CITY OF CLERMONT
CITY COUNCIL MEETING
CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, April 23, 2024

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor or by majority vote of the Council. To avoid disruption of the meeting, speakers should avoid inappropriate language, personal attacks and derogatory statements and direct comments to the Council. Everyone is requested to be respectful of each other even when we disagree. All public comments should be directed to the Council, and the issue at hand. Everyone should avoid personal attacks and derogatory statements. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Water Conservation Month

PRESENTATIONS

Drop Saver Program Awards

PUBLIC COMMENT

REPORTS

CONSENT AGENDA

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

Item No. 1 - Memorandum of Agreement *Police Dept.*	Consider approval of an MOA with the Orange County Sheriff's Office for participation in the Urban Area Security Initiative Agencies.
Item No. 2 - Utility Service Agreement *15601 Laguna Rd.*	Consider a request to supply water to a 5-acre tract for a single-family residence.
Item No. 3 - Fire Station 1 Generator Replacement	Consider approval to piggyback the Florida Sheriffs Association term contract with Genserve, LLC. to purchase and install a 125KW generator in the budgeted amount of $253,810.

UNFINISHED BUSINESS

Item No. 4 - Variance Request *Teamont Boba*	The applicant has requested to table to May 14, 2024.
Item No. 5 - Utility Agreement *Sundara Eco-Spa*	Consider a request to provide sewer service for a spa and 60 room hotel.

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Item No. 6 - Ordinance No. 2024-006 *Final Sundara Eco-Spa Annexation*	Consider annexing 42 +/- acres located southwest of the Lakeshore Drive and Hammock Ridge Road intersection.
Item No. 7 - Ordinance No. 2024-007 *Final Sundara Eco-Spa Comp Plan Amendment*	Consider an ordinance to change the future land use for property located southwest of the Lakeshore Drive and Hammock Ridge Road intersection.
Item No. 8 - Ordinance No. 2024-008 *Final Sundara Eco-Spa PUD Rezoning*	Consider an ordinance to change the zoning for property located southwest of the Lakeshore Drive and Hammock Ridge Road intersection.
Item No. 9 - Ordinance No. 2024-013 *Final Comprehensive Plan*	Consider approval of the initiated text amendment to modify language within the Future Land Use Element to reduce density within the Commercial, Master Planned Development, and Downtown Mixed-Use Categories.
Item No. 10 - Ordinance No. 2024-014 *Final Land Development Code Amendment*	Consider removal of Section 125-375 from the LDC due to the elimination of the density bonus provision.

NEW BUSINESS

Item No. 11 - Lien Reduction Request	Consider lien reduction request for property on Bloxam Ave.

ADJOURN

Public Notice

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

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

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

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

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

PROCLAMATION

Whereas, water is a basic and essential need of every living creature; and

Whereas, the State of Florida, Water Management Districts and the City of Clermont are working together to increase awareness about the importance of water conservation; and

Whereas, the City of Clermont and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

Whereas, the City of Clermont has always encouraged and supported water conservation, through various educational programs and special events; and

Whereas, every business, industry, school and citizen can make a difference when it comes to conserving water; and

Whereas, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the month of April, Two Thousand and Twenty Four as:

Water Conservation Month

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 23rd Day of April in the year Two Thousand and Twenty Four.

_____
Tim Murry, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

CITY OF CLERMONT

AGENDA ITEM

Meeting Date	
Tuesday, April 23, 2024	
Agenda Item Name	
Memorandum of Agreement *Police Dept.*	
Requested Action	
Staff Report	
This is an approval request for an MOU between the City of Clermont Police Department and the Orange County Sheriff's Office (OCSO) for participation in the Urban Area Security Initiative Agencies Agreement. The OCSO wishes to work with the Clermont Police Department and other participants through the Urban Area Working Group process to enhance the surrounding jurisdiction's ability to prevent, protect against, respond to, and recover from acts of terrorism, or any other man made or natural disaster. The agreement will conclude on September 30, 2025.	
Additional Analysis	
Fiscal Impact Summary	
None at this time	

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. 2023 ORLANDO-ORANGE UASI MOA	2023 ORLANDO-ORANGE UASI MOA.pdf

2023 MEMORANDUM OF AGREEMENT

FOR PARTICIPATING ORLANDO/ORANGE
URBAN AREA SECURITY INITIATIVE AGENCIES

This Memorandum of Agreement (hereinafter referred to as MOA) is entered into this 25 day of March, 2024, by and between the Orange County Sheriff's Office (hereinafter referred to as OCSO), a political subdivision of the State of Florida, and Orange, Seminole, Lake, and Osceola Counties, political subdivisions of the State of Florida; all other participating counties and cities (listed in the attached appendices) of the State of Florida, collectively known as the Orlando/Orange Urban Area (hereinafter referred to as O/OUA) Participants.

RECITALS

WHEREAS, the State of Florida, Division of Emergency Management (FDEM) (hereinafter referred to as the Division) is providing financial assistance to the O/OUA in the amount $3,610,000.00 dollars ($3,800,000.00 less the 5% State Management and Administration) through the FY 2023 Urban Area Security Initiative (hereinafter referred to as UASI);

WHEREAS, the OCSO is the Recipient for the O/OUA UASI Grant Program;

WHEREAS, as the Division requires that the urban areas selected for funding take a regional metropolitan area approach to the development and implementation of the UASI Grant Program and involve core cities, core counties, contiguous jurisdictions, mutual aid partners, and State agencies;

WHEREAS, the Urban Area has been defined as the City of Orlando, Orange, Seminole, Lake, and Osceola Counties;

WHEREAS, the OCSO wishes to work with the O/OUA Participants through the Urban Area Working Group process to enhance the O/OUA and its surrounding jurisdiction's ability to prevent, protect against, respond to, and recover from acts of terrorism, or any other manmade or natural disaster; and

WHEREAS, on or about the 25 of March, 2024, the OCSO entered into an agreement with the Division for a Federally Funded Sub grant Agreement, #R0881; CFDA Number 97.067.

NOW THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

I. PURPOSE

A. This Agreement delineates responsibilities of the OCSO and the O/OUA Participants for activities under the FY 2023 UASI Grant Program, by the Division.

B. This Agreement serves as the Scope of Work among all Participants and the OCSO.

II. SCOPE

A. The provisions of this Agreement apply to FY 2023 UASI activities to be performed at the request of the Division, provided at the option of the OCSO, and in conjunction with, preparation for, or in anticipation of, a major disaster or emergency related to terrorism and or weapons of mass destruction.

B. No provision in this Agreement limits the activities of the Urban Area Working Group or its Recipient Agency in performing local and state functions.

III. DEFINITIONS

A. Critical Infrastructure: Any system or asset that if attacked would result in catastrophic loss of life and/or catastrophic economic loss management of resources (including systems for classifying types of resources); qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources.

B. Core City: A city at the center of a metropolitan area.

C. Core County: The county within which the core city is geographically located.

D. Urban Area Security Initiative (UASI) Grant Program: The UASI Grant Program is intended to provide financial assistance to address the unique multi-discipline planning, organization, equipment, training, and exercise needs of high-threat, high-density Urban Areas, and to assist these Areas in building and sustaining capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism, all hazards or man-made disasters.

E. National Incident Management System (NIMS): The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, non-governmental organizations, and

private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

F. Urban Area Working Group (UAWG): The UAWG is responsible for coordinating the development and implementation of all program initiatives. The UAWG may also support the State's efforts to develop the Stakeholder Preparedness Review, particularly as it relates to UASI activities.

G. Orlando/Orange Urban Area (O/OUA) Administrator: The (O/OUA) Administrator shall be the Orange County Sheriff's Office.

H. Urban Area: An Urban Area is limited to inclusion of jurisdictions contiguous to the core city and county/counties, or with which the core city or county/counties have established formal mutual aid agreements.

I. Stakeholder Preparedness Review (SPR): The SPR is a self-assessment of a jurisdiction's current capability levels against the targets identified in the Threat and Hazard Identification and Risk Assessment (THIRA).

J. Threat and Hazard Identification and Risk Assessment (THIRA): The THIRA is a three-step risk assessment process to help communities understand their risks and determine the level of capability they need in order to address those risks. The outputs form this process lay the foundation for determining a community's capability gaps as part of the SPR.

K. Florida Division of Emergency Management (FDEM): The non-Federal pass-through entity that provides a subaward to a sub-recipient to carry out part of a Federal program.

IV. OCSO SHALL BE RESPONSIBLE FOR:

A. Providing an administrative department within the OCSO authorized to carry out the herein agreed upon responsibilities of this MOA.

B. Ensuring the participation of the following critical stakeholders in the UASI THIRA, UASI SPR, and strategy development process: law enforcement, emergency medical services, emergency

management, the fire service, hazardous materials, public works, governmental administrative, public safety communications, healthcare and public health.

C. Complying with the requirements of the 2 CFR Chapter I, Chapter II, Part 200, et al. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: 2 CFR Chapter I, Chapter II, Part 200, et al. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

D. Ensuring satisfactory progress toward the goals or objectives set forth in the grant application.

E. Complying with all grant agreement requirements and/or special conditions.

F. Submitting required programmatic and financial reports.

V. THE O/OUA PARTICIPANTS SHALL BE RESPONSIBLE FOR:

A. Providing personnel who will act as the main liaison (the project manager) and partner with the OCSO, authorized to carry out the herein agreed upon responsibilities of the MOA.

B. Tracking of their grant purchased federally funded assets via their respective internal inventory control system and attach the provided 2023 UASI inventory tag to 2023 UASI grant purchased equipment. Note: For reconciliation purposes, OCSO as Recipient will maintain and manage a grant-wide database for all federally funded assets purchased under this contract.

C. Submitting budget detail worksheets to include approved modifications for direct purchases of equipment or services.

D. Ensure deliverables and performance are followed on Attachment B when developing and providing quotes for allowable expenditures to OCSO.

E. Follow Environmental Planning & Historic Preservation (EHP) compliance guidelines on Attachment C, if the project requires an EHP.

F. Participating as a member of the UAWG to include coordinating with and assisting the O/OUA in conducting a UASI SPR and UASI THIRA, which in turn, will guide development of an Urban Area Homeland Security Strategy.

G. Ensuring and assisting the participation of the following critical stakeholders in the UASI SPR and UASI THIRA and updating of the O/OUA strategies: law enforcement, emergency medical services, emergency management, the fire service, hazardous materials, public works, governmental administrative, public safety communications, healthcare and public health.

H. The OCSO and O/OUA participants shall be governed by applicable State and Federal laws, rules and regulations, including those program statutes and regulations identified and outlined in Attachment D.

I. Ensuring satisfactory progress toward the goals or objectives set forth in the grant application.

J. Following UASI Grant Project agreement requirements and/or special conditions as provided in the FDEM agreement.

K. Ensure that equipment obtained from the UASI Grant Program is readily available for use by personnel trained to use such equipment for actual emergencies or exercises. Also, ensure that such equipment is readily available for onsite monitoring by DHS/FEMA, FDEM, and the O/OUA. If the agency is incapable of staffing the equipment, such equipment shall be made available to another partnering agency for use during any actual emergencies or exercises. Failure to ensure equipment availability may result in loss of funding and/or equipment to the partner agency.

L. All equipment obtained from the UASI Grant Program is the sole responsibility of the receiving agency. This includes, where applicable, maintenance, replacement, training on equipment, and insuring of equipment and personnel, and compliance with intra-agency auditing requirements.

M. Take affirmative steps to assure that small and minority businesses, women's business enterprises, and labor surplus area firms are used whenever possible. Relevant Vendor Listing Link

N. Ensuring required NIMS Awareness Course(s) is/are completed by relevant personnel.

O. Providing a signed document recognizing NIMS in principle and policy.

VI. THE OCSO AND THE O/OUA PARTICIPANTS AGREE:

A. That funding acquired and identified for the UASI will be administered solely by the OCSO.

B. The OCSO is not responsible for personnel salaries, benefits, workers compensation or time related issues of any participating agency personnel.

C. OCSO and O/OUA Participants are subdivisions as defined in Chapter 768.28, Florida Statutes, and each agree to be fully responsible for their respective acts and/or omissions of its agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any participant to whom sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or subdivision of the State of Florida to be sued by third parties in any manner arising out of this MOA or any other contract.

D. For the purposes of executing the conditions established in this MOA, each O/OUA Participants' point of contact (hereinafter referred to as POC) will be designated by each O/OUA Participant in accordance with their internal policies and procedures. The OCSO or designees will remain the UASI POC. (See Attachment A)

E. In the event the Division determines that any funds disbursed were not spent in accordance with the conditions of the UASI Grant Agreement, the O/OUA Participant that procured the item(s) in question shall reimburse the OCSO for all such funds within thirty (30) days after being notified of said non-compliance. Notwithstanding the above, no funds shall be directly provided to O/OUA Participants under this Agreement.

VII. AUDITS

A. The OCSO and O/OUA Participants shall comply with the audit requirement contained in 2 CFR Part 200, Subpart F.

B. OCSO shall follow Generally Accepted Accounting Principles (GAAP), as defined by 2 CFR §200.49.

C. When conducting an audit of the OCSO performance under the OCSO and FDEM agreement, FDEM shall use Generally Accepted Government Auditing Standards (GAGAS), as defined by 2 CFR §200.50.

VIII. RECORDS

A. As required by 2 C.F.R. §200.336, the Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the Division, or any of their authorized representatives, shall enjoy the right of access to any documents, papers, or other records of the OCSO and O/OUA Participants which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right of access is not limited to the required retention period but lasts as long as the records are retained. The O/OUA Participants will also give the OCSO, through any authorized representative, access to and the right to examine all records, books, papers or documents related to the grant.

IX. REPORTS

A. Programmatic status reports are due within fifteen (15) days after the end of each calendar quarter. The O/OUA Participants (program manager) must submit a programmatic status report before the fifteen (15) days after the end of each calendar quarter.

B. All financial commitments herein are made subject to the availability of funds and the continued mutual agreements of the participants.

X. CONDITIONS, AMENDMENTS, AND TERMINATION

A. The O/OUA Participants will not discriminate against any employee or applicant for employment on the grounds of race, color, religion, sex, age, or national origin in fulfilling any and all obligations under this MOA.

B. Any provision of this MOA later found to be in conflict with Federal law or regulation, or invalidated by a court of competent jurisdiction, shall be considered inoperable and/or superseded by that law or regulation. Any provision found inoperable is severable from this MOA, and the remainder of the MOA shall remain in full force and effect.

C. This MOA may be modified or amended only in writing and upon approval of all the parties hereto.

D. This MOA may be terminated by any O/OUA Participant upon thirty (30) days prior written notice to the OCSO and the return of any and all equipment that has been received through the UASI Funding program.

E. This MOA shall be considered the full and complete agreement between the undersigned parties, and shall supersede any prior MOA among the O/OUA Participants, written or oral, except for any executor obligations that have not been fulfilled.

F. This MOA may be executed in several parts, each of which shall be considered a valid MOA, provided that each of the O/OUA Participants to the MOA has executed at least one (1) original copy of the MOA and has transmitted copy of the signature page hereof to the other O/OUA Participants.

G. This MOA will end at the conclusion of the stated grant performance period of **September 30, 2025.**

H. Subcontracts: If an O/OUA Participant subcontracts any of the work required under this MOA, a copy of the unsigned subcontract must be forwarded to the Division for review and approval before it is executed by the Recipient. The O/OUA Participants agree to include in the subcontract that (i) the subcontractor is bound by the terms of this MOA, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold the Division, OCSO, and O/OUA Participants harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this MOA, to the extent allowed and required by law. The O/OUA Participants shall document in the quarterly report the subcontractor's progress in performing its work under this MOA.

For each subcontract, the O/OUA Participants shall provide a written statement to the Division as to whether that subcontractor is a minority business enterprise, as defined in 2 CFR §200.321.

RECIPIENT

BY: _____

JOHN W. MINA

SHERIFF OF ORANGE COUNTY, FLORIDA

DATE: _____

APPROVED AS TO FORM AND LEGALITY

FOR THE RELIANCE OF THE SHERIFF OF

ORANGE COUNTY, FLORIDA

BY: _____

RECIPIENT ATTORNEY

ORANGE COUNTY, FLORIDA
By: Orange County Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

Date: _____

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

Signature page for **Orange County, Florida**

PARTICIPATING AGENCY

The City of Apopka, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Apopka**

PARTICIPATING AGENCY

The City of Clermont, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Clermont**

PARTICIPATING AGENCY

The City of Kissimmee, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Kissimmee**

PARTICIPATING AGENCY

The City of Orlando, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Orlando**

PARTICIPATING AGENCY

Lake County Sheriff's Office,

A Political Subdivision of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **Lake County Sheriff's Office**

PARTICIPATING AGENCY

Lake County BCC, a Political Subdivision of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **Lake County BCC**

PARTICIPATING AGENCY

The City of Ocoee, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Ocoee**

PARTICIPATING AGENCY

The City of Sanford, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **The City of Sanford**

PARTICIPATING AGENCY

Osceola County Sheriff's Office,

A Political Subdivision of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **Osceola County Sheriff's Office**

PARTICIPATING AGENCY

Seminole County Sheriff's Office,

A Political Subdivision of the State

of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **Seminole County Sheriff's Office**

PARTICIPATING AGENCY

Seminole County BCC,

A Political Subdivision of the State

of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **Seminole County BCC**

PARTICIPATING AGENCY

City of St. Cloud, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **City of St. Cloud**

PARTICIPATING AGENCY

City of Windermere, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **City of Windermere**

PARTICIPATING AGENCY

City of Winter Park, a Municipal Corporation of the State of Florida

ATTEST:

_____ By: _____

Typed Name: _____ Typed Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM AND LEGALITY

_____

Participating Agency Attorney

Signature page for **City of Winter Park**

Attachment A

Point of Contact

Apopka Police Department
POC: Chief Mike McKinley
Address: 112 East Sixth Street, Apopka, FL 32703
Email: mmckinley@apopka.net

Clermont Police Department
POC: Chief Charles Broadway
Address: 3600 South US Hwy 27, Clermont, FL 34711
Email : cbroadway@clermontfl.org

Kissimmee Police Department
POC: Chief Betty Holland
Address: 8 North Stewart Avenue, Kissimmee, FL 34741
Email : betty.holland@kissimmee.gov

Lake County Sheriff's Office
POC: Sheriff Peyton C. Grinnell
Address: 360 West Ruby Street, Tavares, FL 32778
Email: peyton.grinnell@lcso.org

Lake County Department of Public Safety/Emergency Management Division
POC: Megan Milanese, Director
Address: 425 W. Alfred Street, Tavares, FL 32778-7800
Email: mmilanese@lakecountyfl.gov

Ocoee Police Department
POC: Acting Chief Vincent Ogburn
Address: 646 Ocoee Commerce Parkway, Ocoee, FL 34761
Email : vogburn@ocoee.org

Orlando Police Department
POC: Chief Eric D. Smith
Address: 100 South Hughey Avenue, Orlando, FL 32801
Email: eric.smith@cityoforlando.net

Orange County Emergency Management
POC: Chief Lauraleigh Avery, Emergency Manager
Address: 6590 Amory Court, Winter Park, FL 32793
Email: Lauraleigh.Avery@ocfl.net

Osceola County Sheriff's Office
POC: Sheriff Marcos R. Lopez
Address: 2601 E. Irlo Bronson Memorial Hwy, Kissimmee, FL 34744
Email: mlopez@osceola.org

Sanford Police Department
POC: Chief Cecil Smith
Address: 815 Historic Goldsboro Blvd, Sanford, FL 32771
Email : cecil.smith@sanfordfl.gov

Seminole County Sheriff's Office
POC: Captain Mark Pergola
Address: 100 Bush Blvd., Sanford, FL 32773
Email: mpergola@seminolesheriff.org

Seminole County Emergency Management
POC: Chief Administrator Alan Harris
Address: 150 Bush Blvd. Sanford, FL 32773-6179
Email: aharris@seminolecountyfl.gov

St. Cloud Police Department
POC: Chief Douglas A. Goerke
Address: 4700 Neptune Road, St. Cloud, FL 34769
Email: douglas.goerke@stcloud.org

Windermere Police Department
POC: Chief Dave Ogden
Address: 620 Main Street, Windermere, FL 34786
Email : dogden@town.windermere.fl.us

Winter Park Police Department
POC: Chief Tim Volkerson
Address: 500 North Virginia Avenue, Winter Park, FL 32789
Email: tvolkerson@cityofwinterpark.org

Attachment B
Deliverables and Performance

State Homeland Security Program (HSGP): HSGP supports the implementation of risk driven, capabilities-based State Homeland Security Strategies to address capability targets set in Urban Area, State, and regional Threat and Hazard Identification and Risk Assessments (THIRAs). The capability levels are assessed in the State Preparedness Report (SPR) and inform planning, organization, equipment, training, and exercise needs to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

Planning Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-Recipient for the actual cost of successfully completing Planning activities consistent with the guidelines contained in the Comprehensive Planning Guide CPG 101 v.2. For additional information, please see http://www.fema.gov/pdf/about/divisions/npd/CPG_101_V2.pdf or grant guidance (Notice of Funding Opportunity). For the purposes of this Agreement, any planning activity such as those associated with the Threat and Hazard identification and Risk Analysis (THIRA), State Preparedness Report (SPR), and other planning activities that support the National Preparedness Goal (NPG) and place an emphasis on updating and maintaining a current Emergency Operations Plan (EOP) are eligible. The Sub-Recipient can successfully complete a planning activity either by creating or updating such plan(s).

Organization Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-Recipient for the actual eligible costs for Personnel, Intelligence Analysts, Overtime and Operational Overtime.

Exercise Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-Recipient for the actual cost of successfully completing an exercise which meets the Department of Homeland Security Homeland Security Exercise and Evaluation Program (HSEEP) standards and is listed in A) the State of Florida Multi-Year Training & Exercise Plan (MYTEP), and B) County or Regional TEP for the region in which the Sub-Recipient is geographically located. Information related to TEPs and HSEEP compliance can be found online at: https://www.llis.dhs.gov/hseep. For the purposes of this Agreement, any exercise which is compliant with HSEEP standards and contained in the State of Florida MYTEP qualifies as an authorized exercise. The Sub-Recipient can successfully complete an authorized exercise either by attending or conducting that exercise.

Training Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-Recipient for the actual cost of successfully completing a training course listed on the Department of Homeland Security (DHS) approved course catalog. For non-DHS approved courses the Sub-Recipient shall obtain advance FDEM approval using the Non-TED form by contacting their grant manager. The DHS course catalog is available online at: http://training.fema.gov/. For the purposes of this Agreement, any training course listed on the DHS approved course catalog qualifies as an authorized course. The Sub-Recipient can successfully complete an authorized course either by attending or conducting that course.

Equipment Deliverable: Subject to the funding limitations of this Agreement, the Division shall reimburse the Sub-Recipient for the actual cost of purchasing an item identified in the approved project funding template and budget of this agreement and listed on the DHS Authorized Equipment List (AEL). For the purposes of this Agreement, any item listed on the AEL qualifies as an authorized item. The 21 allowable prevention, protection, mitigation, response, and recovery equipment categories and equipment standards for HSGP are listed on the web-based version of the Authorized Equipment List (AEL) on the Lessons Learned Information System at http://beta.fema.gov/authorized-equipment-list. In addition, agencies will be responsible for obtaining and maintaining all necessary certifications and licenses for the requested equipment.

Attachment C

Environmental Planning & Historic Preservation (EHP) Compliance Guidelines

ENVIRONMENTAL PLANNING & HISTORIC PRESERVATION (EHP) COMPLIANCE GUIDELINES

The following types of projects are to be submitted to FEMA for compliance review under Federal Environmental Planning and Historic Preservation (EHP) laws and requirements prior to initiation of the project:

- New Construction, Installation and Renovation, including but not limited to:
  - Emergency Operation Centers
  - Security Guard facilities
  - Equipment buildings (such as those accompanying communication towers)
  - Waterside Structures (such as dock houses, piers, etc.)
- Placing a repeater and/or other equipment on an existing tower
- Renovation of and modification to buildings and structures that are 50 years old or older
- Any other construction or renovation efforts that change or expand the footprint of a facility or structure including security enhancements to improve perimeter security
- Physical Security Enhancements, including but not limited to:
  - Lighting
  - Fencing
  - Closed-circuit television (CCTV) systems
  - Motion detection systems
  - Barriers, doors, gates and related security enhancements

In addition, the erection of communications towers that are included in a jurisdiction's interoperable communications plan is allowed, subject to all applicable laws, regulations, and licensing provisions. Communication tower projects must be submitted to FEMA for EHP review.

EHP DETERMINATION PROCESS

I. Submit the Final Screening Memo to the SAA for review prior to funds being expended.

II. The SAA will review and notify the Sub-Recipient of its decision. The grantee should incorporate sufficient time and resources into the project planning process to accommodate EHP requirements.

III. **THE PROJECT MAY NOT BEGIN UNTIL FINAL FEMA APPROVAL IS RECEIVED.**

Attachment D
Program Statutes and Regulations

1) Age Discrimination Act of 1975 42 U.S.C. § 6101 *et seq.*
2) Americans with Disabilities Act of 1990 42 U.S.C. § 12101-12213
3) Chapter 473, Florida Statutes
4) Chapter 215, Florida Statutes
5) Chapter 252, Florida Statutes
6) Title VI of the Civil Rights Act of 1964 42 U.S.C. § 2000 *et seq.*
7) Title VIII of the Civil Rights Acts of 1968 42 U.S.C. § 3601 et seq.
8) Copyright notice 17 U.S.C. §§ 401 or 402
9) Assurances, Administrative Requirements, Cost Principles, Representations and Certifications 2 C.F.R. Part 200
10) Debarment and Suspension Executive Orders 12549 and 12689
11) Drug Free Workplace Act of 1988 41 U.S.C. § 701 et seq.
12) Duplication of Benefits 2 C.F.R. Part 200, Subpart E
13) Energy Policy and Conservation Act 42 U.S.C. § 6201
14) False Claims Act and Program Fraud Civil Remedies 31 U.S.C. § 3729-3733 also 31 U.S.C. 3801-3812
15) Fly America Act of 1974 49 U.S.C. § 41102 also 49 U.S.C. § 40118
16) Hotel and Motel Fire Safety Act of 1990 15 U.S.C. § 2225a
17) Lobbying Prohibitions 31 U.S.C. § 1352
18) Patents and Intellectual Property Rights 35 U.S.C. § 200 et seq.
19) Procurement of Recovered Materials section 6002 of Solid Waste Disposal Act
20) Terrorist Financing Executive Order 13224
21) Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act) 20 U.S.C. § 1681 et seq.
22) Trafficking Victims Protection Act of 2000 22 U.S.C. § 7104
23) Rehabilitation Act of 1973 Section 504, 29 U.S.C. § 794
24) USA Patriot Act of 2001 18 U.S.C. § 175-172c
25) Whistleblower Protection Act 10 U.S.C. § 2409, 41 US.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310
26) 53 Federal Register 8034
27) Rule Chapters 27P-6, 27P-11, and 27P-19, Florida Administrative Code

CITY OF CLERMONT

AGENDA ITEM

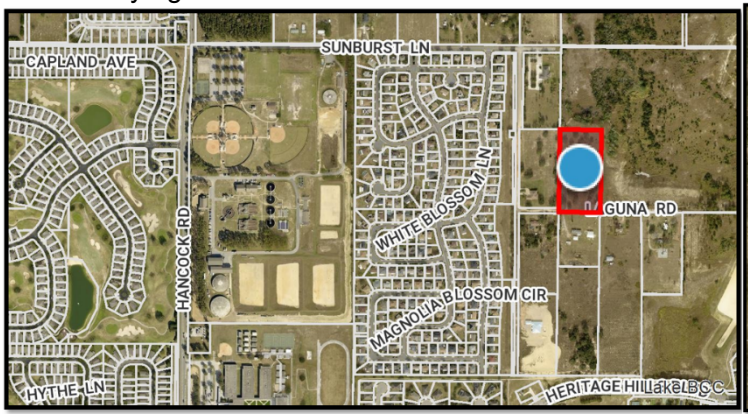
Meeting Date
Tuesday, April 23, 2024

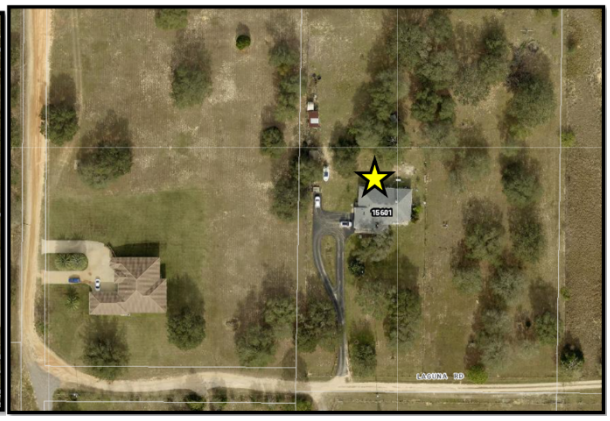
Agenda Item Name
Utility Service Agreement *15601 Laguna Rd.*

Requested Action
Recommend approval of the utility agreement.

Staff Report

The applicant, Matthew Chouindard, has requested water utility service for a five-acre tract located at 15601 Laguna Road (AK 1061369). The property consists of a single-family residence and was supplied by well water. The well is in need of replacement and the applicant is requesting service from the City instead of replacing the well. The application has been reviewed by the Public Services Department and the City is able to serve the property. The adjoining properties in the area are on City water and have similar utility agreements. Staff recommends approval of the utility agreement.





Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Matthew Chouinard SFR Water	Matthew Chouinard SFR Water.docx
2.	City Water Application Chouinard	City Water Application Chouinard.pdf

UTILITY SERVICE AGREEMENT - WATER

This document constitutes an agreement between the City of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and MATTHEW CHOUINARD, and any successors or assigns, hereby referred to as **OWNER.**

WITNESSETH

Whereas, OWNER is requesting service to a single family residential home which is located on 5.0+/- acres at 15601 Laguna Road, (Alt Key – 1061369) on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

Whereas, the Property is located in the incorporated area of Lake County and the OWNER is requesting water service from the CITY; and

Whereas, as a condition of CITY providing said water service to the Property, OWNER is to extend water lines to serve the Property and lines and appurtenances must be sized and constructed in accordance with the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the site; and

Whereas, the CITY may, at the sole option of the CITY, elect to oversize the water lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if the CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE WATER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

1.1 CITY shall provide water service for the Property.

1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY.

1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.

1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.

1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.

1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water is provided to the site or until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of off-site improvements.

1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.

1.8 The existing utilities shall stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.

1.9 The project shall provide access easements to the City of Clermont to access the water meter for the site. The City of Clermont will charge water fees based on the water meter readings.

1.10 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.

1.11 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for an approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.

1.12 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water lines and appurtenances, both on site and off site, required to serve the Property.

1.13 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees. All fees are non-refundable.

Section 2. DEVELOPMENT STANDARDS

2.1 Any other water service development items to the site that have not been addressed must be completed in accordance with City of Clermont standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

2.2 The use shall be limited to a single family residential structure up to 480 gallons per day.

Section 3. ANNEXATION

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, at its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a Notice of Encumbrance To Annex Property in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A" and shall be accompanied, at OWNER's expense, by a current certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

The OWNER, agrees on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns that once the property is annexed into the City, in the event that the septic tank or septic field fails, the OWNER shall connect to City's sewer system when a sewer connection is available as determined by City.

Section 4. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5. NOTICES

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

CITY	**OWNER**
City of Clermont City Manager P.O. Box 120219 Clermont, FL 34712-0219	Matthew Chouinard 15601 Laguna Road Clermont, FL 34711

Section 6. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7. EFFECTIVE DATE AND TERM

This agreement shall take effect as of the latest date either party executes this agreement and shall expire on the fifth anniversary thereof unless extended by a subsequent agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates listed below. CITY through its City Manager, authorized to execute same by City Council action.

DATED this 9th day of April 2024.

CITY OF CLERMONT

ATTEST:

_____ _____

Tim Murry, Mayor Tracy Ackroyd Howe, MMC, City Clerk

OWNER:

Matthew Chouinard

_____ _____

Signature Print Name

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared _____, as _____ of _____, who provided identification in the form of _____ or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this _____ day of _____, 20___.

Notary Public _____ SEAL:

Type/print name _____

EXHIBIT "A"
PROPERTY DESCRIPTION

Owner:
Matthew Chouinard
15601 Laguna Road
Clermont, FL 34711

Description:
E 1/2 OF SW 1/4 OF NW 1/4 OF NE 1/4 ORB 5074 PG 1977

Containing 5.0 acres more or less.

Lake County Alternate Key Number:
1061369

EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this **23rd day of April, 2024,** between Matthew Chouinard, property owner in the County of Lake, State of Florida Grantor*, and the CITY OF CLERMONT, FLORIDA, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 ($1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below – described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Exhibit "A"

GRANTER, agrees on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns that once the property is annexed into the City, in the event that the septic tank or septic field fails, the GRANTER shall connect to City's sewer system when a sewer connection is available as determined by City.

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

Matthew Chouinard

By:_____
Signature

_____
Type or print name

WITNESSES (Two required):

Witnesses

1. _____
Signature

_____
Type or print name

2. _____
Signature

_____
Type or print name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 20___, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.,; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

CITY OF CLERMONT

UTILITY SERVICE AGREEMENT APPLICATION

For Utilities Outside of Municipal Boundaries & Determination of Capacity

Date 3/14/2024			
Applicant Matthew Chouinard			
Contact Person: Matt			
Address 15601 Laguna Rd	**City** Clermont	**State** Fl.	**Zip** 34711
Telephone 407 516 4594	**Fax**		
Email Matt Chouinard 76 @gmail.com			

OWNER INFORMATION

Owner's Name Matthew Chouinard			
Owner Address 15601 Laguna Rd.	**City** Clermont	**State** Fl.	**Zip** 34711
Telephone "Same"	**Fax**		
Email "Same"			

AGREEMENT INFORMATION

Party Responsible for Agreement Matthew Chouinard

Address of the Subject Property "Same"

General Location of the Property (include Location Map) County ID # 1061369

East 1/2 of Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 3.

"See attached Lot Plan"

Area of the property: 5.1 **acres**

Zoning: **County Future Land Use:** Single family

Attach development orders, ordinances and staff reports by Lake County and the Florida Dept. of Economic Opportunity (DEO).

Estimated Water Consumption (excluding irrigation): 400 **gallons per day**

Estimated Sewer Consumption: 0 **gallons per day**

Estimated Re-Use (Gray Water) Water Consumption: 0 **gallons per day**

Attach a detailed description of project. - City Water Connection only.

Notes:

CITY OF CLERMONT

UTILITY SERVICE AGREEMENT APPLICATION

Items required for submittal include one (1) copy of the following items:

- ☐ **Signed original application and materials requiring for processing**
- ☐ **Letter of capacity and utility line location from the City of Clermont Environmental Services Dept. Phone: (352) 241-0178**
- ☐ **Proposed Site Plan (if applicable)**
- ☐ **Lake County Property Appraiser – Record Card**
- ☐ **Location Map**
- ☐ **Any applications currently on file with Lake County**
- ☐ **Any Lake County staff reports**
- ☐ **DEO or ECFRPC correspondence**
- ☐ **Any information needed for determination of utility services requested**

Matthew Chouinard
Applicant Name (print)

x
Applicant Name (*signature*)

Matthew Chouinard
Owner Name (print)

x
Owner Name (*signature*)

Prior to submitting an application, a meeting with the City of Clermont is required

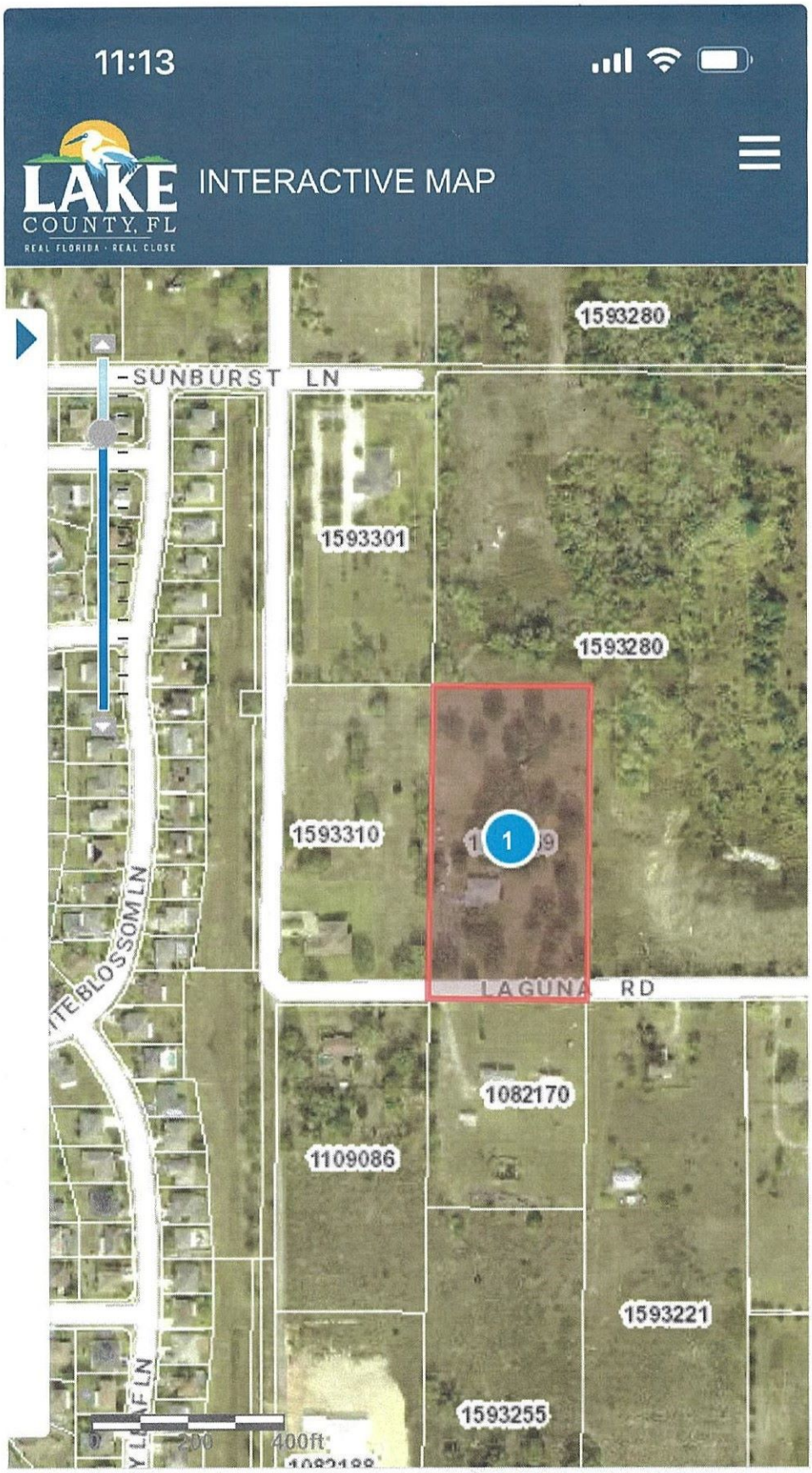
To schedule a meeting please contact:

Development Services Department
Phone: 352-394-4083

A review by the *Site Review Committee* may be required, which would require 6 sets of site plans for review by staff. Upon the receipt of all necessary information and review by staff the request will be scheduled for the next available City Council regular meeting.

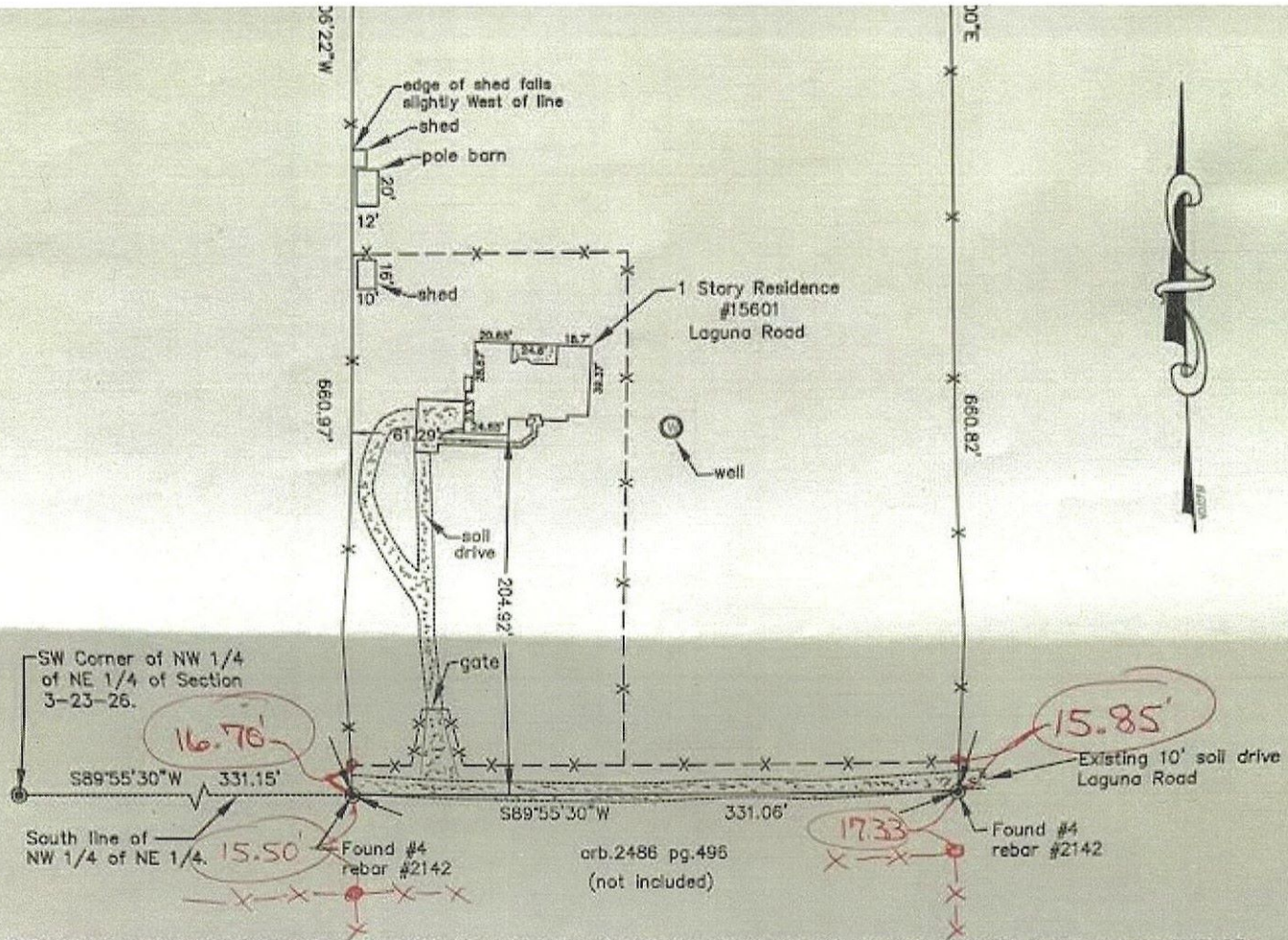
City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL 34712-0219
(352) 394-4083 Fax: (352) 394 3542

03/09/2020



1061369

AA gis.lakecountyfl.gov



DESCRIPTION: THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

NOTES:

1. THE BEARINGS HEREON ARE BASED ON THE ASSUMED BEARING OF S.89°55'30"W., ALONG THE SOUTH LINE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 3-23-26.
2. THIS PROPERTY LIES WITHIN FLOOD ZONE "X" AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN, ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP.
3. THIS PROPERTY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
4. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, SETBACKS OR RESTRICTIONS.
5. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED OR SHOWN.
6. APPARENT ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN OR NOTED.
7. --X--X-- = 4' HIGH WIRE FENCE MEANDERING ALONG LINE, VARIES IN HEIGHT AND TYPE.
8. UTILITY LINES AND FRAME GAZEBO NOT LOCATED OR SHOWN.
9. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.

CERTIFIED TO:
MATTHEW AND VIVAIN CHOUINARD
J.G. WENTWORTH HOME LENDING
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
INTEGRITY FIRST TITLE

Blackburn Surveying, Inc.
L.B. # 6528
642 W. Highway 50
P.O. Box 121022
Clermont, Florida 34712
(352) 394-4417
Email: terrympitt@gmail.com

BOUNDARY SURVEY FOR:
MATTHEW & VIVAIN CHOUINARD

SCALE: 1" = 80'	APPROVED BY: PMK	DRAWN BY: TERRY PITT
DATE: 2/16/2018	FB/PAGE: 139-09-TP	

SECTION 3-23-26
LAKE COUNTY, FLORIDA

PAGE NO. 1 | DRAWING NO. MATT-LAGZIP16

PATRICK M. KELLEY, P.L.S. FLORIDA SURVEYOR'S CERTIFICATE NO. 4423
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR & MAPPER
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024

Agenda Item Name
Fire Station 1 Generator Replacement

Requested Action
Requesting approval to piggyback the Florida Sheriffs Association term contract number FSA23-EQU21.0 titled Equipment with Genserve, LLC. to purchase and install a generator for Fire Station #1 in the amount of $253,810.

Staff Report

The Procurement Services Department and the Fire Department recommend approval of the above action.

At the request of the Fire Department, the Procurement Services Department sought a contract from the Florida Sheriffs Association, number FSA23-EQU21.0, to purchase and install a 150KW generator. The Procurement Services Department issued a Request for Interest (RFI) number 24-079 to notify local vendors of the City's intent to purchase from another government entity contract. The RFI was posted on the City's website for seven (7) business days. The Florida Sheriffs Association contract was obtained through a fully competitive solicitation and complied with the City of Clermont Procurement Policy.

This contract will provide for the replacement of the existing generator at Fire Station #1. The current generator is beyond the end of useful life and has become uneconomical to maintain in working condition. Additionally, the current generator only provides basic power functionality to the fire station side of the building and does not provide any power to fire administration during outages. The replacement generator will provide 100% power capacity to the entire building (fire station and admin), ensuring the continued delivery of service from the fire station and maintaining functionality of fire administration during power outages.

Funding for this project is being provided through the Florida Division of Emergency Management's (FDEM) Hazard Mitigation Grant Program (HMGP). HMGP is a FEMA sponsored grant program for the purposes of enhancing local government resiliency to disasters and other emergencies, and will provide 90% of the funding ($228,429) for the project as a reimbursement to the City when the project is complete. A City match of 10% ($25,381) is required towards the total project cost, which will not be reimbursed.

The use of piggyback contracts is allowed under the Procurement Policy, Section E.9, and is a procurement best practice that takes advantage of competitive pricing on a contract formerly bid by another government agency. The Procurement Services Department has determined that using piggyback contracts is advantageous and in the City's best interest to reduce administrative time and expense while providing favorable pricing. Approval of this contract does not commit the City to purchases or require that the contract be utilized. Purchases associated with piggyback contracts are budgeted by each department. The estimated annual value does not represent the budgeted amount by a department.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount
$253,810	10522-66401-22024	$260,880

Exhibits Attached (copies of original agreements)

1. Q-23373 REV1 City of Clermont - Fire Station #01 Q-23373 REV1 City of Clermont - Fire Station #01

	Generator Replacement 04-03-24	Generator Replacement 04-03-24.pdf
2.	Signed Load Assessment - City of Clermont - Fire Station #1	Signed Load Assessment - City of Clermont - Fire Station #1.pdf
3.	4486-043-R MOD#1 Executed	4486-043-R MOD#1 Executed.pdf
4.	4486-043-R Email for generator rating change	4486-043-R Email for generator rating change.pdf
5.	RFI 24-079	RFI 24-079.pdf

GenServe

Quote Number	Quote Name	Quote Date	Expiration Date	Currency
Q-23373 REV1	City of Clermont	04/03/24	05/03/24	USD

Salesperson	Manufacturing Plant	Quote Entered by	Contact No.
Dustin Mook	AKSA/ ASCO	Dustin Mook	321-544-5575

Project:	Ship To (FOB Factory):
City of Clermont – Fire Station #01 Generator Replacement and Upgrade **Generator – FSA23-EQU21.0 HEAVY EQUIPMENT Bid Item #188** **ATS – FSA23-EQU21.0 HEAVY EQUIPMENT Bid Item #493**	Freight Included in Quote

Line No.	Qty	Part	Description	Unit Price	Extended Total
Generator – FSA23-EQU21.0 HEAVY EQUIPMENT Bid Item #150					
000010	1	GSJD30125S – Base Bid	125KW, 480V, 3P, Diesel Generator - 200A, 80% Rated, ThermoMag, MLCB - Level 2 Steel Enclosure - Critical Grade Silencer - 24 Hour, 250 Gallon, UL142, Subbase, Fuel Tank - Mechanical Fuel Gauge - Dual Rate Battery Charger - Engine Starting Battery - Two (2) Year Warranty - Freight to Site - Start Up & Commissioning	$49,100.00	$49,100.00
000020	1	GSPK30150S-UL	150KW, 208V, 3P, Diesel Generator - 600A, 80% Rated, ThermoMag, MLCB - 400A, 80% Rated, ThermoMag, MLCB - Ground Fault Indication Alarm Circuit - Level 2 Aluminum Enclosure - Critical Grade Silencer - 72 Hour, 1000G, UL142, Subbase, Fuel Tank - Digital Fuel Level Sender - FDEP Compliance Package - NFPA30 Compliance Package - NFPA110 Compliance Package - Freight to Site - Start Up & Commissioning	$14,500.00	$14,500.00
000030	1	Tank-1	**CREDIT:** Delete Tank 125- 200KW	-$5,000.00	-$5,000.00
000040	1	Enclosure-1	**CREDIT:** Delete Enclosure 125- 200KW	-$4,500.00	-$4,500.00
000050	1	Battery Charger	**CREDIT:** Delete Battery Charger	-$300.00	-$300.00
000060	1	Digital Fuel	Digital Fuel Gauge Wired to Controller	$450.00	$450.00
000070	1	10 Amp w/ Meters	10 Ampere Battery Charger w/ Meters	$1,600.00	$1,600.00
000080	1	NFPA110	NFPA110 Level 1 Package	$2,400.00	$2,400.00
000090	1	FDEP	FDEP Options to Fuel Tank	$2,000.00	$2,000.00
000100	1	208/240	Change Voltage and Upsize Breaker	$8,500.00	$8,500.00

000110	1	Enclosure-1	Sound Attenuated Level 2 Aluminum – 125-200KW	$12,300.00	$12,300.00
000120	1	1000 Gallon	1000 Gallon Sub-Base Tank	$26,100.00	$26,100.00
000130	1	Load Bank Test	Two (2) Hour Load Bank Test	$4,000.00	$4,000.00
000140	1	DSE2157	Binary Output Expansion Module **DISCOUNTED 30% OFF LIST PRICE**	$420.00	$295.00

ATS – FSA23-EQU21.0 HEAVY EQUIPMENT Bid Item #493					
ADMINISTRATION ATS:					
000150	1	J03ATSA30600NG0F – Base Bid	600A, 480V, 3P, NEMA3R, 300 Series, Open Transition, Solid Neutral, ATS - Start Up and Commissioning - Freight to Site	$6,720.00	$6,720.00
000160	1	J03AUSA30400NGXM	400 Amp Service Entrance Rated ATS	$3,500.00	$3,500.00
000170	1	11BE	Programmable Exerciser, Event Log, RS485, Alarm Outputs	$950.00	$950.00
000180	1	44G	Strip Heater Wired to Load Terminals	$800.00	$800.00
000190	1	J03ATSA30600NG0F – Base Bid	600A, 480V, 3P, NEMA3R, 300 Series, Open Transition, Solid Neutral, ATS - Start Up and Commissioning - Freight to Site	$6,720.00	$6,720.00
FIRE STATION ATS:					
000200	1	J03AUSA30600NGXM	600 Amp Service Entrance Rated ATS	$8,200.00	$8,200.00
000210	1	11BE	Programmable Exerciser, Event Log, RS485, Alarm Outputs	$950.00	$950.00
000220	1	44G	Strip Heater Wired to Load Terminals	$800.00	$800.00
000230	1	Installation Services	Installation of 165KW Replacement Generator - Construction Drawings, Signed, and Sealed by Florida PE - Coordination w/ Duke Energy Included - Electrical Permits - New Concrete Pad - New Single Service Meter w/ ATS Rack - New Service Feed from Duke Energy - Installation of New 150KW Diesel Generator - Ancillary Equipment Installation (Annunciator/ EPO Switch) **DISCOUNTED 30% OFF LIST PRICE**	$227,550.00	$159,285.00
000240	1	DISCOUNT	**DISCOUNT:** Price Match to 2021 FSA Contract	-$25,705.00	-$45,560.00
000250	**1**	**TOTAL**	**DOES NOT INCLUDE TAX IF APPLICABLE**	**$342,055.00**	**$253,810.00**

EXCLUSTIONS & CLARIFICATIONS:

- The city of Clermont is responsible for removing trees, stumps, and final landscaping.
- Fuel removal of existing generator and fuel for new generator is the responsibility of the City of Clermont.
- NETA, Ground Fault, Dielectric, Ring Wave, Infrared Testing, and Coordination Studies performed by others.
- Generator startup, load transfer test, testing, and training will be performed in one (1) day. If a return trip is required for reasons beyond GenServe's control, it will be in addition to the price above and will be invoiced accordingly. Startups performed during normal business hours and require two (2) weeks advance notice.
- *Lead times will be determined at time of selection of final equipment and receipt of PO#.

Model	Engine Manufacturer	Frequency / Speed (RPM)	Ambient (Min/Max)
GSPK30150S-UL	Perkins (CAT)	60 Hz / 1800	-18 °C / 40 °C
Duty / Alt Temp Rise	**Engine Model**	**Engine Control Voltage (DC)**	**Elevation**
Standby / 125 °C	1106D-E70TAG3-EPAK-7P	12	1000 Ft
Genset Agency Approval	**Engine HP**	**Fuel Type**	**Enclosure / Mount Method**
UL2200	246	Diesel	Aluminum Enclosed
Output Rating (kw/kva)	**Full Load Amps – (208)**	**Voltage (L-L/L-N) - Connection**	**Phase / Power Factor**
150KW / 206KVA	521	208/ 120	Three/ 0.8

ALTERNATOR

Alternator Insulation: Class H
Exciter Field Circuit Breaker: No
Alternator Excitation: Non-PMG – AS460

ENGINE

Engine Governor Type: Electronic
Coolant Radiator: Unit Mounted
Coolant Heater: 1000W 120V 1P
Battery: 1 x GROUP 31

CONTROL

Genset Controller: Non-Proprietary – DSE7410 Digital Controller – Gatewayless MODBUS Connectivity
Controller Low Coolant Level: Yes

ENCLOSURE

Enclosure Option: Aluminum – 180 MPH Rated – Sound Attenuated
Integrated Vibro Mounts: Elastomer

EXHAUST

Exhaust Mounting Method: Internally Mounted – Critical Grade

POWER CONNECTION

Circuit Breaker: #1/ #2
Circuit Breaker Amp: 600A/ 400A
Circuit Breaker Volt Frame: 208V
Circuit Breaker Pole: 3 Pole
Circuit Breaker Mount Loc.: Unit mounted

Product Manuals

Copies of Operating Manual: 1 - Digital

WARRANTY

Parts Warranty: 2 Year / 1000 Hours
Labor Warranty: 2 Year / 1000 Hours

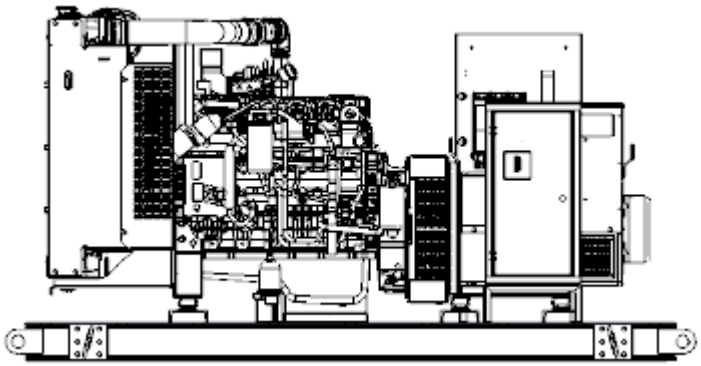
DATA SHEET DIESEL GENERATOR SET

GSPK30150S-UL

Model

GSPK30150S-UL

ENGINE BRAND	PERKINS
ENGINE MODEL	1106D-E70TAG3-EPAK-7P
ALTERNATOR BRAND	STAMFORD
GENERATOR CONTROLLER	DSE 7310



GENSET RATING

ENGINE	ALTERNATOR	VOLTAGE	PH	Hz	STANDBY POWER		POWER FACTOR	CURRENT
		V			kW	KVA		A
1106D-E70TAG3-EPAK-7P	UCDI274J (Wnd-311)	240/120	1	60	150	150	1.0	625
	UCI274G (Wnd-311)	208/120	3	60	150	187	0.8	521
	UCI274G (Wnd-311)	480/277	3	60	150	187	0.8	225
	UCI274F (Wnd-17)	600/347	3	60	150	187	0.8	180

Certifications

MANAGEMENT SYSTEM CERTIFICATION
DNV·GL
ISO 9001 = ISO 14001
OHSAS 18001

c UL US
LISTED

Standby Power. Applicable for supplying power to varying electrical load for the duration of power interruption of a reliable utility source. Emergency Standby Power (ESP) is in accordance with ISO 8528. Fuel Stop power in accordance with ISO 3046, AS 2789, DIN 6271 and BS 5514.

▶ ENGINE FEATURES

- BRAND ▶ PERKINS
- MODEL ▶ 1106D-E70TAG3-EPAK-7P
- EXHAUST EMISSIONS ▶ TIER 3
- RPM ▶ 1800
- STANDBY RATING kWm ▶ 183.5
- STANDBY RATING bhp ▶ 246.07
- PRIME RATING kWm ▶ 167
- PRIME RATING bhp ▶ 223.95
- NUMBER OF CYLINDERS ▶ 6
- ASPIRATION ▶ TURBOCHARGED
- DISPLACEMENT in3 ▶ 427.78
- ENGINE AIR FLOW CFM (m3/min) ▶ 540.31
- GOVERNOR TYPE ▶ ELECTRONIC
- CONTROL VOLTAGE v ▶ 12
- BORE/STROKE, in ▶ 4.13 X 5.31 (105 X 135)
- COOLANT CAPACITY WITHOUT RADIATOR gal ▶ 2.51
- OIL CAPACITY, TOTAL gal ▶ 4.62

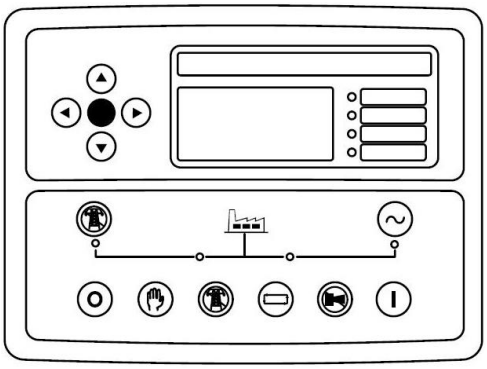
▶ FUEL CONSUMPTION

STANDBY POWER		
LOAD	GAL/hr	L/hr
100%	11.17	42.3
75%	9.16	34.7
50%	6.28	23.8
25%	3.43	13

▶ ALTERNATOR FEATURES

- BRAND ▶ STAMFORD
- MODEL ▶ UCI274G
- FREQUENCY ▶ 60 Hz
- PHASES ▶ 3
- WINDING LEADS ▶ 12
- INSULATION SYSTEM ▶ H CLASS
- CONTROL SYSTEM ▶ SELF EXCITED
- PROTECTION ▶ IP23
- POWER FACTOR ▶ 0.8
- COOLING AIR CFM ▶ 1308
- VOLTAGE REGULATION (%) ▶ +-1.0

▶ GENERATOR CONTROLLER



» MODEL

DEEP SEA 7310

The DSE7310 MKII is an Auto Start Control Module and the DSE7320MKII is an Auto Mains (Utility) Failure Control Module suitable for a wide variety of single, diesel or gas, gen-set applications.

