTE:** Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on March 21, 2022.

**Site Notice**

**CITY OF CLERMONT**  
**NOTICE OF PROPOSED AMENDMENT**  
**TO COMPREHENSIVE PLAN**  
**ORDINANCE NO. 2023-024**

The City of Clermont will hold public hearings on Tuesday, August 1, 2023 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, August 8, 2023 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Wellness Way Multi-Use W and Wellness Way Neighborhood to City of Clermont Wellness Way Multi-Use W and Wellness Way Neighborhood.



**Location:**

1.5 miles south of Hartwood Marsh Road, east US 27 and south of Five Mile Road  
Alternate Key 3926960

**Ordinance No. 2023-024:**

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

All public meetings will be held in the Clermont City Hall, Council Chambers, located at 685 W. Montrose Street, Clermont FL 34711, and are open to public comment.

The proposed amendment is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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 may 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