



**CITY OF CLERMONT  
PLANNING AND ZONING COMMISSION AGENDA  
LOCATION: CLERMONT CITY HALL  
685 WEST MONTROSE STREET  
6:30 PM, Tuesday, May 6, 2025**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**MINUTES**

Approval of the April 1, 2025 Minutes

**REPORTS**

**NEW BUSINESS**

Item 1 - Ordinance No. 2025-011  
*Heritage Square Florida Rezoning*

Consider rezoning vacant property located at 12th Street & State Road 50 from PUD & M-1 Industrial to C-2 General Commercial.

Item 2 - Ordinance No. 2025-017  
*Land Development Code Amendment*

Consider an amendment to the LDC Chapter 123 Vegetation, Article I & II.

Item 3 - Ordinance No. 2025-018  
*Irrigation and Landscaping Regulations*

Consider an ordinance to the City Code for Irrigation and Landscaping Regulations.

**DISCUSSION OF NON-AGENDA ITEMS**

**ADJOURN**

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

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

Please be advised that if you intend to show any document, picture, video or items to the 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 1, 2025**

**CALL TO ORDER**

Chair Bain called the meeting of the Planning and Zoning Commission to order on Tuesday, April 1, 2025 at 6:30 p.m.

**MEMBERS PRESENT:** Chair Bain, Vice-Chair Niemiec, Commissioner Colby, Commissioner Cramer, Commissioner Hoisington, Commissioner May, Commissioner Tidona

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Planning Manager Kruse, City Attorney Waugh, and Planning Coordinator Heard

**PLEDGE OF ALLEGIANCE**

**MINUTES**

**MOTION TO APPROVE the March 4, 2025 Minutes of the Planning and Zoning Commission meeting made by Commissioner Cramer, seconded by Commissioner Hoisington. Motion passed 7-0.**

**REPORTS**

**Commissioner Tidona** passed out a handout from the Florida League of Cities on Mobility Plans, Seminole County's Proposed Mobility Fee, and FDOT Application for Transportation Concurrency Determination within Adjacent Municipality Developments. He explained what Florida Department of Transportation (FDOT) manages after the Community Planning Act of 2011; and further, stated developers can be held responsible for the maintenance of roads that are affected by their development. He noted a couple of agencies that have approved mobility fees that are imposed on future developments. He concluded with stating he thinks Clermont should look into this as many other cities and counties in Florida have already approved it.

**Commissioner May** stated she has been attending City Council meetings, and expressed she was happy to see the afternoon meeting had a big attendance. She noted she attended Pig on the Pond stating it was a great event.

**Commissioner Colby** thanked Commissioner Tidona for the mobility fee research, and stated the City of Mascotte is also utilizing this type of plan as well.

**Vice-Chair Niemiec** thanked Commissioner Tidona for doing some excellent research, and believes this is a very powerful tool.

**Commissioner Cramer** stated he had no report; however, thanked Attorney Waugh for the board training at the last meeting.

**Commissioner Hoisington** thanked Commissioner Tidona for the information. She stated she attended Pig on the Pond, which was very well attended, and attended the luncheon for the former Chief of Police.

**Chair Bain** stated the umbrellas on their seats are a gift from the City to recognize the members and say thank you for volunteering as April is National Volunteer Month. He noted an upcoming Safe Streets Meeting at the Tavares City Center this Thursday.

## **NEW BUSINESS**

*(Item Nos. 1 & 2 were heard concurrently.)*

### **Item Nos. 1 & 2 - Ordinance Nos. 2025-012 & 2025-013 963 Juniata Street Small Scale Comprehensive Plan Amendment (SSCPA) & Rezoning**

**Planning Manager Kruse** presented as follows:

The applicant, Dr. Blair Handy, is requesting a small scale comprehensive plan amendment and rezoning for the subject property located at 963 West Juniata Street. The single-family home was constructed in 1954 and is approximately 1550 square feet of conditioned space. Dr. Handy would like to convert the home into a medical office for her audiology practice. She intends on using the existing footprint of the house with no plans for additions at this time. Dr. Handy will work onsite by herself and the hours of operation will be 10 AM to 2:30 PM, Tuesday through Thursday. She will only see one patient at a time. She would like to add a few parking spaces in the City's right-of-way in front of the property for her clients, similar to the adjacent dentist's office to the east. Public Services has reviewed her proposal and did not see any concerns based upon the submittal. More detailed engineering specifics would be required at the site plan approval stage. The size of the property is approximately a quarter (1/4) of an acre.

The small scale comprehensive plan amendment would change the Future Land Use from Medium Density Residential to the Downtown Mixed Use designation. The Medium Density Residential Land Use is primarily designated for higher residential density around the downtown area. The requested medical office use is not a use designated in the Medium Density Residential Land Use. The medical office use would be more appropriate in the Downtown Mixed Use designation, especially since the adjoining property to the east is a dentist office and has the Downtown Mixed Use designation. Policy 1.7.3 Downtown Mixed Use is intended to provide for a mixture of residential and business uses. In addition, the subject property is within the City's Community Redevelopment Area (CRA) and the applicant intends to redevelop the property into a higher use.

The current zoning is R-3 Residential/Professional with a request for a rezoning to Central Business District, which is compatible with the Downtown Mixed Use future land use. In addition, the combination of the Central Business District and the Downtown Mixed Use would allow Dr. Handy to proceed with the project. With the recent adoption of parking changes under Ordinance 2025-002, projects within the Central Business District have the option to either pay into the City's parking fund or provide spaces. The parking ratio under the Central Business District is one (1) space per 400 square feet of office use. The conditioned area of the house that will be converted to medical office is approximately 1550 square feet; therefore, four (4) parking

spaces would be required based upon the Central Business District parking requirements. The applicant is proposing five (5) parking spaces. With the current placement of the structure and the lot dimensions, adding spaces under the current zoning designation is impossible due to the Land Development Code requirements. Due to the nature of Dr. Handy's practice of having a one-on-one patient setting, the parking demand does not appear to be an issue. As for solid waste disposal, the City can offer can garbage pickup as it is currently offering the single-family residence since it is a small medical office.

