



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
AMENDED AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, May 7, 2024**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MINUTES

Approval of the April 2, 2024 Minutes

REPORTS

NEW BUSINESS

Item 1 - Ordinance No. 2024-018
First Baptist Church SSCPA

Table to June 4, 2024 Planning and Zoning meeting.

Item 2 - Ordinance No. 2024-019
First Baptist Church Rezoning

Table to June 4, 2024 Planning and Zoning meeting.

Item 3 - Ordinance No. 2024-023
FEC (the Market) PUD Amendment

Consider a request for a PUD amendment to revise conditions in Ordinance 2021-003 for Victory Village and Market mixed-use project.

Item 4 - Ordinance No. 2024-020
Amendment to LDC-Fire Dept.

Consider an ordinance to make changes in the Land Development Code, Section 119-229 Layout and Section 121-4 Water at the request of the City's Fire Department.

Item 5 - Ordinance No. 2024-026
Amendment of Chapter 117 - Signs

Staff is proposing changes to Chapter 117-Signs to allow for electronic messages on monument signs.

Item 6 - Resolution No. 2024-013R
The River Church CUP

Table to June 4, 2024 Planning and Zoning Meeting.

UNFINISHED BUSINESS

DISCUSSION OF NON-AGENDA ITEMS

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this

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proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact Development Services at (352) 241-7335.

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

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION
MINUTES
APRIL 2, 2024

CALL TO ORDER

Chairman Krzyminski called the meeting of the Planning and Zoning Commission to order on Tuesday, April 2, 2024 at 6:30 p.m.

MEMBERS PRESENT: Chairman Krzyminski, Vice-Chair Niemiec, Member Bain, Member Colby, Member Grube, Member Guerrero, and Member Norton

MEMBER ABSENT: None

ALSO PRESENT: Development Services Director Henschel, Planning Manager Kruse, Senior Planner McGruder, City Attorney Mantzaris, and Planning Coordinator Heard

PLEDGE OF ALLEGIANCE

MINUTES

MOTION TO APPROVE the March 5, 2024 minutes of the Planning and Zoning Commission meeting made by Commissioner Bain, seconded by Commissioner Grube. Motion passed 7-0.

REPORTS FROM THE COMMISSION - *None*

NEW BUSINESS

Item 1 – Ordinance No. 2024-007 Sundara Eco-Spa Small Scale Comp Plan Amendment

Item 2 – Ordinance No. 2024-008 Sundara Eco-Spa PUD Rezoning

Planning Manager Kruse presented as follows:

The applicant, Jimmy D. Crawford, Esq., is requesting a small scale comprehensive plan amendment and rezoning for approximately 42 acres located adjacent to the Hammock Ridge Road and Lakeshore Drive intersection. The property is in Lake County and has a Future Land Use Designation of Lake County Langley-Interlachen Green Swamp and currently has a Planned Unit Development zoning (Ordinance 2017-59) in place that permits up to thirty-five (35) single family residences with ten (10) lots on the waterfront, which would allow piers, docks, and boathouses. He explained the lot dimensions as outlined on the preliminary plat. This approved single-family residential project will have an impact on the school systems, and will be required to undergo school concurrency review. The property owner does not have a utility agreement in place with the City to provide sewer service for the single-family residential project. The applicant is proposing a specialty spa and hotel in lieu of the approved single-family residential project.

The applicant is requesting an amendment to change the future land use to the City of Clermont Master Planned Development. 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 uses 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 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.

Upon annexation, the applicant is requesting a Planned Unit Development (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 (60) rooms. The applicant has requested an increase in room count, but the overall square footage has not increased, and staff is agreeable to the increase in 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 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. An emergency only ingress/egress access will be also provided on the site. The total square footage of all the buildings on site shall 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 approved Lake County single-family home 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's guidelines (Section 3.1). The City's Traffic Engineer has 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 (35) homes may have, and would not be subject to a school concurrency review.

The 60% open space requirement in the approved single-family residential Lake County PUD will be a requirement in this proposed City's PUD. The applicant is proposing to keep a majority of the open space in an undisturbed state; and further, 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 Rd. In addition, there will be a minimum 100-ft 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 interior of the property, visibility of the structures should be greatly reduced from the public right-of-ways. 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 regards to Section 125-486 Review Criteria for a Planned Unit Development. The proposed project will be accessed from Hammock Ridge Rd, which is a County Urban Collector roadway, and capacity is available. The project's traffic impact is consider "de minimis" under Lake Sumter's 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. 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 (33) 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 recommends approval of Ordinance Numbers 2024-007 & 2024-008.

Lindsey Holt, Esq., Applicant, Crawford, Modica & Holt, 702 W. Montrose Street, handed to the board a Sundara Spa brochure and stated the proposed project is designed with nature and wellness, which is compatible with the nearby Wellness Way project. She stated they agree with staff's recommendation. She recognized the Sundara personnel who were present from Wisconsin who were available for questions.

The floor was opened for public comments.

Gary Mealing, 12101 Outlook Drive, stated he is the adjacent neighbor to the south. He gave a brief history of Mr. Langley. He discussed his wishes to keep the wildlife and conservation areas intact as much as possible. He stated he is not against this proposed project, but asked for some clarifications regarding the following: 1) the footpath, saving the mature trees for a buffer, 2) height of the hotel, 3) preventing events such as weddings, 4) adding a roundabout at the intersection.

Josh Campbell, 11512 Triumph Way, asked the board to consider the adjacent neighbors who thought this parcel was going to be residential homes. He is concerned about the amount of noise this would bring. He stated he disagrees that this would cause a minimal traffic impact, and asked the board to consider the residents who would be impacted.

George O'Hara, Preston Cove, discussed traffic issues. He stated he does not disagree with the spa, but he disagrees with the impact that the spa could bring such as traffic.

Scott Pacula, 12143 Outlook Drive, stated he lives adjacent to this proposed development. He said he supports this development and thinks it is a good use, and does not see it as a burden. He asked if their street would be annexed into the city and the height of the hotel.

Angelo Riddick, 12121 Outlook Drive, stated he lives adjacent to this proposed development. He is concerned with noise, traffic and how the development may impact their neighborhood. He asked for consideration for the next door neighbors.

Nathan Carrington, 12203 Outlook Drive, stated he lives adjacent to this proposed development. He is also concerned about noise and traffic.

Chloe Gentrey, 11940 Lakeshore Drive, stated she is pleased to see this lower impact development presented along with the preservation of the Lake Minnehaha shoreline and canal front. She is concerned about light pollution and the height of the proposed hotel. She wants to understand the presumptive use permits and who would supply the water to the 33 residential homes if this development does not get approved.

With no further speakers present, the floor was closed.

Lindsey Holt, Esq., Applicant, understood and discussed the traffic concerns; however, they believe the spa would bring much less traffic than a residential neighborhood of 33 homes. She further explained the intent of this project is to be centralized on the parcel with vegetation surrounding the hotel for the guests to feel they are a part of the naturistic wellness concept. She thanked the board for their consideration and asked for their recommendation to council.

Commissioner Guerrero asked why there was not a neighborhood meeting, and why Sundara is picking this parcel. He commented on the traffic study and informing the nearby residents. He stated he likes the plan. **Lindsey Holt** addressed the neighborhood meeting and indicated this proposal is only for the comprehensive plan, and the site plan will come later. She further explained Sundara only has one location in the country, and they have been searching for a long time for another location that exhibits their philosophy centered on wellness, wellbeing, mindfulness with a naturistic element, which Clermont meets.

Vice-Chair Niemiec stated the current intersection at Hammock Ridge Road and Lakeshore Drive is the worst intersection ever and is very dangerous because of the hill. He recommended a traffic light be installed instead of a roundabout for safety purposes. He further asked about the traffic study and the access points located at the proposed roundabout. **Planning Manger Kruse** stated all of the surrounding roads are Lake County roads, and Lake County is currently in the process of designing the roundabout, which includes access to this site. **Vice-Chair Niemiec** asked what the proposed height of the hotel will be. He asked if the footpath can be moved away from the adjacent homes, and questioned who will provide the water. **Joe Eck**, Sundara representative, stated Sundara wants to hide from everyone, and the height of 55 feet is the code, which is roughly what their design may be; however, they are not in that design phase as of yet. He emphasized they will work with all adjacent neighbors regarding the footpath and other concerns. **Planning Manger Kruse** stated water will be provided by a third-party provider. **Vice-Chair Niemiec** stated he likes the spa, but not in this location.

Commissioner Colby stated he thinks this a good project and positive for the community, but asked to hear more about Sundara's philosophy. **Joe Eck** explained Sundara's philosophy is spending your day in a robe and disconnecting in a tranquil environment with no electronics. He stated this will be an adult-only spa and weddings and events will not be allowed.

Commissioner Grube asked whether a restaurant will be on site; and if so, will it be open to the public. **Joe Eck** explained there will be a restaurant only for resort and spa guests. It will not be open to the public. **Commissioner Grube** said he likes the project and thinks it is a good use for this site. He stated he does not agree with the roundabout.

Commissioner Bain explained he is familiar with Sundara in Wisconsin Dells, which is a tranquil, serene setting, not like an average hotel. He asked the current height of the resort in Wisconsin Dells and whether guests can book a spa package without staying on property. **Joe Eck** explained Wisconsin has a similar height restriction of 55 feet, and guests can book a spa package without staying at the hotel. **Commissioner Bain** asked staff about the dark sky principal, whether the spa could open with the current roadway or is the roundabout required, and water/sewer providers. **Planning Manager Kruse** explained the dark sky principals are the light fixtures, lumens and direction of the light, and the spa could open without the roundabout in place. He stated the water will come from Sunshine Utilities, and the sewer is the City. **Commissioner Bain** summarized this proposed spa has a smaller footprint than the approved neighborhood, and believes this spa will be more environment friendly.

Commissioner Norton asked staff whether the roundabout is contingent upon the approval of the spa; and further, if a traffic study was done on the approved neighborhood. **Planning Manager Kruse** answered in the negative, and said a traffic study was not necessary.