Monitoring an extensive number of engine parameters, the modules will display warnings, shutdown and engine status information on the back-lit LCD screen, illuminated LEDs, remote PC and via SMS text alerts (with external modem). The DSE7320 MKII will also monitor the mains (utility) supply. The modules include USB, RS232 and RS485 ports as well as dedicated DSENet® terminals for system expansion.

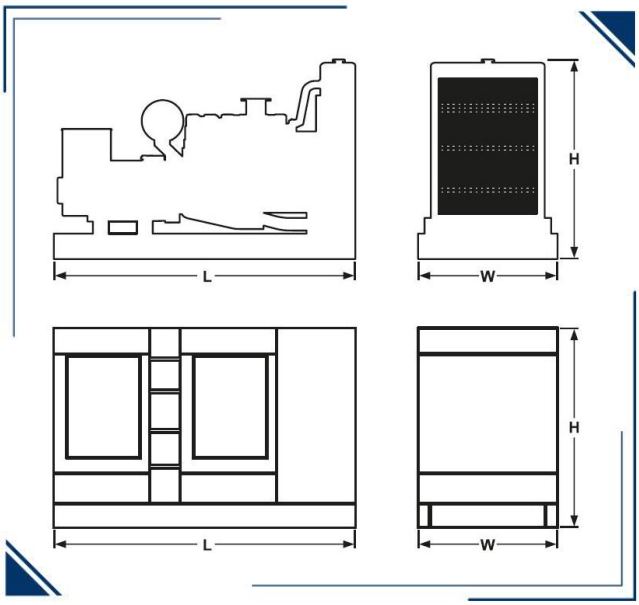
KEY FEATURES

- 4-Line back-lit LCD text display
- Multiple Display Languages
- Five key menu navigation
- LCD alarm indication
- DSENet expansion compatibility
- Internal PLC editor
- Protections disable feature
- Fully configurable via PC using USB, RS232 & RS485 communication
- Front panel configuration with PIN protection
- Power save mode
- 3 phase generator sensing and protection
- 3 phase mains (utility) sensing and protection (DSE7320 MKII only)
- Automatic load transfer control (DSE7320 MKII only)
- Generator current and power monitoring (kW, kvar, kVA, pf)
- Mains current and power monitoring (kW, kvar, kVA, pf) (DSE7320 MKII only)
- kW and kvar overload and reverse power alarms
- Over current protection
- Unbalanced load protection
- Independent earth fault protection
- Breaker control via fascia buttons
- Fuel and start outputs configurable when using CAN
- 6 configurable DC outputs
- 2 configurable volt-free relay outputs
- 6 configurable analogue/digital inputs
- Support for 0 V to 10 V & 4 mA to 20 mA sensors
- 8 configurable digital inputs
- Configurable 5 stage dummy load and load shedding outputs
- CAN, MPU and alternator frequency speed sensing in one variant
- Real time clock
- Manual and automatic fuel pump control
- Engine pre-heat and post-heat functions
- Engine run-time scheduler
- Engine idle control for starting & stopping
- Fuel usage monitor and low fuel level alarms
- Simultaneous use of RS232 and RS485 communication ports
- True dual mutual standby using RS232 or RS485 for accurate engine hours balancing.
- MODBUS RTU support with configurable MODBUS pages.
- Advanced SMS messaging (additional external modem required)
- Start & stop capability via SMS messaging
- 3 configurable maintenance alarms
- Compatible with a wide range of CAN engines, including tier 4 engine support
- Uses DSE Configuration Suite PC Software for simplified configuration
- Licence-free PC software
- IP65 rating (with supplied gasket) offers increased resistance to water ingress
- Modules can be integrated into building management systems (BMS) using MODBUS RTU

KEY BENEFITS

- Automatically transfers between mains (utility) and generator (DSE7320 MKII only) for convenience.
- Hours counter provides accurate information for monitoring and maintenance periods
- User-friendly set-up and button layout for ease of use
- Multiple parameters are monitored & displayed simultaneously for full visibility
- The module can be configured to suit a wide range of applications for user flexibility
- PLC editor allows user configurable functions to meet user specific application requirements.

DIMENSIONS AND WEIGHT



OPEN GENSET					
DIMENSION	Length (L)	Width (W)	Height (H)	Weight	Noise Level
			IN	Lbs	dB
	102.36	55.94	57.09	3730.41	
ENCLOSED GENSET LEVEL 2					
DIMENSION	Length (L)	Width (W)	Height (H)	Weight	Noise Level
			IN	Lbs	dB
	171.26	56.22	77.64	4305.98	

ACOUSTIC ENCLOSURE

Acoustic enclosure designed and manufactured with 14 gauge carbon steel sheet, polyurethane acoustic coating, access and air expulsion to avoid gas accumulation, drainage system to avoid liquid accumulation. Electrostatic painting for extended life.
We have options for enclosures in aluminum or stainless steel

STANDARD FEATURES & ACCESSORIES

- DSE 9470 Battery Charger
- Battery and Battery Rack
- ABB Main Line Circuit Breaker
- SX460 AVR
- Hotstart Pre heater TPS101GT10-000
- Residential Grade Silencer Open Unit
- Critical Grade Silencer Inside Enclosure
- Emergency Stop Button
- Flex Fuel Lines
- Protection Covers for Rotating Parts
- Exhaust Insulation Cover
- Anti Vibration Pads between Engine/Alternator & Base Frame
- Operation and Maintenance manuals
- 24 Months /1000 hours Limited Standby Warranty

OPTIONAL ACCESSORIES

- Paralleling Adder (DSE8610 & Motorized Breaker)
- 120V GFCI Receptacle
- 240V Receptacle
- Alternator Strip Heater
- Battery Blanket Heater
- Battery Disconnect Switch
- Battery Pad Heater
- Battery Restraint
- Control Panel Heater
- DSE2157 Output Module (8 dry contacts)
- DSE2520 Remote Display Module
- DSE2548 Remote Annunciator (16 light)
- DSE2548 Remote Annunciator (24 light)
- DSE2548 Remote Annunciator (8 light)
- DSE890 3G GATEWAY
- GSM/GPS ANTENNA 3M RG-174, GSM-SMA(M), GPS-SMA(F)
- DSE9641 10A Battery Charger
- DSE9470 10A Battery Charger
- Enclosure AC light and On/Off Switch
- Enclosure DC light and On/Off Switch
- Enclosure space Heater (1500w/120v)
- Load Center / Distribution Board (100 A, 12 Breaker)
- Load Center / Distribution Board (200 A, 8 Breaker)
- MX321 - AVR UPGRADE
- Oil Pan Heater
- Relay - 10A Common Alarm
- Relay - 10A Run Relay
- Remote E-Stop- Breaker Glass Type / Nema 3R
- Remote E-Stop- Breaker Glass Type / Nema 4X
- Remote E-Stop- Flush Mount
- Remote E-Stop- Surface Mount
- Remote E-Stop- Visual/ Plastic Hinged Cover
- Spring Isolator- Non Seismic (ACE 121 Series) SKIRT NOT INCLUDED
- Spring Isolator- Seismic/Restraint (ACE 821 Series) SKIRT NOT INCLUDED
- Voltage Adjust Rheostat
- Automatic Transfer Switch

OPTIONAL UL142 SUB BASE TANK

	24 hr	48 hr	72 hr
Fuel Capacity (gal)	300	600	850
Dimensions (L/W/H) in	213.78/56.69/10.64	213.78/56.69/17.91	213.78/56.69/28.02
Weight lb	2530.67	2987.35	4186.63

IGSA CORP.
5918 Santa Ave
Laredo, Texas 78041
Tel. +1 956.7914.472

www.igsapower.com

GenServe

POWER ON

Whether you need better maintenance on your current emergency generator or a new diesel generator for your upcoming project, we are the backup power specialists.

With the largest network of service technicians strategically placed across our service regions, you will always have someone able to be on site for your power needs.

EMERGENCY POWER SYSTEM MAINTENANCE, REPAIR & RENTAL

- Regular maintenance, load banking, fuel polishing, testing and services
- Minor repairs to major overhauls
- Rental generators from 20kW to 2,000kW delivered, connected, and maintained

EMERGENCY SERVICE

- Flexibility to shift our technicians between regions to respond to natural disasters
- 110+ technicians across our service area
- 24/7/365 emergency response in 2 hours

NON-PROPRIETARY CONTROLS UPGRADE

- You determine your service provider, not the OEM software
- Remote monitoring to respond to faults before they impact operations
- Predictive Maintenance to identify and respond to early signs of potential system failures

GENERATOR UPGRADES

- Emissions system upgrades to meet current standards
- Bi-fuel upgrade to reduce emissions and diesel refueling during outages

NEW EQUIPMENT SALES AND INSTALLATIONS

- Multiple OEMs to ensure the best cost, performance, and lead time for your application
- Tier 4 Final emissions systems

EXTENSIVE GEOGRAPHIC COVERAGE

- Maintenance, repair, and emergency service through GenServe's branch network and affiliate partners

AUTOMATED SWITCHGEAR UPGRADES

- Improved safety – eliminate manual handing of high voltage equipment
- Flexible power application to get greater benefit from smaller generators
- Opportunity to profit from peak shaving during high demand periods

CONSULTATIVE SERVICES

- NFPA compliance and Joint Commission reporting
- Emissions recording

CONTACT US TODAY: **GENSERVEINC.COM**

SERVICE, SALES, RENTALS

REF: 4486-043-R City of Clermont, Fire Station #101 & Fire Admin., Generators

To Whom It May Concern:

In reference to the generator size requirements for the City of Clermont Fire Station located at 439 SR-50, Clermont, FL 34711 a 150KW diesel generator would be sufficient to supply both the Administration Building and the Fire Station in their individual capacities and with both buildings in a combined capacity. This assessment was performed in conjunction with the utility provider Duke Energy.

Upon agreement to move forward engineered drawings and calculations will be generated to satisfy the City of Clermont and Due Energy.

NOTE: The generator size change was due to two factors. A change in ratings of available equipment at the specified voltage required for this project and a more in-depth load survey.

Dustin Mook
Sales Manager
dmook@genserveinc.com

345 West Drive, Unit #5
Melbourne, FL 32904
Website LinkedIn
Office: (954) 440-3176
Mobile: (321) 544-5575

SUB-RECIPIENT AGREEMENT CHECKLIST

DIVISION OF EMERGENCY MANAGEMENT
MITIGATION BUREAU
FISCAL OPERATIONS UNIT
HMGP

REQUEST FOR REVIEW AND APPROVAL	
SUB-RECIPIENT:	City of Clermont
PROJECT #:	4486-043-R
PROJECT TITLE:	City of Clermont, Fire Station #101 & Fire Admin., Generators
CONTRACT #:	H0917
MODIFICATION #:	1

SUB-RECIPIENT REPRESENTATIVE (POINT OF CONTACT)	
	Rick Casler Assistant Chief Administration 439 West Highway 50 Clermont, Florida 34711

Enclosed is your copy of the proposed contract/modification between **City of Clermont** and the Florida Division of Emergency Management (FDEM).

	COMPLETE
☐	This form is required to be included with all Reviews, Approvals, and Submittals
☐	Reviewed and Approved
☐	Signed & Dated Electronic Copy by Official Representative
☐	**Copy of the organization's resolution or charter** that specifically identifies the person or position that is authorized to sign, if not Chairman, Mayor, or Chief
☐	Attachment I - Federal Funding Accountability and Transparency Act (FFATA) - completed, signed, and dated ☒ N/A for Modifications or State Funded Agreements
☐	Attachment K – Certification Regarding Lobbying - completed, signed, and dated ☒ N/A for Modifications or State Funded Agreements
☐	Attachment L – Contracts with Non-Profit Organizations - completed, signed, and dated
☐	Electronic Submittal to the Grant Specialist

If you have any questions regarding this contract, or who is authorized to sign it, please contact your Project Manager at (850) 347-2437 or email me at Gabrielle.Edmundson@em.myflorida.com.

Contract Number: H0917

Project Number: 4486-043-R

MODIFICATION TO SUBGRANT AGREEMENT BETWEEN THE DIVISION OF EMERGENCY MANAGEMENT AND CITY OF CLERMONT

This Modification Number One is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and City of Clermont, ("the Sub-Recipient") to modify Contract Number: H0917, dated March 16, 2023 ("the Agreement").

WHEREAS, the Division and the Sub-Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Sub-Recipient under the Hazard Mitigation Grant Program of $193,500.00, in Federal Funds; and

WHEREAS, the Division and the Sub-Recipient intend to modify the Agreement; and

WHEREAS, the Division and the Sub-Recipient intend to modify the Budget and Scope of Work by increasing the Federal funding by $42,439.50 under the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is amended to increase the Federal Funding by $42,439.50, for the maximum amount payable under the Agreement to $235,939.50, (Two Hundred Thirty-Five Thousand Nine Hundred Thirty-Nine Dollars and Fifty Cents).

2. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in 1st Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.

3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.

4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

5. Quarterly Reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

SUB-RECIPIENT: CITY OF CLERMONT

By: Murry

Name and Title: TIM MURRY, MAYOR

Date: 11 MARCH 2024

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: _____

Name and Title: Kevin Guthrie, Director

Date: _____

Attachment A

(1st Revision)

Budget and Scope of Work

STATEMENT OF PURPOSE:

The purpose of this Scope of Work is to provide protection to Fire Station 101/ Fire Administration facility, in Clermont, Lake County, Florida, funded through the Hazard Mitigation Grant Program (HMGP) **DR-4486-043-R**, as approved by the Florida Division of Emergency Management (Division) and the Federal Emergency Management Agency (FEMA). The project is for the purchase and installation of an emergency system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards.

The Sub-Recipient, City of Clermont, agrees to administer and complete the project per scope of work as submitted by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall complete the work in accordance with all applicable Federal, State and Local Laws, Regulations, and Codes.

PROJECT OVERVIEW:

As a Hazard Mitigation Grant Program (HMGP) project, the Sub-Recipient shall provide backup power to the Fire Station 101/ Fire Administration facility, located at 439 West Highway 50, Clermont, Florida 34711. Coordinates: (28.55071, -81.76247).

The HMGP project shall provide protection by installing a 180 kW permanent diesel fueled generator, or the adequate size determined by the vendor and an electrical engineer during the bid process to appropriately support the critical facility. Scope of work activities also include the installation of an automatic transfer switch (ATS), electrical connections and the construction of a new concrete pad to appropriately install the permanent generator. Currently, there is an existing old nonfunctional generator installed leaving this critical facility exposed to periods of interrupted electrical service due to power outages. The project shall allow the city to maintain operational the Fire Station 101/Fire Administration facility allowing to provide critical emergency services during future storm events.

The generator(s) shall be protected against a 500-year flood event by implementing specific activities or by locating the generator(s) outside the Special Flood Hazard Area (SFHA), comply with applicable National Flood Insurance Program (NFIP) requirements and shall be protected against wind with a rated enclosure and appropriate anchoring based on its location requirements per ASCE 7 standards. The selected site shall provide sufficient space to maintain and fuel the generator(s) and shall comply with the National Electrical Code working clearance requirements. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

TASKS & DELIVERABLES:

A) Tasks:

1) The Sub-Recipient shall procure the services of a qualified and licensed Florida contractor and execute a contract with the selected bidder to complete the scope of work as approved by the Division and FEMA. The Sub-Recipient shall select the qualified, licensed Florida contractor in accordance with the Sub-Recipient's procurement policy as well as all Federal and State Laws and Regulations. All procurement activities shall contain sufficient source documentation and be in accordance with all applicable regulations.

   The Sub-Recipient shall be responsible for furnishing or contracting all labor, materials, equipment, tools, transportation and supervision and for performing all work per sealed engineering designs and

construction plans presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA.

The Sub-Recipient and contractor shall be responsible for maintaining a safe and secure worksite for the duration of the work. The contractor shall maintain all work staging areas in a neat and presentable condition.

The Sub-Recipient shall ensure that no contractors or subcontractors are debarred or suspended from participating in federally funded projects.

The selected contractor shall have a current and valid occupational license/business tax receipt issued for the type of services being performed.

The Sub-Recipient shall provide documentation demonstrating the results of the procurement process. This shall include a rationale for the method of procurement and selection of contract type, contractor selection and/or rejection and bid tabulation and listing, and the basis of contract price.

The Sub-Recipient shall provide an executed "Debarment, Suspension, Ineligibility, Voluntary Exclusion Form" for each contractor and/or subcontractor performing services under this agreement.

Executed contracts with contractors and/or subcontractors shall be provided to the Division by the Sub-Recipient within 10 days of execution.

The Sub-Recipient shall provide copies of professional licenses for contractors selected to perform services. The Sub-Recipient shall provide a copy of a current and valid occupational license or business tax receipt issued for the type of services to be performed by the selected contractor.

2) The Sub-Recipient shall monitor and manage the procurement and installation of all products in accordance with the HMGP application and associated documentation as presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall ensure that all applicable State, Local and Federal Laws and Regulations are followed and documented, as appropriate.

The Sub-Recipient shall fully perform the approved project, as described in the application, in accordance with the approved scope of work indicated herein, the estimate of costs indicated herein, the allocation of funds indicated herein, and all applicable terms and conditions. The Sub-Recipient shall not deviate from the approved project terms and conditions.

Upon completion of the work, the Sub-Recipient shall schedule and participate in a final inspection of the completed project by the local municipal or county building department (official), or other approving official, as applicable. The official shall inspect and certify that all installation was in accordance with the manufacturer's specifications. Any deficiencies found during this final inspection shall be corrected by the Sub-Recipient prior to Sub-Recipient's submittal of the final inspection request to the Division.

Upon completion of Task 2, the Sub-Recipient shall submit the following documents with sufficient supporting documentation and provide a summary of all contract scope of work and scope of work changes, if any. Additional documentation shall include:

a) Copy of permit(s), notice of commencement.

b) Local Building Official Inspection Report and Final Approval.

c) A copy of electrical designs, specifications and/or drawings elaborated to complete the scope.

d) Signed and Sealed copy of the As-built plans, as applicable.

e) Certified Letter of Completion, as applicable:

   1. Affirming that the project has been completed in conformance with the approved project drawings, specifications, and scope.

   2. Certifying Compliance with all applicable codes.

f) All Product Specifications / Data Sheet(s) (technical standards) satisfying protection requirements on all products utilized.

g) Verification letter or documentation showing unusable equipment, debris, materials, petroleum products, hazardous materials, and toxic wastes were handled, managed, and disposed of in accordance with local, state, and federal requirements, to include where such materials and equipment were disposed of.

h) Proof of compliance with Project Conditions and Requirements contained herein.

3) During the course of this agreement, the Sub-Recipient shall submit requests for reimbursement. Adequate and complete source documentation shall be submitted to support all costs (federal share and local share) related to the project. In some cases, all project activities may not be fully complete prior to requesting reimbursement of costs incurred in completion of this scope of work; however, a partial reimbursement may be requested.

The Sub-Recipient shall submit an Affidavit signed by the Sub-Recipient's project personnel with each reimbursement request attesting to the completion of the work, that disbursements or payments were made in accordance with all agreement and regulatory conditions, and that reimbursement is due and has not been previously requested.

The Sub-Recipient shall maintain accurate time records. The Sub-Recipient shall ensure invoices are accurate and any contracted services were rendered within the terms and timelines of this agreement. All supporting documentation shall agree with the requested billing period. All costs submitted for reimbursement shall contain adequate source documentation which may include but not be limited to cancelled checks, bank statements, Electronic Funds Transfer, paid bills and invoices, payrolls, time and attendance records, contract and subcontract award documents.

Construction Expense: The Sub-Recipient shall pre-audit bills, invoices, and/or charges submitted by the contractors and subcontractors and pay the contractors and subcontractors for approved bills, invoices, and/or charges. Sub-Recipient shall ensure that all contractor/subcontractor bills, invoices, and/or charges are legitimate and clearly identify the activities being performed and associated costs.

Project Management Expenses (only applies to disasters prior to August 1, 2017, all others adhere to FEMA Policy #104-11-1 for SRMC): The Sub-Recipient shall pre-audit source documentation such as payroll records, project time sheets, attendance logs, etc. Documentation shall be detailed information describing tasks performed, hours devoted to each task, and the hourly rate charged for each hour including enough information to calculate the hourly rates based on payroll records. Employee benefits shall be clearly shown.

The Division shall review all submitted requests for reimbursement for basic accuracy of information. Further, the Division shall ensure that no unauthorized work was completed prior to the approved project start date by verifying vendor and contractor invoices. The Division shall verify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measures are in compliance with the approved scope of work prior to processing any requests for reimbursement.

Review and approval of any third-party in-kind services, if applicable, shall be conducted by the Division in coordination with the Sub-Recipient. Quarterly Reports shall be submitted by the Sub-Recipient and received by the Division at the times provided in this agreement prior to the processing of any reimbursement.

The Sub-Recipient shall submit to the Division requests for reimbursement of actual construction and managerial costs related to the project as identified in the project application, and plans. The requests for reimbursement shall include:

a) Contractor, subcontractor, and/or vendor invoices which clearly display dates of services performed, description of services performed, location of services performed, cost of services performed, name of service provider and any other pertinent information;

b) Proof of payment from the Sub-Recipient to the contractor, subcontractor, and/or vendor for invoiced services;

c) Clear identification of amount of costs being requested for reimbursement as well as costs being applied against the local match amount.

The Sub-Recipient's final request for reimbursement shall include the final construction project cost. Supporting documentation shall show that all contractors and subcontractors have been paid.

B) Deliverables:

Mitigation Activities consist of providing protection to Fire Station 101/ Fire Administration facility, Clermont, Florida 34711, by installing a 180 kW permanent diesel fueled generator, or the adequate size determined by the vendor and an electrical engineer during the bid process, including an Automatic Transfer Switch (ATS) and new concrete pad, to appropriately support the critical facility.

The generator(s) shall be protected against a 500-year flood event by implementing specific activities or by locating the generator(s) outside the Special Flood Hazard Area (SFHA), comply with applicable National Flood Insurance Program (NFIP) requirements and shall be protected against wind with a rated enclosure and appropriate anchoring based on its location requirements per ASCE 7 standards. The selected site shall provide sufficient space to maintain and fuel the generator(s) and shall comply with the National Electrical Code working clearance requirements. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

Provided the Sub-Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division shall reimburse the Sub-Recipient based on the percentage of overall project completion.

PROJECT CONDITIONS AND REQUIREMENTS:

C) Engineering:

1) The Sub-Recipient shall submit to the Division an official letter stating that the project is 100% complete and ready for the Division's Final Inspection of the project.

2) The Sub-Recipient shall provide a copy of the Notice of Commencement, and any local official Inspection Report and/or Final Approval, as applicable.

3) The Sub-Recipient shall submit a signed and sealed final copy of the completed project's As-built drawings and all necessary supporting documentation and provide a summary of all contract scope of work changes, as applicable.

4) The Sub-Recipient shall submit a final copy of any electrical designs, specifications and/or drawings elaborated to complete the job.

5) The Sub-Recipient shall submit a certified letter of completion from Engineer of Record, as applicable. The Sub-Recipient's Engineer of Record shall provide a formal certificate or letter affirming that the project has been completed in conformance with the approved project drawings, specifications, scope, and applicable codes.

6) The Sub-Recipient shall submit all Product Specifications / Data Sheet(s) (technical standards) satisfying protection requirements on all products utilized.

7) All installations shall be done in strict compliance with the Florida Building Code or Miami Dade Specifications. All materials shall be certified to exceed the wind and impact standards of the current local codes.

8) The Sub-Recipient shall follow all applicable State, Local and Federal Laws, Regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate Federal, State, and Local permits and clearances may jeopardize federal funding.

D) Environmental:

1) The Sub-Recipient shall follow all applicable state, local and federal laws, regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

2) Any change, addition or supplement to the approved mitigation measure or scope of work that alters the project (including other work not funded by FEMA but done substantially at the same time) shall require resubmission to the Division and FEMA for revaluation of compliance with the National Environmental Protection Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) prior to initiation of any work. Non-compliance with these requirements may jeopardize FEMA's ability to fund this project. A change in the scope of work shall be approved by the Division and FEMA in advance regardless of the budget implications.

3) If any ground disturbance activities occur during construction, the Sub-Recipient shall monitor ground disturbance during construction, and if any potential archeological resources are discovered, shall immediately cease construction in that area and notify the Division and FEMA.

4) Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the Sub-Recipient shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance with the requirements and to the satisfaction of the governing local, state and federal agencies. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance shall be required at project closeout.

5) Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.

E) Programmatic:

1) The Sub-Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower costs or earlier completion.

2) The Division and FEMA shall approve a change in the scope of work in advance, regardless of the budget implementations.

3) The Sub-Recipient must "obtain prior written approval for any budget revision which would result in a need for additional funds" [44 CFR 13(c)], from the Division and FEMA.

4) Any extension of the Period of Performance shall be submitted to FEMA 60 days prior to the expiration date. Therefore, any request for a Period of Performance Extension shall be in writing and submitted, along with substantiation of new expiration date and a new schedule of work, to the Division a minimum of seventy (70) days prior to the expiration date, for Division processing to FEMA.

5) The Sub-Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarification in 44 CFR 206.191.

6) A copy of the executed subcontract agreement must be forwarded to the Division within 10 days of execution.

7) Project approval is with the condition that the tasks, deliverables, and conditions be accomplished, and documentation submitted 30 days prior to the Period of Performance date, for review and approval by the Division, for submittal to FEMA for Closeout.

8) Special Condition required on implementation of project:

   a) **Executive Order 11988-Floodplains:** Generator is supporting a critical action and must be protected to the 500-year (0.2% annual chance) flood elevation. Sub-Recipient must submit

documentation to the Division documenting which protection option was selected. **Source of condition:** National Historic Preservation Act (NHPA) **Monitoring Required: No**

b) **RCRA CONDITION:** Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the Sub-Recipient shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance with the requirements and to the satisfaction of the governing local, state and federal agencies. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout. **Source of condition:** Resource Conservation and Recovery Act, aka Solid Waste Disposal Act (RCRA) **Monitoring Required: No**

9) Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post-award changes to the budget require prior written approval from the Division (FDEM). The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.

This is FEMA project number **4486-043-R.** It is funded under HMGP, FEMA-4486-DR-FL and must adhere to all program guidelines established for the HMGP in accordance with the PAS Operational Agreement for Disaster 4486.

FEMA awarded this project on October 25, 2022; this Agreement was executed on March 16, 2023; and the Period of Performance for this project shall end on **August 31, 2025**.

F) FINANCIAL CONSEQUENCES:

If the Sub-Recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

1) Temporarily withhold cash payments pending correction of the deficiency by the Sub-Recipient;
2) Disallow all or part of the cost of the activity or action not in compliance;
3) Wholly or partly suspend or terminate the current award for the Sub-Recipient's program;
4) Withhold further awards for the program; or
5) Take other remedies that may be legally available.

SCHEDULE OF WORK

State Contracting:	3	Months
Construction Plan/Technical Specifications:	3	Months
Bidding / Local Procurement:	3	Months
Permitting:	4	Months
Construction / Installation:	12	Months
Local Inspections / Compliance:	3	Months
State Final Inspection / Compliance:	3	Months
Closeout Compliance:	3	Months
Total Period of Performance:	**34**	**Months**

BUDGET

Line Item Budget*

	Project Cost	Federal Cost	Non-Federal Cost
Materials:	$101,595.00	$91,435.50	$10,159.50
Labor:	$160,560.00	$144,504.00	$16,056.00
Fees:	$0.00	$0.00	$0.00
Initial Agreement Amount:	**$262,155.00**	**$235,939.50**	**$26,215.50**
***Contingency Funds:	$13,107.00	$11,796.30	$1,310.70
Project Total:	**$275,262.00**	**$247,735.80**	**$27,526.20**

**Any line item amount in this Budget may be increased or decreased 10% or less, with the Division's approval, without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

*** ***This project has an estimated $13,107.00 in contingency funds.*** *Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post-award changes to the budget require prior written approval from the Division (FDEM). The written request should demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.*

Project Management costs are included for this project in the amount of $0.00

Funding Summary Totals

Federal Share:	$247,735.80	(90.00%)
Non-Federal Share:	$27,526.20	(10.00%)
Total Project Cost:	**$275,262.00**	**(100.00%)**

Rick Casler

From: Gabrielle Edmundson <Gabrielle.Edmundson@em.myflorida.com>
Sent: Friday, April 12, 2024 5:09 PM
To: Rick Casler
Cc: Andrea Font-Rosado
Subject: 4486-043-R City of Clermont - Fire Station #01 Generator Replacement 04-11-24

Good afternoon,

REF: 4486-043-R City of Clermont, Fire Station #101 & Fire Admin., Generators

Thank you for the submitted letter and providing written confirmation that this change would not affect the project's budget to necessitate another Budget Increase request.

Based on the provided documentation, the City of Clermont may proceed with the lower capacity generator for this project.

Please tell me if there are any other questions that need clarification.

Thank You,

Gabrielle Edmundson
Project Manager | Bureau of Mitigation
Florida Division of Emergency Management
Phone: (850) 347-2437
Gabrielle.Edmundson@em.myflorida.com

"Under Florida law, correspondence with the Florida Division of Emergency Management concerning agency business that is neither confidential nor exempt pursuant to Florida Statutes, is a public record and will be made available to the public upon request."