With the redevelopment of the property and the development pattern of the surrounding area moving outward from the core of downtown, staff is in support of the small scale comprehensive plan amendment to change the future land use from Medium Density Residential to Downtown Mixed Use; and further, staff has no evidence the rezoning to the Central Business District at this location would be incompatible with the uses in the area. Staff recommends approval of Ordinances 2025-012 and 2025-013.

**Robert Walker**, Representing Applicant, Burkett Engineering, 105 E. Robinson Street, Orlando, stated the Applicant, Dr. Handy, is in agreement with staff's findings, and she is present to answer any questions.

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

**Vice-Chair Niemiec** asked Dr. Handy if medical wastes will be included in her practice and asked what type of equipment she uses. **Dr. Handy** stated no medical wastes will be used, and she uses audiological equipment, which includes a computer and probes. She will be performing new-born hearing screenings, which is not currently available in Clermont. **Vice-Chair Niemiec** asked staff whether one handicap parking spot is enough per ADA. **Planning Manager Kruse** answered in the affirmative.

**Commissioner Cramer** stated he thinks this is a good use in this area, and really would love to see this type of service be local for the residents. He noted they have met all of the requirements, and he is very favorable for this and hopes the rest of the board is as well.

**Commissioner Hoisington** stated she concurs as well and did not see anything that raised an alarm. She thanked the applicant for bringing this service to the city.

**Commissioner Tidona** asked whether anyone will be living at the property, or is this only a commercial property open from Tuesday through Thursday 10:00 am to 2:30 pm. **Dr. Handy** stated no one will be living on site, and it will be a professional commercial property. **Commissioner Tidona** wished her the best of luck and stated this community needs this service.

**Commissioner May** stated she is in support of a medical office on this street; however, she does not support rezoning this property to a larger floor area ratio (FAR) and believes a Conditional Use Permit with a variance for the parking is better suited.

**Commissioner Colby** stated he generally approves of this type of rezoning, but is concerned about how the medical office will transition with the adjacent residential neighborhood. There is a buffer with the neighbor to the east, but no buffer to the west, and asked the applicant if they are planning

to do something in that area. **Mr. Walker** answered the buffering and landscaping will meet City Code through the site plan review process. **Planning Manager Kruse** stated there is room around the parking spaces for landscaping. **Commissioner Colby** stated leaving the trash receptacles visible would also make this parcel look commercial. **Mr. Walker** confirmed there is an existing fence where the receptacles would be stored behind.

**Commissioner May** asked how it was determined to propose this change through a rezoning instead of going through as a conditional use permit. **Mr. Walker** explained staff suggested the rezoning because of the parking. **Planning Manager Kruse** confirmed and expressed the Future Land Use does not allow office use; and further, staff considers adjacent land uses, which the adjacent parcel to the east is zoned downtown mixed-use.

**Vice-Chair Niemiec** asked the applicant whether the same type five-foot bushes would be used on the west side of the parcel like there is on the eastern side. **Mr. Walker** explained they will adhere to city code.

**Commissioner Cramer** noted no one is present from the public who has concerns about this parcel rezoning from residential to commercial; and further, the business will only be open three (3) days a week, which will be less traffic than a residential use. He expressed he is still in support of this proposed rezoning and with the expansion of downtown.

**Vice-Chair Niemiec** expressed his concerns regarding the aesthetic view with five parking spots in front of the home and how it flows with the neighboring residential homes. He believes tall bushes on the west side of the parcel could alleviate the aesthetic flow from commercial to residential.

**Commissioner May** restated she has no issues with this business; however, up-zoning this parcel could give a future business an opportunity to build up to 55 feet, which would definitely change the make-up of this area.

**Chair Bain** shared his concerns with commercial expanding into residential, but stated this block already has made that transition adjacent to this parcel, which already makes this street a mixed-use. He asked staff how far the public notices went out to adjacent neighbors. **Planning Manager Kruse** stated public notices were mailed out 200 feet from this parcel. **Chair Bain** stated he appreciates the fact that the right-of-way parking in the front would not be owned or controlled by this parcel and would increase general parking in the downtown area.

**Commissioner May** asked staff to display the R-3 Residential/Professional District code for the board. **Chair Bain** stated he is familiar with the code. **Planning Manager Kruse** restated the Future Land Use (FLU) would have to be amended regardless, because it does not allow office use in the medium density. **Commissioner May** noted this proposed amendment is rezoning the parcel from medium density to mixed-use instead of professional office which is a lower density. **Planning Manager Kruse** agreed the professional office is a lower density than the mixed-use; however, there are space limitations with a parcel this size, which will not allow too high of a density. **Commissioner May** stated for the record that professional offices is permitted under the

current zoning R-3 Residential/Professional District with a Conditional Use Permit, and a waiver or variance may be approved for the additional parking.

**Chair Bain** shared a concern regarding the City impeding small businesses doing business adjacent to an already established business in the downtown CBD zoning. He stated the applicants initially applied with the parking behind the house, and Fire said it was not possible; therefore, city staff worked with the applicant on this proposed solution, which he believes is appropriate as it provides sufficient parking and supports small business.

**MOTION TO RECOMMEND APPROVAL of Ordinance No. 2025-012, 963 Juniata Street Small Scale Comprehensive Plan Amendment; Moved by Commissioner Cramer, Seconded by Commissioner Hoisington. Motion passed 6-1 with Commissioner May opposing.**

**MOTION TO RECOMMEND APPROVAL of Ordinance No. 2025-013, 963 Juniata Street Rezoning; Moved by Commissioner Cramer, Seconded by Commissioner Hoisington. Motion passed 6-1 with Commissioner May opposing.**

**Item No. 3 - Resolution No. 2025-010R  
Sprouts Farmers Market Conditional Use Permit (CUP)**

**Planning Manager Kruse** presented as follows:

The applicant, Franklin Land Associates, LLC, is requesting amendments to a Conditional Use Permit (CUP) for an existing Planned Unit Development (PUD) known as the Shoppes at Hammock Ridge Crossing. The development is located south and southwest of the Hammock Ridge Road and US 27 intersection. The existing businesses within this PUD are Chick-fil-A and 7 Brew Coffee; along with current construction sites of Staybridge Suites hotel, a micro-hospital and a daycare. The development was originally approved in 2005 under Resolution 1442, and is currently governed by Resolution 1532.