Chairman Krzyminski recommended checking out Sundara's website. He asked whether the footpath will be going through the 100 foot buffer. **Lindsey Holt** stated she believes the intent is to leave the current vegetation and add more to the buffer. **Chairman Krzyminski** asked for clarification on events. **Joe Eck** explained the only type of events would be a wellness type event like a walk on the footpath.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-007 Sundara Eco-Spa Comp Plan Amendment; Moved by Commissioner Colby, Seconded by Commissioner Grube. Motion passed 6-1 with Vice-Chair Niemiec opposing.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-008 Sundara Eco-Spa PUD Rezoning with a condition requesting the possibility of the roundabout being a traffic signal; Moved by Commissioner Colby.

Commissioner Niemiec requested adding the developer pay for the traffic signal instead of the County. **Commissioner Colby** clarified that his motion does not include Commissioner Niemiec's request. His motion is only requesting an evaluation of a traffic signal instead of the roundabout.

After discussion, Seconded by Commissioner Norton. Motion passed 6-1 with Vice-Chair Niemiec opposing.

Item 3 – Ordinance No. 2024-014 LDC Amendment – Density Bonus

Planning Manager Kruse presented as follows:

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 floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Norton asked for further clarification. **Planning Manager Kruse** clarified how this proposed ordinance is a companion to the recent Comprehensive Plan Update.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-014 Land Development Code Amendment for Density Bonus; Moved by Commissioner Bain, Seconded by Commissioner Grube. Motion passed 7-0.

UNFINISHED BUSINESS – None

DISCUSSION OF NON-AGENDA ITEMS - None

ADJOURNMENT – 7:03 pm

Max Krzyminski, Chairman

ATTEST:

Kathy Heard, Planning Coordinator



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, May 7, 2024

Meeting Date		
Tuesday, May 7, 2024		
Agenda Item Name		
Ordinance No. 2024-018 <i>First Baptist Church SSCPA</i>		
Requested Action		
Staff Report		
The applicant has requested this item be tabled to the June 4, 2024 Planning and Zoning meeting.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Legal Ad - 2024-018	Legal Ad - 2024-018.pdf	

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

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

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CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE Small-Scale Comprehensive Plan Amendment ORDINANCE NO. 2024-018

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, May 7, 2024 at 6:30 p.m., and a meeting before the City Council on May 28, 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 parcel below from Low Density Residential to High Density Residential.



LOCATION

2751 Hartwood March Road
Property located at the southeast corner of
Hartwood Marsh Road and Hancock Road
(Alternate Key 1593905)

ORDINANCE NO. 2024-018

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.

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



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, May 7, 2024		
Agenda Item Name		
Ordinance No. 2024-019 <i>First Baptist Church Rezoning</i>		
Requested Action		
Staff Report		
The applicant has requested this item be tabled to the June 4, 2024 Planning and Zoning meeting.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Legal Ad - 2024-019	Legal Ad - 2024-019.pdf	

LEGAL NOTICE

On Tuesday, May 7, 2024 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, May 28, 2024 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2024-019

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

2751 Hartwood Marsh Road
Property located at the southeast corner of
Hartwood Marsh Road and Hancock Road
(Alternate Key 1593905)



PROPERTY REZONING

From: R-1 Single Family Medium Density Residential
To: Planned Unit Development (PUD)

LEGAL DESCRIPTION

The Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ in Section 10, Township 23 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT any road right of way.

LESS AND EXCEPT the following described property:

ORB 393, PG 935

That portion of the 50.00 foot-right-of-way lying in the SW $\frac{1}{4}$ of Section 10, Township 23 South, Range 26 East, Lake County, Florida and being 25.00 fee on each side of the centerline more fully described as follows:

Commencing at the Northwest corner of the said SW $\frac{1}{4}$ of Section 10, thence S $00^{\circ}24'03''$ W., along the West line of the said SW $\frac{1}{4}$, a distance of 46.55 feet to the Point of Beginning of the centerline herein described: thence N. $89^{\circ}48'48''$ E., 1108.60 feet; thence N. $89^{\circ}46'19''$ E., 1545.03 feet to a point on the East line of the said SW $\frac{1}{4}$ at a point 25.00 feet South of the Northeast corner thereof, and the point of terminus of said centerline.

AND

LESS AND EXCEPT the following described property:

ORD 4131, PG 136-138

A parcel of land lying in a portion of the SW $\frac{1}{4}$ of Section 10, Township 23 South, Range 26 East, Lake County, Florida, being more particularly described as follows: Commence at the West $\frac{1}{4}$ corner of said Section 10. Thence S. $00^{\circ}25'18''$ W., 26.00 feet along the West line of the NW $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 10 to the South right of way line of Hartwood Marsh Road and the Point of Beginning; then S. $00^{\circ}25'18''$ W., 424.00 feet along said West line of the Southwest $\frac{1}{4}$; thence S. $89^{\circ}07'12''$ E. 20.40 feet; thence N. $00^{\circ}52'48''$ E., 342.35 feet; thence N. $41^{\circ}44'07''$ E., 49.03 feet; thence N. $00^{\circ}24'31''$ E., 45.55 feet to said South Right of Way line of Hartwood Marsh Road; thence S. $89^{\circ}50'55''$ W., 55.50 feet along said South Right of Way line of Hartwood Marsh Road to the Point of Beginning.

AND

LESS AND EXCEPT the following described property:

ORB 5398, PG 2172-2175

Commence at a Nail & Disk: Labeled "LB4709" marking the West $\frac{1}{4}$ corner of Section 10, Township 23 South, Range 26 East of Lake County, Florida, thence run South $0^{\circ}24'43''$ West along the West line of Section 10 a distance of 26.00 feet; thence continuing along said West section line run South $0^{\circ}24'43''$ West, 424.00 feet to a Point of Beginning, thence continuing afore said West line of Section 10 run South $0^{\circ}24'43''$ West, 843.32 feet to a 4X4 concrete monument Labeled "LB68", marking the Northwest corner of Regency Hills – Phase 3 as recorded in Plat Book 49, Pages 57 through 61; thence departing the West line of Section 10 run South $89^{\circ}16'58''$ East, a distance of 40.00 feet; thence run North $0^{\circ}23'27''$ East, a distance of 441.13 feet to a curve concave Northwesterly with a radius of 2143.48 feet and a chord bearing of North $02^{\circ}36'10''$ West, run along the arc of said curve 226.42 feet to a point of reverse curvature concave Northeasterly with a radius 2023.48 feet and a chord bearing of North $04^{\circ}10'34''$ West, run along the arc of said curve 102.62 feet; thence run North $00^{\circ}55'57''$ East, a distance of 73.97 feet: thence run North $89^{\circ}07'47''$ West, a distance of 20.40 feet back to the Point of Beginning.

AND

FURTHER LESS AND EXCEPT the following described property:

PARCEL 1:

A parcel of land lying in a portion of the Northwest $\frac{1}{4}$ Of the Southwest $\frac{1}{4}$ Of Section 10, Township 23 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10, Township 23 South, Range 26 East; thence run South $89^{\circ}16'44''$ East along the South line of the Northwest $\frac{1}{4}$ Of The Southwest $\frac{1}{4}$, for a distance of 40.01 feet to the Easterly right of way line of Hancock Road as recorded in Official Records Book 5398, Page 2174 of The Public Records of Lake County, Florida, also being the Northwest corner of Regency Hills Phase 3, according to the Plat thereof, as recorded in Plat Book 49, Pages 57 through 61, of said Public Records, being the point of beginning; thence run North $00^{\circ}23'13''$ East along said Easterly right of way line a distance of 250.00 feet to a point on a line 250.00 feet North of and parallel with, when measured at right angles, the aforesaid South line of the Northwest $\frac{1}{4}$ Of The Southwest $\frac{1}{4}$; thence departing said Easterly right of way line, run South $89^{\circ}16'44''$ East along said line for a distance of 250.00 feet; thence run South $47^{\circ}28'07''$ East, for a distance of 75.00 feet to a point on a line 200.00 feet North of and parallel with, when measured at right angles, the aforesaid South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence run South $89^{\circ}16'44''$ East along said line for a distance of 341.23 feet; thence departing said line, run South $00^{\circ}37'24''$ West, for a distance of 200.00 feet to the said South line of the Northwest $\frac{1}{4}$ Of The Southwest $\frac{1}{4}$, also being the North line of the aforesaid Plat of Regency Hills Phase 3; thence run North $89^{\circ}16'44''$ West along said South and North line for a distance of 646.02 feet to the Point of Beginning.

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



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date	
Tuesday, May 7, 2024	
Agenda Item Name	
Ordinance No. 2024-023 <i>FEC (the Market) PUD Amendment</i>	
Requested Action	
Recommend approval of Ordinance 2024-023.	
Staff Report	
The applicant, Victory Coast Land Co. LLC, is requesting an amendment to an existing Planned Unit Development, Ordinance 2021-003. This project known as Victory Village and Market is located on the northwest corner of West Avenue and Minneola Avenue. The non-residential component, the Market, has been constructed and was operational. The Market has since closed and a new operator/tenant is desiring the space. The applicant is requesting the removal of Condition 11 under Section 3 within the current ordinance that states "Any market operating on site shall be continuously operated by one single operator." The applicant would like the ability to offer a variety of uses within the Central Business District (CBD), and this condition has placed a burden on doing so. This condition is not applicable in a majority of existing PUDs, and the condition was made as part of the motion for approval by a former Council member. Staff is in support of the removal of this condition. The applicant is also requesting clarification of non-residential uses on the site. A condition under Section 3, Item 3 has been added stating "The permitted non-residential uses will be in accordance with Section 125-369 Permitted Uses within the Central Business District along with indoor recreational facilities." The property is located in the Central Business District. The condition allows the building to be used for indoor recreational uses. The proposed operator offers indoor recreational opportunities with the goal of bringing it to downtown Clermont. Another clarification that was made is that the existing shade structure is not included in the total square footage of the commercial uses. The shade structure is an accessory use to businesses on the site. The applicant also received a variance from City Council on May 23, 2023 for signage affixed to the lower roof edge of the building. City Council approved this variance with specific conditions such as only two roof signs, specific locations and wording of the signs. A requirement was if any of these items were changed, a new variance would be required. Since this is a Planned Unit Development, special conditions can be placed into the Ordinance to address variances within a project. The applicant is requesting the change in wording from "Market" to "Ax-Caliber". The sign locations will not change, and the dimensions will be slightly smaller in height but will remain the same length.	