From: Rick Casler <rcasler@clermontfl.org>
Sent: Friday, April 12, 2024 7:19 AM
To: Gabrielle Edmundson <Gabrielle.Edmundson@em.myflorida.com>
Cc: Andrea Font-Rosado <Andrea.Font-Rosado@em.myflorida.com>
Subject: RE: 4486-043-R City of Clermont - Fire Station #01 Generator Replacement 04-11-24

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gabrielle,

Please see the attached letter from the vendor concerning the Generator rating and explanation for the change. This will not affect the cost of the project and will keep the total project within the limits of the budget increase that was just awarded. Once approved we will be moving through our procurement process to generate a PO and start work.

Rick Casler,
Assistant Chief Administration,
Clermont Fire Department
439 West Highway 50, Clermont, Florida 34711
Tel 352-394-7662 | Cell 352-801-1248
rcasler@clermontfl.org

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: Gabrielle Edmundson <Gabrielle.Edmundson@em.myflorida.com>
Sent: Thursday, April 11, 2024 8:49 AM
To: Rick Casler <rcasler@clermontfl.org>
Cc: Andrea Font-Rosado <Andrea.Font-Rosado@em.myflorida.com>
Subject: RE: 4486-043-R City of Clermont - Fire Station #01 Generator Replacement 04-11-24

Good morning,

REF: 4486-043-R City of Clermont, Fire Station #101 & Fire Admin., Generators

Thank you for your patience in this response. Before we can provide a definitive response on whether to proceed with the 150-kW generator for the project, we would request the Sub-Recipient to provide a signed statement from the vendor or an electrical engineer stating that the 150-kW Generator would be sufficient to power the facility.

Please submit this as soon as possible for our review.

Additionally, please respond to this email and provide written verification that this change in generator capacity would not affect the project's budget to necessitate another Budget Increase request.

Please do not hesitate to contact me with any questions that arise.

Thank You,

Gabrielle Edmundson
Project Manager | Bureau of Mitigation
Florida Division of Emergency Management
Phone: (850) 347-2437
Gabrielle.Edmundson@em.myflorida.com

"Under Florida law, correspondence with the Florida Division of Emergency Management concerning agency business that is neither confidential nor exempt pursuant to Florida Statutes, is a public record and will be made available to the public upon request."

From: Rick Casler <rcasler@clermontfl.org>
Sent: Monday, April 8, 2024 8:19 AM
To: Gabrielle Edmundson <Gabrielle.Edmundson@em.myflorida.com>
Subject: FW: Q-23373 REV1 City of Clermont - Fire Station #01 Generator Replacement 04-03-24

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Gabrielle,

Attached is the proposal from Genserve with the updated equipment based on availability/ necessity.

From: Dustin Mook <dmook@genserveinc.com>
Sent: Thursday, April 4, 2024 6:24 AM
To: Rick Casler <rcasler@clermontfl.org>
Subject: FW: Q-23373 REV1 City of Clermont - Fire Station #01 Generator Replacement 04-03-24

I wanted to ensure you received this yesterday?

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: Dustin Mook <dmook@genserveinc.com>
Date: 4/3/24 5:29 AM (GMT-05:00)
To: Rick Casler <rcasler@clermontfl.org>
Subject: Q-23373 REV1 City of Clermont - Fire Station #01 Generator Replacement 04-03-24

Rick,

Please see the updated proposal for this project. I will begin entering this project into the system but will not begin any engineering until we have been authorized to proceed.

Thanks,

Dustin Mook
Sales Manager
dmook@genserveinc.com

345 West Drive, Unit #5
Melbourne, FL 32904
Website LinkedIn
Office: (954) 440-3176
Mobile: (321) 544-5575

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

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

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

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

REQUEST FOR INFORMATION

RFI 24-079

INTENT TO UTILIZE THE FLORIDA SHERIFFS ASSOCIATION CONTRACT TO PURCHASE GENERATOR

City of Clermont

685 W. Montrose Street

Clermont, FL 34711

RELEASE DATE: April 15, 2024

DEADLINE FOR QUESTIONS: April 23, 2024

RESPONSE DEADLINE: April 23, 2024, 3:00 pm

RESPONSES MUST BE SUBMITTED ELECTRONICALLY TO:

https://procurement.opengov.com/portal/clermontfl

City of Clermont
REQUEST FOR INFORMATION
Intent to Utilize the Florida Sheriffs Association Contract to Purchase Generator

I. Introduction .....
II. Response Procedures.....

Attachments:

E - OpenGov Vendor Registration

1. Introduction

Thank you for your interest in doing business with the City of Clermont. If you are interested in preparing a response to this Request For Information, please read the solicitation package in its entirety prior to submitting a response.

Hardcopy responses may be delivered to the City of Clermont Procurement Services Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

All respondents must be registered with the Florida Department of State and licensed to do business in the State of Florida.

1.1. Summary

Intent to Utilize the Florida Sheriffs Association Contract to Purchase Generator

1.2. Contact Information

Freddy Suarez
Procurement Services Director
685 W. Montrose Street
Clermont, FL 34711
Email: fsuarez@clermontfl.org
Phone: (352) 241-7350

Department:
Fire

2. Response Procedures

2.1. Electronic Bidding System

The City of Clermont uses OpenGov ("Software Administrator"), an e-Procurement system ("Portal") that provides bid notification services to interested vendors. The Portal allows for vendors to register online and receive notification of new solicitations, addenda, and awards. There is no charge to vendors/contractors to register and participate in the solicitation, nor will any fees be charged to the awarded vendor. Vendors with internet access should review the registration options at the following website: https://procurement.opengov.com/portal/clermontfl.

The City of Clermont uses the NIGP Commodity Codes to notify vendors of whenever projects are issued that include category codes that match the codes added to the vendor profile.

2.2. Standard RFI

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contracts. This is not an invitation to submit a bid or quote. If no local vendor responds to the RFI, the Procurement Services Department will proceed with utilizing the referenced contract. A local vendor is defined as a business located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

A. Company Name: GenServe, Inc.

B. Contract Number and Title: FSA23-EQU21.0 HEAVY EQUIPMENT #188, #493

C. Length of Contract: Through September 30, 2025

D. Product or Service Provided: 125KW, 480V, 3P, Diesel Generator, 150KW, 208V, 3P, Diesel Generator

E. Estimated Annual Expenditure: $253,810.00

If you're a local vendor, please contact the Procurement Services Director by email prior to Tuesday, April 23, 2024 to advise whether your company can provide any of the products or services mentioned above.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the product or service described. Respondents are not to provide pricing. All responses will be evaluated by the Procurement Services Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024
Agenda Item Name
Variance Request *Teamont Boba*
Requested Action
Recommend denial of the requested variances.
Staff Report

This item was tabled at the March 12th, March 26th, and April 9, 2024, City Council meetings.

The applicant is requesting three (3) variances to the Land Development Code to allow for the development of a specialty beverage building with two residential units. The following variances are being requested: (1) To allow for offsite public parking to meet the minimum onsite parking space requirements, (2) to allow for the elimination of the dumpster for solid waste collection, and (3) to allow for two residential units to have a minimum living area less than 600 square feet as required by the Land Development Regulations, Section 125-369. The subject parcel is located on 7th Street on the north side of West Montrose Street. The property zoning is Central Business District (CBD). The applicant is proposing to construct a 1,320 square foot single story building to operate a restaurant with 35 seats and two one-bedroom apartments.

The Land Development Code, Section 115-14, requires 0.5 parking spaces per every four patron seats on the premises, which requires a minimum of five (5) onsite parking spaces. The project is also required to provide a minimum of three (3) parking spaces for the residential units, calculated at 1.5 spaces per one bedroom unit. The project as designed would require a minimum of eight (8) onsite spaces. The variance request allows for the use of public parking in compliance with the minimum parking space requirements. The Land Development Code, Section 115-2 requires parking spaces to be provided for all buildings and permitted use on the premises. The requirements shall apply for all development, whether new structures, alterations or existing structures.

On June 22, 2021, the City Council approved two of the three requested variances, which were valid for one year after the approval date. In addition, the applicant was also granted another one year extension to allow for the construction of the project. The variance approval has expired, therefore requiring the application to be resubmitted. The applicant has also added to the project to allow no onsite parking for the proposed residential units. The one apartment requires an additional three spaces on a lot that cannot accommodate any onsite parking. Although City staff encourages new development in the Central Business District, with the existing limited amount of public

parking for all businesses located in the Downtown vicinity, staff cannot support a new business that cannot provide any onsite parking for their patrons, especially the requirements for ADA-accessible spaces. This lot, which measures 25 feet wide by 75 deep, was split from a parent parcel with lot dimensions of 75 feet wide by 75 feet deep. Therefore, the existing property hardship was created from the property split.

STAFF RECOMMENDATION: The Land Development Code, Section 101-246, requires a positive finding on the five review criteria for granting a variance. Staff has reviewed the application and supporting documents and finds the applicant does not meet positive findings for the provisions of the criteria. Therefore, staff recommends denial of the requested variances to the Clermont Land Development Code.

Additional Analysis	

Fiscal Impact Summary		
None.		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**

Exhibits Attached (copies of original agreements)	
1. Legal Ad	Legal Ad.pdf

LocaliQ
Florida
GANNETT

Order Confirmation

Not an Invoice

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

Date:	03/05/2024
Order Number:	9931307
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	57.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	03/15/2024 - 03/15/2024	Govt Public Notices
LEE dailycommercial.com	1	03/15/2024 - 03/15/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$100.06
Tax Amount	$0.00
Service Fee 3.99%	$3.99
Cash/Check/ACH Discount	-$3.99
Payment Amount by Cash/Check/ACH	$100.06
Payment Amount by Credit Card	$104.05

Order Confirmation Amount	**$100.06**

Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request at a public hearing to be held on Tuesday, March 26, 2024 at 6:30pm for the following three variances: (1) to allow for offsite public parking as compliance for the requirements of the minimum number of spaces as indicated for the Central Business District, Section 115-14; (2) to allow for the elimination of the dumpster requirements for solid waste collection by the Land Development Code, Section 121-8; and (3) to allow for minimum living area less than 600 square feet as required by the Land Development Code, Section 125-369 (a)(4) at the following location:

LOCATION

Vacant parcel located on 7th Street,
on the north side of
West Montrose Street
Teamont Boba
(Alt. Key 3922907)

All public hearings are held in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont, FL 34711.
This application is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.
All interested parties will be given an opportunity to express their views on this matter.
Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
March 15, 2024
9931307

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024

Agenda Item Name
Utility Agreement *Sundara Eco-Spa*

Requested Action
Recommend approval of the requested utility agreement.

Staff Report

The applicant, Jimmy D. Crawford, Esq., has applied for sewer service through a utility agreement for a proposed development located adjacent to Hammock Ridge Road and Lakeshore Drive intersection. The City is the sewer provider in this area with the potable water being provided by Sunshine Water Services.

The applicant is proposing a specialty spa and sixty-room hotel. The applicant will be responsible for constructing and extending the lines and appurtenances to serve the development. The applicant shall be responsible for all costs including design, permitting, material and construction of the sewer system. The agreement is for 50,000 gallons per day for sewer. The City has the capacity to serve the development with the completion of the City's Wastewater Treatment Plant expansion. Staff recommends approval of the utility agreement.

Additional Analysis

Fiscal Impact Summary

None

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

CITY OF CLERMONT

AGENDA ITEM

Meeting Date

Tuesday, April 23, 2024

Agenda Item Name

Ordinance No. 2024-006 *Final*
Sundara Eco-Spa Annexation

Requested Action

Recommend approval of Ordinance 2024-006.

Staff Report

The applicant, Jimmy D. Crawford, Esq., is requesting voluntary annexation through the use of a utility agreement for approximately 42 +/- acres located adjacent to the Hammock Ridge Road and Lakeshore Drive intersection. The property, outlined in yellow, is the subject property that will be annexed. The developer is seeking City sewer service in order to develop a portion of the site. The applicant is requesting 50,000 gallons per day of sewer capacity for a specialty spa and hotel. Potable water will be provided by another utility provider, Sunshine Water Services. A comprehensive plan amendment and a rezoning to a Planned Unit Development is also being requested.

The subject property lies within the Interlocal Service Boundary Agreement (ISBA) between the City of Clermont and Lake County. The ISBA agreement allows for the annexation of non-contiguous properties into the City of Clermont under certain conditions. The property meets the requirements of the ISBA for annexation. The developer will be required to provide utilities to the site. These utilities shall be installed at the developer's expense. The City has the capacity to provide sewer service for the proposed project. Staff is able to support the request and recommends approval of Ordinance 2024-006.

Additional Analysis

Fiscal Impact Summary

None

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Ord. 2024-006 -Sundara Spa Annex	Ord. 2024-006 - Sundara Langley Spa Annex (03.12.2024).pdf
2. 2024-006 Sundara Annex Ad	2024-006 Sundara Annex Ad.pdf

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR CONFLICT, SERVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clermont, Florida approved a Utility Service Agreement for Wastewater for the subject property, dated April 23, 2024; and

WHEREAS, the City Council of the City of Clermont, Lake County, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

WHEREAS, the City Council has determined that the area sought to be annexed is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefited by annexation; and

WHEREAS, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

SECTION 1:

NOW, THEREFORE, BE IT ORDAINED, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Lake County, Florida, does hereby annex to and make part of its corporate boundaries; the following described property contiguous to the present City boundary, to-wit:

LEGAL DESCRIPTION

PARCEL No. 36-22-25-0004-000-00100
ALL THAT PART OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 25 EAST LYING EAST OF THE PALATLAKAHA RIVER.

PARCEL 06-23-26-0002-000-00500 (TRACT 8) / PARCEL No. 13-23-25-0500-008-00000 (TRACT 9, 10, 11, 23) (PART-A)
TRACTS 8, 9, 10, 11, 23 IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, FILED 13 FEBRUARY 1914, AND RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
ALL LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE AND SOUTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF HAMMOCK RIDGE ROAD

PARCEL 06-23-26-0002-000-00500 (TRACT 8) WAS ALSO DESCRIBED AS FOLLOWS: THAT PART OF THE NW¼ OF THE NW¼ OF SECTION6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING NORTH AND WEST OF TRACT 8 & 9, MONTE VISTA PARK FARMS.

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-B)
ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE SE¼ OF THE NE¼ OF SECTION 1 AND THE SE¼ OF THE NE¼ OF THE NE¼, SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING EASTERLY AND SOUTHERLY OF THE EASTERN SHORELINE OF LAKE SUSAN

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-C)
ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE NE¼ OF THE NE¼ OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING NORTHEASTERLY OF THE EASTERN SHORELINE OF THE PALATLAKAHA RIVER

AND

PARCEL No. 31-22-26-0003-000-01503 (PART-D)
THAT PART OF THE SW¼ OF THE SW¼ OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 31 TO THE SHORE OF LAKE MINNEHAHA; THENCE NORTH-WESTERLY ALONG SHORELINE TO THE WEST LINE OF SAID SECTION 31; THENCE SOUTHERLY ALONG SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PART OF THE NE¼ OF NW¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NW¼ OF THE SAID SECTION 6, RUN WEST ALONG THE NORTH LINEOF SAID SECTION 6 A DISTANCE OF 783.6 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKESHORE DRIVE, THENCE RUN SOUTH 71°03' WEST ALONG THE SOUTHERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 600.16 FEET FOR A POINT OF BEGINNING. (THE SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKE SHORE DRIVE WITH THE WESTERLY LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD.) FROM SAID POINT OF BEGINNING, RUN SOUTH 0° 11' WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD 281.05 FEET; THENCE RUN SOUTH 71°03' WEST 192.19

FEET TO A CONCRETE MONUMENT; THENCE RUN NORTHWEST ALONG A CURVE BEING ALSO THE EASTERLY RIGHT OF WAY OF HAMMOCK RIDGE ROAD, HAVING A CHORD BEARING OF N54°58'51"W, A CHORD LENGTH 189.73 FEET, A RADIUS OF 800.00 FEET, ARC LENGTH OF 190.18 FEET, AND A DELTA ANGLE 13°37'13"; THEN LEAVING SAID CURVE N24°42'07"E A DISTANCE OF 20.59 FEET; THENCE ON A TANGENT CURVE HAVING A CHORD BEARING OF N48°14'02"E, A CHORD LENGTH OF 199.63 FEET, A RADIUS OF 250.00 FEET, ARC LENGTH OF 205.35 FEET, AND A DELTA ANGLE 47°03'49"; THENCE LEAVING SAID CURVE N71°03'E A DISTANCE OF 115.92 FEET; THENCE Nl8°57'W A DISTANCE OF 18.9 FEET; THENCE N71°03'E TO THE POINT OF BEGINNING. LESS THE RIGHT OF WAY OF LAKE SHORE DRIVE.

LESS AND EXCEPT THE DRAINAGE POND MORE PARTICULARLY DESCRIBED AS:
A PORTION OF TRACTS 9 & 10, MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

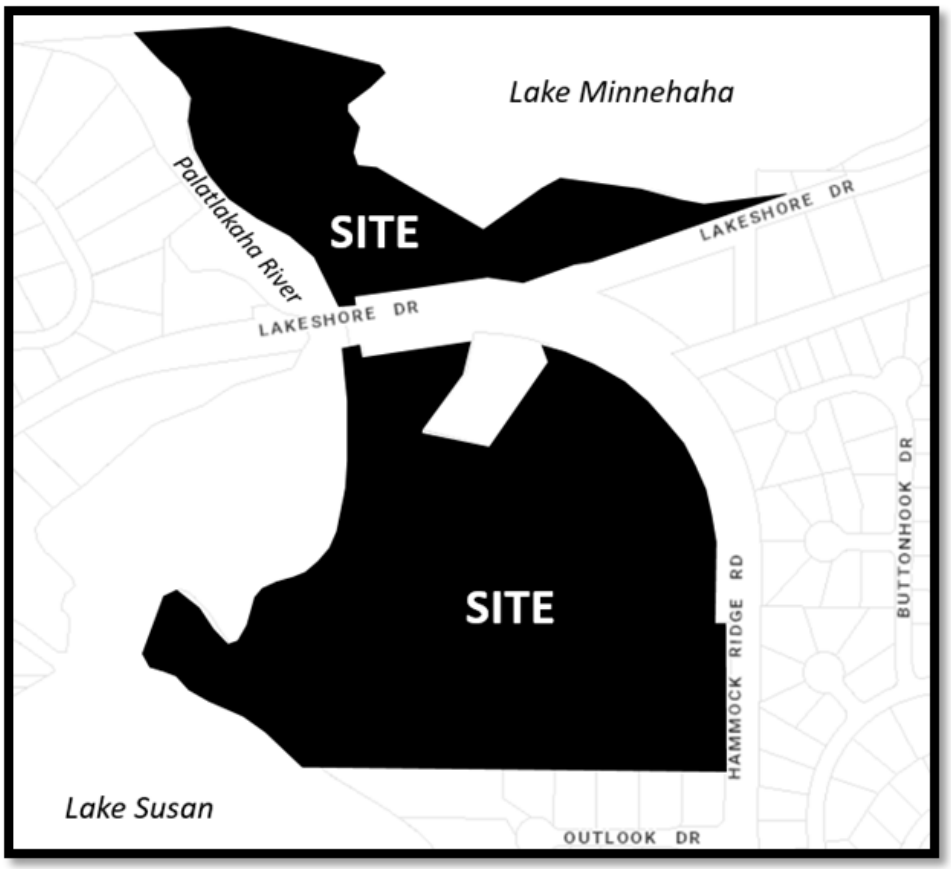
COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 9; THENCE RUN SOUTH 89° 43' 00" EAST ALONG THE SOUTH LINE ·OF TRACT 9,482.58 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 39° 25' 42" EAST, AND A CHORD DISTANCE OF 70.08 FEET; THENCERUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 32' 26", A DISTANCE OF 70.11FEET; THENCE LEAVING SAID CURVE RUN NORTH 36° 12' 17" EAST, 79.29 FEET; THENCE NORTH 11° 45' 29" EAST, 116.92 FEET TO THE PROPOSED SOUTH RIGHT OF WAY OF THE SOUTH CLERMONT CONNECTOR; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 700.00 FEET, A CHORD BEARING OF SOUTH 80° 58' 11" EAST, AND A CHORD DISTANCE OF 219. 58 FEET; THENCE RUN EASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 18° 02' 51", A DISTANCE OF 220.49 FEET; THENCE LEAVING SAID RIGHT OF WAY AND SAID CURVE RUN SOUTH 24° 26' 29" EAST, 49.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY,HAVING A RADIUS OF 1000.00 FEET, A CHORD BEARING OF SOUTH 34° 20' 08" WEST, AND A CHORD DISTANCE OF 280.94 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 09' 00", A DISTANCE OF 281.87 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 3° 43' 16";THENCE RUN SOUTHWESTERLY ALONGTHE ARC OF SAID CURVE A DISTANCE OF 34.10 FEET; THENCE LEAVING SAID CURVE RUN NORTH 76° 36' 25" WEST, 214.76 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 34° 02' 16" EAST, AND A CHORD DISTANCE OF 66.29 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID

CURVE THROUGH A CENTRAL ANGLE OF 5°14' 25", A DISTANCE OF 66.31 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 1.71 ACRES, MORE OR LESS.

LESS LAKESHORE DRIVE AND HAMMOCK RIDGE ROAD RIGHT OF WAYS AS THEY CURRENTLY EXIST.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

LOCATION
11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the
Lakeshore Drive and Hammock Ridge Road intersection
(Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres



SECTION 2:

That the afore described property shall be and hereby is made part and parcel of the City of Clermont, Lake County, Florida, and that said property shall be subject to all the laws, ordinances, and provisions pertaining to the City of Clermont.

SECTION 3:

All property afore described shall henceforth be subject to ad valorem taxation by the City of Clermont, Lake County, Florida and any other general or special taxes or assessments.

SECTION 4: CONFLICT

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

SECTION 5: 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 6: 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 7: RECORDING

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

SECTION 8: 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.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, on this 23rd day of April, 2024.

CITY OF CLERMONT

_____
Tim Murry, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

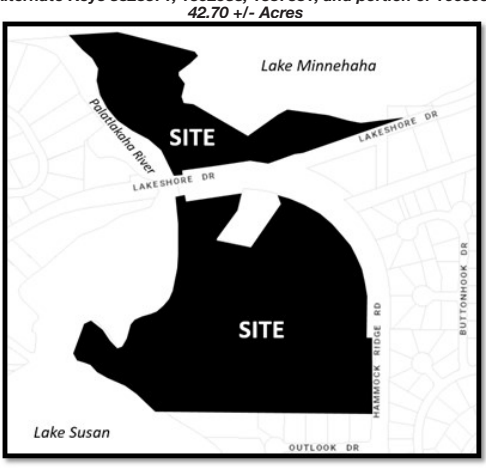
The Clermont City Council will consider the enactment of the following proposed Ordinance at their regularly scheduled meeting to be held Tuesday, April 23, 2024 at 6:30 PM at Clermont City Hall, Council Chambers located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2024-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR CONFLICT, SERVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

LOCATION

11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the Lakeshore Drive and Hammock Ridge Road intersection
(Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres



LEGAL DESCRIPTION

PARCEL No. 36-22-25-0004-000-00100

ALL THAT PART OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 25 EAST LYING EAST OF THE PALATLAKAHA RIVER.

PARCEL 06-23-26-0002-000-00500 (TRACT 8) / PARCEL No. 13-23-25-0500-008-00000 (TRACT 9, 10, 11, 23) (PART-A)

TRACTS 8, 9, 10, 11, 23 IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, FILED 13 FEBRUARY 1914, AND RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALL LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE AND SOUTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF HAMMOCK RIDGE ROAD

PARCEL 06-23-26-0002-000-00500 (TRACT 8) WAS ALSO DESCRIBED AS FOLLOWS:

THAT PART OF THE NW¼ OF THE NW¼ OF SECTION6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING NORTH AND WEST OF TRACT 8 & 9, MONTE VISTA PARK FARMS.

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-B)

ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE SE¼ OF THE NE¼ OF SECTION 1 AND THE SE¼ OF THE NE¼ OF THE NE¼, SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING EASTERLY AND SOUTHERLY OF THE EASTERN SHORELINE OF LAKE SUSAN

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-C)

ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE NE¼ OF THE NE¼ OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING NORTHEASTERLY OF THE EASTERN SHORELINE OF THE PALATLAKAHA RIVER

AND

PARCEL No. 31-22-26-0003-000-01503 (PART-D)

THAT PART OF THE SW¼ OF THE SW¼ OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 31 TO THE SHORE OF LAKE MINNEHAHA; THENCE NORTH-WESTERLY ALONG SHORELINE TO THE WEST LINE OF SAID SECTION 31; THENCE SOUTHERLY ALONG SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PART OF THE NE¼ OF NW¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NW¼ OF THE SAID SECTION 6, RUN WEST ALONG THE NORTH LINE OF SAID SECTION 6 A DISTANCE OF 783.6 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKESHORE DRIVE, THENCE RUN SOUTH 71°03' WEST ALONG THE SOUTHERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 600.16 FEET FOR A POINT OF BEGINNING. (THE SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKE SHORE DRIVE WITH THE WESTERLY LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD.) FROM SAID POINT OF BEGINNING, RUN SOUTH 0° 11' WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD 281.05 FEET; THENCE RUN SOUTH 71°03' WEST 192.19 FEET TO A CONCRETE MONUMENT; THENCE RUN NORTHWEST ALONG A CURVE BEING ALSO THE EASTERLY RIGHT OF WAY OF HAMMOCK RIDGE ROAD, HAVING A CHORD BEARING OF N54°58'51"W, A CHORD LENGTH 189.73 FEET, A RADIUS OF 800.00 FEET, ARC LENGTH OF 190.18 FEET, AND A DELTA ANGLE 13°37'13"; THEN LEAVING SAID CURVE N24°42'07"E A DISTANCE OF 20.59 FEET; THENCE ON A TANGENT CURVE HAVING A CHORD BEARING OF N48°14'02"E, A CHORD LENGTH OF 199.63 FEET, A RADIUS OF 250.00 FEET, ARC LENGTH OF 205.35 FEET, AND A DELTA ANGLE 47°03'49"; THENCE LEAVING SAID CURVE N71°03'E A DISTANCE OF 115.92 FEET; THENCE NI8°57'W A DISTANCE OF 18.9 FEET; THENCE N71°03'E TO THE POINT OF BEGINNING. LESS THE RIGHT OF WAY OF LAKE SHORE DRIVE.

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SAID PARCEL CONTAINS 1.71 ACRES, MORE OR LESS.

LESS LAKESHORE DRIVE AND HAMMOCK RIDGE ROAD RIGHT OF WAYS AS THEY CURRENTLY EXIST.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

All public meetings will be held in the Clermont City Hall, 1st floor Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This application is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 9, 2024 and April 16, 2024

CITY OF CLERMONT

AGENDA ITEM

Meeting Date

Tuesday, April 23, 2024

Agenda Item Name

Ordinance No. 2024-007 *Final*
Sundara Eco-Spa Comp Plan Amendment

Requested Action

Recommend approval of Ordinance 2024-007.

Staff Report

The applicant, Jimmy D. Crawford, Esq., is requesting a small-scale comprehensive plan amendment for 42 +/- acres located adjacent to the Hammock Ridge Road and Lakeshore Drive intersection. The property is currently in Lake County and has a Future Land Use Designation of Lake County Langley-Interlachen Green Swamp. The applicant is requesting an amendment to change the future land use to the City of Clermont Master Planned Development. The applicant is proposing a specialty spa and hotel on the property. The Master Planned Development Future Land Use will limit the development to the specialty spa and hotel based upon Policy 1.7.2. This land use requires City Council approval for a development that specifies the allowable types and distribution of land use within a project. The Floor Area Ratio (FAR) in this land use is 0.25, but will be limited to 0.15 for the project via the Planned Unit Development zoning. The proposed project under the Master Planned Development would be a less intense use of the project since the FAR would be limited to 0.15 and the open space of 60% would be retained.

The project is not in conflict with any provision of the City's Comprehensive Plan. The City has the ability to serve the project with applicable City services. The Master Planned Development future land use appears to be in accordance with the existing County's Urban Low and GSACSC Rural County future land use. Staff recommends approval of Ordinance 2024-007. The Planning and Zoning Commission recommended approval 6 to 1.

Additional Analysis

Fiscal Impact Summary		
None		
Fiscal Impact	**Fund Number and Description**	**Available Budget Amount**
Exhibits Attached (copies of original agreements)		
1. Ord. 2024-007 - CPA Sundara Langley Spa 2. 2024-007 Sundara CPA Ad	Ord. 2024-007 - CPA Sundara Langley Spa (03.14.2024).pdf 2024-007 Sundara CPA Ad.pdf	

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

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

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

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL No. 36-22-25-0004-000-00100
ALL THAT PART OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 25 EAST LYING EAST OF THE PALATLAKAHA RIVER.