The applicant is requesting three (3) changes to Resolution 1532. The first one is an amendment to an existing condition. Sprouts Farmers Market is being proposed on Lot 14 within the development. As part of their business plan, the store displays merchandise outside of their building. Section 8, Item 1 within the Resolution under Outdoor display states “Outdoor display of merchandise is prohibited.” The applicant would like to add language to this item to state an exception is allowed on Lot 14. This would allow Sprouts to display merchandise outdoors. Staff is not opposed to this amendment request and would support this change with the stipulation that outdoor display of merchandise shall be limited along the front of the building.

The second amendment is for special consideration of front wall signage on the Sprouts building. The applicant is requesting additional secondary wall signage along with an increase of overall square footage of wall signage on the front of the building. A total of six wall signs are being proposed on the Sprouts building with five (5) on the front and one (1) on the rear. The rear wall sign facing Hammock Ridge Road appears to meet the sign code and does not need special consideration. The five (5) wall signs on the front consists of a primary sign and four (4) secondary

signs. The total square footage requested for the front is 546 square feet, in which the primary sign will be 268 square feet. The allowable square footage is 200 square feet per City Code.

In comparison to previously approved wall signage variance requests, in 2019 Target was approved for up to 525 square feet of wall signage with a maximum of five (5) wall signs. Recently this year, the new Dick's Sporting Goods was approved for wall signage up to 446 square feet. The applicant has indicated due to the placement of the lot in the interior of the development and the elevation change of approximately 28 feet up from US 27, the visibility from the major arterial roadway is challenging, along with having buildings between Sprouts and US 27 that impede visibility. Staff understands the challenges of the elevation change and interior lot location for visibility, and would support this request.

The final requested amendment is for the installation of a multi-tenant monument sign with Sprouts listed as the anchor tenant. The applicant is requesting the ability to construct the monument sign on Lot 9, which is owned and controlled by the developer. The development has been platted with no consideration of a common parcel for a multi-tenant sign along US 27. Therefore, the sign would be considered as an off-site sign. The applicant is requesting this sign to be 20 feet in height and 18 feet in width with a maximum copy area of 203 feet per face. The Land Development Code limits this type of monument sign to 15 feet in height and 10 feet in width with a maximum copy area of 120 square feet per face.

In reviewing the application, staff noticed the proposed monument sign within the Sprouts parcel, Lot 14, exceeds the City's Land Development requirements in height and copy area. The plan indicates an overall height of eight (8) feet; in which the City's code is limited to six (6) feet with a limitation of 32 square feet of copy area per face. The copy area per face is estimated to be 48 square feet. Due to the unique nature of the elevation changes in this development and the lot configuration, these requests may be considered within reason. Staff is not opposed to approving this amendment.

Staff has reviewed the requested amendments for the Shoppes at Hammock Ridge Crossings development in conformance of Section 101-212 of the Land Development Code. The outdoor display of merchandise, if done appropriately in an organized and maintained manner, does not appear to cause undue noise, order, traffic and other nuisances and dangers to abutting property owners. The request of the larger multi-tenant monument sign on Lot 9 would be beneficial to not only Sprouts, but the other minor tenants as well to direct traffic flow in and out of the development. This may assist drivers to safely locate and navigate to the site. The increased wall signage request is similar in nature to other buildings on internal lots that sit back from arterial roadways, such as Dick's Sporting Goods and Target. The primary front wall sign of 268 square feet would be viewed from US 27 while the secondary wall signage would be seen from the private internal drive. Staff has no evidence that approving these amendments would be detrimental to the health, safety or general welfare of persons residing or working in the vicinity. Therefore, staff recommends approval of Resolution 2025-010R.

**Tim Mondello, CDP, Applicant, GBT Realty, Brentwood, Tennessee**, stated he is present on behalf of Sprouts Farmers Market, an organic grocer. They approve of staff's presentation and proposed amendments.

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

**Commissioner Cramer** stated the wall signage is justifiable given the drop of elevation and the distance from the road; and further, stated his concern with the outdoor display area creeping outside of the allowable space and creating clutter. He concluded with recommending the multi-tenant sign be recorded with a shared-language agreement to avoid future conflict, and further, he stated he is in support of the larger sign which will assist with wayfinding.

**Commissioner Hoisington** asked for clarification on why outdoor displays are not permitted, which staff explained.

**Commissioner Tidona** stated he is not adverse to outdoor display, but he is not in favor of increasing the signage; and further, that is the applicant's problem. He discussed the various approved businesses within this development such as the micro-hospital, 7-Brew, hotel, daycare, and is extremely concerned about the one-lane accessways, lack of turn lanes and parking; and further, called this site an abomination due to the traffic it may generate, and is concerned about the vehicles leaving the apartments adjacent to this site. He concluded with stating the amount of traffic this will generate will make Hartwood Marsh Road look like a walk in the park.

**Chair Bain** explained this Board's role is to consider this application only for the proposed amendments and not various other adjacent lots. **Commissioner Tidona** stated he understood; however, this parcel is part of a larger development that is inundated with no stated parameters of traffic flow. **Chair Bain** explained there has been no evidence presented that the approved businesses should be a part of this review for a conditional use permit. **City Attorney Waugh** noted Chair Bain is correct as the Board cannot base their decisions on surrounding approved businesses, and Commissioner Tidona is partially correct as compatibility of developments is a parameter the Board can base their decisions on.