Staff has reviewed the application and proposed project in regards to Section 125-487 Review Criteria for a Planned Unit Development. The proposed amendments deal with specific conditions in the original approval. The residential component has not been amended, and the non-residential portion has been constructed and is operational. The proposed operator will be making some interior changes to the building; however, the use of the property will still be a mixed-use project with residential and non-residential uses. The applicant's requested changes are not in conflict with the City's Comprehensive Plan, and the proposed changes are in accordance with the Land Development Code. Staff is able to support the request and recommends approval of Ordinance 2024-023.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2024-023 The Market (4.24.2024)	Ord. 2024-023 The Market & Victory Village Rezone (4.24.2024).pdf	
2. Map & Signage	Map & Signage.pdf	
3. Ordinance No. 2021-03	Ordinance No. 2021-03 - Zoning Map Amendment.pdf	
4. Application	1_Application AK 1615194.pdf	
5. Legal Ad	Legal Ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2024-023

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

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

SECTION 1:

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

LEGAL DESCRIPTION

ALL OF LOT 3, BLOCK 94, ACCORDING TO THE OFFICIAL PLAT OF CLERMONT, FILED 4TH OF FEBRUARY 1926, AND RECORDED IN PLAT BOOK 8, PAGES 17 TO 23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

THE EAST 93.5 FEET OF LOTS 4, 5, AND 6, BLOCK 94, AS REPRESENTED ON THE OFFICIAL MAP OF THE CITY OF CLERMONT, FILED FEBRUARY 4, 1926 AND RECORDED IN PLAT BOOK 8, PAGES 17 TO 23, BOTH INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY

COMMENCE AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 94, OFFICIAL MAP OF THE CITY OF CLERMONT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN N 89°26'08" W ALONG THE NORTH RIGHT OF WAY LINE OF MINNEOLA AVENUE FOR A DISTANCE OF 93.50 FEET TO THE SOUTHWEST CORNER OF THE EAST 93.50 FEET OF SAID LOT 6 AND THE POINT OF BEGINNING; THENCE CONTINUE N89°26'08" W ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 136.20 FEET; THENCE RUN N 00°18'15" E FOR A DISTANCE OF 47.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 615.00 FEET, A CHORD BEARING OF N05°23'45" E AND A CHORD DISTANCE OF 109.16 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 109.31 FEET THROUGH A CENTRAL ANGLE OF 10°11'01" TO THE END OF SAID CURVE; THENCE RUN N10°29'16" E FOR A DISTANCE OF 44.03 FEET TO A POINT ON THE

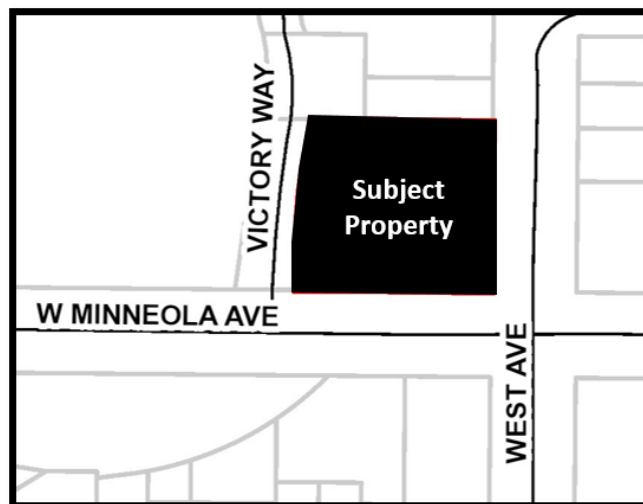
CITY OF CLERMONT
ORDINANCE NO. 2024-023

WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE RUN S89°26'32" E ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3 FOR A DISTANCE OF 63.34 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE RUN S00°38'18" W ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF LOT 4, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE RUN S 89°26'32" E ALONG THE NORTH LINE OF SAID LOT 4 FOR A DISTANCE OF 56.30 FEET TO THE NORTHWEST CORNER OF THE EAST 93.50 FEET OF SAID LOT 4; THENCE RUN S00°32'34" W ALONG THE WEST LINE OF THE EAST 93.50 FEET OF LOTS 4, 5 AND 6, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT FOR A DISTANCE OF 149.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.04 ACRES, MORE OR LESS.

LOCATION

The Market and Victory Village
Improved property northwest of West Ave and Minneola Ave Intersection
Alternate Key 1615194 & 1714061
1.04 +/- Acres



PROPERTY REZONING

Amendment to Planned Unit Development Ordinance 2021-003



CITY OF CLERMONT
ORDINANCE NO. 2024-023

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development (PUD) to allow for a mixed-use project consisting of twenty-five residential units and CBD Central Business District Commercial uses 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. This PUD amendment shall repeal and replace Ordinance 2021-003.
2. The property shall be developed in substantial accordance with Exhibit A – Concept Plan prepared by Highland Engineering, Inc., dated 1-25-2021. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City’s fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the City’s Information Technology Director or authorized designee will make this determination.
5. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. The Developer shall timely complete all required mitigation and other improvements as may be applicable.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. A total of up to 25 residential dwelling units (d.u) may be permitted on the site, not to exceed a base density of 25 dwelling units/acre.
2. The total square footage of the commercial uses, not including shade structure, shall not exceed 8,000 square feet, as shown on the Concept Plan.
3. The permitted non-residential uses will be in accordance with Section 125-369 Permitted Uses within the Central Business District along with indoor recreational facilities.



CITY OF CLERMONT
ORDINANCE NO. 2024-023

4. The project shall be constructed in a manner that closely resembles the architectural style and elevations as presented in Exhibit B – Elevations, and shall meet the City of Clermont’s Architectural Standards.
5. Maximum building height shall be up to 55 feet, measured at the highest point.
6. The project may have elevation changes of up to 12 feet maximum cut on less than 1% of the project site, as shown in the red hatched area on the Concept Plan.
7. Individual retaining wall height up to 15 feet in height is permitted to deal with grade changes and for the construction of the first floor parking garage area.
8. The internal on-site parking spaces may be developed at 9 feet wide and 20 feet deep.
9. The developer will be required to construct 23 parking spaces off-site that meet the Land Development Code in the areas as shown on the Concept Plan along Victory Way and Minneola Avenue. This will be coordinated with the City and will be required to be installed prior to receiving final certificate of occupancy for the project. These spaces will be offered to the public and will not be reserved for project. **[Completed]**
10. The project shall be developed according to the Central Business District (CBD) zoning designation in the Land Development Code, unless expressly stated above.
11. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
12. The City Council approved two roof signs on May 23, 2023. The signage was limited to the word “Market”. The existing “Market” signage wording will be changed to “Ax-caliber” as shown on Exhibit C. The existing parallelogram and square footage will not be exceeded, nor the location changed. The sign facing West Avenue shall be limited up to 43 inches high and 348 inches long. The sign facing Minneola Avenue shall be limited up to 32 inches high and 276 inches long. The signs shall not be used as a multi-tenant sign.
13. This Planned Unit Development shall become null and void if substantial construction work has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. “Substantial construction work” means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the CBD Central Business District Zoning Designation. **[Construction started with the approval of a site plan (SITE2105-0004) on 10/18/2021]**



CITY OF CLERMONT
ORDINANCE NO. 2024-023

SECTION 4: CONFLICT

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

SECTION 5: SEVERABILITY

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

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

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

SECTION 7: 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 8: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2024-023

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of May, 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
ORDINANCE NO. 2024-023

Exhibit B – Elevations



CITY OF CLERMONT
ORDINANCE NO. 2024-023

Exhibit B – Elevations – Continued



CITY OF CLERMONT
ORDINANCE NO. 2024-023

Exhibit C – Signage



Victory Village and the Market



Victory Village and the Market – Signage Amendment

Currently facing West Ave.

43 in 348 in
MARKET

Currently facing Minneola Ave.

32 in 276 in
MARKET

Proposed facing West Ave.

36.44 in 348 in
AX-CALIBER



Proposed facing Minneola Ave.

28.9 in 276 in
AX-CALIBER





CITY OF CLERMONT
ORDINANCE NO. 2021-003

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

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

SECTION 1

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

LEGAL DESCRIPTION

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TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY

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CONTAINING 1.04 ACRES, MORE OR LESS.

LOCATION

Vacant property northwest of West Ave and Minneola Ave Intersection
AK 1615194, 2788577, 1714061
Victory Village and The Market
1.04 +/- Acres

FROM: Central Business District (CBD) and Light Commercial (C-1)
TO: Planned Unit Development (PUD) for a
Mixed-use Residential and Commercial Project

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development (PUD) to allow for a mixed-use project consisting of twenty-five residential units and CBD Central Business District Commercial uses 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 Exhibit A – Concept Plan prepared by Highland Engineering, Inc, dated 1-25-2021. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a Zoning Clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City

of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials and construction of the fiber optic conduit and pull boxes. At the time of site plan review, the City's Information Technology Director or authorized designee will make this determination.
5. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. The Developer shall timely complete all required mitigation and other improvements as may be applicable.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. A total of up to 25 residential dwelling units (d.u) may be permitted on the site, not to exceed a base density of 25 dwelling units/acre.
2. The total square footage of the commercial uses (the market, cider shack and food trailers) shall not exceed 8,000 square feet, as shown on the Concept Plan.
3. The project shall be constructed in a manner that closely resembles the architectural style and elevations as presented in Exhibit B – Elevations, and shall meet the City of Clermont's Architectural Standards.
4. Maximum building height shall be up to 55 feet, measured at the highest point.
5. The project may have elevation changes of up to 12 feet maximum cut on less than 1% of the project site, as shown on in the red hatched area on the Concept Plan.
6. Individual retaining wall height up to 15 feet in height is permitted to deal with grade changes and for the construction of the first floor parking garage area.
7. The internal on-site parking spaces may be developed at 9 feet wide and 20 feet deep.
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9. The project shall be developed according to the Central Business District (CBD) zoning designation in the Land Development Code, unless expressly stated above.

10. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
11. Any market operating on the site shall be continuously operated by one single operator.
12. This Planned Unit Development shall become null and void if substantial construction work has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the CBD Central Business District Zoning Designation.