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ALL LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE AND SOUTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF HAMMOCK RIDGE ROAD

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AND

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AND

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ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE NE¼ OF THE NE¼ OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING NORTHEASTERLY OF THE EASTERN SHORELINE OF THE PALATLAKAHA RIVER

AND

PARCEL No. 31-22-26-0003-000-01503 (PART-D)
THAT PART OF THE SW¼ OF THE SW¼ OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 31 TO THE SHORE OF LAKE MINNEHAHA; THENCE NORTH-WESTERLY ALONG SHORELINE TO THE WEST LINE OF SAID SECTION 31; THENCE SOUTHERLY ALONG SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PART OF THE NE¼ OF NW¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NW¼ OF THE SAID SECTION 6, RUN WEST ALONG THE NORTH LINEOF SAID SECTION 6 A DISTANCE OF 783.6 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKESHORE DRIVE, THENCE RUN SOUTH 71°03' WEST ALONG THE SOUTHERLY LINE OF SAID RIGHT OF WAY A

DISTANCE OF 600.16 FEET FOR A POINT OF BEGINNING. (THE SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKE SHORE DRIVE WITH THE WESTERLY LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD.) FROM SAID POINT OF BEGINNING, RUN SOUTH 0° 11' WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD 281.05 FEET; THENCE RUN SOUTH 71°03' WEST 192.19 FEET TO A CONCRETE MONUMENT; THENCE RUN NORTHWEST ALONG A CURVE BEING ALSO THE EASTERLY RIGHT OF WAY OF HAMMOCK RIDGE ROAD, HAVING A CHORD BEARING OF N54°58'51"W, A CHORD LENGTH 189.73 FEET, A RADIUS OF 800.00 FEET, ARC LENGTH OF 190.18 FEET, AND A DELTA ANGLE 13°37'13"; THEN LEAVING SAID CURVE N24°42'07"E A DISTANCE OF 20.59 FEET; THENCE ON A TANGENT CURVE HAVING A CHORD BEARING OF N48°14'02"E, A CHORD LENGTH OF 199.63 FEET, A RADIUS OF 250.00 FEET, ARC LENGTH OF 205.35 FEET, AND A DELTA ANGLE 47°03'49"; THENCE LEAVING SAID CURVE N71°03'E A DISTANCE OF 115.92 FEET; THENCE Nl8°57'W A DISTANCE OF 18.9 FEET; THENCE N71°03'E TO THE POINT OF BEGINNING. LESS THE RIGHT OF WAY OF LAKE SHORE DRIVE.

LESS AND EXCEPT THE DRAINAGE POND MORE PARTICULARLY DESCRIBED AS:
A PORTION OF TRACTS 9 & 10, MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 9; THENCE RUN SOUTH 89° 43' 00" EAST ALONG THE SOUTH LINE ·OF TRACT 9,482.58 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 39° 25' 42" EAST, AND A CHORD DISTANCE OF 70.08 FEET; THENCERUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 32' 26", A DISTANCE OF 70.11FEET; THENCE LEAVING SAID CURVE RUN NORTH 36° 12' 17" EAST, 79.29 FEET; THENCE NORTH 11° 45' 29" EAST, 116.92 FEET TO THE PROPOSED SOUTH RIGHT OF WAY OF THE SOUTH CLERMONT CONNECTOR; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 700.00 FEET, A CHORD BEARING OF SOUTH 80° 58' 11" EAST, AND A CHORD DISTANCE OF 219. 58 FEET; THENCE RUN EASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 18° 02' 51", A DISTANCE OF 220.49 FEET; THENCE LEAVING SAID RIGHT OF WAY AND SAID CURVE RUN SOUTH 24° 26' 29" EAST, 49.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY,HAVING A RADIUS OF 1000.00 FEET, A CHORD BEARING OF SOUTH 34° 20' 08" WEST, AND A CHORD DISTANCE OF 280.94 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 09' 00", A DISTANCE OF 281.87 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE

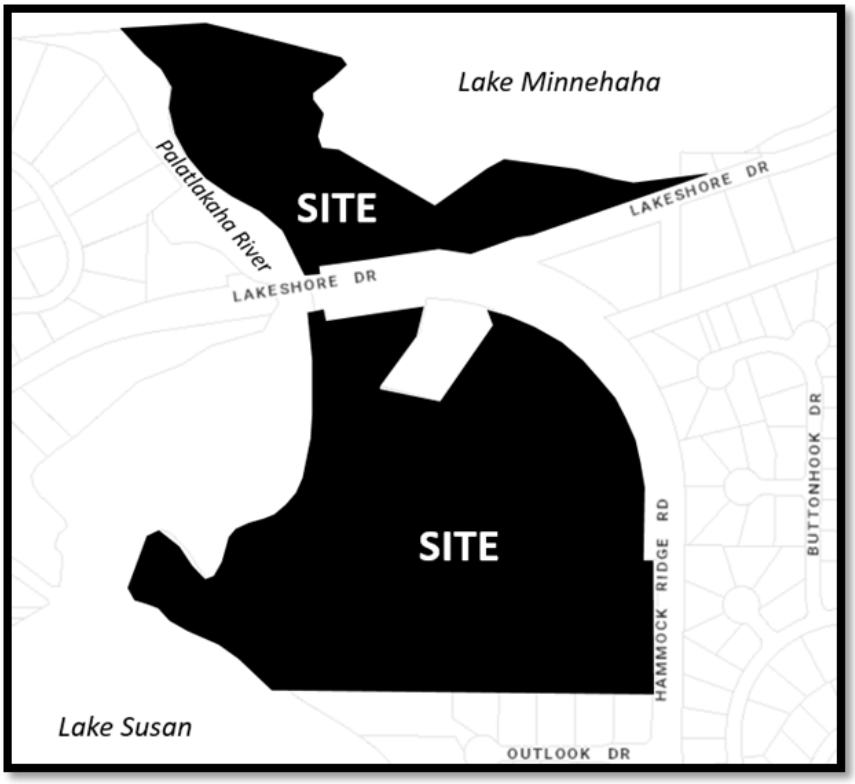
CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 3° 43' 16";THENCE RUN SOUTHWESTERLY ALONGTHE ARC OF SAID CURVE A DISTANCE OF 34.10 FEET; THENCE LEAVING SAID CURVE RUN NORTH 76° 36' 25" WEST, 214.76 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 34° 02' 16" EAST, AND A CHORD DISTANCE OF 66.29 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°14' 25", A DISTANCE OF 66.31 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 1.71 ACRES, MORE OR LESS.

LESS LAKESHORE DRIVE AND HAMMOCK RIDGE ROAD RIGHT OF WAYS AS THEY CURRENTLY EXIST.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

LOCATION

11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the
Lakeshore Drive and Hammock Ridge Road intersection
(Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres



CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: LAKE COUNTY LANGLEY-INTERLACHEN GREEN SWAMP
TO: CITY OF CLERMONT MASTER PLANNED DEVELOPMENT

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

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 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 immediately upon its Second Reading and Final Passage.

ORDAINED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of April, 2024.

CITY OF CLERMONT

_____
Tim Murry, Mayor

ATTEST:

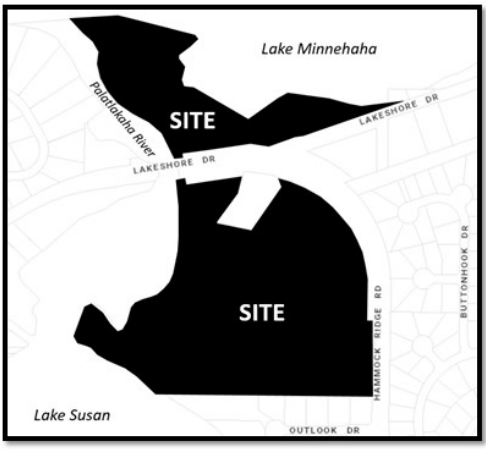
_____
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
NOTICE OF PROPOSED LAND USE CHANGE
Small-Scale Comprehensive Plan Amendment
ORDINANCE NO. 2024-007

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, April 2, 2024 at 6:30 p.m., and a public hearing will be held before the Clermont City Council on Tuesday, April 23, 2024 at 6:30 p.m. to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 42.70 +/- acre parcel below from Lake County Langley-Interlachen Green Swamp to City of Clermont Master Planned Development.



LOCATION
11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the Lakeshore Drive and Hammock Ridge Road intersection (Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres

ORDINANCE NO. 2024-007

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

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions. All interested parties shall be given an opportunity to express their views on this matter.

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

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

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

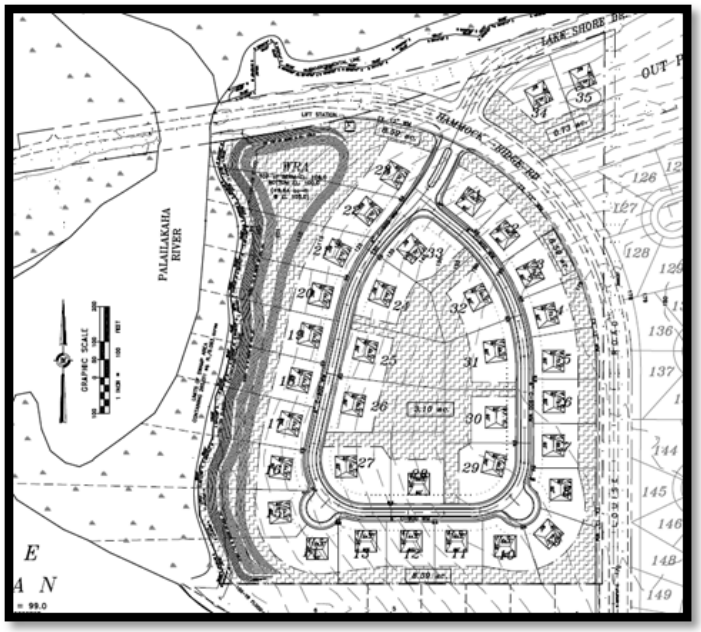
Tracy Ackroyd Howe, MMC
City Clerk

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024
Agenda Item Name
Ordinance No. 2024-008 *Final* *Sundara Eco-Spa PUD Rezoning*
Requested Action
Recommend approval of Ordinance 2024-008.
Staff Report

The applicant, Jimmy D. Crawford, Esq., is requesting a rezoning to a Planned Unit Development (PUD) for 42 +/- acres located adjacent to the Hammock Ridge Road and Lakeshore Drive intersection. The property is currently in Lake County and has a Planned Unit Development zoning, Ordinance 2017-59, in place that permits up to thirty-five (35) single family residences (see preliminary plat below). Upon annexation, the applicant is requesting a PUD rezoning to allow a specialty spa and hotel on the property. This use will require central water and sewer in order to develop the property in this manner.



The proposed operator of the spa and hotel will be Sundara Inn and Spa. The project will be modeled after the facility that currently exists in Wisconsin Dells, Wisconsin. The proposal includes a full wellness spa facility, outdoor patios, and overnight accommodations consisting of sixty rooms. The project will also include walking trails with benches and large areas within the property that will remain undisturbed in the natural state. The applicant has removed the walking trails on the southern portion of the site based upon comments at the Planning and Zoning meeting from the adjoining neighbors. The preliminary development plan has the buildings centered in the interior of the project with one access point. The main access point is located at the Lakeshore Drive and Hammock Ridge Road intersection. Lake County is currently in design of a roundabout to replace this intersection. There is an existing concrete driveway apron at this location. An emergency only ingress/egress access will also be provided on the site. The total square footage of all the buildings onsite should not exceed 200,000 square feet. This Floor Area Ratio (FAR) is less than 12% for the project and will be capped at no more than 0.15 (15%) for the site. The current Lake County PUD allows a 0.35 FAR.

The applicant has provided a traffic impact statement (TIS) for the proposed spa facility. The results indicate that the project would generate less than 100 net new peak hour trips, and therefore, would be considered “de minimis” under Lake Sumter MPO guidelines (section 3.1). The City’s Traffic Engineer reviewed the submittal and concurred with the results. The proposed spa facility would not have any impact on the school system, unlike the thirty-five homes may have, and would not be subject to a school concurrency review. The 60% open space requirement in the Lake County PUD will be a requirement in the City’s PUD. The applicant is proposing to keep a majority of the open space in an undisturbed state and the property fronting Lake Minnehaha, north of Lakeshore Drive, will also remain undisturbed. The applicant is proposing a 100-foot landscape and soil berm at the southeast corner of the site. This would provide buffering to the adjacent residential development and Hammock Ridge Road. In addition, there will be a minimum 100-foot natural buffer that will continue along the southern edge of the property, adjacent to the existing residential development. The topography in this area descends from the southeast corner to the west and northwest. With the addition of the landscaped berm, large areas of undisturbed areas with mature trees, and the buildings centered on the interior of the property, visibility of the structures should be greatly reduced from the public right-of-way. The project will be required to install exterior lighting fixtures that will be certified Dark Sky, which will minimize glare and reduce overhead skyglow.

Staff has reviewed the application and proposed project in regard to Section 125-486 Review Criteria for a Planned Unit Development. The proposed project will be accessed from Hammock Ridge Road, which is a County Urban Collector roadway and capacity is available. The project’s traffic impact is considered “de minimis” under Lake Sumter MPO guidelines. The City’s sewer service will be required in order to develop the property, and capacity will be available at the time of completion of the project. The project has been designed around the existing topography and native vegetation. The placement of the buildings in the interior of the site with extensive buffers and setbacks will minimize any impact on adjoining properties. Sixty percent (60%) of the site will be retained in open space and the majority of it undisturbed. The applicant has requested to maintain the current Lake County entitlements under Ordinance 2017-59 be retained in the event the spa facility is not constructed. This has been captured as a condition in the proposed PUD. Thirty-three homes within the project boundary shall be allowed, as depicted on Attachment B within the ordinance, in the event the spa facility is not constructed. Staff is able to support the specialty spa and hotel request and recommend approval of Ordinance 2024-008.

The Planning and Zoning Commission recommended approval 6 to 1 with a condition added for a traffic signal study at Hammock Ridge Road and Lakeshore Drive.

Additional Analysis

Fiscal Impact Summary

None

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1. Ord. 2024-008 Sundara PUD Final — Ord. 2024-008 Sundara PUD Final .pdf
2. REZ Legal Ad — REZ Legal Ad.pdf

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL No. 36-22-25-0004-000-00100
ALL THAT PART OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 25 EAST LYING EAST OF THE PALATLAKAHA RIVER.

PARCEL 06-23-26-0002-000-00500 (TRACT 8) / PARCEL No. 13-23-25-0500-008-00000 (TRACT 9, 10, 11, 23) (PART-A)
TRACTS 8, 9, 10, 11, 23 IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, FILED 13 FEBRUARY 1914, AND RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
ALL LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE AND SOUTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF HAMMOCK RIDGE ROAD
PARCEL 06-23-26-0002-000-00500 (TRACT 8) WAS ALSO DESCRIBED AS FOLLOWS:
THAT PART OF THE NW¼ OF THE NW¼ OF SECTION6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING NORTH AND WEST OF TRACT 8 & 9, MONTE VISTA PARK FARMS.

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-B)
ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE SE¼ OF THE NE¼ OF SECTION 1 AND THE SE¼ OF THE NE¼ OF THE NE¼, SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING EASTERLY AND SOUTHERLY OF THE EASTERN SHORELINE OF LAKE SUSAN

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-C)
ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE NE¼ OF THE NE¼ OF

SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING NORTHEASTERLY OF THE EASTERN SHORELINE OF THE PALATLAKAHA RIVER

AND

PARCEL No. 31-22-26-0003-000-01503 (PART-D)
THAT PART OF THE SW¼ OF THE SW¼ OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 31 TO THE SHORE OF LAKE MINNEHAHA; THENCE NORTH-WESTERLY ALONG SHORELINE TO THE WEST LINE OF SAID SECTION 31; THENCE SOUTHERLY ALONG SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PART OF THE NE¼ OF NW¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NW¼ OF THE SAID SECTION 6, RUN WEST ALONG THE NORTH LINEOF SAID SECTION 6 A DISTANCE OF 783.6 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKESHORE DRIVE, THENCE RUN SOUTH 71°03' WEST ALONG THE SOUTHERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 600.16 FEET FOR A POINT OF BEGINNING. (THE SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKE SHORE DRIVE WITH THE WESTERLY LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD.) FROM SAID POINT OF BEGINNING, RUN SOUTH 0° 11' WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD 281.05 FEET; THENCE RUN SOUTH 71°03' WEST 192.19 FEET TO A CONCRETE MONUMENT; THENCE RUN NORTHWEST ALONG A CURVE BEING ALSO THE EASTERLY RIGHT OF WAY OF HAMMOCK RIDGE ROAD, HAVING A CHORD BEARING OF N54°58'51"W, A CHORD LENGTH 189.73 FEET, A RADIUS OF 800.00 FEET, ARC LENGTH OF 190.18 FEET, AND A DELTA ANGLE 13°37'13"; THEN LEAVING SAID CURVE N24°42'07"E A DISTANCE OF 20.59 FEET; THENCE ON A TANGENT CURVE HAVING A CHORD BEARING OF N48°14'02"E, A CHORD LENGTH OF 199.63 FEET, A RADIUS OF 250.00 FEET, ARC LENGTH OF 205.35 FEET, AND A DELTA ANGLE 47°03'49"; THENCE LEAVING SAID CURVE N71°03'E A DISTANCE OF 115.92 FEET; THENCE N18°57'W A DISTANCE OF 18.9 FEET; THENCE N71°03'E TO THE POINT OF BEGINNING. LESS THE RIGHT OF WAY OF LAKE SHORE DRIVE.

LESS AND EXCEPT THE DRAINAGE POND MORE PARTICULARLY DESCRIBED AS:
A PORTION OF TRACTS 9 & 10, MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 9; THENCE RUN SOUTH

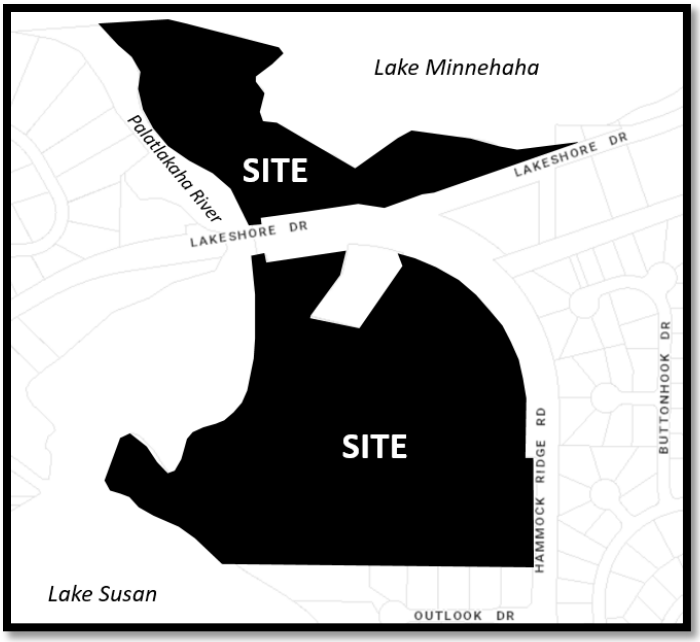
89° 43' 00" EAST ALONG THE SOUTH LINE ·OF TRACT 9,482.58 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 39° 25' 42" EAST, AND A CHORD DISTANCE OF 70.08 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 32' 26", A DISTANCE OF 70.11FEET; THENCE LEAVING SAID CURVE RUN NORTH 36° 12' 17" EAST, 79.29 FEET; THENCE NORTH 11° 45' 29" EAST, 116.92 FEET TO THE PROPOSED SOUTH RIGHT OF WAY OF THE SOUTH CLERMONT CONNECTOR; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 700.00 FEET, A CHORD BEARING OF SOUTH 80° 58' 11" EAST, AND A CHORD DISTANCE OF 219. 58 FEET; THENCE RUN EASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 18° 02' 51", A DISTANCE OF 220.49 FEET; THENCE LEAVING SAID RIGHT OF WAY AND SAID CURVE RUN SOUTH 24° 26' 29" EAST, 49.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY,HAVING A RADIUS OF 1000.00 FEET, A CHORD BEARING OF SOUTH 34° 20' 08" WEST, AND A CHORD DISTANCE OF 280.94 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 09' 00", A DISTANCE OF 281.87 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 3° 43' 16";THENCE RUN SOUTHWESTERLY ALONGTHE ARC OF SAID CURVE A DISTANCE OF 34.10 FEET; THENCE LEAVING SAID CURVE RUN NORTH 76° 36' 25" WEST, 214.76 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 34° 02' 16" EAST, AND A CHORD DISTANCE OF 66.29 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°14' 25", A DISTANCE OF 66.31 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 1.71 ACRES, MORE OR LESS.

LESS LAKESHORE DRIVE AND HAMMOCK RIDGE ROAD RIGHT OF WAYS AS THEY CURRENTLY EXIST.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

LOCATION:

11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the
Lakeshore Drive and Hammock Ridge Road intersection
(Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres



<u>PROPERTY REZONING</u>
From: Lake County Planned Unit Development (PUD)
To: City of Clermont Planned Unit Development (PUD)

(<u>SECTION 2: GENERAL CONDITIONS</u>

This application for a Planned Unit Development is to allow for a specialty spa and resort consisting up to a 60-room hotel with restaurant and other amenities on the property described above (hereinafter the "Property"); be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.

2. The Property shall be developed in substantial accordance with Attachment A: PUD Preliminary Development Plan, prepared by GEC with a latest issue date of 4/11/2024, or the preliminary plat document attached as Attachment B. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes shall be installed by the developer in the utility

easements, if required by the City, to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

5. All Fire Department Access for the Project shall be provided in Accordance with the Florida Fire Prevention Code.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

This application for a Planned Unit Development to allow for a specialty spa and resort consisting up to a 60-room hotel with restaurant and other amenities be granted subject to the following conditions:

1. The property shall be developed to allow for a specialty spa and wellness center with a 60-room hotel with restaurant, outdoor pool and patio, walking trails and pier and shall not include outdoor events with amplified music or entertainment. The overall project floor area shall be limited up to 200,000 square feet for all the buildings within the project. The project shall be developed in substantial accordance with the Preliminary Development Plan, prepared by GEC with a latest issue date of 4/11/2024, Attachment A. The buildings shall be designed to comply with Clermont Architectural Design Standards. Any new development on the property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Planned Unit Development application are not the approved construction plans. Any other use of the property for other than as a specialty spa and wellness center as specified herein shall require an amendment to this Ordinance by the City Council.
2. A minimum of 60% of the overall site shall remain in open space. The open space shall consist of undisturbed areas of the site. Open space means land in its natural state or essentially unencumbered by either principal or accessory uses, buildings, non-recreational structures or impervious surfaces, along with elevated landscaping berms along Hammock Ridge Road and the adjoining residential development to the south, as indicated on the Preliminary Development Plan.
3. The maximum building height will be 55 feet.
4. All buildings designed and constructed for public use shall be setback a minimum of 100 feet from the property line and at least 75 feet from the Jurisdictional Wetland Line.
5. In the alternative, the property may be developed as a 33-unit subdivision substantially in accordance with the preliminary plat previously approved by Lake County, copy attached as Attachment B. However, notwithstanding anything in Attachment B or the previous county approvals, the property shall connect to central water and sewer, if available.
6. The Maximum Floor Area Ratio (FAR) shall be limited to 0.15 of the site.
7. Recognizing that the property lies within the Green Swamp Area of Critical State Concern, all development within the project shall be subject to and must comply with the Principles for Guiding Development contained within Rule 28-26.003, Florida Administrative Code, except as specifically stated herein.
8. An environmental assessment addressing habitat and species shall be submitted to the City

during the construction plan approval stage of the overall project and prior to any development activities. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.

9. The project shall be developed in accordance with the City of Clermont Utility Standards.

10. The Developer, through the coordination of Lake County Public Works, shall evaluate the current intersection of Hammock Ridge Road and Lakeshore Drive for a signal warrant analysis. This is to determine if a traffic signal is warranted over a roundabout.

11. The development will be served with a primary connection point at Lakeshore Drive and Hammock Ridge Road, and designed for connection to a future or concurrent roundabout to be constructed at the intersection of Lakeshore Drive and Hammock Ridge Road. An emergency ingress/egress only access point with a Fire Department approved entry system shall be installed. The final location shall be at the discretion of the City's Fire Chief or designee.

12. The Developer shall coordinate and dedicate at no cost right-of-way for the construction of the proposed roundabout at the intersection of Lakeshore Drive and Hammock Ridge Road.

13. Topsoil and/or soil amendments will be required prior to any landscape planting to help reduce the irrigation needs to maintain healthy landscaping. Landscaping and screening shall be in accordance with the Comprehensive Plan and LDC, as amended.

14. The maintenance of the drainage basins, landscaping and other outdoor amenities shall be the responsibility of the Owner/Operator of the spa.

15. In order to minimize glare and reduce light trespass and overhead skyglow, all lighting fixtures within the project shall be certified by the International Dark Sky Association's Fixture Seal of Approval program.

16. This Planned Unit Development shall expire as to the spa and resort approval in the event that significant continuous development actions authorized or required hereunder do not occur for a period of five (5) years after the date that this Planned Unit Development is approved by the City Council and becomes legally effective.

SECTION 4: PUBLIC SERVICES

1. The Developer shall connect to the existing City sanitary sewer system at connection point or points approved by the City.

2. The route of any off-site lines shall be according to engineering plans produced by the developer and approved by the City.

3. Any proposed City-maintained utilities that are not located within a dedicated public right-of-way shall be placed in a utility easement dedicated to the City. Easements shall be provided at no expense to the City and in a form acceptable to the City.

4. The Developer shall be responsible for all costs of on-site and off-site sanitary sewer systems improvements, including, but not limited to design, material, permitting, connection and installation of sufficient size lines, lift stations, property for city maintained facilities and other appurtenances necessary to allow the City to serve the property.

5. Any existing dedicated City of Clermont utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the Developer shall prepare plans, permit the project and construct the modification at the Developer's expense.

6. No Certificate of Occupancy shall be issued until the City's Wastewater Treatment Plant expansion is complete in the last quarter of 2025 and all sewer extensions required for the project have been completed and accepted by the City.

7. The Developer shall reimburse the City for all costs related to review of hydraulic modeling related to the project.

8. The City shall provide sewer service for the Property for utility flow/demand of up to 50,000 gpd for sewer.

9. In the event the City chooses to oversize the lines or appurtenances, the City shall provide to the Owner the specifications regarding sizes to be included in the final improvement plans. The City shall be responsible for the difference in cost of materials to oversize the line if the City chooses to oversize based on plans and cost estimates provided by Owner to City, and approved in advance by the City. Reimbursement to Owner for the cost hereunder shall be in the form of water and/or sewer impact fee credits or cash reimbursement. The Owner shall provide to the City a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractor's bid as certified by Owner's project engineer. The City shall review and either approve or reject the costs within thirty (30) days from the date the Owner provides to the City. Prior to the commencement of construction, Owner and City shall agree on the cost difference, which will be eligible for reimbursement as set forth herein.

10. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.

11. Garbage and recycling collection shall be with a private company. The City will not provide this service to a commercial complex.

SECTION 5: CONFLICT

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

SECTION 6: SEVERABILITY

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

SECTION 7: 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 8: RECORDING

This Ordinance shall be recorded in the Public Records of Lake County, Florida. Recording fees will be at the expense of the applicant.

SECTION 9: 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.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of April 2024.