**Commissioner May** stated she agrees with Commissioner Tidona. She asked the applicant what type of merchandise will be displayed outside and will it remain outside overnight, whether seating will be added, and the hours of operation. **Mr. Mondello** explained the typical type of merchandise placed outside under the canopies will be flowers, pumpkins, fresh vegetables, which will come in at the end of the day, no seating will be provided, and their hours are 7am to 9pm. **Commissioner May** asked staff about size, aesthetics, and locations of the signs.

**Commissioner Colby** thanked Commissioner Tidona for his comments; and further informed him that the micro-hospital did come before this Board and the City Council and went through a very deliberate process which is available to the public. Discussion ensued regarding the micro-hospital.

**Vice-Chair Niemiec** assured Commissioner Tidona that Council asked every possible question and the Board did their due diligence with the micro-hospital. He complained that the map attached to this item shows vacant land instead of the current buildings adjacent to this parcel. He asked for more detailed and updated maps be placed with the projects going forward. He asked for clarification about the tenants, and whether they will have a tent in the parking lot during the holiday season to sell trees. **Mr. Mondello** stated the building adjacent to Sprouts is being built

concurrently with four storefronts. He clarified that their outside display will only be under the canopy, not in the parking lot. **Vice-Chair Niemiec** asked staff about parking, signage on the back of the building and whether it will be lighted. **Planning Manager Kruse** informed him no special requests were made for parking or lighting; therefore, they will meet code.

**Chair Bain** asked the applicant if they would be willing to include language in the resolution limiting the outdoor display to only under the canopy; and further, asked whether the overall concept design of the store in their packet is the standard design for Sprouts. **Mr. Mondello** stated they are in agreement with the added language, and the attached concept is Sprouts' standard design.

**Chair Bain** informed the Board there were some good questions; however, staff cannot anticipate and be ready to answer every question. He asked the Board to meet, email or call staff prior to the meeting so they are able to deliver a clear answer; and further, board members can let staff know they will be asking certain questions so staff can be prepared to answer.

**Chair Bain** expressed he does not believe the requested changes detract or deter from this project; and further, he supports a grocery store that is in close proximity of an apartment complex and nearby residential homes.

**MOTION TO RECOMMEND APPROVAL** of Resolution No. 2025-010R, Sprouts Farmers Market Conditional Use Permit (CUP); and further, add a condition that the language "only under the canopy area" be incorporated into Section 8 of Outdoor Display; Moved by Vice-Chair Niemiec, Seconded by Commissioner May. Motion passed 5-2 with Vice-Chair Neimiec and Commissioner Tidona opposing.

**DISCUSSION OF NON-AGENDA ITEMS** - None

**MOTION TO ADJOURN**; Moved by Commissioner Cramer, Seconded by Vice-Chair Niemiec. Motion passed 7-0.

**ADJOURNMENT** – 8:17 pm

---


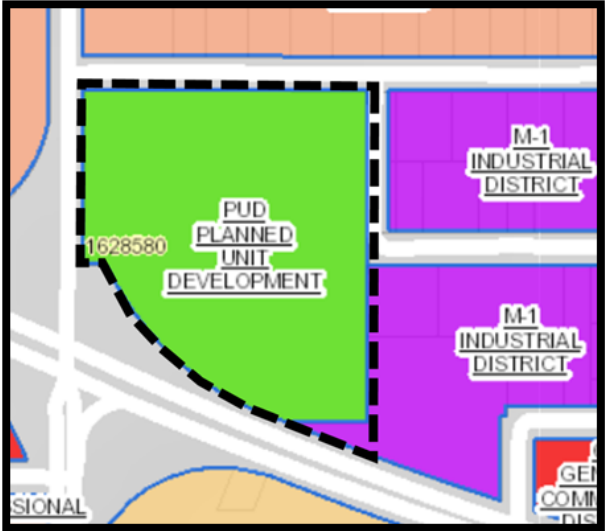
Chair Bain

ATTEST:

---



# AGENDA ITEM

<b>Meeting Date</b>		
Tuesday, May 6, 2025		
<b>Agenda Item Name</b>		
Ordinance No. 2025-011 <i>Heritage Square Florida Rezoning</i>		
<b>Requested Action</b>		
Recommend approval of Ordinance No. 2025-011.		
<b>Staff Report</b>		
<p>The applicant, Tom Kovatch, is requesting a rezoning to C-2 General Commercial zoning to remove the previously approved Planned Unit Development (PUD Ordinance No. 2019-47) for a distillery with tasting room, restaurants and retail shop. The vacant 6.01 +/- acre parcel, previously used as a steel fabrication site, is located at the northeast corner of SR 50 and 12<sup>th</sup> Street (CR 561). The property was rezoned from M-1 Industrial to the PUD in November of 2019 by City Council. As part of the PUD, the applicant requested seven special waivers to the Land Development Code in order for this development to be considered. The applicant is willing to remove these entitlements at this time and seeks to develop the property under the direction of permitted C-2 General Commercial uses since the distillery is no longer a viable option. The applicant also purchased a small portion of the adjoining property at the southeast point that is now incorporated into the request. This small pie shaped piece is currently zoned M-1 Industrial and the applicant wishes this piece to be rezoned to C-2 General Commercial as well.</p>		
 		
<p>The property has a future land use of Commercial, which aligns with the C-2 General Commercial zoning. The applicant, at the time of securing users for the site, will be required to go through the site review process and meet the Land Development Code. If a variance is needed or if a use is a conditional use, then the applicant will be required to seek council approval. Staff recommends approval of Ordinance No. 2025-011.</p>		
<b>Additional Analysis</b>		
<b>Fiscal Impact Summary</b>		
<b>Fiscal Impact</b>	<b>Fund Number and Description</b>	<b>Available Budget Amount</b>

<b>Exhibits Attached</b> (copies of original agreements)		
1.	Ord 2025-011	Ord 2025-011.pdf
2.	Maps	Maps.pdf
3.	2019 PUD Ordinance	2019 PUD Ordinance.pdf
4.	Application	Application.pdf
5.	Legal Ad PZ	Legal Ad PZ.pdf