SECTION 4: CONFLICT

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

SECTION 5: SEVERABILITY

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

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

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

SECTION 7: RECORDING

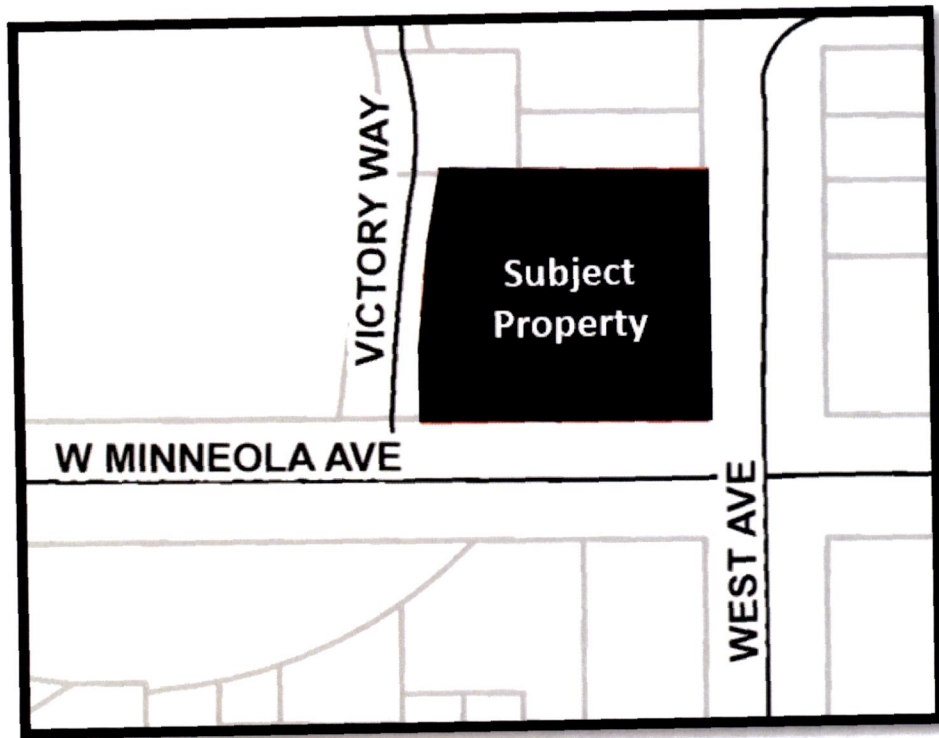
This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 8: PUBLICATION AND EFFECTIVE DATE

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

CITY OF CLERMONT
ORDINANCE NO. 2021-003

Location Map:

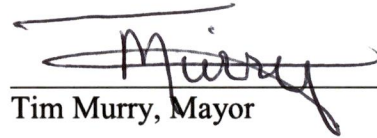




CITY OF CLERMONT
ORDINANCE NO. 2021-003

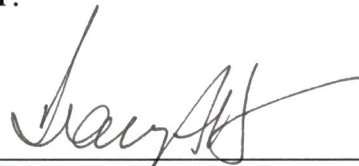
PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 9th day of February, 2021.

CITY OF CLERMONT



Tim Murry, Mayor

ATTEST:



Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:



Daniel F. Mantzaris, City Attorney

Exhibit A – Concept Plan

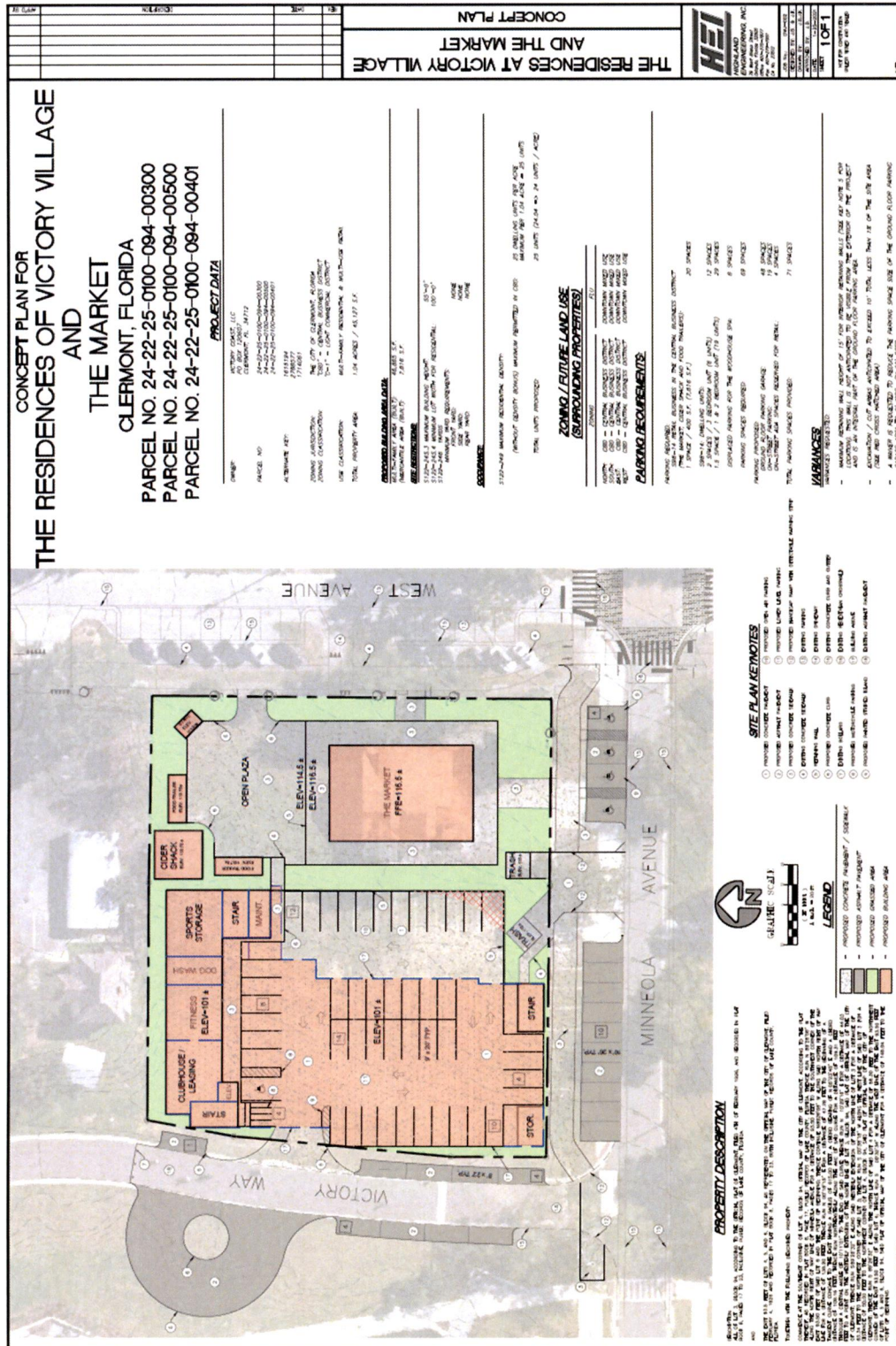


Exhibit B – Elevations



Exhibit B – Elevations – Continued





CITY OF CLERMONT REZONING APPLICATION

REZ2403-0001

DATE <i>3/20/24</i>		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) <i>FEC</i>			
Applicant <i>Victory Coast Land Co, LLC</i>			
Contact Person <i>Darren Johnson</i>			
Address <i>1075 W lakeshore dr</i>	City <i>Clermont</i>	State <i>FL</i>	Zip <i>34711</i>
Telephone <i>3522056866</i>	Fax		
Email <i>darren@dwj-p.com</i>			
OWNER INFORMATION			
Owner's Name <i>Darren Johnson</i>			
Owner Address <i>1075 W lakeshore dr</i>	City <i>Clermont</i>	State <i>FL</i>	Zip <i>34711</i>
Telephone <i>3522056866</i>	Email		
PROPERTY INFORMATION			
Address of Subject Property <i>524</i> <i>550 West ave</i>	City <i>Clermont</i>	State <i>FL</i>	Zip <i>34711</i>
Legal Description (include copy of survey) The east 93.5 ft of lots 3,4,5, &6, Block 94, official map of Clermont according to the plat thereof, as recorded in the plat book 8, pages 17-23, of the public records of Lake county <i>AIT Key 1615194</i>			
Acreage <i>.43</i>	Land Use (City verification required)		
Present Zoning (City verification required) <i>PUD</i>	Proposed Zoning <i>Amended PUD</i>		



CITY OF CLERMONT REZONING APPLICATION

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

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

Amending existing PUD to allow additional uses other than a market, including approved uses within the CBD district. Additionally requesting to change the approved signage not to exceed the existing size

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

Darren Johnson

Applicant Name (print)

Darren Johnson

Owner Name (print)


x

Applicant Name (signature)


x

Owner Name (signature)

City of Clermont

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

(352) 394-4083 Fax: (352) 394 3542

5/22/2020

LEGAL NOTICE

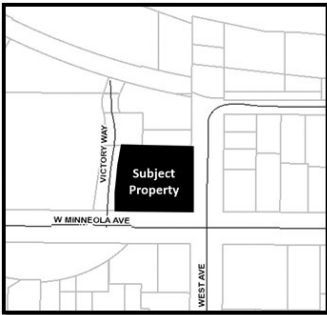
On Tuesday, May 7, 2024 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance, and on Tuesday, May 28, 2024 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2024-023

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

The Market and Victory Village
Improved property northwest of West Ave and Minneola Ave Intersection
Alternate Key 1615194 & 1714061



LEGAL DESCRIPTION

PARCEL 1

ALL OF LOT 3, BLOCK 94, AND THE EAST 93.5 FEET OF LOT 4, BLOCK 94, OFFICIAL MAP OF CLERMONT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

THE EAST 93.5 FEET OF LOTS 5 AND 6, BLOCK 94, OFFICIAL MAP OF CLERMONT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2

COMMENCE AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 94, OFFICIAL MAP OF THE CITY OF CLERMONT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN N89°26'08"W, ALONG THE NORTH RIGHT OF WAY LINE OF MINNEOLA AVENUE FOR A DISTANCE OF 93.50 FEET TO THE SOUTHWEST CORNER OF THE EAST 93.5 FEET OF SAID LOT 6 AND THE POINT OF BEGINNING; THENCE CONTINUE N89°26'08"W, ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 136.20 FEET, THENCE RUN N00°18'15"E, FOR A DISTANCE OF 47.78 FEET TO THE POINT OF BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 615.00 FEET, A CHORD BEARING OF N05°23'45"E, AND A CHORD DISTANCE OF 109.16 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 109.31 FEET THROUGH A CENTRAL ANGLE OF 10°11'01" TO THE END OF SAID CURVE; THENCE RUN N10°29'16"E, FOR A DISTANCE OF 44.03 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE RUN S89°26'32"E, ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3 FOR A DISTANCE OF 63.34 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE RUN S00°38'18"W, ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF LOT 4, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE RUN S89°26'32"E, ALONG THE NORTH LINE OF SAID LOT 4 FOR A DISTANCE OF 56.30 FEET TO THE NORTHWEST CORNER OF THE EAST 93.50 FEET OF SAID LOT 4; THENCE RUN S00°32'34"W, ALONG THE WEST LINE OF THE EAST 93.50 FEET OF LOTS 4, 5, AND 6, BLOCK 94, SAID PLAT OF OFFICIAL MAP OF THE CITY OF CLERMONT FOR A DISTANCE OF 149.94 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCELS OF LAND CONTAIN 1.031 ACRES MORE OR LESS.