CITY OF CLERMONT

_____
Tim Murry, Mayor

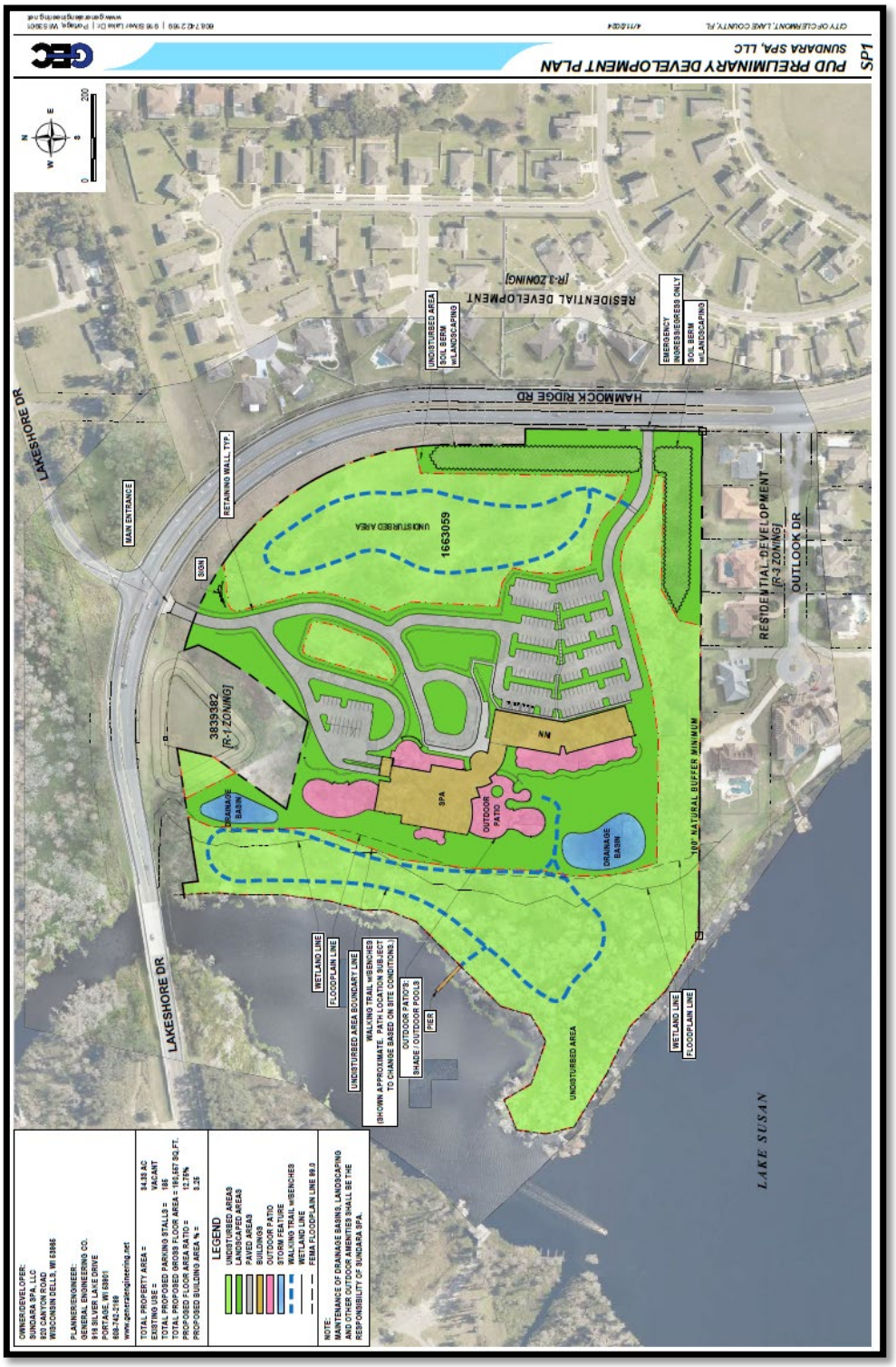
ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

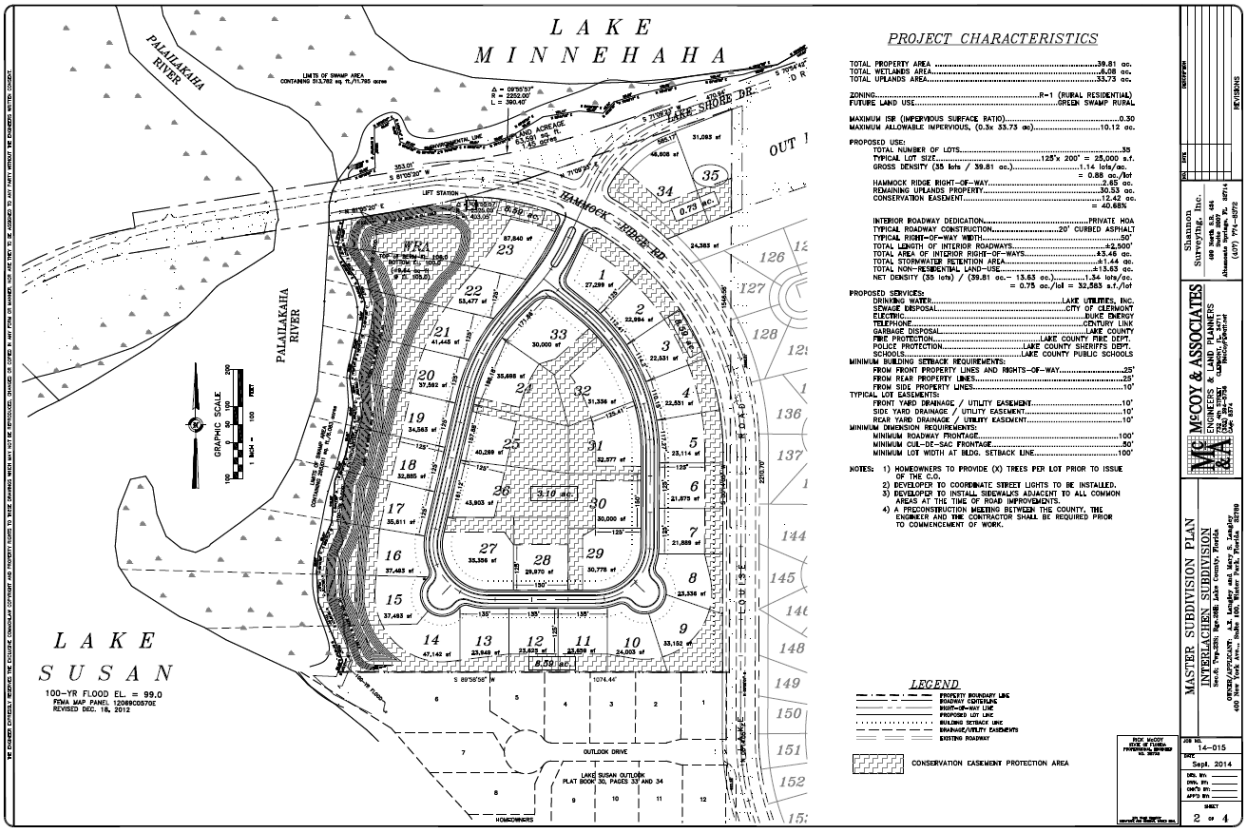
Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Attachment A:
PUD Preliminary Development Plan 4/11/2024



Attachment B:
Preliminary Plat



LEGAL NOTICE

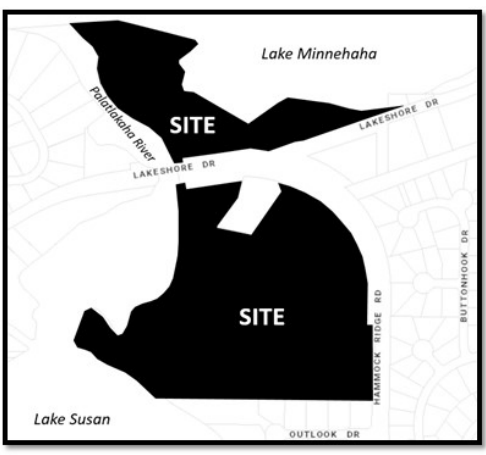
On Tuesday, April 2, 2024 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, April 23, 2024 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2024-008

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

LOCATION

11500 Lake Louisa Road
Vacant parcels located northwest and southwest of the Lakeshore Drive and Hammock Ridge Road intersection
(Alternate Keys 3828571, 1592933, 1587581, and portion of 1663059)
42.70 +/- Acres



LEGAL DESCRIPTION

PARCEL NO. 36-22-25-0004-000-00100

ALL THAT PART OF SECTION 36, TOWNSHIP 22 SOUTH, RANGE 25 EAST LYING EAST OF THE PALATLAKAHA RIVER.

PARCEL 06-23-26-0002-000-00500 (TRACT 8) / PARCEL No. 13-23-25-0500-008-00000 (TRACT 9, 10, 11, 23) (PART-A)

TRACTS 8, 9, 10, 11, 23 IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT OF MONTE VISTA PARK FARMS, FILED 13 FEBRUARY 1914, AND RECORDED IN PLAT BOOK 2, PAGE 27, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALL LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF LAKESHORE DRIVE AND SOUTHWESTERLY OF THE SOUTH RIGHT OF WAY LINE OF HAMMOCK RIDGE ROAD

PARCEL 06-23-26-0002-000-00500 (TRACT 8) WAS ALSO DESCRIBED AS FOLLOWS:

THAT PART OF THE NW¼ OF THE NW¼ OF SECTION6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING NORTH AND WEST OF TRACT 8 & 9, MONTE VISTA PARK FARMS.

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-B)

ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE SE¼ OF THE NE¼ OF SECTION 1 AND THE SE¼ OF THE NE¼ OF THE NE¼, SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING EASTERLY AND SOUTHERLY OF THE EASTERN SHORELINE OF LAKE SUSAN

AND

PARCEL No. 13-23-25-0500-008-00000 (PART-C)

ALL OF THAT PARCEL OF LAND LYING IN THE NE¼ OF THE NE¼ OF THE NE¼ OF SECTION 1, TOWNSHIP 23 SOUTH, RANGE 25 EAST, LYING NORTHEASTERLY OF THE EASTERN SHORELINE OF THE PALATLAKAHA RIVER

AND

PARCEL No. 31-22-26-0003-000-01503 (PART-D)

THAT PART OF THE SW¼ OF THE SW¼ OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 31 TO THE SHORE OF LAKE MINNEHAHA; THENCE NORTH-WESTERLY ALONG SHORELINE TO THE WEST LINE OF SAID SECTION 31; THENCE SOUTHERLY ALONG SECTION LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PART OF THE NE¼ OF NW¼ OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE NW¼ OF THE SAID SECTION 6, RUN WEST ALONG THE NORTH LINEOF SAID SECTION 6 A DISTANCE OF 783.6 FEET TO A POINT ON THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKESHORE DRIVE, THENCE RUN SOUTH 71°03' WEST ALONG THE SOUTHERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 600.16 FEET FOR A POINT OF BEGINNING. (THE SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF LAKE SHORE DRIVE WITH THE WESTERLY LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD.) FROM SAID POINT OF BEGINNING, RUN SOUTH 0° 11' WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF LAKE LOUISA ROAD 281.05 FEET; THENCE RUN SOUTH 71°03' WEST 192.19 FEET TO A CONCRETE MONUMENT; THENCE RUN NORTHWEST ALONG A CURVE BEING ALSO THE EASTERLY RIGHT OF WAY OF HAMMOCK RIDGE ROAD, HAVING A CHORD BEARING OF N54°58'51"W, A CHORD LENGTH 189.73 FEET, A RADIUS OF 800.00 FEET, ARC LENGTH OF 190.18 FEET, AND A DELTA ANGLE 13°37'13"; THEN LEAVING SAID CURVE N24°42'07"E A DISTANCE OF 20.59 FEET; THENCE ON A TANGENT CURVE HAVING A CHORD BEARING OF N48°14'02"E, A CHORD LENGTH OF 199.63 FEET, A RADIUS OF 250.00 FEET, ARC LENGTH OF 205.35 FEET, AND A DELTA ANGLE 47°03'49"; THENCE LEAVING SAID CURVE N71°03'E A DISTANCE OF 115.92 FEET; THENCE NI8°57'W A DISTANCE OF 18.9 FEET; THENCE N71°03'E TO THE POINT OF BEGINNING. LESS THE RIGHT OF WAY OF LAKE SHORE DRIVE.

LESS AND EXCEPT THE DRAINAGE POND MORE PARTICULARLY DESCRIBED AS:

A PORTION OF TRACTS 9 & 10, MONTE VISTA PARK FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 6, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 9; THENCE RUN SOUTH 89° 43' 00" EAST ALONG THE SOUTH LINE ·OF TRACT 9,482.58 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 39° 25' 42" EAST, AND A CHORD DISTANCE OF 70.08 FEET; THENCERUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 32' 26", A DISTANCE OF 70.11FEET; THENCE LEAVING SAID CURVE RUN NORTH 36° 12' 17" EAST, 79.29 FEET; THENCE NORTH 11° 45' 29" EAST, 116.92 FEET TO THE PROPOSED SOUTH RIGHT OF WAY OF THE SOUTH CLERMONT CONNECTOR; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 700.00 FEET, A CHORD BEARING OF SOUTH 80° 58' 11" EAST, AND A CHORD DISTANCE OF 219. 58 FEET; THENCE RUN EASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 18° 02' 51", A DISTANCE OF 220.49 FEET; THENCE LEAVING SAID RIGHT OF WAY AND SAID CURVE RUN SOUTH 24° 26' 29" EAST, 49.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY,HAVING A RADIUS OF 1000.00 FEET, A CHORD BEARING OF SOUTH 34° 20' 08" WEST, AND A CHORD DISTANCE OF 280.94 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16° 09' 00", A DISTANCE OF 281.87 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 3° 43' 16";THENCE RUN SOUTHWESTERLY ALONGTHE ARC OF SAID CURVE A DISTANCE OF 34.10 FEET; THENCE LEAVING SAID CURVE RUN NORTH 76° 36' 25" WEST, 214.76 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 725.00 FEET, A CHORD BEARING OF NORTH 34° 02' 16" EAST, AND A CHORD DISTANCE OF 66.29 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°14' 25", A DISTANCE OF 66.31 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.71 ACRES, MORE OR LESS.

LESS LAKESHORE DRIVE AND HAMMOCK RIDGE ROAD RIGHT OF WAYS AS THEY CURRENTLY EXIST.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD

PROPERTY REZONING

From: Lake County PUD
To: City of Clermont Planned Unit Development PUD

All public meetings are 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 AM and 5:00 PM.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
March 18, 2024 and April 8, 2024

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024
Agenda Item Name
Ordinance No. 2024-013 *Final Comprehensive Plan*
Requested Action
Recommend approval of Ordinance 2024-013.
Staff Report

Since this proposal is an amendment to the text of the City's Comprehensive Plan, a mandatory review process involving the state agencies was warranted with a time to comment. The proposed comprehensive plan amendment (Amendment No. 24-01ESR) was transmitted on February 16, 2024, to nine (9) state and local agencies for review and comment. The time period for commenting has concluded, and the City has received four (4) responses. Three of them (DEO, SJRWMD, FDOT) indicated "no comment" with the fourth (DEP) indicating "no provision that, if adopted, would result in adverse impacts." Staff recommends approval of Ordinance 2024-013.

This is a staff initiated text amendment to modify language within Chapter 1 - Future Land Use Element of the City's Comprehensive Plan. In 2017, a text amendment was presented and approved by City Council under Ordinance 2016-40 to allow an increase in density through a density bonus program within the Downtown Mixed-Use District. This amendment provided a density ranging from 12 dwelling units per acre up to 40 dwelling units per acre. In 2018, another text amendment was presented and approved by City Council under Ordinance 2018-27 to allow an increase in density to encourage workforce housing in particular areas of the City. The dwelling unit (du) count increased from 12 du up to 25 du for projects that utilized the Workforce Housing initiatives within a project. A specific number of workforce housing units had to be included in an overall project if a developer requested an increase over the 12 du per acre. The City has not processed a Workforce Housing initiative project and only two density bonus projects within the Downtown Mixed-Use District. The two that have been received and processed are the Graff Building at 32.5 dwelling units per acre and Clermont Lumberyard at 36 dwelling units per acre.

Due to the lack of projects using the Workforce Housing initiative and limited projects seeking the density bonus, staff is recommending the maximum density to be reduced and the program requirements eliminated. This is also in conjunction with the recent legislative changes of the adoption of Senate Bill 102, also known as the "Live Local Act." Staff is requesting these reductions to be reflected in the City's Comprehensive Plan, particularly in Policy 1.2.4 that shows a chart of the maximum density in each future land use.

Future Land Use Categories	Maximum Density/Intensity (per gross acre)
Conservation	Not Developable
Parks	N/A
Public Facilities/Institutional	0.25 FAR
Residential	
Low-Density	3 units per acre
Medium-Density	8 to 12 units per acre
High-Density	12 units per acre
Office	1.0 FAR
Mixed-Use	
Residential/Office	12 units per acre/0.25 FAR
Master Planned Development	12 ~~– 25~~ units per acre/0.25 FAR
Downtown Mixed-Use	~~12-40~~16 units per acre/3.0 FAR
Commercial	12 ~~-25~~ units per acre/0.25 FAR
Industrial	1.0 FAR

With the introduction of the "Live Local Act," a developer may seek an affordable housing project, according to the requirements within Chapter 2023-17 without having the assistance of the density bonus and workforce housing initiative within the Compressive Plan. Therefore, staff requests the proposed changes within Chapter 1 – Future Land Use Element that reduce the maximum density to 16 dwelling units per acre in the Downtown Mixed-Use District and 12 dwelling units per acre in the Commercial and Master Planned District. The changes are limited to Policy 1.2.4, 1.9.2 and Objective 1.7 within the FLU Element. No other changes have been made. Staff recommends approval of Ordinance 2024-013.

Additional Analysis

Fiscal Impact Summary

None.

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)

1. Agency Comments — Agency Comments.pdf
2. Ord. 2024-013 - Density LLA (01.26.2024) — Ord. 2024-013 - Density LLA (01.26.2024).pdf
3. 2014-013 Legal Ad — 2014-013 Legal Ad.pdf

March 15, 2024

The Honorable Tim Murry
Mayor, City of Clermont
685 West Montrose Street
Clermont, Florida 34711

Dear Mayor Murry:

The Florida Department of Commerce (FloridaCommerce) has reviewed the proposed comprehensive plan amendment for the City of Clermont (Amendment No. 24-01ESR) received on February 16, 2024. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**

- **The second public hearing,** which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Jon Coulter, Planning Analyst, by telephone at (850)-717-8421 or by email at jon.coulter@commerce.fl.gov.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS /jc

Enclosure(s): Procedures for Adoption

cc: John E. Kruse, AICP, Planning Manager, City of Clermont
Tara McCue, Executive Director, East Central Florida Regional Planning Council

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

John E. Kruse

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Sent: Wednesday, February 28, 2024 8:58 AM
To: John E. Kruse
Cc: DCPexternalagencycomments@deo.myflorida.com; Kathy Heard
Subject: City of Clermont proposed comprehensive plan amendment 24-01ESR

Dear Mr. Kruse,

St. Johns River Water Management District (District) staff have reviewed City of Clermont proposed comprehensive plan amendment 24-01ESR in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
Email: sfitzgib@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: Newsletter, Facebook, Twitter, Instagram, YouTube, Pinterest

www.sjrwmd.com/ePermit

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this link

Notices
• Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
• Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at http://www.sjrwmd.com/lobbyist/

John E. Kruse

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Friday, March 15, 2024 2:51 PM
To: John E. Kruse; DCPexternalagencycomments
Cc: Plan_Review
Subject: Clermont 24-01ESR Proposed

To: John E. Kruse, AICP, Planning Manager

Re: Clermont 24-01ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720

JARED W. PERDUE, P.E.
SECRETARY

March 15th, 2024

Mr. John E. Kruse, AICP
Planning Manager, City of Clermont
Development Services
685 W. Montrose Street
Clermont, Florida 34711

Subject: City of Clermont Proposed Comprehensive Plan Amendment 24-01ESR
Response Type: ***No Comments***

Dear Mr. Kruse,

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the amendment package for the City of Clermont Proposed 24-01ESR as requested in your transmittal letter, dated February 16, 2024.

Proposed Ordinance:
The comprehensive plan amendment proposes revising language regarding density and bonus densities under Policy 1.2.4, Objective 1.7, and Policy 1.9.2. The amendment reduces density from 40 dwelling units per acre to 16 dwelling units per acre in the Downtown Mixed Use and from 20 or 25 dwelling units per acre in the Commercial Future Land Use to 12 dwelling units per acre.

Result:
FDOT has reviewed the transmitted amendment for the City of Clermont pursuant to Section 163.3184(3), Florida Statutes. The proposed amendment is not anticipated to have significant adverse impacts to transportation resources or facilities of state importance. We appreciate the opportunity to review the proposed amendment and request that a copy of the adopted amendment, along with any supporting data and analysis be transmitted to the Department.

Thank you for coordinating on the review of this proposed amendment with FDOT. If you have any questions, please do not hesitate to contact me by email at james.rodriguez@dot.state.fl.us or by phone at *386-943-5457*.

Sincerely,

James Rodriguez

James Rodriguez, D5 Growth Management Coordinator

cc: Janie Barron, Lake County
D. Ray Eubanks, DEO
Barbara Powell, DEO
Melissa McKinney, FDOT
Tiffany Hill, FDOT
Jennifer Carver, FDOT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO REDUCE THE MAXIMUM DENSITY WITHIN THE MASTER PLANNED DEVELOPMENT, DOWNTOWN MIXED USE, AND COMMERCIAL FUTURE LAND USE CATEGORY; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR 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 163.3187; and

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

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

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

SECTION 1:

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

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 a Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be separable 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 immediately upon its Second Reading and Final Passage.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of April 2024.

CITY OF CLERMONT

_____
Tim Murry, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Exhibit A

CITY OF CLERMONT
COMPREHENSIVE PLAN

CHAPTER I
FUTURE LAND USE ELEMENT

Adopted June 23, 2009
Amended February 28, 2017
Amended August 28, 2018
Amended August 25, 2020
Amended March 22, 2022
Amended September 23, 2022
Amended February 28, 2023
Amended April 23, 2024

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CHAPTER I
FUTURE LAND USE

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

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

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

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

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

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

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

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

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

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

Future Land Use Categories	Maximum Density/Intensity (per gross acre)
Conservation	Not Developable
Parks	N/A
Public Facilities/Institutional	0.25 FAR
Residential	
Low-Density	3 units per acre
Medium-Density	8 to 12 units per acre
High-Density	12 units per acre
Office	1.0 FAR
Mixed-Use	
Residential/Office	12 units per acre/0.25 FAR
Master Planned Development	12 units per acre/0.25 FAR
Downtown Mixed-Use	16 units per acre/3.0 FAR
Commercial	12 units per acre/0.25 FAR
Industrial	1.0 FAR

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

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

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

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

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

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

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

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

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

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

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

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

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

Objective 1.6: Residential Land Use Categories. The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of low, medium and high residential densities at a maximum density of up to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations. Based on current land use trends, the City estimates that the mix of uses in the residential categories will be about 85 percent residential and 15 percent public facilities/institutional and recreation uses.

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

Policy 1.6.2: Medium-Density Residential. Areas delineated on the FLUM for medium-density residential development shall accommodate a maximum density of up to eight units per acre. To encourage higher density adjacent to Downtown and provide enhanced walkability between housing and the Central Business District, land designated as Medium-Density Residential Future Land Use adjacent to the Downtown Mixed Use Future Land Use may have a density of up to 12 units per acre. However, densities higher than eight units per acres shall require a Conditional Use Permit. The Medium-Density Residential Future Land Use area eligible for density up to 12 units per acre is north of SR 50, South of Lake Minneola, West of 5th Street and East of 12th Street. Permitted housing types include single-family detached homes, including zero-lot-line and cluster developments, duplexes, townhomes, condominiums, accessory dwelling units, and apartments.

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

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

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

Objective 1.7: Mixed-Use Land Use Categories. The mixed-use categories are established to accommodate a mixture of residential, office and commercial uses as single uses on separate parcels or as a mix of uses within a single development. The maximum density for residential uses shall be 12 units per acre, except in the Downtown Mixed Use Category, which may allow up to 16 units per acre. The maximum density for residential uses shall be 12 units per acre in the Master Planned Development Use. Densities higher than eight units per acre in the Residential/Office Category shall require a

conditional use permit. Other uses allowed include supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

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

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

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

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

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

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

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

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

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

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

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

Policy 1.9.2: The maximum intensity of commercial development shall be limited to 0.25 FAR. The maximum density for residential uses shall be 12 units per acre, Densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning.

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

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

Policy 1.9.5: Residential storage facilities shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 1.0 FAR. This shall not include the storage of manufacturing or commercial products.

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

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

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

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

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

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

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

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

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

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

Policy 1.12.1: The Lake-Sumter Metropolitan Planning Organization's transportation concurrency management system (TCMS) and Traffic Impact Study Methodology Guidelines,

Volume I: Lake County Checkbook TCMS dated May 28, 2008, and as amended, shall serve as the City's transportation concurrency management system.

Policy 1.12.2: All development orders or permits, including any redevelopment activities, shall be issued only if there are public facilities and services available with sufficient capacities to maintain the level of service standards concurrent with the impacts of the proposed development. Prior to the issuance of a building permit, the City shall verify with its utility department that adequate water supplies will be available to serve new development no later than the anticipated date of issuance of the certificate of occupancy.

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

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

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

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

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

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

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

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

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

- Limitations on development density and intensity;

- Limitations on building placement, such as required clustering of allowable development on non-sensitive portions of a site;
- Limitations on building coverage or impervious surface coverage;
- Requirements for setbacks and landscaped buffers sufficient to mitigate or eliminate impacts; and
- Evaluation of proposed plan amendments to ensure that they do not contribute to urban sprawl and fail to protect natural resources.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Public elementary schools shall be sited primarily in residential areas that include housing types and densities to meet the school's enrollment capacity with students who are predominately within walking distance of the school.

- Public middle and high schools may be sited in areas with a mix of land uses, including commercial.
- Access to public school sites should be from a collector road for middle and high schools or a collector or local road for elementary schools. Ingress and egress should not create detrimental impacts on roads adjacent to the site. Approaches to the site should be safe for pedestrians, bicycles, cars and buses.
- Public utilities shall be available to the site.

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

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

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.

Policy 2.1.2: Wellness Way is based upon providing sufficient land area to achieve a target of 1.25 to 1 jobs-to-housing ratio. The plan will also require significant open space set asides within each PUD to ensure internal open space connectivity as well as connectivity to Lake Louisa State Park and Orange County.

Objective 2.2: Economic Development Branding Strategy.

The City, in collaboration with Lake County, shall develop a comprehensive economic development and branding strategy that achieves a target jobs-to-housing ratio within wellness way by focusing on growth and retention of target industries and the complimentary land uses and infrastructure needed to support them.

Policy 2.2.1: **Jobs-To-Housing Ratio, Minimum Non-Residential Square Feet & Land Area Set-Asides**

The City shall seek to achieve a target jobs-to-housing ratio of 1.25 jobs per one (1) dwelling unit (1.25:1) within Wellness Way. The target jobs-to-housing ratio will be achieved by ensuring a minimum volume of employment generating non-residential uses can be accommodated within the planning area. The City shall analyze each PUD submittal to ensure the PUD reserves an adequate amount of land for employment uses to achieve the desired volume of non-residential square footage that will produce the targeted ratio for the overall wellness way planning area.

To ensure that an adequate volume of land is set aside to accommodate the required non-residential square footage, a FLUC specific minimum FAR (as shown in Policy 2.3.2.) is applied to the non- residential square footage requirement. All PUDs are required to set aside enough acreage, as calculated above, to accommodate the required non-residential square footage at the minimum average FAR. Land use types that can be counted towards the non-residential square footage requirements include traditional, job-generating commercial, office and industrial uses (where appropriate), as well as other job-generating land uses, such as secondary education facilities, hotels, technical schools and hospitals/medical.

Policy 2.2.2: Target Industries

Non-residential employment development within Wellness Way shall target, but are not limited to, a broad base of industry sectors. This will allow for a diverse and dynamic range of economic development and job growth opportunities. Target industries may include:

A. Ag-Tech
B. Eco-tourism and Agri-tourism
C. Education and Health Services
D. Human Performance, Sports Medicine and Sports Training
E. Leisure and Hospitality
F. Manufacturing
G. Medical and bio-medical
H. Professional and Business Services
I. Research Facilities
J. Retail Trade

K. Transportation, Trade and Utilities

Policy 2.2.3: Technology Infrastructure

Key to the success of Wellness Way will be the application of an advanced technology infrastructure network. PUDs within Wellness Way shall include an analysis of technology infrastructure to determine if the most current and innovative technologies are being utilized. PUDs shall identify technology infrastructure corridors and shall develop a strategy for ensuring the long-term viability of the technology infrastructure network.

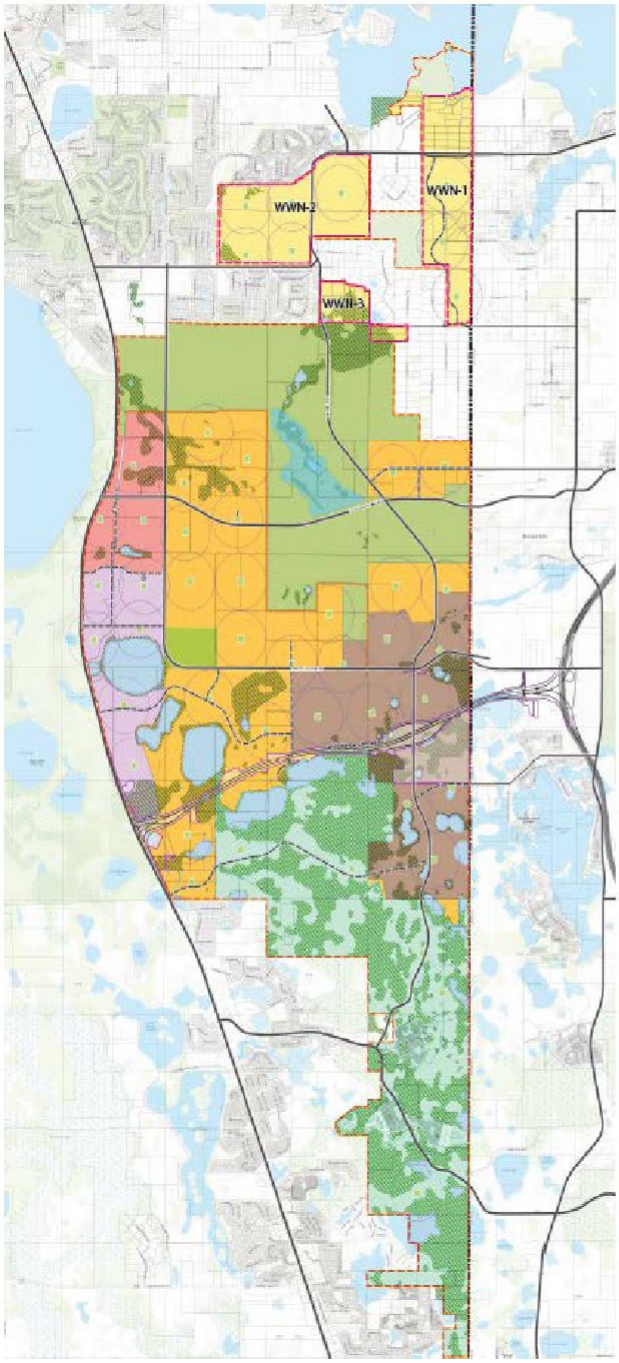
Policy 2.2.4: Energy Conservation

A primary component of Wellness Way will be the use of alternative energy sources to promote economic development. The use of sustainable energy generation will attract businesses and foster the proliferation of green technology. Alternative energy resources should be encouraged as a power source for residential and non- residential development alike. PUDs should demonstrate how alternative energy sources will be incorporated into the development when economically feasible.

Objective 2.3: Land Use, Hierarchy of Place and Wellness Corridors

The intent of Wellness Way is to create a fiscally efficient development pattern through a diversity of land uses and locally appropriate urban form. The form shall promote land use densities, intensities and mixed uses that integrate and support alternative transportation modes, decrease trip lengths, and promote internal capture. The Framework Map shall guide the relationships of land use, transportation, Wellness Space and is intended to provide a hierarchy of place within each PUD.

Figure 1 – Framework Map



Wellness Way Community Design Guidelines 11

Figure 2.1: Wellness Way Development District Framework Map

- Neighborhood District
- US 27 District
- Multi Use W District
- Multi Use L District
- Conservation Subdivision District
- Wellness Way North District [1]
- CONSERV District
- Waterbodies
- Wetlands [2]
- Primary Roadway Network
- Secondary Roadway Network
- Clay Road (Preserved)
- County Park
- Conceptual Neighborhood Form

[1] Subareas for purposes of Program Allocation are indicated by WWN-#

[2] Location and extent of wetlands and waterbodies shown on this map are approximate and subject to survey and regulatory agency jurisdictional determinations.

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.

B. The **US 27 FLUC** is intended to support moderate density residential, commercial, and employment uses that serve the daily needs of the residents and employees from nearby neighborhoods and workplaces. The district is not intended to create a conventional 'strip commercial' frontage along US 27.

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.