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-011**

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

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

**SECTION 1:**

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

**LEGAL DESCRIPTION**

CLERMONT, SUNSET PARK PB 8 PG 18-23 THE EAST 10 FEET OF LOT 21 BLK 112, BLK 123, BLK 124, THAT PART OF JUANITA STREET BETWEEN BLKS 123 & 124, THE NORTH 1/2 OF VACATED BROOME STREET LYING SOUTH OF BLK 124 & WESTERLY OF THE 10 FOOT ALLEY LYING BETWEEN THE EASTERLY LINE OF SAID BLK 124 AND THE WESTERLY LINE OF BLK 111 LYING NORTHERLY OF BROOME STREET NOW VACATED AND SOUTHERLY OF JUNIATA STREET NOW VACATED, AND BEGIN AT THE INTERSECTION OF A SOUTHERLY EXTENSION OF THE CENTERLINE OF A 10 FOOT WIDE ALLEY LYING BETWEEN THE EASTERLY LINE OF BLK 124 AND THE WESTERLY LINE OF BLK 111 LYING NORTHERLY OF BROOME STREET NOW VACATED AND SOUTHERLY OF JUNIATA STREET NOW VACATED AND THE CENTERLINE OF BROOME STREET NOW VACATED, THENCE RUN SOUTH 00-38-55 WEST ALONG SAID SOUTHERLY EXTENSION OF THE CENTERLINE OF A 10 FOOT WIDE ALLEY LYING BETWEEN THE EASTERLY LINE OF BLK 124 AND THE WESTERLY LINE OF BLK 111 A DISTANCE OF 57.23 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO 50, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5679.65 FEET, A CHORD BEARING OF NORTH 68-35-09 WEST AND A CHORD DISTANCE OF 160.15 FEET, THENCE RUN NORTHWESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 160.16 FEET THRU A CENTRAL ANGLE OF 01-36-56 TO THE AFORESAID CENTERLINE OF BROOME STREET, THENCE RUN SOUTH 89-31-25 EAST ALONG SAID CENTERLINE OF BROOME STREET 149.75 FEET TO THE POINT OF BEGINNING

**LOCATION**

Vacant property located northeast of the  
12<sup>th</sup> Street and SR 50 intersection  
Approx. 6.01 +/- Acres

**LOCATION MAP**



**PROPERTY REZONING**

**From: Planned Unit Development (PUD) and M-1 Industrial District  
To: C-2 General Commercial**

**SECTION 2: CONFLICT**

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

**SECTION 3: SEVERABILITY**

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



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-011**

**SECTION 4: ADMINISTRATIVE CORRECTION**

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

**SECTION 5: RECORDING**

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

**SECTION 6: PUBLICATION AND EFFECTIVE DATE**

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



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-011**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 10<sup>th</sup> day of June, 2025.

CITY OF CLERMONT

---

Tim Murry, Mayor

ATTEST:

---

Tracy Ackroyd Howe, MMC  
City Clerk

Approved as to form and legality:

---

Christian W. Waugh, City Attorney

# Heritage Square Florida, LLC – PUD Amendment – Location Map



# Heritage Square Florida, LLC – PUD Amendment – Current Zoning Map



# Heritage Square Florida, LLC – PUD Amendment – Proposed Zoning Map





CITY OF CLERMONT  
ORDINANCE NO. 2019-47

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

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

**SECTION 1.**

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

**LEGAL DESCRIPTION**

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

**LOCATION**

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

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

**SECTION 2. General Conditions**

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

INSTRUMENT #2020014723  
OR BK 54:16 PG 2365 - 2370 (6 PGS)  
DATE: 2/4/2020 4:12:59 PM  
GARY J. COONEY, CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER, LAKE COUNTY, FLORIDA  
RECORDING FEES \$52.50

CITY OF CLERMONT  
PO BOX 120890  
CLERMONT FL 34711





CITY OF CLERMONT  
ORDINANCE NO. 2019-47

**SECTION 3. Land Uses and Specific Conditions**

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

From State Road 50	50 feet from the property line
Side Street	25 feet from the property line
Side Yard Setback	12 feet from the property line
Rear Yard Setback	25 feet from the property line
3. Sidewalks shall be constructed adjacent to any streets' right-of-ways for pedestrian safety and to comply with Americans with Disabilities Act requirements.
4. The architectural features and building height shall not exceed 55 feet, measured at the highest point. The buildings shall be designed and constructed to meet the City of Clermont's Architectural Design Standards.
6. The project may be developed to allow shared parking between the restaurants, commercial, office and retail businesses, a minimum of 184 non-handicapped spaces and 8 handicapped spaces. In the event that the project can be developed with additional handicapped spaces resulting in a reduction of the non-handicapped spaces, an amendment to this Conditional Use Permit shall not be required.
7. The project may be developed to allow up to 14 parking spaces between landscape islands instead of code requirements of a maximum 10 parking spaces.
8. The project shall be developed according to the C-2 General Commercial zoning district in the Land Development Code, unless expressly stated above.
9. The project may be developed to allow 9 feet wide and 20 feet depth (9'x20') for employee parking spaces instead of requirements of the Land Development Code.
10. The project may be developed to allow employee parking without internal terminal landscape islands.
11. The project may be developed with no building landscaping in front of bay doors, but landscaping will be required around the office building.
12. The project may be developed to allow a maximum 10 foot height for retaining walls instead of 6 foot height requirements.
13. The Building identified as "C" setback may be reduced to 15 feet adjacent to 11th Street instead of the 25 feet requirement.



*CITY OF CLERMONT*  
**ORDINANCE NO. 2019-47**

14. Any Driveway Permits or Access points must be reviewed and approved by the City Engineer or his/her designee and by Lake County Public Works for any designated County Streets at the time of Site Plan Review. At a minimum the project shall include and maintain signage that will prohibit truck traffic egress east on Desoto Street.
15. All fencing shall be ornamental wrought iron or metal, or decorative wood fencing, as approved by the Site Review Committee.
16. The 11th Street Driveway shall be within 35 feet of the intersection.
17. A Traffic Impact Study (TIS) shall be completed and reviewed by the Lake-Sumter Metropolitan Planning Organization. The study and comments shall be shared with all jurisdictions within the traffic impact area. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies.