PROPERTY REZONING

Amendment to Planned Unit Development Ordinance 2021-003

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 7, 2024		
Agenda Item Name		
Ordinance No. 2024-020 <i>Amendment to LDC-Fire Dept.</i>		
Requested Action		
Recommend approval of Ordinance 2024-020.		
Staff Report		
This is a staff initiated land development code amendment to update language specific to fire code regulations. Two sections of the code are being amended, Section 119-229 Layout and Section 121-4 Water Service. Section 119-229 is contained in Chapter 119, which deals with the design of subdivisions. Language has been proposed to clarify the type of emergency access system to gated subdivisions for fire/ems access and a compliance date for existing entry systems to be upgraded by, which is January 1, 2027. This upgrade would affect approximately 14 subdivisions. In addition, language has been added indicating no parking in cul-de-sacs with appropriate fire signs placed in these areas. Currently, parking in cul-de-sacs have been an issue with fire truck mobility. Clarifying language is also added in when a secondary emergency access point is required and along with street naming that would prevent duplication and avoid confusion between City and County road names. The cost of implementing the emergency access upgrade is approximately \$1,500 and fire signs is approximately \$45 per sign. The total number of signs will be dependent on the radial length of each cul-de-sac. Section 121-4 is contained in Chapter 121, which deals with utilities. The proposed change in this section deals with an increase in minimum flow rates for specific types of residential structures. This change is being requested to assure adequate flow rates are available for firefighting purposes. These changes are being requested by the City's Fire Department in order to better serve the community. Staff recommends approval of Ordinance 2024-020.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2024-020 LDC Fire Changes Ord V3 (04.18.2024)	2024-020 LDC Fire Changes Ord V3 (04.18.2024).pdf	
2. 2024-020 Strikethrough Version	2024-020 LDC Fire Changes Ord V3 (04.18.2024) Strikethrough Version.pdf	
3. 2024-020 Business Impact Statement Fire LDC	2024-020 Business Impact Statement Fire LDC.docx	
4. Legal Ad	Legal Ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2024-020

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 119 SUBDIVISIONS, SECTION 119-229 LAYOUT; AND CHAPTER 121 UTILITIES, SECTION 121-4 WATER SERVICE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 7, 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

WHEREAS, the City Council of the City of Clermont shall amend the Land Development Code, Chapter 119 Subdivisions, Section 119-229 Layout and Chapter 121 Utilities, Section 121-4 Water Service, making changes to update language in regards to Fire Protection; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that Chapter 119 Subdivisions, Section 119-229 Layout and Chapter 121 Utilities, Section 121-4 Water Service within the Clermont Code of Ordinances be amended to make these changes, as set forth in the following amendments shown in Section 2.

SECTION 1: AUTHORITY

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

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

Sec. 119-229. Layout

Streets shall be laid out in consideration of topographic conditions, existing and previously approved streets, proposed roads as reflected in the comprehensive plan, the traffic needs for surrounding land uses, and overall traffic safety. The layout shall specifically be designed as follows:

- (1) There shall be no private streets or easements for street use platted in any subdivision unless a variance is granted by the city council. Private streets shall conform to the standard roadway design specified in this chapter. Approved private streets shall be privately

CITY OF CLERMONT
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maintained. All gated communities in the city shall install on each access gate into the community an emergency access entry system approved by the authority having jurisdiction (AHJ approved system at the time of ordinance adoption is the Click2Enter emergency gate access control system).

- a. Each gated community shall also install at each access gate a keypad code entrance device. The keypad entrance code must be supplied to the fire department in writing upon installation, and written notice must be made when any changes are made to the code.
 - b. It shall be a requirement in the design of any gate that, in the event of a power failure to the gate that all gates automatically go to the fully opened position.
 - c. Entrance and exit gates must allow a minimum of 12 feet of roadway clearance when in the open position.
 - d. New communities must come into compliance with the requirement in subsection (1C) of this section before any certificates of occupancy for that community will be issued by the city.
 - e. Existing gated communities must come into compliance by January 1, 2027.
- (2) Existing streets ending at the project boundary shall be continued into the project.
 - (3) Proposed streets shall be designed to provide access to adjoining unsubdivided tracts at appropriate locations for future subdivision.
 - (4) A minimum of two points of access shall be provided into each subdivision of 25 lots or more or other developments as determined necessary by the Fire Department. Where adjoining existing development or other land development code requirements preclude the development of two public street access points, an unobstructed driveable accessway may be substituted upon approval of the subdivision advisory committee.
 - (5) Street jogs with centerline offsets shall be prohibited.
 - (6) Where a subdivision abuts or includes an arterial or major collector road, streets and blocks shall be designed so that no lot requires access from the arterial or major collector road.
 - (7) All streets that have permanent dead ends shall terminate in a cul-de-sac with no parking allowed. Fire lane signs, approved by the authority having jurisdiction, will be posted every 60 feet around the cul-de-sac. The cul-de-sac shall be provided at the closed end with a circular dedicated area with a diameter of not less than 120 feet with 80-foot-wide paving. Streets terminated temporarily shall end in a cul-de-sac or as otherwise approved by the city engineer.
 - (8) Cul-de-sac streets shall not exceed 1,200 feet in length, unless necessitated by topographic or environmental constraints.
 - (9) Half or partial streets shall be prohibited.
 - (10) Right-of-way line intersections shall be rounded with a minimum radius of 25 feet. A greater radius may be required on collector or arterial roads, or where road construction details require that a greater radius be provided.
 - (11) Curb radii at street intersections shall be a minimum of 25 feet.



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- (12) Street grades shall be determined in relation to the drainage installations and natural grades for the subdivision. Whenever feasible, street grades shall not exceed eight percent or be less than 0.40 percent, unless otherwise approved by the city engineer. Where grades exceed eight percent, speed reductions shall be made and properly signed.
- (13) All streets shall be named. No name shall be used which will duplicate or be confused with existing street names in the city or county.

Sec. 121-4. Water Service

- (a) Minimum service requirements. All development shall provide new facilities, or expand existing facilities, to provide minimum service as follows:
 - (1) Subdivisions shall construct water mains necessary to provide adequate water service for domestic use and fire protection to each lot created. Minimum water main size installed shall be per the table in subsection (e) of this section. Water service taps shall be installed for each lot, with a minimum one-inch tap for single residential and a minimum two-inch tap for double residential service. All services shall have a wye to accommodate irrigation meter connections, except where a development is served with reclaimed water. Commercial services shall be sized based on the anticipated highest water demand of allowed land uses.
 - (2) Site development plans shall show construction of water mains extending to the site and on the site, as necessary, to provide adequate water service for domestic use and fire protection for the proposed buildings and uses. Minimum water main size installed shall be per the table in subsection (e) of this section. Water service taps shall be installed if not already available, based on the anticipated domestic water and fire sprinkler flow demand of the proposed building and use.
 - (3) A pressure reducing valve shall be installed in all water mains serving developments on the east side water system. Each individual service experiencing water pressure greater than 80 psi (measured or calculated without consideration of the supply line pressure reducing valve) shall be equipped with an individual pressure reducing valve. The cost of pressure reducing valves shall be borne by the developer and the homeowners.
 - (4) Plumbing service schematics shall be submitted for each individual residence or facility requiring a water service connection prior to issuance of a certificate of occupancy.
 - (5) Private wells shall be constructed to provide irrigation water for all uses within the city's utility service area except for individual single-family residential units. Existing connections to the city's potable water system for irrigation to properties other than individual single-family residential units may be terminated at the discretion of the city engineer. The property owners will be notified in writing and will be required to provide alternate sources of irrigation water within 30 days of receipt of written notification.

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- (b) Water distribution system design. The layout of water distribution systems shall comply with the following design criteria and the adopted standard utility details of the city:
- (1) Minimum size. When designing water mains to meet the criteria in subsection (a) of this section, main size shall always be sized so that any new main is fed by an existing main of equal or larger size.
 - (2) Extension of lines to project boundaries. Water mains shall be designed to stub out to the project boundaries to serve adjacent unserved properties. This shall include mains in all rights-of-way across the entire project frontage on existing roads without existing mains, and to the property boundary via easement where there is insufficient access to provide a looped system to adjacent unserved properties.
 - (3) Valves. Valves shall be placed at a maximum spacing of 500 feet along all water mains, and at all intersections of water mains. The number of valves installed at an intersection shall be two at a three-leg intersection and three at a four-leg intersection.
 - (4) Looping. Except as provided in subsection (b)(5) of this section, all water mains shall be looped to provide for adequate pressures and system redundancy. Water mains shall be designed so that if the water supply is interrupted on one end of the loop, the flow of water to the loop shall not be entirely eliminated. In order to meet the requirement for such system looping, the points of new connection to the existing distribution system shall be as far apart as possible and no closer than 500 feet along the existing water line.
 - (5) Non-looped water mains. In recognition that looped water mains may sometimes become logistically impractical, the following applications may be permitted upon formal review and approval of the site review committee:
 - a. In a cul-de-sac, or in cases where a fire hydrant is required on the opposite side of a right-of-way from an existing water main, dead-end water mains supplied by a looped water main of equal or larger size may be extended up to 250 feet for required six-inch water mains and up to 500 feet for required eight-inch and larger water mains.
 - b. Temporary dead-end lines may, in certain instances, be permitted in those areas where there is no ability to loop lines within the criteria of this land development code until adjoining properties are developed. Such dead-end lines shall only be allowed when served by mains of eight-inch diameter or greater and where clearly designed to extend to adjoining properties in the future. All such lines shall provide adequate blow-off points.
 - c. Dead-end mains exceeding the length allowed in subsection (b)(5)a of this section may, in certain instances, be allowed where the main is increased in size by at least two inches in diameter and design pressures can still meet the requirements of this land development code.