D. The **Conservation Subdivision FLUC** is intended to promote a balance between carefully designed residential development while supporting the ecological value of the 'mosaic' of wetlands and uplands that characterize the area. Recognition of wildlife corridors is central to the purpose of the district.

E. The **Wellness Way North FLUC** is intended to implement the existing Wellness Way Area Plan allocation of low density residential with the required minimum of non-residential/employment square footage.

F. The **Water Conserv II FLUC** is intended to recognize the public ownership nature of the land holding and as such, no private urban land uses are permitted. Public facilities, including schools, utilities and other support facilities for public uses are permitted. Public access as an open space amenity is highly encouraged.

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

Future Land Use Category	**Open Space Minimum**	**Residential Maximum**	**Center Minimum**
Neighborhood	30%	65%	5%
US 27	30%	55%	15%
Multi-Use	30%	50%	20%
Conservation Subdivision	50%	50%	N/A
Wellness Way North 1	30%	60%	10%
Wellness Way North 2	30%	60%	10%
Wellness Way North 3	30%	60%	10%

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.

Maximum Capacity Allocation Table

Future Land Use Category	**Maximum Capacity / Net Residential Acre**	**Minimum FAR / Net Non-Residential Acre**
Neighborhood	3.60 (d.u)[1]	0.30
US 27	5.75 (d.u)	0.25
Multi-Use	8.00 (d.u)	0.20
Conservation Subdivision	2.70 (d.u)	0.00
Wellness Way North 1	3.08 (d.u)	0.33
Wellness Way North 2	2.67 (d.u)	0.25
Wellness Way North 3	2.25 (d.u)	0.17

[1] 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 over us 27
F. Any other contribution to public infrastructure and/or public facilities

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.

Policy 2.3.3: Example Residential Capacity and Non-Residential Acreage Set-Aside Calculation:

A proposed PUD contains 500 net acres (gross acres minus wetland acres minus water body acres) within the Neighborhood District and 250 net acres within the Multi-Use District. The Neighborhood District FLUC allows a Residential land allocation of up to 65% and requires a Center land allocation of at least 5%. The Multi-Use District FLUC allows a Residential land allocation of up to 50% and requires a Center land allocation of at least 20%. The Neighborhood District FLUC allows a density of 3.60 dwelling units per net Residential acre and requires a minimum average FAR of 0.30 per net Center acre. The Multi-Use District FLUC allows a density of 8.00 dwelling units per net Residential acre and requires a minimum average FAR of 0.30 per net Center acre.

Step 1: Land Allocation Calculation

- Neighborhood District
  - Residential Maximum: 500 net acres * 65% Residential = 325 acres
  - Center Minimum: 500 net acres * 5% Center = 25 acres
  - Open Space Minimum: 500 net acres * 30% Open Space = 150 acres
- Multi-Use District
  - Residential Maximum: 250 net acres * 50% Residential = 125 acres
  - Center Minimum: 250 net acres * 20% Center = 50 acres
  - Open Space Minimum: 250 net acres * 30% Open Space = 75 acres
- Total Land Allocation
  - Residential Maximum: 450 acres
  - Center Minimum: 75 acres
  - Open Space Minimum: 225 acres

Step 2: Maximum Density Calculation

- Neighborhood District: 500 net acres * 65% Residential * 3.6 du/ac = 1,170 dwelling units
- Multi-Use District: 250 net acres * 50% Residential * 8.0 du/ac = 1,000 dwelling units
- Total Dwelling Units: 2,170

Step 3: Minimum Non-Residential Calculation

- Neighborhood District: 500 net acres * 5% Center * 0.30 FAR = 326,700 sf
- Multi-Use District: 250 net acres * 20% Center * 0.30 FAR = 653,400 sf
- Total Minimum Non-Residential Program = 980,100 sf

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.[2] The minimum and maximum net density and intensity for any development site within a PUD is set by the following table:

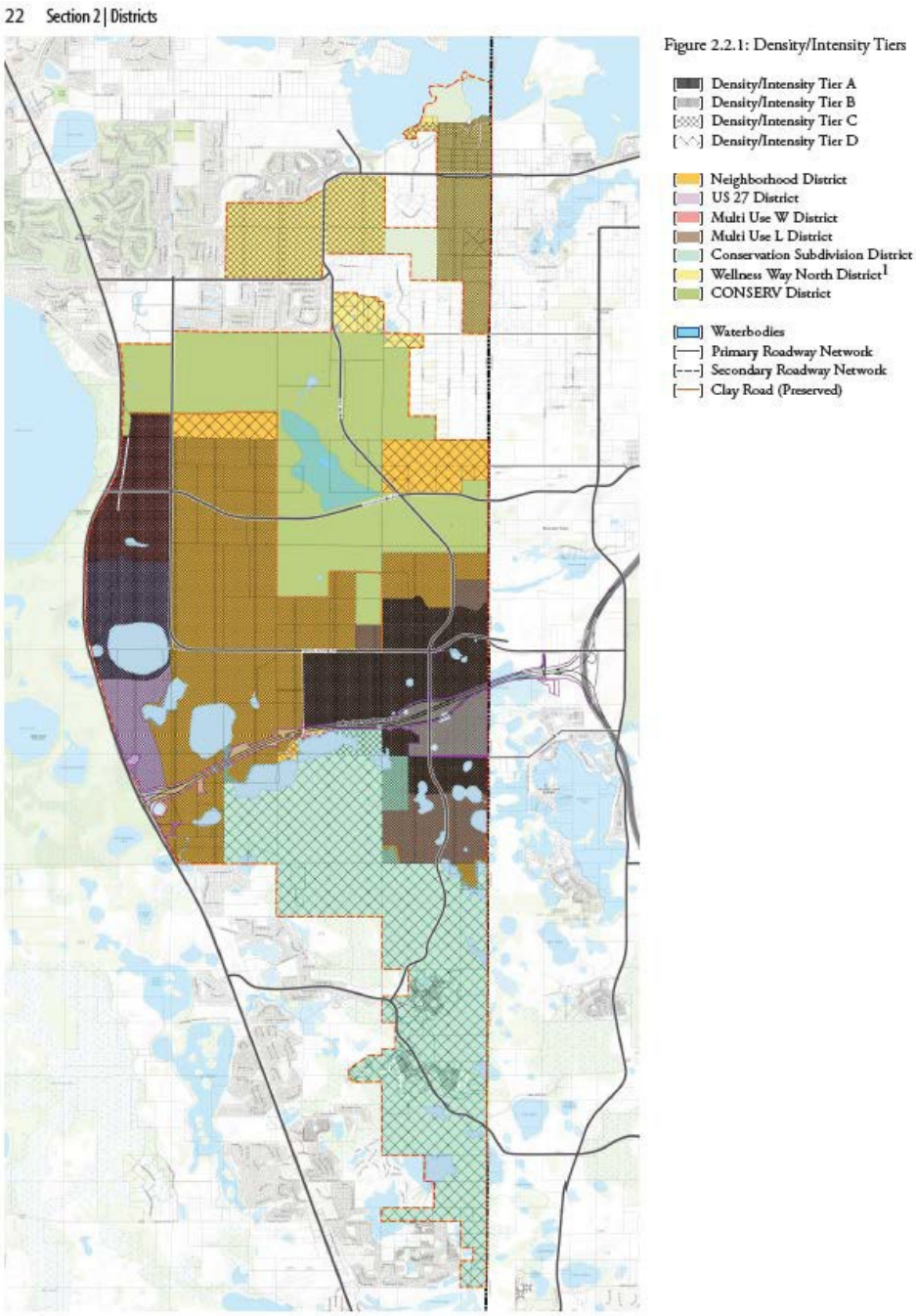
Future Land Use Category Density/Intensity Tier Summary Table

Density/ Intensity Tier	Minimum Density/ Net Buildable Acre	Maximum Density/ Net Buildable Acre	Minimum Average FAR	Maximum Average FAR
Tier A	6.00 (d.u)	25.00 (d.u)	0.25	2.00
Tier B	3.00 (d.u)	20.00 (d.u)	0.25	2.00
Tier C	2.50 (d.u)	15.00(d.u)	0.15	2.00
Tier D	2.00 (d.u)	10.00 (d.u)	0.15	2.00

Policy 2.3.4.1: Flexibility of Future Land Use Category Boundaries within Single Ownership

If a proposed PUD contains more than one Future Land Use category, a developer may propose the relocation of the boundaries of each FLU category within the boundaries of the PUD, to provide flexibility in overall project design. The resulting development program/entitlement shall not exceed the program/entitlement of the original FLU category boundaries. The burden is on the developer is to show how the proposed boundary modification results in a superior project design and how it exceeds the goal and objectives of Wellness Way.

Figure 2 – Density/Intensity Tiers



Policy 2.3.5: Location and Timing of Non-Residential Construction.

Land areas set aside for the purposes of non-residential uses will be termed Centers. Non-residential development must occur within a Center. Centers may have a mix of non-residential and residential uses. In these cases, the residential uses must be built concurrently or after the construction of the non- residential uses. All Centers shall be appropriately placed in commercially viable locations located along an arterial or collector road.

Land areas set aside for the purposes of non-residential uses will be termed Centers. Non-residential development must occur within a Center. Centers may have a mix of non-residential and residential uses. In these cases, the residential uses must be built concurrently or after the construction of the non- residential uses. All Centers shall be appropriately placed in commercially viable locations located along an arterial or collector road.

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.
J. All distribution lines for new development in Wellness Way shall be located underground.

These guiding principles shall be specifically demonstrated in all PUDs.

Policy 2.3.7: Pedestrian Orientation

Design decisions must be oriented to the pedestrian scale. The Design Guidelines and Standards that implement this plan must be incorporated in the development standards for each PUD zoning, which culminates at the detailed design level with the specifications for complete street design.

Policy 2.3.8: Wellness Corridors

Wellness Corridor (WC) networks connect communities, Multi-use Districts, Centers, neighborhoods and destinations together in a series of integrated trail and pedestrian facilities. WC networks may contain the following elements:

A. Community farms and gardens
B. Wetlands
C. Water bodies

D. Preserved uplands
E. Trails, pedestrian ways and bikeways
F. View sheds and scenic resources
G. Cultural and environmental resources
H. Parks/recreation facilities for active and passive use
I. Stormwater management facilities

Policy 2.3.9: Open Space

A significant amount of land area in the form of open space and natural protected areas will be protected in Wellness Way. The natural protected areas include wetlands and water bodies. Open space will be divided into two separate categories, Wellness Space and Green Space, with each type allowing different uses.

Wellness Space includes land area that remains minimally developed, such as trails and boardwalks, as part of a natural resource preserve or active/passive recreation area. Wellness Space also includes land area open to public access and gathering places, such as parks, piazzas, plazas and urban squares. Wellness Space may include permeable storm water areas if enhanced as amenities using native vegetation. Open water bodies, completely surrounded by uninterrupted Wellness Space, may also be counted as Wellness Space.

Green Space includes land areas for the purpose of protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, or protection of vegetative communities or wildlife habitat and shall include land preserved for conservation purposes. Green Space should be maintained in such a way to encourage the proliferation of native flora and fauna. Active recreation is prohibited in Green Space; passive recreation is allowed in Green Space.

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.

Policy 2.3.10.1 Trout Lake Wellness Trail

All properties having frontage on Trout Lake shall, as part of the Wellness Space requirements, provide at least a 50' wide corridor and multi-use trail adjacent to the lake edge for a publicly accessible trail.

Policy 2.3.11: **Open Space Design**

Open Space is meant to provide an amenity to the community and should be designed to

promote public access. Open Space tracts are encouraged to be placed in the interior of a PUD. Narrow open space tracts, boarding the perimeter of a PUD, being used solely as a buffer, shall be discouraged. All open space calculations shall be determined during the PUD review process and shall be phased consistent with development.

Policy 2.3.12: Conservation Lands

The determination of areas most suitable for permanent preservation shall occur during the preparation of a Planned Unit Development (PUD). The permanent preservation of suitable areas through recordation of conservation easements, consistent with s. 704.06 FS, as amended, shall correspond with each development phase or stage. Once an area is placed in permanent preservation, either through easement or acquisition, the Future Land Use Map designation of that area may be amended to Conservation.

Objective 2.4: Mobility.

Development within Wellness Way shall be managed to reduce vehicle trips, minimize vehicle trip lengths, and reduce vehicle miles travelled through the encouragement of clustered mixed-use development and the internal capture of trips and through the development of an interconnected, transportation network. The proposed arterial roadways as generally depicted on the future land use map make up the primary roadway network. Final primary roadway alignments and additional connections may be determined in the PUD process.

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 a 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.

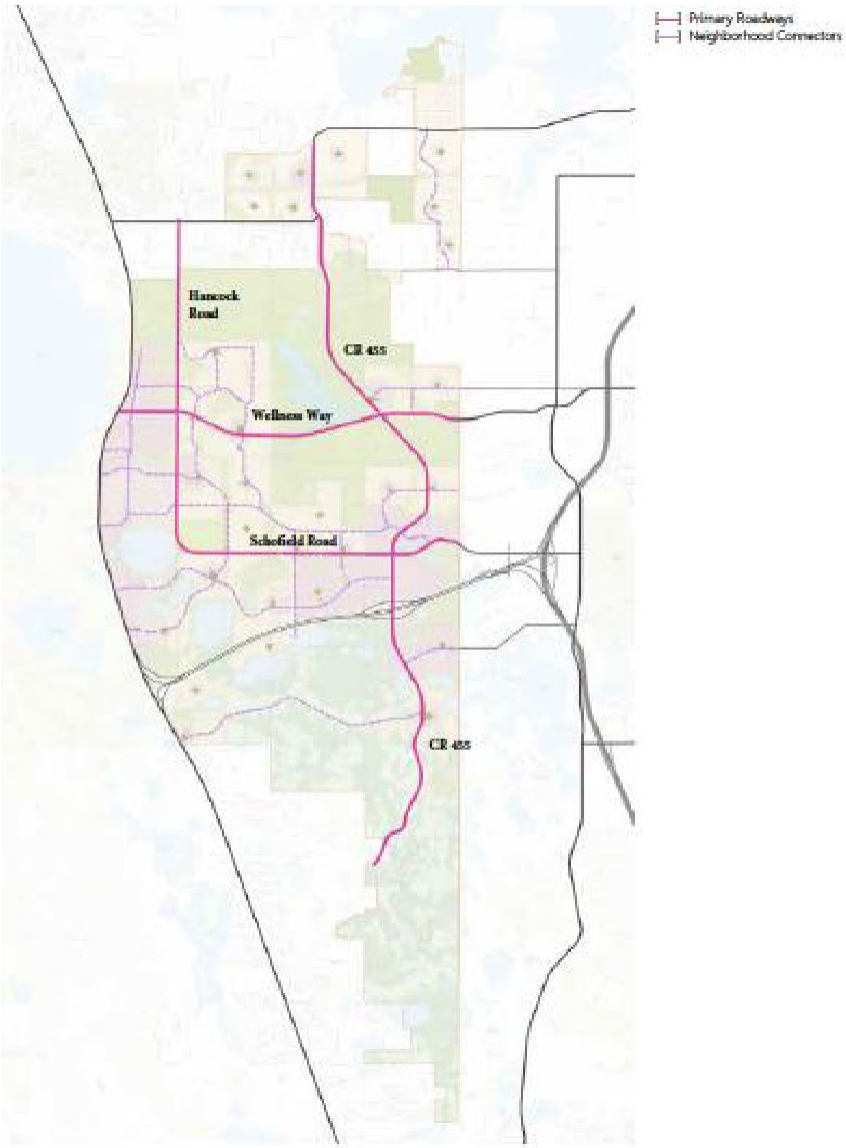
Primary Roadway Network

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.

FIGURE 3 – PRIMARY ROADWAY NETWORK



Policy 2.4.2 Complete Streets

Thoroughfares within Wellness Way shall be designed to accommodate pedestrians, bicycles, transit, freight, and motor vehicles within a circulation network with the allocation of right-of-way provided for in the PUD approval process. To assist with the design of future roadways and ensure that these facilities consider all modes of transportation, typical complete street cross-sections shall be established in the implementing Design Guidelines and Standards, and shall be used to guide the design of proposed facilities during the PUD process.

Policy 2.4.3: Pedestrian Facilities

Through a complementary relationship between transportation, land use and urban design, development within Wellness Way shall support walking as an important part of daily travel. Design and construction of transportation facilities and land uses shall give highest priority to walking as a basic and efficient mode of transportation and may include the following:

A. Appropriately sized and obstruction-free sidewalks connecting residential neighborhoods to employment districts, retail areas, parks and schools;
B. Well designed and highly-visible crosswalks which ensure pedestrian safety in areas where conflicts with vehicular traffic may occur;
C. The use of streetscapes that offer a safe and inviting environment for pedestrians especially by providing shade, amenities and buffering from vehicular traffic; and/or,
D. Pedestrian oriented design of buildings adjacent to sidewalks including, minimal front setbacks, entrances that provide direct access from the public sidewalk, maximum first floor opacity standards, and the placement of vehicular use areas to the back or side of buildings.
E. Provision of Wellness Corridors with multi-use paths and trails.

Policy 2.4.4: Pol Facilities

PUDs shall include a safe and continuous bicycle network that encourages cycling as both a means of transportation and a recreational activity. Bicycle networks shall connect residential neighborhoods with the Multi-Use Districts, Centers, neighborhoods, parks and schools. These facilities may include:

A. Shared lane markings;
B. Designated bike lanes;
C. Separated bike facilities or "cycle tracks"; and/or,
D. Multi-use paths and trails.

Policy 2.4.5: The 'Wellness Ridgeway'

The Wellness Ridgeway Network is intended to be a system of trails providing non-motorized transportation within and through Wellness Way. The Network is organized to provide both recreational and functional use to origins and destinations such as parks and schools within Residential areas and employment and commercial areas in Centers. The Network is made up of four types of trails:

a. Trunk Trail
b. Neighborhood Trail
c. Clay Road
d. Water Conserv II Trail

The implementing Design Guidelines and Standards shall establish design criteria for each type of trail. The Wellness Ridgeway is a component part of the overall Wellness Corridor Network.

Policy 2.4.6: Transit

Centers located on arterial and collector roads offer the future opportunity for the Regional Transit Authority to consider providing transit service to and between Multi-use Districts, Centers and other regional destinations.

Policy 2.4.7: External Trip Reduction

PUDs within shall introduce measures that produce a reduction in net external trips. A variety of options and innovative techniques to meet this goal shall be included in the PUD including Wellness Corridors, complete streets, a pedestrian oriented design emphasis and the possible inclusion of future transit service.

Policy 2.4.8: Level of Service

The minimum roadway level of service standard within Wellness Way shall be "E," except for US 27 which shall remain at LOS "D."

Policy 2.4.9: Multimodal Street Design Standards

The City and Lake County shall establish design standards to ensure streets are safe, convenient and appealing for all modes of travel, including automobiles, trucks, bicycles and pedestrians and possible future bus service. Strategies shall include marked crosswalks, wider sidewalks, on-street parking, traffic calming, raised medians, adequate drainage or other appropriate safety enhancements that reduce hazardous conflicts between modes and that are consistent with the planned functions of the roadway.

Policy 2.4.10: Connectivity

To promote communities that are physically connected to each other and to foster community and connectedness beyond the development, all PUDs shall include sub-arterial streets stubbed to the boundary of the development in all cardinal directions unless physically constrained by natural or other features. Development plans within a PUD shall include streets connecting to all streets stubbed to the boundary of adjacent development plans. Street connections shall be made between adjacent development regardless of the parent development and adjacent land uses in order to continue the interconnected street network.

The City and Lake County shall coordinate the interconnection of the roadway network with Orange County roadways to the east. Wellness Way, Schofield Road, Old YMCA Road, and Sawgrass Bay Blvd (to Flemings Road) are critical east-west connections that would benefit the City and both Counties.

Policy 2.4.11: Land Use and Transportation Integration to Reduce Vehicular Travel

The land use densities, intensities and mixture of land uses within Wellness Way are intended to integrate and support alternative transportation modes, enhance multi-modal transportation, decrease trip lengths, and promote internal capture.

Objective 2.5: Natural and Scenic Resources

Wellness Way is home to many natural resources; the area consists of xeric uplands, wetlands and surface waters, most notably Trout Lake, Adain Lake, Sawgrass Lake, and the Urban Service Area borders Johns Lake to the north. The Planned Unit Developments (PUDs) shall provide for the conservation of significant natural, scenic and cultural resources through the creation of an interconnected open space known as the Wellness Corridor (WC) network within Wellness Way. These resources and corridors shall be specifically demonstrated in the PUDs.

The City shall protect its natural resources in Wellness Way through adoption of PUDs that promote the preservation or conservation of environmentally sensitive lands to include habitats containing listed animal and plant species. Natural resource protection shall be achieved through mechanisms such as buffer requirements, lower allowable densities in environmentally sensitive areas, open space preservation requirements, removal of exotic plan and animal species, maintenance of corridors, preservation of native vegetation, control of hydrological characteristics, and through use of clustering to help minimize the effect of development. The permanent preservation of suitable areas through recordation of conservation easements, consistent with s. 704.06 FS, as amended, shall correspond with each development phase or stage.

Policy 2.5.1: Identification of Environmentally Sensitive Areas

The Wellness Way Future Land Use Map generally identifies areas of potential environmentally sensitive lands. The Conservation Land Map shall guide the preparation of subsequent PUDs and their respective detailed identification of lands for permanent protection or preservation.

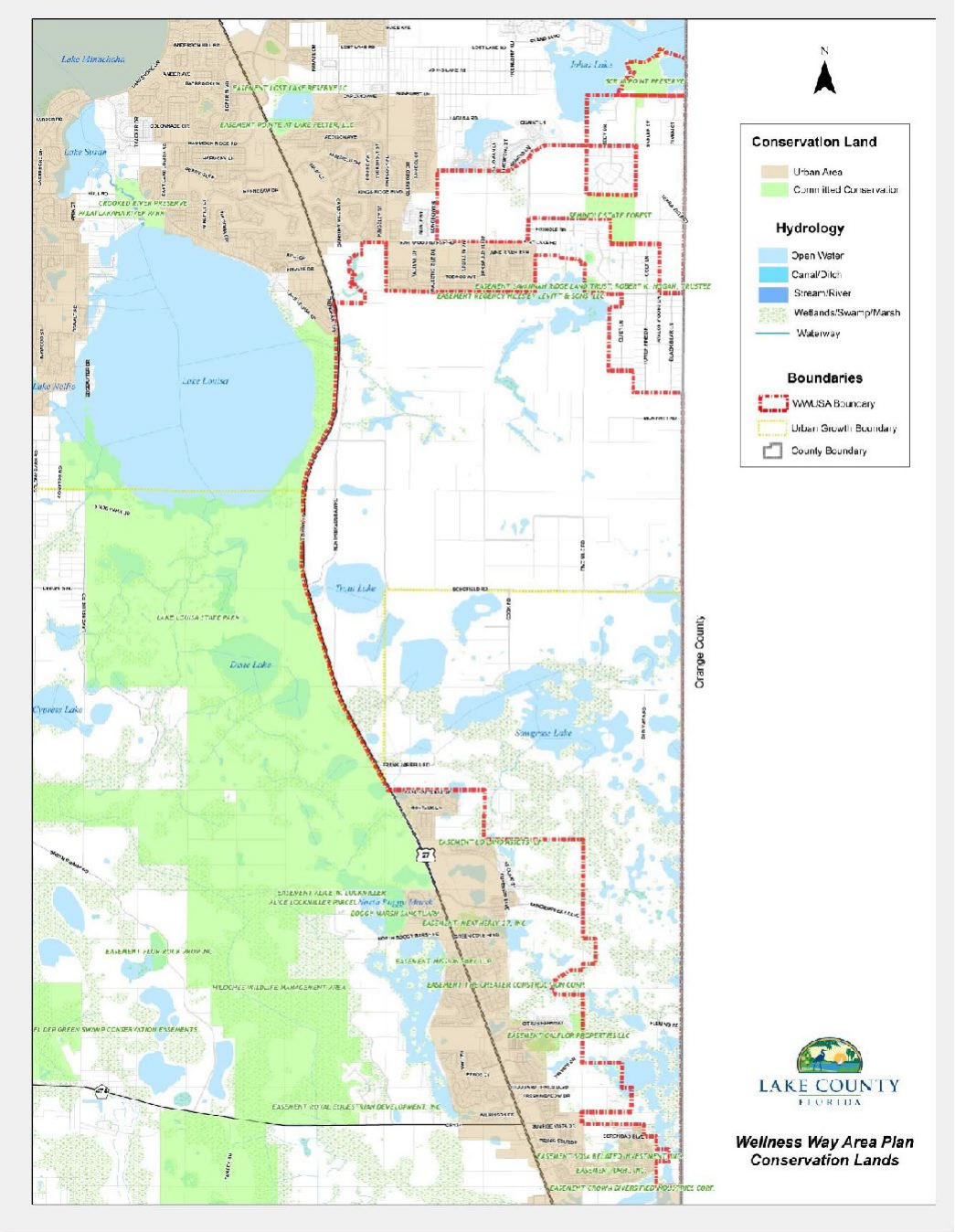
Policy 2.5.2: Identification and Preservation of Wetlands and Water Bodies

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.

A Conservation Lands Map of the Wellness Way area is shown in Figure 4:

Figure 4 – Conservation Lands Map



Policy 2.5.3: Conservation of Regionally Significant Natural Resources

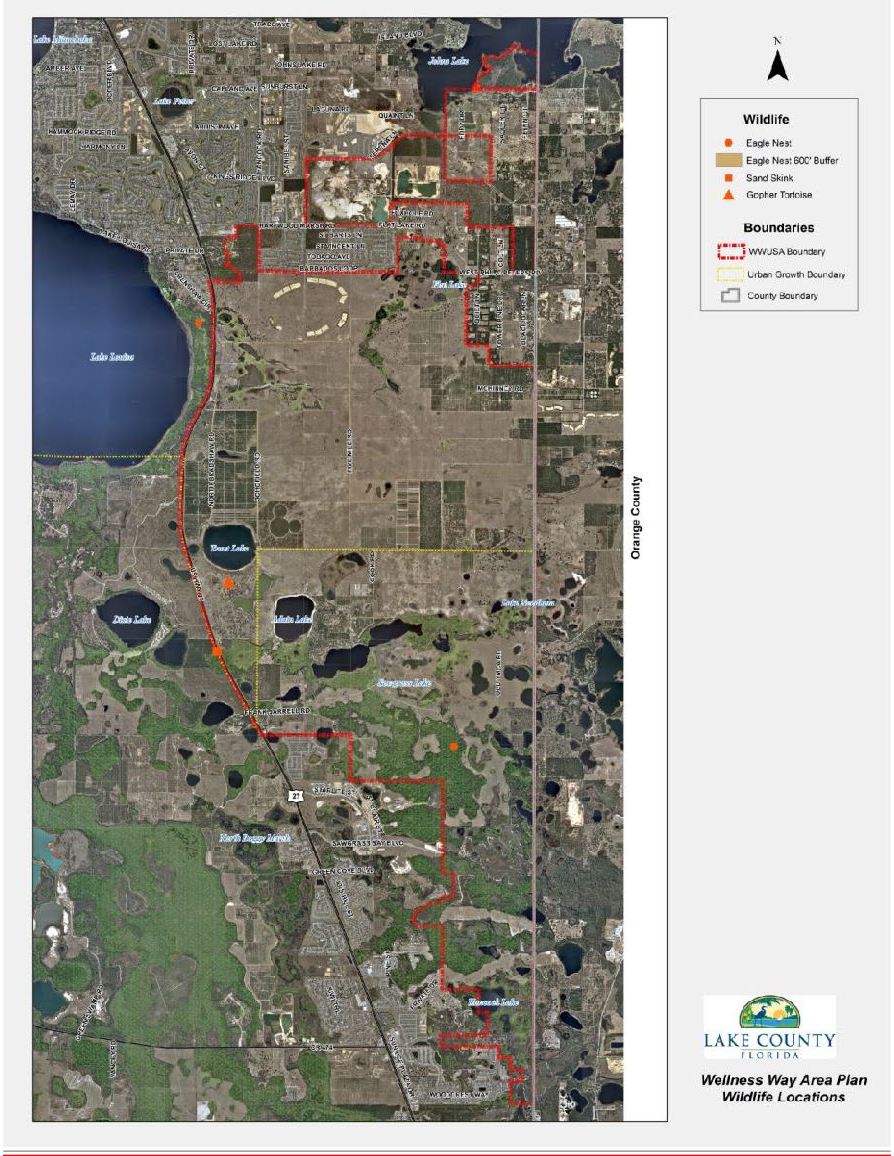
The Critical Lands and Waters Identification Project (CLIP), and Florida Fish and Wildlife Conservation Commission (FFWCC) databases shall be consulted during the preparation of all PUD. Areas designated as Priority 1 or 2 within the CLIP database and areas within the FFWC database containing known locations of rare and imperiled species of plants and animals shall be given the highest consideration for protection or preservation within a PUD.

The following chart lists the State of Florida Listed Animal Species with a possibility of occurrence in Lake County.

Common Name	Scientific Name	Status
American Alligator	Alligator mississippiensis	Federally-designated Threatened (FT)
Bald Eagle	Hallaeetus leucocephalus	Not currently listed
Eastern Indigo Snake	Drymarchon couperi	FT
Florida Black Bear	Ursus americanus floridanus	State-designated Threatened (ST)
Florida Sandhill Crane	Grus Canadensis pratensis	ST
Florida Scrub-Jay	Aphelocoma coerulescens	FT
Florida Burrowing Owl	Athene cunicularia floridana	State Species of Special Concern (SSC)
Florida Mouse	Podomys floridanus	SSC
Gopher Tortoise	Gopherus polyuphermus	ST
Least Tern	Stemula antillarium	ST
Little Blue Heron	Egretta caerulea	SSC
Red-Cockaded WoodPecker	Picoides borealis	Federally-designated Endangered (FE)
Sherman's Fox Squirrel	Sciurus niger shermani	SSC
Short-tailed Snake	Lampropeltis extenuate	ST
Sand Skink	Plestiodon reynoldsi	FT
Snowy Egret	Egretta thula	SSC
Southeastern American Kestrel	Falco sparverlus paulus	ST
Tricolored Heron	Egretta Tricolor	SSC
White Ibis	Eudocimus albus	SSC
Wood Stork	Mycteria Americana	FE
Osprey	Pandlon hallaetus	SSC

There are no known species that occur in the area that require special management plans or planning considerations other than the gopher tortoise, a state-designated threatened species; the bald eagle, which is not currently listed as a threatened or endangered species; and sand skink, which are listed as federally-designated threatened. The Wildlife Resources Map, shown below, illustrates known wildlife occurrences within the area.