**SECTION 4.**

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

**SECTION 5.**

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

**SECTION 6.**

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

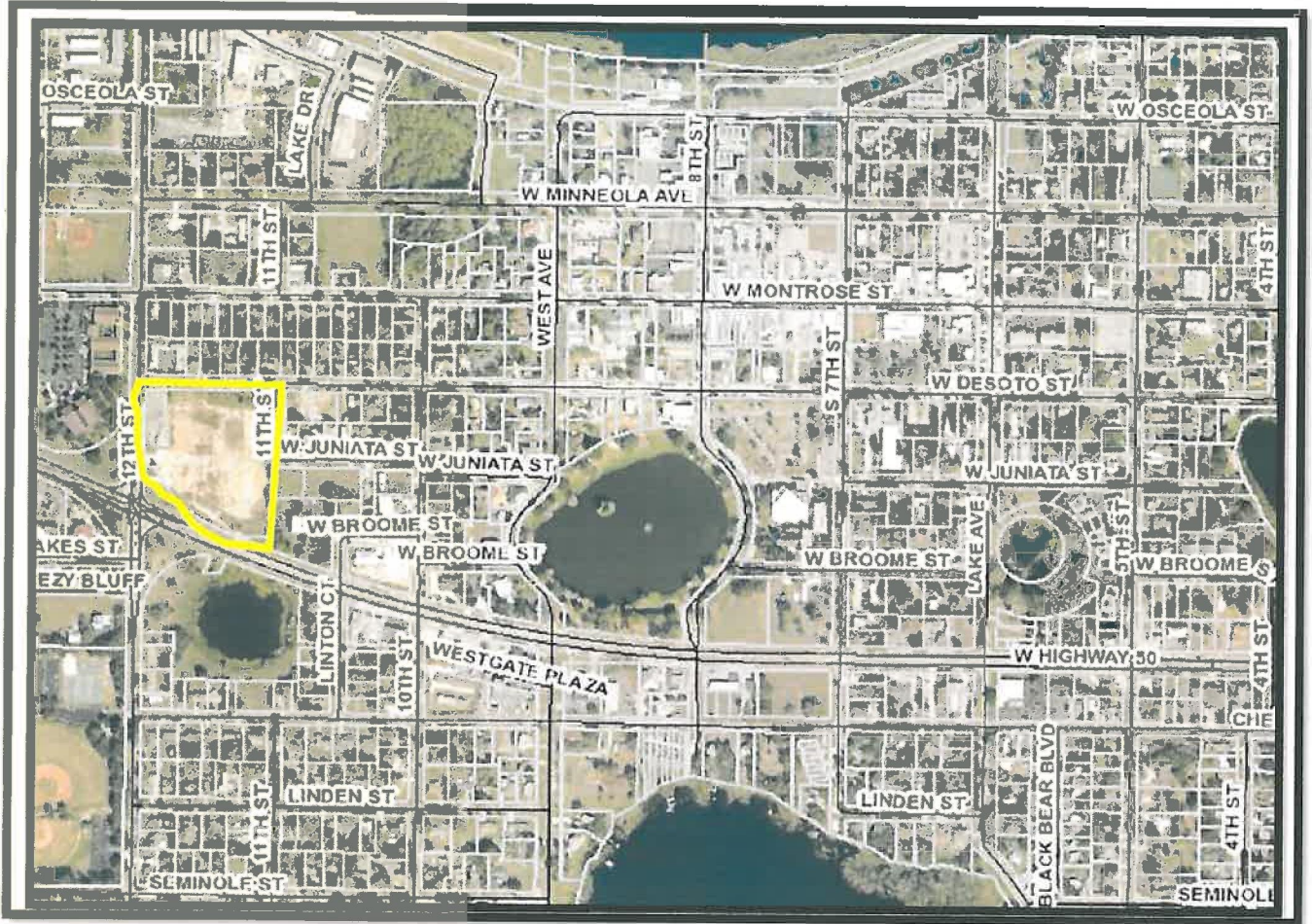
**SECTION 7.**

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



CITY OF CLERMONT  
ORDINANCE NO. 2019-47

Location Map:







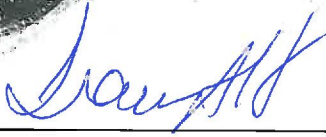
CITY OF CLERMONT  
ORDINANCE NO. 2019-47

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County,  
Florida on this 19<sup>th</sup> day of November, 2019.



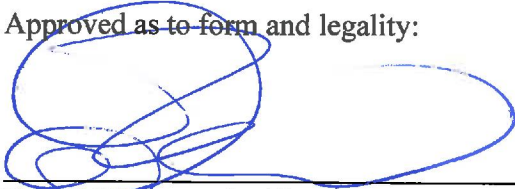
CITY OF CLERMONT

  
Gail L. Ash, Mayor



Tracy Ackroyd Howe, MMC, City Clerk

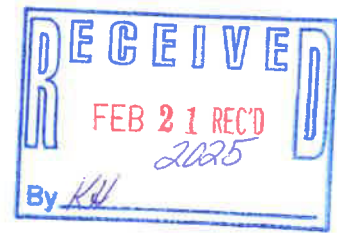
Approved as to form and legality:



Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT  
**REZONING**  
**APPLICATION**