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- (6) Pressure requirements. All system design and fire flow calculations shall maintain a 20 pounds per square inch residual pressure in the system during maximum domestic and fire demand on the system. Calculations shall be based on existing system flows and pressure at or near the proposed point of connection.
 - (7) Restrained joints. Joint restraints shall be used per accepted industry standards. Thrust blocks shall not be permitted.
 - (8) Pressure pipe. All pressure pipe installed under pavement shall be ductile iron pipe extending two feet beyond the curb.
 - (9) Ductile iron water mains. Water mains greater than 12 inches in diameter shall be ductile iron pipe.
 - (10) Backflow preventers. Reduced pressure zone backflow preventers shall be required on commercial, industrial and multifamily projects and at the point of entry to private water systems. Backflow preventers for dedicated fire lines, irrigation lines or facilities which use or store hazardous material on site, or, where determined by the utility director, shall conform to the cross connection control ordinance and the "Manual of Cross Connection Control." Backflow preventers shall be certified annually by a city approved backflow tester. The city has the authority to require retrofit of existing facilities to comply with the cross connection control ordinance.
 - (11) Freeze protection. Freeze protection for indoor and outdoor water pipes and hose bibs shall not involve the use of water. Other methods, such as insulation, shall be used instead.
- (c) Fire hydrants. Fire hydrants shall not be installed on any water main of less than six inches inside diameter. The last 20 feet of a pipe lateral closest to and serving a single fire hydrant may be reduced to six inches to enable the control valve to be sized to six inches.
- (1) Placement and spacing. Except as provided in this section, fire hydrants shall be installed at all street intersections and at intervals between street intersections not to exceed the distances listed in the table in subsection (e) of this section. Prior review and approval of plans by a city fire official shall be required. Approved plans shall indicate hydrant location, main size, and other pertinent criteria required by the city.
 - (2) Sprinkler or standpipe systems. Where a sprinkler or standpipe system is provided, a fire hydrant shall be located at least 50 feet away from the structure but not more than 100 feet away from the fire department's connection for the system.
 - (3) On-site hydrants. When buildings, other than one- and two-family dwellings, are situated off of a road or other drive so as to cause hose lays from the nearest hydrant in excess of the permitted distances listed in the table in subsection (e) of this section, a sufficient number of hydrants shall be provided on the site meeting all the requirements of this chapter.
 - (4) Hose lay measurement. Hose lay measurement shall be the distance from a hydrant, along a road, drive or other traveled way designed to accommodate fire equipment, to the attack location approved by the fire official. Hose lay is not allowed across any collector or arterial road to meet the minimum requirements of this section.

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- (5) Hydrant specifications and installation. All fire hydrants shall be of the breakaway design, meeting the specifications of the standard construction details, and specifically approved by the fire and public utilities departments to ensure standardization. The standard hydrant approved for use in the city is the Mueller model A-423. Hydrants shall be installed as depicted in the standard construction details, with the center of the lowest operating outlet no less than 18 inches above grade, and the top of the operating nut no higher than 54 inches above the surrounding grade.
- (6) Access and visibility. Hydrants shall not be located closer than three feet to or more than 20 feet from the edge of a street, drive or other accessway. No fence, tree, post, shrub or other object which could block the hydrant from normal view or obstruct the hydrant's use shall be located within six feet of the hydrant. Unless otherwise requested by the fire official, the 4½-inch large volume connection shall face the nearest roadway, or if located within a complex or parking area, shall face the nearest traffic way. No hydrant shall be installed where pedestrian or vehicular traffic would interfere with the use of the hydrant.
- (7) Ownership and maintenance. All fire hydrants located on public rights-of-way or designed to serve multiple ownerships shall be conveyed by approved instrument to the city. Once the city has accepted ownership, the city shall be responsible for the maintenance of these hydrants.
- (8) Fire hydrants and mains. All fire hydrants and mains, including those privately owned, that are connected to the city's potable water system shall conform to city standards. Barrels of privately owned fire hydrants shall be OSHA red.
- (d) Additional standards. If certain items are not directly addressed in this section, recommended standards for waterworks shall be used.
- (e) Minimum main size, flow rate and hydrant spacing. Minimum main size, flow rate and hydrant spacing by land use are as follows:

Minimum Main Size, Flow Rate and Hydrant Spacing by Land Use

Land Use	Water Main Minimum		Fire Hydrant Maximum	
	Size (inches)	GPM	Spacing (feet)	Hose Lay (feet)
Group I. Detached single-family and duplexes	6	1,500	600	300
Group II. Townhouses, multifamily buildings less than three stories and no more than 12 units per building	8	1,500	500 or 600, if sprinkled	300
Group III. Multifamily buildings, three or	8	1,500	500 or 600, if sprinkled	300



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more stories or over 12 units per building, and commercial buildings less than 10,000 square feet and three stories or less				
Group IV. Commercial buildings over 10,000 square feet and warehouse and industrial buildings	10	1,500	400 or 500, if sprinkled	300

Interior separations or firewalls shall not be used to reduce the minimum water supply requirements of this section without the explicit written consent of the fire official.

Fire mains to be connected to an existing water line smaller in diameter than that required above may be reduced in size if the design engineer can successfully demonstrate that the required flows can be met with a smaller main.

Note. This table is a guide for the development of new sites and subdivisions, and does not guarantee fire flow adequacy outside of one- and two-family dwelling subdivisions. In those portions of the city where existing water mains cannot meet the requirements in this table, other building-specific measures can be used to reduce fire flow.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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



CITY OF CLERMONT
ORDINANCE NO. 2024-020

SECTION 5: CODIFICATION

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

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

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

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.



CITY OF CLERMONT
ORDINANCE NO. 2024-020

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of May 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
ORDINANCE NO. 2024-020

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 119 SUBDIVISIONS; SECTION 119-229 LAYOUT; AND CHAPTER 121 UTILITIES; SECTION 121-4 WATER SERVICE; PROVIDING FOR CONFLICT, SEVERABILITY; CODIFICATION; ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR; RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 7, 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

WHEREAS, the City Council of the City of Clermont shall amend the Land Development Code, Chapter 119 Subdivisions, Section 119-229 Layout and Chapter 121 Utilities, Section 121-4 Water Service, making changes to update language in regards to Fire Protection; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that Chapter 119 Subdivisions, Section 119-229 Layout and Chapter 121 Utilities, Section 121-4 Water Service within the Clermont Code of Ordinances be amended to make these changes, as set forth in the following amendments shown in Section 2.

SECTION 1: AUTHORITY

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

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

Sec. 119-229. Layout

Streets shall be laid out in consideration of topographic conditions, existing and previously approved streets, proposed roads as reflected in the comprehensive plan, the traffic needs for surrounding land uses, and overall traffic safety. The layout shall specifically be designed as follows:

- (1) There shall be no private streets or easements for street use platted in any subdivision unless a variance is granted by the city council. Private streets shall conform to the standard roadway design specified in this chapter. Approved private streets shall be privately maintained. All gated communities in the city shall install on each access gate into the community an emergency ~~vehicle-access control (EVAC) entry~~ system. ~~The EVAC approved by the authority having jurisdiction (AHJ approved) system shall be installed and~~

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~~maintained at the community's expense for the purpose~~time of ~~public safety admittance into their development. The EVAC system shall be in addition, and separate, from~~ordinance adoption is the Click2Enter emergency gate opening system that is provided for the residents. The installation of the EVAC system shall be done with a vendor of the community's choice.~~access control system).~~

- a. Each gated community shall also install at each access gate a keypad code entrance device. The keypad entrance code must be supplied to the fire department in writing upon installation, and written notice must be made when any changes are made to the code.
 - b. It shall be a requirement in the design of any gate that, in the event of a power failure to the gate, that all gates automatically go to the fully opened position.
 - c. Entrance and exit gates must allow a minimum of 12 feet of roadway clearance when in the open position.
 - d. New communities must come into compliance with the requirement in subsection (1)c of this section before any certificates of occupancy for that community will be issued by the city.
 - e. Existing gated communities must come into compliance ~~within 90 days of adoption of the code.~~by January 1, 2027.
 - ~~f. Existing and new communities shall provide five controllers for the EVAC system to the city.~~
- (2) Existing streets ending at the project boundary shall be continued into the project.
- (3) Proposed streets shall be designed to provide access to adjoining unsubdivided tracts at appropriate locations for future subdivision.
- (4) A minimum of two points of access shall be provided into each subdivision of 25 lots or more ~~or other developments as determined necessary by the Fire Department.~~
Where adjoining existing development or other land development code requirements preclude the development of two public street access points, an unobstructed driveable accessway may be substituted upon approval of the subdivision advisory committee.
- (5) Street jogs with centerline offsets shall be prohibited.
- (6) Where a subdivision abuts or includes an arterial or major collector road, streets and blocks shall be designed so that no lot requires access from the arterial or major collector road.
- (7) All streets that have permanent dead ends shall terminate in a cul-de-sac ~~They with no parking allowed. Fire lane signs, approved by the authority having jurisdiction, will be posted every 60 feet around the cul-de-sac.~~The cul-de-sac shall be provided at the closed end with a circular dedicated area with a diameter of not less than 120 feet with 80-foot-wide paving. Streets terminated temporarily shall end in a cul-de-sac or as otherwise approved by the city engineer.
- (8) Cul-de-sac streets shall not exceed 1,200 feet in length, unless necessitated by topographic or environmental constraints.
- (9) Half or partial streets shall be prohibited.