Figure 5 - Wildlife Locations



Endangered and threatened species shall be afforded protection based on the regulatory requirements of the U.S. Fish and Wildlife Services, the Florida Fish and Wildlife Conservation Commission (FFWCC), and the Florida Department of Environmental Protection.

Policy 2.5.4: Lake Wales Ridge

The Lake Wales Ridge follows the east side of US Highway 27 south from Lake Apopka through Polk County and ending in Highlands County. The ridge consists of an ecosystem known as scrub and is currently home to 53 rare, indigenous and endangered plant and animal species including the Florida scrub jay, sand skink, and scrub mint. The planning area is located east of US Highway 27.

Endangered and threatened species shall be afforded protection based on the regulatory requirements of the U.S. Fish and Wildlife Services, the Florida Fish and Wildlife Conservation Commission (FFWCC), and the Florida Department of Environmental Protection.

Policy 2.5.5: Wildlife Data

An applicant for a PUD shall submit baseline data consistent with the guidelines for any state or federally listed wildlife or plant species, based on Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service survey methodologies and casual observation of non-listed wildlife and plant species. The purpose of the baseline data is to recognize the cumulative effects that development within Wellness Way is having on species diversity and habitat over a period oftime.

Policy 2.5.6: Identification and Preservation of Xeric Uplands

During the preparation of PUDs, upland areas containing xeric or scrub habitats should be analyzed closely for permanent preservation. Large habitat patches in close proximity to each other provide for the greatest species diversity and minimizes extinction probabilities; small patches that are isolated are less likely to preserve species. Habitat fragmentation shall be discouraged. If preserved, these areas may serve as relocation sites for gopher tortoises, sand skinks, and other xeric-adapted species that may be present within the Wellness Way and surrounding areas.

Policy 2.5.7: Creation of The Natural Components of The Wellness Corridor Network

At build-out, Wellness Way shall contain a large, interconnected WC network comprised of water bodies, wetlands, open space, important upland habitats and publicly owned lands. This system shall serve to protect environmentally sensitive lands, allow for the continued and safe movement of wildlife and provide for significant passive recreation areas for the residents, employees and visitors.

Native Vegetation within Corridors
Non-native landscape species shall be prohibited within these corridors, with the exception of turf grass used as road or yard stabilizer. Vegetation identified on the Florida Exotic Pest Plant Council's List of Invasive Plant Species shall be prohibited.

Movement of Wildlife Crossings
Collaboration with the Florida Fish and Wildlife Conservation Commission (FFWCC), the U.S. Fish and Wildlife Service, and the Florida Department of Transportation shall be required to establish standards and locations for the movement of wildlife on public roads and other corridors, as well as ensuring the crossings or corridors are of the appropriate size.

Each PUD shall be reviewed for consistency with this policy during the approval process.

Policy 2.5.8: Site Development Standards

Collaboration with the Florida Fish and Wildlife Conservation Commission shall be required to prepare a site development plan based on standards that promote preservation of wildlife during development and promote the provision of usable habitat post-development. Site development standards shall include, but are not limited to, monitoring, low-voltage lighting, berms, and fencing. Post-development measures may include, but are not limited to, planting of native vegetation, low-voltage lighting, berms, and fencing. The City shall also require that vegetative communities and wildlife habitats be protected from adverse effects associated with development.

The PUDs shall include provisions to require that development preserve wetlands and portions of developable uplands containing designated species or rare upland habitats. The permanent preservation of suitable areas through recordation of conservation easements, consistent with s. 704.06 FS, as amended, shall correspond with each development phase or stage. The PUD shall ensure the protection of trees and native vegetation with a target of protecting 50% of trees onsite. As appropriate, a tree replacement ratio may be implemented based on type and caliper. Special consideration shall be given to rare upland habitats and designated species within ecologically significant areas identified herein. The extent to which preservation of vegetative communities and wildlife habitats shall be protected and incorporated into protected open space on a development site, shall be determined during the PUD process.

Policy 2.5.9: Water Conservation Based Landscaping

A significant amount of water resources are used for irrigation of landscaped spaces in traditional developments. In recognition of the limited water resources available in South Lake County, developers in Wellness Way shall base their landscaping plans on water conservation principles and practices. Lake County may develop, and the City may require the implementation of the recommendations in a landscape design handbook which provides examples of water conserving landscape designs for commercial, residential and institutional developments as well as planted right of way areas. The handbook designs will feature the use of Florida native, drought tolerant species that require no irrigation once they have been established. The handbook will contain several design examples, listing acceptable plants and providing plan view layouts and pictorial representations of each design concept. Developers within Wellness Way shall utilize the handbook designs or shall propose a landscape design that conforms with water conservation principles for review during the permitting process. Exceptions may be granted for designs that receive irrigation solely from retained stormwater.

Policy 2.5.10: Regulation for Reclaimed Water Shall Be Enforced to Prevent Adverse Environmental Impacts.

The intent of Wellness Way is to require 100% of landscape irrigation be provided by re-use water. Another type of non-potable water supply may be used for landscape irrigation if re-use water is not available to the PUD. In no instance shall potable water be used for landscape irrigation unless authorized by the St. Johns River Water Management District pursuant to part II of Chapter 373, F.S.

Conservation programs, system interconnections and alternative water supply options such as reclaimed water reuse and storage, shall occur when accessible. All development containing irrigated open space shall be required to accept reclaimed water for irrigation when such reclaimed water is available adjacent to the development's boundary. Connection shall be made at the developer's cost consistent with the City of Clermont utility connection policies.

Objective 2.6: Public Facilities

The City shall require that all development be consistent with the Capital Improvements Element and the approved facility and service plans in order to discourage urban sprawl, meet adopted level of service standards, and thereby minimize associated public costs.

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 Chapter 373, F.S.

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.

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.

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.

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.

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.

Policy 2.6.7: Provision of Law Enforcement, Fire Protection and Emergency Services

All PUDs within Wellness Way shall include an analysis of law enforcement, fire protection and emergency medical services impacts and shall include coordination with Clermont Fire Department and Clermont Police Department to determine if facility sites are required within the PUD to ensure the provision of adequate public facilities and services. If it is determined that land is needed to accommodate the siting of facilities required to address the impacts of the proposed PUD, the provision of these lands shall become a condition of approval of the PUD and be conveyed prior to the issuance of building permits for development within the PUD.

Given the current location of existing Fire/EMS facilities of the City to the north and Lake County to the South, the City and Lake County should consider coordinating a joint City-

County Fire/EMS facility in the center of Wellness Way to provide the highest level of response times at the least cost to the community.

Policy 2.6.8: Conveyed Land Value

In order to ensure that new development adequately pays for growth-related impacts, the Clermont City Council shall have the authority to determine the valuation or date of valuation of property for the purpose of impact fee credits for property deemed as a required adequate public facility beyond the needs of Wellness Way. The value will be agreed upon by both the City and the land owner or established by appraisals by registered appraisers acceptable to both the City and land owner. The terms of this valuation shall be incorporated into a developer's agreement for a specific development.

Any Developer that conveys land at no cost to the City or other public entity for any public facility, may have the associated development program/entitlement from that conveyed land transferred to the balance of their PUD for use in the over all project.

Policy 2.6.9: Coordinated Development

While there is separate property ownership within Wellness Way, planning for development will occur in a coordinated and comprehensive way. The initial extension of potable and non-potable water and sewer service must be sized for the PUD with a Utilities Agreement and built infrastructure and conveyed lands are eligible for reimbursement for excess capacity and land area beyond the need of the proposed development. The Future Land Use Map will establish a general guide for connectivity. Primary Roadway alignments will be set with the PUD process and/or a Roadway Agreement between participating property owners and built infrastructure and conveyed lands are eligible for reimbursement for excess capacity and land area beyond the need of the proposed development. Roadway terminus to terminus alignments are required.

Policy 2.6.10: Concurrency Requirements

The City shall ensure that public services and facilities are available concurrent with new development. All development orders, permits, and agreements shall be subject to the adopted Concurrency Management System consistent with Objective 1.2 in the Capital Improvement Element of this Comprehensive Plan.

Objective 2.7: Intergovernmental Coordination

To ensure continued coordination of development plans, infrastructure planning and development approvals, and impacts with affected local governments and public agencies throughout Wellness Way.

Policy 2.7.1 Coordinated Review of Planned Unit Developments

To provide for intergovernmental coordination, the City shall provide adjacent municipalities, counties, and regional agencies a copy of applications for a Planned Unit Development (PUD). To ensure communication and coordination are used to minimize any potential adverse impacts, the following government agencies shall be notified:

A. Lake County

B. Lake County School Board
C. Florida Department of Transportation

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.

Policy 2.8.2: Framework and Hierarchy of Place

PUDs within Wellness Way should be organized around a conceptual framework and hierarchy of place, as more particularly defined in the Design Guidelines and Standards. The following represents the most important design principles required in each PUD:

A. PUDs must determine the location and size of the Centers based upon the regional roadway network and the FLUC jobs-to-housing ratio and then locate the Wellness/Green Corridors and residential neighborhoods.
B. Residential neighborhoods cluster around the Centers. Each neighborhood is adjacent to an interconnected wellness Corridor/open space system. This helps define neighborhoods and provides the opportunity for trail use for the residents to reach other neighborhoods, Centers, other PUDs, and the State Park.
C. Along with the Centers neighborhoods and WC networks, there is a required community park. Not only are the school and park a requirement, it is at the PUD level when agreements must be reached to pay for educational facilities roads, utilities and the park. Without such agreements, development may not proceed.

Policy 2.8.3: Water Conserv II

Water Conserv II is designated as the Water Conserv II Future Land Use Category and is comprised of properties owned and used by Orange County and the City of Orlando for a water reclamation project. Portions of this property may be deemed unnecessary for either existing or future needs of the project. Therefore, the City (as applicable) may request that such properties be included in PUDs.

Objective 2.9: Financing

To develop financing mechanisms that support the economic development goals of Wellness Way while ensuring the equitable distribution of infrastructure costs.

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.

Policy 2.9.2: Funding Mechanisms for Site Specific Infrastructure

Within each PUD, the transportation related infrastructure and other infrastructure necessary to accommodate the economic goals of specific sites or individual development shall be incorporated as a cost requirement of site development either directly or provided as a funding component by any dependent or independent district created to provide on-site or regional infrastructure.

Policy 2.9.3: Phasing of Regional Infrastructure

The City will rely upon Lake County to enter into Roadway Agreements with all PUDs to ensure that regional infrastructure shall be phased as necessary to support economic development of specific sites or individual developments within each PUD and as required to meet economic expectations of the property bearing the burden of the infrastructure costs.

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Order Confirmation

Not an Invoice

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

Date:	01/12/2024
Order Number:	9740849
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	84.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	01/22/2024 - 04/08/2024	Govt Public Notices
LEE dailycommercial.com	2	01/22/2024 - 04/08/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$255.28
Service Fee 3.99%	$10.19
Cash/Check/ACH Discount	-$10.19
Payment Amount by Cash/Check/ACH	$255.28
Payment Amount by Credit Card	$265.47

Order Confirmation Amount	**$255.28**

Ad Preview

CITY OF CLERMONT
NOTICE OF PROPOSED AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2024-013

The City of Clermont will hold public hearings Tuesday, February 6, 2024 at 6:30 pm before the Planning and Zoning Commission, Tuesday, February 13, 2024 (transmittal) at 6:30 pm, and April 23, 2024 (adoption hearing) at 6:30 pm before the City Council to consider proposed changes to the Future Land Use Element of the City's adopted comprehensive plan.

ORDINANCE NO. 2024-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO REDUCE THE MAXIMUM DENSITY WITHIN THE MASTER PLANNED DEVELOPMENT, DOWNTOWN MIXED USE, AND COMMERCIAL FUTURE LAND USE CATEGORY; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR 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. 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
9740849 1/22, 4/8/2024

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024
Agenda Item Name
Ordinance No. 2024-014 *Final* *Land Development Code Amendment*
Requested Action
Recommend approval of Ordinance 2024-014.
Staff Report
This is a staff initiated amendment to remove language within the Land Development Code that deals with the density bonus provision allocated within the Central Business District within the Downtown Mixed-Use Future Land Use. This amendment is the companion to the Comprehensive Plan text amendment that reduces density from 40 dwelling units per acre to 16 dwelling units per acre. With the adoption of repealing Section 125-375, there will be no provision for a density bonus in the Central Business District. The amendment will make the Land Development Code consistent with the City's Comprehensive Plan. Staff recommends approval of Ordinance 2024-014. The Planning *and Zoning Commission recommended approval, 7-0.*
Additional Analysis
Fiscal Impact Summary
None

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Ord. 2024-014 - Density LDC 125-375 Repeal (03.21.2024)	Ord. 2024-014 - Density LDC 125-375 Repeal (03.21.2024).pdf
2. Legal Ad - 2024-014	Legal Ad - 2024-014.pdf

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 125 ZONING; REPEALING SECTION 125-375 DENSITY; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, in order to encourage density in specific areas of the City, the City Council approved Ordinance 2016-40 to allow an increase in density through a density bonus program in the Central Business District Zoning within the Downtown Mixed-Use District Future Land Use; and

WHEREAS, this density bonus program, through a Community Benefit Agreement, could potentially allow up to 40 dwelling units per acre for residential projects; and

WHEREAS, the City recently amended portions of the Future Land Use Element of the City's Comprehensive Plan with the adoption of Ordinance 2024-013; and

WHEREAS, this amendment decreased the density from 40 dwelling units to 16 dwelling units per acre with no Community Benefit Agreement; and

WHEREAS, with this change, the necessity for the density bonus language under Section 125-375 has been eliminated; and

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on April 9, 2024, 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

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that Chapter 125 Zoning of the Clermont Code of Ordinances, Section 125-375 Density, be repealed.

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: CONFLICT

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

SECTION 3: 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 4: CODIFICATION

The repeal of Section 125-375 within 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 5: 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 6: 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.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, on this 23rd day of April, 2024.

CITY OF CLERMONT

_____
Tim Murry, Mayor

ATTEST:

_____
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

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Order Confirmation

Not an Invoice

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

Date:	03/01/2024
Order Number:	9922153
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	53.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	03/18/2024 - 04/08/2024	Govt Public Notices
LEE dailycommercial.com	2	03/18/2024 - 04/08/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	$164.76
Service Fee 3.99%	$6.57
Cash/Check/ACH Discount	-$6.57
Payment Amount by Cash/Check/ACH	$164.76
Payment Amount by Credit Card	$171.33

Order Confirmation Amount	**$164.76**

1/2

Ad Preview

LEGAL NOTICE

On Tuesday, April 2, 2024 at 6:30 PM the Clermont Planning and Zoning Commission will consider the proposed ordinance to amend the code of ordinances. The final enactment of the ordinance will be heard by the City Council on Tuesday, April 23, 2024 at 6:30 PM.

ORDINANCE NO. 2024-014

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 125 ZONING; REPEALING SECTION 125-375 DENSITY; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, 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.

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
9740849 3/18, 4/8/2024

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Tuesday, April 23, 2024
Agenda Item Name
Lien Reduction Request
Requested Action
Staff Report

This is a request for a Lien Reduction on vacant land located on Bloxam Avenue (Alt Key # 1109957). It is approximately 5.43 acres and was previously owned by Tiproel, LLC, who cured the violations after approximately 10 years. The current owner is HH LLC, purchased the land in February and is requesting this reduction. This parcel is zoned commercial with a future land use of commercial.

- The 1st case started in 2009 for "Unlawful Maintenance of Nuisance for weeds and refuse". A lien was created in May 2010 with an amount owed of $37,300 (CEB#09-495). The parcel came into compliance soon after.
- The 2nd case was generated in 2012 as a "Repeat violation" with the same violations observed as the previous case. The parcel came into compliance after 17 days, but due to the outstanding fine amount of $1,700.00 (CEB#12-817) that was not paid, a Lien was created. The total amount owed for both cases is $39,000.00.
- In 2017, a 3rd case was initiated for the same violations. It was recorded at a Code Enforcement/Special Magistrate hearing on August 15, 2017, for not being in compliance. Fines accrued daily at $250 from September 2017 to June 2019. The property came into compliance on June 10, 2019, with a total amount owed of $161,750.

Per the request of the previous owner, on July 16, 2019, an appearance was made at the special magistrate's hearing in which the petitioner and respondent negotiated and agreed upon a reduced fine of $2,500. This was to be paid by August 19, 2019, or the fine will revert to the original amount of $161,750, and the City will set a motion to impose that fine and create a lien. On July 30, 2019, a full payment of $2,500 was received, and a lien was never recorded for this case.

All notices were sent to the owner, and as of today the property is still in compliance.

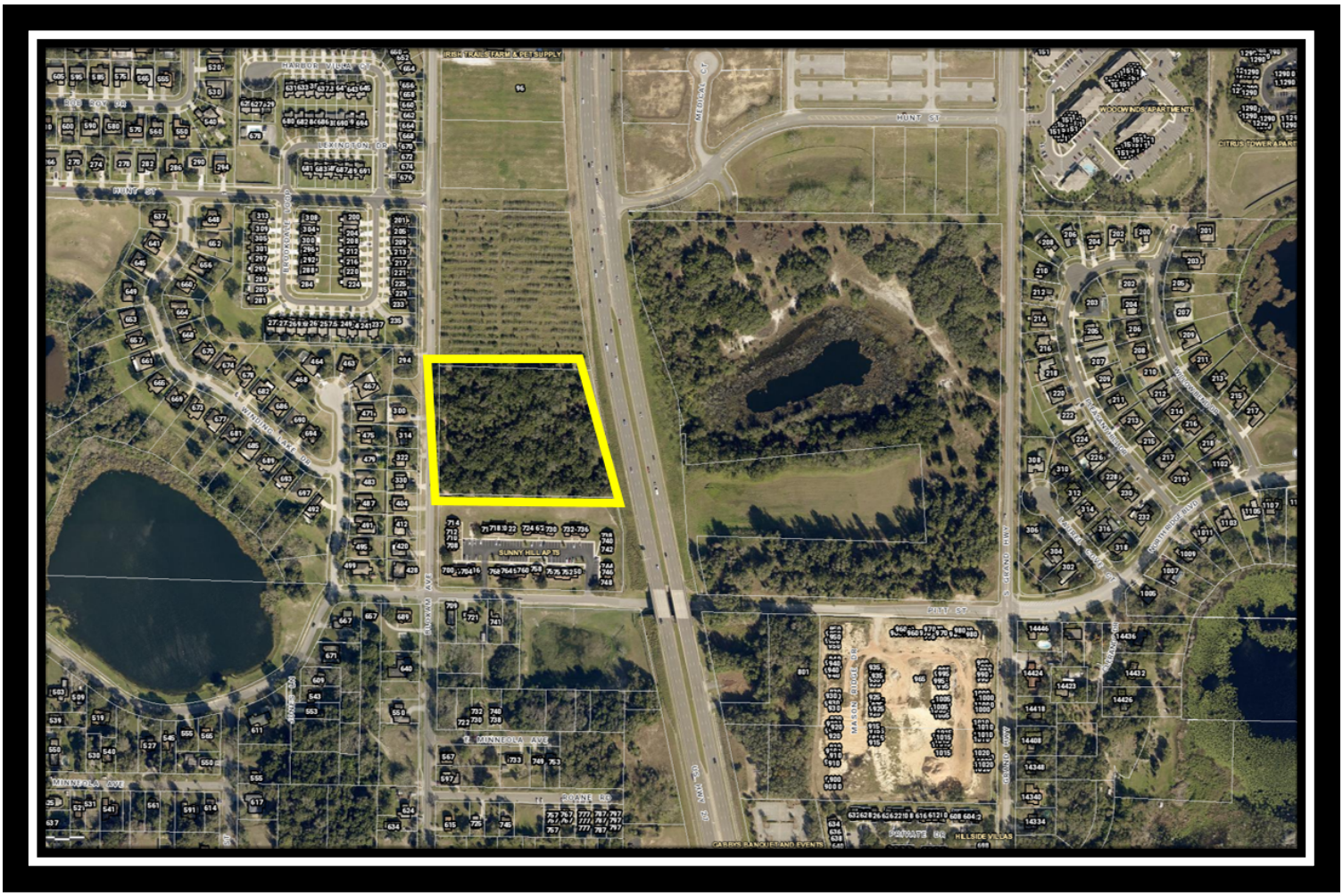
The new property owner, Patrick Harb, is now requesting a lien reduction on both previous cases from 2009 and 2012 (09-495 & 12-817) as the property is still in compliance and the owner is proposing to develop the property this year. The owner is proposing a lien payout of $5,000.00 (approximately 13%) of the $39,000 owed.

Additional Analysis
Fiscal Impact Summary
None.

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Location Map	Location Map.docx
2. Request Form	Request Form.pdf

Location Map



CITY OF CLERMONT

Choice of Champions

Code Enforcement Lien Reduction Request Form

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT (F.S. 837.02).

INSTRUCTIONS:

- Please complete the entire form. Failure to provide complete information will delay consideration of your request.
- A request for reduction of a Code Compliance fine/lien will not be considered until the property is deemed to be in full compliance by the Code Enforcement Supervisor or other code enforcement staff.
- Be specific when writing your request statement.
- Please deliver this completed form to the City of Clermont Code Enforcement Division, ATTN: Evie Wallace, Code Enforcement Manager at 685 West Montrose St Clermont, Fl. 34711 or email packet to ewallace@clermontfl.org to the attention of Evie Wallace.
- The reduction request will then be sent for Code Enforcement review to verify that all criteria for consideration under the Annual Lien Forgiveness Program are met.
- Once it has been verified that your request meets all criteria for consideration, you will be contacted by Code Enforcement to facilitate the case to be heard before the Clermont City Council. It will be at the discretion of the council to consider a reduction. If a full payment of the reduced amount is not received by the City by the date determined by City Council, it could result in the reinstatement of the full amount of the Code Enforcement fine/lien.
- **Please be advised that the State of Florida has a broad public records law (Ch. 119, Fla. Stat.) and this form and all of its attachments submitted to the City are public records and subject to public disclosure unless an express statutory exemption applies.**

CITY OF CLERMONT

Choice of Champions

Applicant's Name: Bloxam HH LLC	Applicant's Phone Number: (407) 276 - 2618
Applicant's Mailing Address: 3700 34th Street Suite 300, Orlando, FL 32805	
Authorized Representative's Name (who will be present at the Hearing): Patrick Harb	
Current Property Owner's Name: Bloxam HH LLC	
Current Property Owner's Mailing Address: 3700 34th Street Suite 300, Orlando, FL 32805	
Current Property Owner's Phone Number: (407) 276 - 2618	
Name of Property Owner when lien was assessed: Tiproel LLC	
Name of Person who lived at the property when the lien was placed: N/A	
Reason(s) violation(s) were not corrected before lien(s) were placed: We (Bloxam HH LLC) purchased the property from Sellers (Tiproel LLC) and we're not sure why it wasn't taken care of.	
Is money held in escrow pending the lien reduction/release Hearing: ☐ Yes ☒ No	
Proposed Reduced Fine Amount Proposed to be Paid: $3,820.00	
Does this lien reduction relate to the sale of the property? **(If yes, a Closing Disclosure Statement or HUD Settlement Statement must be attached)** ☐ Yes ☒ No	

Please ensure this form and any attachments completely set forth your position stating why you contend the fine/lien should be reduced, to what amount and when payment is proposed to be made. **You must be present to answer any questions the City Council may have.**

I, Patrick Harb, do hereby submit this request for Reduction/Elimination of the fines and/or liens, and in support offer the following statement:

> Since the Sellers failed to bring the property into good standing by the time of closing, we'll (the current owners as of February 28, 2024) ensure the property is in good standing and have the issues

taken care of within 30 days of submitting this application. Additionally, if the proposed reduced lien amount to be paid is accepted, we'll make sure it's paid within 1 business day.

The following lien and their amounts are filed in reference to the below property.

Case CEB 09495 → $ 36,500
Case CEB 12817 → $ 1,700

Alternate Key: 1109957
Bloxam Avenue, Clermont, FL 34711

Signature: Patrick Harb

Date: 03 - 11 - 2024

Printed Name: Patrick Harb

CITY OF CLERMONT

Choice of Champions

*****THIS SECTION TO BE COMPLETED BY A CITY OF CLERMONT OFFICIAL*****

Alt Key # 1109957

Code Enforcement Case Number: CEB 09-495 + 12-817	Property Address: Vacant lot on Bloxam Ave
Name of Property Owner when lien was placed: Tiprofel	
Violation(s): Nuisance + Refuse	
Case was presented to the Special Magistrate on: 2009 ~~2010~~ + 2012	
Daily Fine Imposed: $100 for Both	Number of Days Fine Ran: 373 + 17
Date Fine Began: 2009 + 2012	Date Fine Ended: 2010 + 2012
Total Amount Due: $ 39,000.00	Number of Days the Property was in Violation: 390
Is the violation a heightened health or safety concern: ☒ Yes ☐ No	
Has the Property Owner been cooperative with Code Compliance: ☒ Yes ☐ No	
Costs Expended on this Case by Code Enforcement post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	
Costs Expended on this Case by _____ Department post Special Magistrate Hearing:	

NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $18.50

City of Clermont
685 W Montrose St
Clermont, FL 34711

RETURN

CODE ENFORCEMENT BOARD OF THE CITY OF CLERMONT, FLORIDA

CITY OF CLERMONT

Petitioner,

Vs.

TIPROEL, LLC,

Respondent(s).

_____/

Case No: CEB 09-495
Vacant Lot Bloxam Ave. North of Pitt Street
Clermont, Florida 34711

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Board on May 18, 2010, after due notice to Respondent upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Board was advised that the Respondent has not complied with the Board's Order of September 21, 2009 by failing to timely take the corrective action as required by the Board.

It is hereby ORDERED THAT:

1. A fine is imposed in the amount of $36,500.00 and shall continue to accrue at the rate of $100.00 per day until the property is brought into compliance

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

Tax Id No. : 24-22-25-015000K00200

Legal Description :

Clermont S 110 FT of Lot 2, Lot 3, Blk K PB 3, PG 5, ORB 1776 PG 1538, ORB 1869 PG 1968
AS LISTED IN LAKE COUNTY PUBLIC RECORDS

Case No.: 09-565

3. This Order shall supersede any prior Order of this Board Imposing a Fine and Creating a Lien in this matter.

DONE and ORDERED this 17th day of June 2010.

CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA

James T. Purvis, Chairman

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 17th day of June 2010, by James Purvis, as Chairman of the City of Clermont Code Enforcement Board who is personally known to me or produced _____ as identification.

Dawn Stalnaker
Signature of person taking acknowledgment

DAWN STALNAKER
MY COMMISSION EXPIRES
August 30, 2012
#DD 786242
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

_____
Name of Officer taking acknowledgment--typed, printed or stamped

I HEREBY CERTIFY that on this 17th day of June 2010, a true and correct copy of this Order has been furnished by certified and regular mail to the Respondent(s), Tiproel LLC, 11728 Osprey Blvd, Clermont, FL 34711.

Cert. mail #
7006 0810 0001 2594 8357

Code Enforcement Officer
Suzanne O'Shea

NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $18.50

City of Clermont
685 W Montrose St
Clermont, FL 34711

RETURN

CODE ENFORCEMENT BOARD OF THE CITY OF CLERMONT, FLORIDA

CITY OF CLERMONT

Petitioner,

Vs.

TIPROEL LLC,

Respondent.

_____/

Case No: CEB 12-817
Vacant Bloxam Avenue Lot
Clermont, Florida 34711

ORDER IMPOSING ADMINISTRATIVE FINE CREATING LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Board on May 29, 2013, after due notice to Respondent upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Board was advised that the Respondent has not complied with the Board's Order of April 19, 2012 by failing to pay the imposed fine of $1,700.

It is hereby ORDERED THAT:

1. A fine is imposed in the amount of $1,700.00.

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

Parcel Id No. 24-22-25-015000K00200
Alt Key: 1109957

Legal Description:

CLERMONT S 110 FT OF LOT 2, LOT 3, BLK K PB 3 PG 5| ORB 1776 PG 1538, ORB 1869 PG 1968
AS LISTED IN LAKE COUNTY PUBLIC RECORDS

Case No.: 12-817

3. This Order shall be in addition to any prior Order of this Board Imposing a Fine and Creating a Lien in this matter.

DONE and ORDERED this 31st day of May 2013.

CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA

Chairman David Holt

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 31st day of May 2013, by David Holt, as Chairman of the City of Clermont Code Enforcement Board who is personally known to me or produced _____ as identification.

Dawn Stalnaker
Signature of person taking acknowledgment

Dawn Stalnaker
Name of Officer taking acknowledgment--typed, printed or stamped

DAWN STALNAKER
MY COMMISSION EXPIRES
August 30, 2016
#EE 829161
Bonded thru
Troy Fain - Insurance
NOTARY PUBLIC, STATE OF FLORIDA

I HEREBY CERTIFY that on this 31st day of May 2013, a true and correct copy of this Order has been furnished by certified and regular mail to the Respondent, Tiproel, LLC, 117728 Osprey Point Blvd., Clermont, FL 34711.

Code Enforcement Officer

9171 9690 0935 0030 2839 51