<b>DATE</b> February 20, 2025		<b>FEE:</b> \$542.00 + cost of advertisement + cost of traffic review, if necessary	
<b>Project Name (if applicable)</b> Heritage Square Florida, LLC			
<b>Applicant</b> Thomas Kovatch			
<b>Contact Person</b> Thomas Kovatch			
<b>Address</b> 15421 Pendio Drive		<b>City</b> Montverde	<b>State</b> Fl
		<b>Zip</b> 34756	
<b>Telephone</b> [REDACTED]		<b>Fax</b> n/a	
<b>Email</b> [REDACTED]			
<b>OWNER INFORMATION</b>			
<b>Owner's Name</b> <del>Thomas</del> Kovatch <b>THOMAS</b>			
<b>Owner Address</b> 15421 Pendio Drive		<b>City</b> Montverde	<b>State</b> Fl
		<b>Zip</b> 34756	
<b>Telephone</b> [REDACTED]		<b>Email</b> [REDACTED]	
<b>PROPERTY INFORMATION</b>			
<b>Address of Subject Property</b> 901 12th Street		<b>City</b> Clermont	<b>State</b> Fl
		<b>Zip</b> 34711	
<b>Legal Description (include copy of survey)</b> too lengthy - see attached PRC & survey x 2			
<b>Acreage</b> 6.2		<b>Land Use (City verification required)</b> PUD	
<b>Present Zoning (City verification required)</b> PUD		<b>Proposed Zoning</b> C-2 General Commercial	



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?

Remove the PUD

Check box to indicate additional materials are provided via attachment.

Thomas Kovatch

Applicant Name (print)

x   
Applicant Name (signature)

Thomas Kovatch

Owner Name (print)

x   
Owner Name (signature)

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

5/22/2020

## LEGAL NOTICE

On Tuesday, May 6, 2025 at 6:30 PM the Clermont Planning and Zoning Commission will consider the enactment of the following proposed ordinance.

### ORDINANCE NO. 2025-011

**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

Vacant property located northeast of the  
12<sup>th</sup> Street and SR 50 intersection  
Approx. 6.01 +/- Acres



#### PROPERTY REZONING

**From: Planned Unit Development (PUD) and M-1 Industrial District  
To: C-2 General Commercial**

#### LEGAL DESCRIPTION

CLERMONT, SUNSET PARK PB 8 PG 18-23 THE EAST 10 FEET OF LOT 21 BLK 112, BLK 123, BLK 124, THAT PART OF JUANITA STREET BETWEEN BLKS 123 & 124, THE NORTH 1/2 OF VACATED BROOME STREET LYING SOUTH OF BLK 124 & WESTERLY OF THE 10 FOOT ALLEY LYING BETWEEN THE EASTERLY LINE OF SAID BLK 124 AND THE WESTERLY LINE OF BLK 111 LYING NORTHERLY OF BROOME STREET NOW VACATED AND SOUTHERLY OF JUNIATA STREET NOW VACATED, AND BEGIN AT THE INTERSECTION OF A SOUTHERLY EXTENSION OF THE CENTERLINE OF A 10 FOOT WIDE ALLEY LYING BETWEEN THE EASTERLY LINE OF BLK 124 AND THE WESTERLY LINE OF BLK 111 LYING NORTHERLY OF BROOME STREET NOW VACATED AND SOUTHERLY OF JUNIATA STREET NOW VACATED AND THE CENTERLINE OF BROOME STREET NOW VACATED, THENCE RUN SOUTH 00-38-55 WEST ALONG SAID SOUTHERLY EXTENSION OF THE CENTERLINE OF A 10 FOOT WIDE ALLEY LYING BETWEEN THE EASTERLY LINE OF BLK 124 AND THE WESTERLY LINE OF BLK 111 A DISTANCE OF 57.23 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO 50, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5679.65 FEET, A CHORD BEARING OF NORTH 68-35-09 WEST AND A CHORD DISTANCE OF 160.15 FEET, THENCE RUN NORTHWESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE 160.16 FEET THRU A CENTRAL ANGLE OF 01-36-56 TO THE AFORESAID CENTERLINE OF BROOME STREET, THENCE RUN SOUTH 89-31-25 EAST ALONG SAID CENTERLINE OF BROOME STREET 149.75 FEET TO THE POINT OF BEGINNING

All public hearings are held in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont, FL 34711.

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

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

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

Tracy Ackroyd Howe, MMC  
City Clerk



# AGENDA ITEM

<b>Meeting Date</b>		
Tuesday, May 6, 2025		
<b>Agenda Item Name</b>		
Ordinance No. 2025-017 <i>Land Development Code Amendment</i>		
<b>Requested Action</b>		
Recommend approval of Ordinance No. 2025-017.		
<b>Staff Report</b>		
<p>City Staff is proposing code changes to the Land Development Code regarding Landscaping. These changes are focused around water conservation within the city. Several sections of Chapter 123 are being amended to create these changes. The amendments involve definition changes for tree types, soil amendment requirements, and the removal of the "preferred tree list" to allow for a new updated "Landscape Materials list" that will be part of the next presented Ordinance 2025-18. City Staff has met on numerous occasions with industry leading experts that helped craft the changes. Staff recommends approval of Ordinance 2025-017.</p>		
<b>Additional Analysis</b>		
<b>Fiscal Impact Summary</b>		
<b>Fiscal Impact</b>	<b>Fund Number and Description</b>	<b>Available Budget Amount</b>
<b>Exhibits Attached</b> (copies of original agreements)		
1.	2025-017	2025-017.pdf
2.	2025-017 BIE for LDC Vegetation	2025-017 Business Impact Estimate for LDC Vegetation.pdf
3.	Legal Ad PZ	Legal Ad PZ.pdf



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 123, “VEGETATION”, ARTICLE I “IN GENERAL”, SECTION 123-1 “DEFINITIONS”; ARTICLE II “LANDSCAPING”, SECTION 123-40(C) “INSTALLATION OF LANDSCAPE MATERIAL”, SECTION 123-42(4) “PLANT MATERIAL”, SECTION 123-43(E3)(F2)(K) “LANDSCAPE BUFFERS”, SECTION 123-46(2) “LANDSCAPING ADJACENT TO FENCES, WALLS OR DUMPSTER ENCLOSURES”, SECTION 123-47 “PREFERRED TREE LIST”, SECTION 123-48 “PREFERRED SHRUB LIST”, SECTION 123-49 “NONPREFERRED TREES”, PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.**