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- (10) Right-of-way line intersections shall be rounded with a minimum radius of 25 feet. A greater radius may be required on collector or arterial roads, or where road construction details require that a greater radius be provided.
- (11) Curb radii at street intersections shall be a minimum of 25 feet.
- (12) Street grades shall be determined in relation to the drainage installations and natural grades for the subdivision. Whenever feasible, street grades shall not exceed eight percent or be less than 0.40 percent, unless otherwise approved by the city engineer. Where grades exceed eight percent, speed reductions shall be made and properly signed.
- (13) All streets shall be named. No name shall be used which will duplicate or be confused with existing street names in the city or county.

Sec. 121-4. Water Service

- (a) Minimum service requirements. All development shall provide new facilities, or expand existing facilities, to provide minimum service as follows:
 - (1) Subdivisions shall construct water mains necessary to provide adequate water service for domestic use and fire protection to each lot created. Minimum water main size installed shall be per the table in subsection (e) of this section. Water service taps shall be installed for each lot, with a minimum one-inch tap for single residential and a minimum two-inch tap for double residential service. All services shall have a wye to accommodate irrigation meter connections, except where a development is served with reclaimed water. Commercial services shall be sized based on the anticipated highest water demand of allowed land uses.
 - (2) Site development plans shall show construction of water mains extending to the site and on the site, as necessary, to provide adequate water service for domestic use and fire protection for the proposed buildings and uses. Minimum water main size installed shall be per the table in subsection (e) of this section. Water service taps shall be installed if not already available, based on the anticipated domestic water and fire sprinkler flow demand of the proposed building and use.
 - (3) A pressure reducing valve shall be installed in all water mains serving developments on the east side water system. Each individual service experiencing water pressure greater than 80 psi (measured or calculated without consideration of the supply line pressure reducing valve) shall be equipped with an individual pressure reducing valve. The cost of pressure reducing valves shall be borne by the developer and the homeowners.
 - (4) Plumbing service schematics shall be submitted for each individual residence or facility requiring a water service connection prior to issuance of a certificate of occupancy.
 - (5) Private wells shall be constructed to provide irrigation water for all uses within the city's utility service area except for individual single-family residential units. Existing connections to the city's potable water system for irrigation to properties other than

CITY OF CLERMONT
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individual single-family residential units may be terminated at the discretion of the city engineer. The property owners will be notified in writing and will be required to provide alternate sources of irrigation water within 30 days of receipt of written notification.

- (b) Water distribution system design. The layout of water distribution systems shall comply with the following design criteria and the adopted standard utility details of the city:
- (1) Minimum size. When designing water mains to meet the criteria in subsection (a) of this section, main size shall always be sized so that any new main is fed by an existing main of equal or larger size.
 - (2) Extension of lines to project boundaries. Water mains shall be designed to stub out to the project boundaries to serve adjacent unserved properties. This shall include mains in all rights-of-way across the entire project frontage on existing roads without existing mains, and to the property boundary via easement where there is insufficient access to provide a looped system to adjacent unserved properties.
 - (3) Valves. Valves shall be placed at a maximum spacing of 500 feet along all water mains, and at all intersections of water mains. The number of valves installed at an intersection shall be two at a three-leg intersection and three at a four-leg intersection.
 - (4) Looping. Except as provided in subsection (b)(5) of this section, all water mains shall be looped to provide for adequate pressures and system redundancy. Water mains shall be designed so that if the water supply is interrupted on one end of the loop, the flow of water to the loop shall not be entirely eliminated. In order to meet the requirement for such system looping, the points of new connection to the existing distribution system shall be as far apart as possible and no closer than 500 feet along the existing water line.
 - (5) Non-looped water mains. In recognition that looped water mains may sometimes become logistically impractical, the following applications may be permitted upon formal review and approval of the site review committee:
 - a. In a cul-de-sac, or in cases where a fire hydrant is required on the opposite side of a right-of-way from an existing water main, dead-end water mains supplied by a looped water main of equal or larger size may be extended up to 250 feet for required six-inch water mains and up to 500 feet for required eight-inch and larger water mains.
 - b. Temporary dead-end lines may, in certain instances, be permitted in those areas where there is no ability to loop lines within the criteria of this land development code until adjoining properties are developed. Such dead-end lines shall only be allowed when served by mains of eight-inch diameter or greater and where clearly designed to extend to adjoining properties in the future. All such lines shall provide adequate blow-off points.
 - c. Dead-end mains exceeding the length allowed in subsection (b)(5)a of this section may, in certain instances, be allowed where the main is increased in size by at least two inches in diameter and design pressures can still meet the requirements of this land development code.

- (6) Pressure requirements. All system design and fire flow calculations shall maintain a 20 pounds per square inch residual pressure in the system during maximum domestic and fire demand on the system. Calculations shall be based on existing system flows and pressure at or near the proposed point of connection.
 - (7) Restrained joints. Joint restraints shall be used per accepted industry standards. Thrust blocks shall not be permitted.
 - (8) Pressure pipe. All pressure pipe installed under pavement shall be ductile iron pipe extending two feet beyond the curb.
 - (9) Ductile iron water mains. Water mains greater than 12 inches in diameter shall be ductile iron pipe.
 - (10) Backflow ~~preventers~~preventers. Reduced pressure zone backflow preventers shall be required on commercial, industrial and multifamily projects and at the point of entry to private water systems. Backflow preventers for dedicated fire lines, irrigation lines or facilities which use or store hazardous material on site, or, where determined by the utility director, shall conform to the cross connection control ordinance and the "Manual of Cross Connection Control." Backflow preventers shall be certified annually by a city approved backflow tester. The city has the authority to require retrofit of existing facilities to comply with the cross connection control ordinance.
 - (11) Freeze protection. Freeze protection for indoor and outdoor water pipes and hose bibs shall not involve the use of water. Other methods, such as insulation, shall be used instead.
- (c) Fire hydrants. Fire hydrants shall not be installed on any water main of less than six inches inside diameter. The last 20 feet of a pipe lateral closest to and serving a single fire hydrant may be reduced to six inches to enable the control valve to be sized to six inches.
- (1) Placement and spacing. Except as provided in this section, fire hydrants shall be installed at all street intersections and at intervals between street intersections not to exceed the distances listed in the table in subsection (e) of this section. Prior review and approval of plans by a city fire official shall be required. Approved plans shall indicate hydrant location, main size, and other pertinent criteria required by the city.
 - (2) Sprinkler or standpipe systems. Where a sprinkler or standpipe system is provided, a fire hydrant shall be located at least 50 feet away from the structure but not more than 100 feet away from the fire department's connection for the system.
 - (3) On-site hydrants. When buildings, other than one- and two-family dwellings, are situated off of a road or other drive so as to cause hose lays from the nearest hydrant in excess of the permitted distances listed in the table in subsection (e) of this section, a sufficient number of hydrants shall be provided on the site meeting all the requirements of this chapter.
 - (4) Hose lay measurement. Hose lay measurement shall be the distance from a hydrant, along a road, drive or other traveled way designed to accommodate fire equipment, to the attack location approved by the fire official. Hose lay is not allowed across any collector or arterial road to meet the minimum requirements of this section.

CITY OF CLERMONT
ORDINANCE NO. 2024-020

- (5) Hydrant specifications and installation. All fire hydrants shall be of the breakaway design, meeting the specifications of the standard construction details, and specifically approved by the fire and public utilities departments to ensure standardization. The standard hydrant approved for use in the city is the Mueller model A-423. Hydrants shall be installed as depicted in the standard construction details, with the center of the lowest operating outlet no less than 18 inches above grade, and the top of the operating nut no higher than 54 inches above the surrounding grade.
- (6) Access and visibility. Hydrants shall not be located closer than three feet to or more than 20 feet from the edge of a street, drive or other accessway. No fence, tree, post, shrub or other object which could block the hydrant from normal view or obstruct the hydrant's use shall be located within six feet of the hydrant. Unless otherwise requested by the fire official, the 4½-inch large volume connection shall face the nearest roadway, or if located within a complex or parking area, shall face the nearest traffic way. No hydrant shall be installed where pedestrian or vehicular traffic would interfere with the use of the hydrant.
- (7) Ownership and maintenance. All fire hydrants located on public rights-of-way or designed to serve multiple ownerships shall be conveyed by approved instrument to the city. Once the city has accepted ownership, the city shall be responsible for the maintenance of these hydrants.
- (8) Fire hydrants and mains. All fire hydrants and mains, including those privately owned, that are connected to the city's potable water system shall conform to city standards. Barrels of privately owned fire hydrants shall be OSHA red.
- (d) Additional standards. If certain items are not directly addressed in this section, recommended standards for waterworks shall be used.
- (e) Minimum main size, flow rate and hydrant spacing. Minimum main size, flow rate and hydrant spacing by land use are as follows:

Minimum Main Size, Flow Rate and Hydrant Spacing by Land Use

Land Use	Water Main Minimum		Fire Hydrant Maximum	
	Size (inches)	GPM	Spacing (feet)	Hose Lay (feet)
Group I. Detached single-family and duplexes	6	500 <u>1500</u>	600	300
Group II. Townhouses, multifamily buildings less than three stories and no more than 12 units per building	8	1,000 <u>1500</u>	500 or 600, if sprinkled	300
Group III. Multifamily buildings, three or more stories or over	8	1,200 <u>1500</u>	500 or 600, if sprinkled	300



CITY OF CLERMONT
ORDINANCE NO. 2024-020

12 units per building, and commercial buildings less than 10,000 square feet and three stories or less				
Group IV. Commercial buildings over 10,000 square feet and warehouse and industrial buildings	10	1,500	400 or 500, if sprinkled	300

Interior separations or firewalls shall not be used to reduce the minimum water supply requirements of this section without the explicit written consent of the fire official.

Fire mains to be connected to an existing water line smaller in diameter than that required above may be reduced in size if the design engineer can successfully demonstrate that the required flows can be met with a smaller main.

Note. This table is a guide for the development of new sites and subdivisions, and does not guarantee fire flow adequacy outside of one- and two-family dwelling subdivisions. In those portions of the city where existing water mains cannot meet the requirements in this table, other building-specific measures can be used to reduce fire flow.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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

SECTION 5: CODIFICATION

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



CITY OF CLERMONT
ORDINANCE NO. 2024-020

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

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

SECTION 8: PUBLICATION AND AN EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2024-020

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of May 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
ORDINANCE NO. 2024-020

BUSINESS IMPACT ESTIMATE

TO: Mayor Murry and Council Members

FROM: Curt Henschel, Planning & Development Services Director

DATE: April 29, 2024

SUBJECT: Ordinance No. 2024-020 Fire Code LDR Amendments – Business Impact Estimate

Section 166.041, *Florida Statutes*, effective July 1, 2023, requires the City prepare (or cause to be prepared) a business impact estimate prior to final consideration of an ordinance, subject to exemptions noted in the Law. The new law requires that the business impact estimate be posted on the City’s website at the time of the published notice of the City Council’s final consideration of the ordinance, or ten (10) days prior to the adoption public hearing, whichever is longer. Ordinance No. 2024-020 is proposed to be adopted by the City on May 28, 2024, and is subject to this requirement. Following are the categories required to be addressed for the proposed ordinance based on the new legislation:

1. Summary of proposed Ordinance 2024-020

The proposed ordinance amends Chapter 119 Subdivisions: Section 119-229 Layout and Chapter 121 Utilities: Section 121-4 Water Service within the Land Development Code to provide as follows:

- Clarifies language for the gated community entry system under section 119-229 (1) and a deadline to upgrade existing gated communities for compliance by January 1, 2027 under 119-229 (e).
- Adds language for fire lane signs within cul-de-sacs along with no parking requirements under section 119-229(7).
- Increases water main minimum flow rates GPM under section 121-4 (e).

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

A direct cost to the subdivision will be the charge of upgrading the existing EVAC gated entry system. This is applicable to 14 gated subdivisions within the City. The estimated average cost of the upgrade is \$1,500. The cost of each fire lane sign is approximately \$45 each, depending on the number of signs required and vendor supplying the signs. Each project will vary based upon the number of cul-de-sacs and number of signs. The increase in minimum water flow rates will be subject to a new or renovated project at the time of permitting and will not affect current businesses.

- b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.**

The proposed ordinance does not add any new charge or fee.

- c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.**

The proposed ordinance does not add any additional regulatory costs.

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.**

The proposed ordinance is expected to impact approximately 14 subdivisions for the gated entry upgrade and the fire signage will impact more than 20 subdivisions, but less than 50.

- 4. Any additional information the board determines may be useful.**

The ordinance is primarily intended to update the Land Development Code with the latest Fire Code minimums.

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:	Andrea M. Clark
Contact Phone:	
Contact Email:	amclark@clermontfl.org
PO Number:	

Date:	04/19/2024
Order Number:	10055795
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	56.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/23/2024 - 05/14/2024	Govt Public Notices
LEE dailycommercial.com	2	04/23/2024 - 05/14/2024	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	\$165.52
Tax Amount	\$0.00
Service Fee 3.99%	\$6.60
Cash/Check/ACH Discount	-\$6.60
Payment Amount by Cash/Check/ACH	\$165.52
Payment Amount by Credit Card	\$172.12

Order Confirmation Amount	\$165.52
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Ad Preview

LEGAL NOTICE

On Tuesday, May 7, 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, May 28, 2024 at 6:30 PM.

ORDINANCE NO. 2024-020

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 119 SUBDIVISIONS; SECTION 119-229 LAYOUT; AND CHAPTER 121 UTILITIES; SECTION 121-4 WATER SERVICE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

All public meetings will be held in the Clermont City Hall, Council Chambers, located at 685 W. Montrose Street, Clermont FL 34711. This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

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

Tracy Ackroyd Howe, MMC
City Clerk
10055795 4/23/2024, 5/14/2024



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 7, 2024		
Agenda Item Name		
Ordinance No. 2024-026 <i>Amendment of Chapter 117 - Signs</i>		
Requested Action		
Recommend approval of Ordinance 2024-026.		
Staff Report		
Staff is proposing changes to the Land Development Code to allow for electronic messages on monument signs. This ordinance allows for the use of electronic message signage within 25 percent of the permitted sign areas. These message signs will be able to provide various display content on a timed basis. The intent is not to allow flashing lights to create distractions, but to allow expanded content/ messages for commercial uses. The message displays will be limited to a minimum 10-second display period before switching to the next message.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2024-026 Chapter 117-23 Changeble Copy Signs (05-03-2024 Final)	2024-026 Chapter 117-23 Changeble Copy Signs (05-03-2024 Final).pdf
2.	Legal Ad	Legal Ad.pdf



CITY OF CLERMONT
ORDINANCE NO. 2024-026

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 117-SIGNS, SECTION 117-23 CHANGEABLE COPY SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 7, 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

WHEREAS, the City Council of the City of Clermont shall amend the Land Development Code, Chapter 117-23 Changeable Copy Signs, making changes to add and clarify language on changeable copy signs regulations and guidelines; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that Chapter 117-23 Changeable Copy Signs of the Clermont Code of Ordinances shall be amended to make changes, as set forth in the following amendments shown in Section 2.

SECTION 1: AUTHORITY

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

SECTION 2:

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

Section 117-23. Changeable copy signs.

Changeable copy signs shall be regulated under the following guidelines. This section shall ~~not~~ include manual changeable copy and electronic message boards. ~~electronic message boards and the like, which are prohibited under this chapter.~~ Such signs shall be permitted in the following manner:

- (1) A changeable copy and electronic message boards sign shall not comprise more than 25 percent of the permitted sign area, except as described in this section.
- (2) Motor vehicle service stations and convenience stores with gasoline pumps may utilize up to 50 percent of permitted sign area for changeable prices of gasoline only.

CITY OF CLERMONT
ORDINANCE NO. 2024-026

- (3) Movie theaters and other performance or entertainment facilities may utilize up to 80 percent of permitted sign area for display of names of films, plays or other performances currently showing. Such changeable copy areas shall be included as part of the permitted sign area.
- (4) Changeable copy signs shall be allowed in commercial, prohibited for office, and industrial zoning districts and residential zoning districts may use non-electronic copy signs ~~uses~~ ~~except~~ for changes in tenant listing. An example is a permitted office in the R-3-A zoning district.
- (5) Use of changeable copy signs as part of permitted wall sign area is prohibited, except as described in Subsection (3) of this section.
- (6) Electronic message board signage:
 - a. Freestanding monument signs are permitted with electronic ~~number~~ changeable copy for messages, price, section, temperature or time only. Flashing lights are explicitly prohibited.
 - b. Time duration. The changeable copy ~~numbers for price time or temperature~~ may change no more than once every ten (10) seconds.
 - c. Brightness or glare shall be controlled to avoid distractions to vehicular traffic, pedestrian, and adjoining properties. Adjustments shall be made upon written request from the City.
 - d. All electronic copy signs shall be installed with an ambient light monitor.
 - e. Dimmer control electronic message copy signs must have an automatic dimmer control that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
 - f. Brightness. No electronic ~~number~~ message sign shall exceed a brightness level of 0.3 foot candles above ambient light conditions, as measured using a foot candle (Lux) meter at a preset distance depending on sign area. The measurement distance shall be calculated with the following formula: The square root of the product of the sign area times 100. Example: $\sqrt{(30 \text{ square feet} \times 100)} = 54 \text{ feet}$.

SECTION 3: CONFLICT

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



CITY OF CLERMONT
ORDINANCE NO. 2024-026

SECTION 4: SEVERABILITY

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

SECTION 5: CODIFICATION

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

SECTION 6: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

Regardless of whether such inclusion in the Code as described in Section 5 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 7: RECORDING

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

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.



CITY OF CLERMONT
ORDINANCE NO. 2024-026

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

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:	Andrea M. Clark
Contact Phone:	
Contact Email:	amclark@clermontfl.org
PO Number:	

Date:	04/10/2024
Order Number:	10061828
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	2	04/22/2024 - 05/13/2024	Govt Public Notices
LEE dailycommercial.com	2	04/22/2024 - 05/13/2024	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	\$168.44
Tax Amount	\$0.00
Service Fee 3.99%	\$6.72
Cash/Check/ACH Discount	-\$6.72
Payment Amount by Cash/Check/ACH	\$168.44
Payment Amount by Credit Card	\$175.16

Order Confirmation Amount	\$168.44
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Ad Preview

LEGAL NOTICE

The Clermont Planning and Zoning Commission will consider the proposed ordinance to amend the Land Development Codes, Chapter 117 - Signs, at a public meeting on Tuesday, May 7, 2024 at 6:30 P.M. The final enactment of the ordinance will be heard by the City Council on Tuesday, May 28, 2024 at 6:30 P.M.

ORDINANCE NO. 2024-026

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 117-SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

All public meetings will be held in the Clermont City Hall, Council Chambers, located at 685 W. Montrose Street, Clermont FL 34711. This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 22, 2024 and May 13, 2024.
#10061828



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 7, 2024		
Agenda Item Name		
Resolution No. 2024-013R <i>The River Church CUP</i>		
Requested Action		
Table to the June 4, 2024 Planning and Zoning Meeting.		
Staff Report		
Additional time is needed for the applicant and staff to work through some pending items.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Legal Ad	Legal Ad.pdf	

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Andrea M. Clark
Contact Phone:	
Contact Email:	amclark@clermontfl.org
PO Number:	2024-013 R

Date:	04/05/2024
Order Number:	10048328
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	48.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/22/2024 - 05/13/2024	Govt Public Notices
LEE dailycommercial.com	2	04/22/2024 - 05/13/2024	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	\$150.16
Tax Amount	\$0.00
Service Fee 3.99%	\$5.99
Cash/Check/ACH Discount	-\$5.99
Payment Amount by Cash/Check/ACH	\$150.16
Payment Amount by Credit Card	\$156.15

Order Confirmation Amount	\$150.16
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Ad Preview

LEGAL NOTICE

On Tuesday, May 7, 2024 at 6:30 PM, the Clermont Planning & Zoning Commission will consider a request to amend a Conditional Use Permit to allow for the construction of a new 2,700 square foot building at the existing church site located in the R-2 Medium Density Residential zoning district. The final public hearing for the proposed request will be heard by the Clermont City Council on Tuesday, May 28, 2024 at 6:30 PM.

LOCATION

The River Church
796 Hooks Street, Clermont, FL
(Alternate Key1626561)

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
10048328 4/22/2024, 5/13/2024