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 6, 2025, 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 123, “Vegetation”, Article I “In General”, Section 123-1 “Definitions”; Article II “Landscaping”, Section 123-40(c) “Installation of Landscape Material”, Section 123-42(4) “Plant Material”, Section 123-43(E3)(F2)(K) “Landscape Buffers”, Section 123-46(2) “Landscaping Adjacent to Fences, Walls or Dumpster Enclosures”, Section 123-47 “Preferred Tree List”, Section 123-48 “Preferred Shrub List”, Section 123-49 “Nonpreferred Trees”; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Clermont, that various sections with Chapter 123, “Vegetation”, Article I and Article II of the Clermont Land Development Code 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 amended to read as follows (note strikethrough indicates removed words and underlined indicates added):



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

CHAPTER 123      VEGETATION  
ARTICLE I        IN GENERAL

**Section 123-1**      **Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. In construing the provisions of this chapter, where the context will permit, the definitions provided in F.S. § 1.01 shall apply.

*Administrative official* means the city manager or the established designee thereof.

*Berm* means a mound of earth, contoured at a three-to-one ratio (horizontal to vertical) or less, so as to form a definitive amount of relief above the general elevation of the adjacent ground or surface.

*Buffer* means a specified land area with a generally level planting surface together with the planting and landscaping required on the land used to visibly separate one use from another or to shield or block noise, lights or other potential nuisances.

*Caliper* means a trunk caliper (trunk diameter) is measured six inches from the ground on trees up to and including four inches in caliper, and 12 inches above the ground for larger trees. Since trunks are seldom round, the average of the largest diameter and that perpendicular to it is referred to as caliper. A diameter tape shall be used to measure caliper.

*Clearing or removing a tree* means the removal of a tree by digging, pushing, poisoning or cutting, or the effective removal through damage.

*Dripline* means an imaginary line on the ground defined by vertical lines which extend from the outermost tips of the tree branches to the ground.

*Encroachment* means any protrusion of a vehicle outside of a parking space, display area or accessway into a landscaped area.

*Forest crops* means any group of trees that are of proper species and sufficient density, size and number to make them marketable for sale as wood products (e.g., furniture, lumber, paper, chips, pallets, boxes and lighter wood).

*Hatracking* means to flat-cut the top or sides of a tree, severing the leader or leaders; to make internodal cuts; to prune a tree by stubbing off mature wood larger than three inches in diameter, or reducing the total circumference of canopy spread not in conformance with the current National Arborist Association standards.

*In contemplation of* means a tree is removed in contemplation of an improvement if the purpose of the removal is principally to facilitate any improvement of the class referenced in this land development code, regardless of when or by whom construction of the improvement is contemplated.

*Landscaping* means and consists of any of the following or combinations thereof:

- (1) Materials, such as, but not limited to, grass, ground covers, shrubs, vines, hedges; and
- (2) Nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand walls or fences, but not including paving.



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

*Nonpreferred trees* means all types of trees set forth in section 123-49.

*Park trees* means trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and in all areas owned by the city or to which the public has free access as a park.

~~*Preferred and Replacement trees*~~ means all the species of trees set forth in section 123-47, preferred tree list. Plant materials used shall equal or exceed the standards for Florida No. 1 as established and revised by the state department of agriculture.

~~*Preferred shrub*~~ means all the species of shrubs set forth in section 123-48.

*Severely trimmed* mean the cutting of the branches and/or trunk of a tree in a manner which will substantially reduce the overall size of the tree area so as to destroy the existing symmetrical appearance or natural shape of the tree in a manner which results in the removal of the main lateral branches, leaving the trunk of the tree with a stub appearance.

*Shrub* means a low-growing woody perennial plant differing from a tree by its low stature and, generally, by its production of several basal stems instead of single bole.

*Site review committee* means the members of the administrative staff of the city established for the purpose of providing professional and technical review of applications and related documentation for development which is proposed to occur within the city.

*Street trees* means trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the city.

*Topping* means undesirable pruning practices resulting in internodal cutting back of branches with little regard to the natural shape of the tree. See the definition of the term "hatracking."

*Tree* means any living, woody, self-supporting perennial plant which normally grows to a minimum height of 15 feet. As used in this land development code, the word "tree" refers to preferred trees unless an alternative usage is expressly defined and approved.

*Vehicular use areas* means and includes any accessways, parking spaces or areas, paved outdoor sales areas not under a roof, and loading and unloading facility areas.

*Vine* means a plant with a climbing or creeping stem which usually rests upon or is attached to a supporting structure, and which normally requires support to reach mature form.

**ARTICLE II            LANDSCAPING**

**Section 123-40            Installation of Landscape Material**

- (c) Canopy and ~~understory~~ **accent** trees shall be properly staked to ensure healthy growth and increased survivability. Staking kits shall use guidelines that are adjustable and made of nylon or other material that will not harm the bark of the tree. Wire or cable guidelines with hose strapping are prohibited. Staking kits shall be removed one year after the certificate of occupancy is issued, unless otherwise directed by staff.



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

**Section 123-42**      **Plant Material**

- (4) Accent Understory tree species shall be a minimum of eight feet in overall height immediately after planting with a four-foot spread and shall meet the standards as specified in section 123-1.
- (6) Palms. For Commercial use, ~~Palm trees~~ may be used in place of canopy trees or understory trees to meet the minimum tree requirements. In no case shall the total number of palms of all species combined account for more than 20 percent of the required canopy trees nor more than 20 percent of the required understory trees.  
For Residential and Commercial use, the minimum size of palms is six feet of clear trunk for tree form palms. Two palm trees count as one canopy or understory tree unless it is a large specimen palm tree such as a Medjool or Date Palm which may be counted as one palm tree to one canopy or understory tree. ~~Palm tree replacement species and locations must be approved by the city site review committee.~~

**Section 123-43**      **Landscape Buffers**

- (e) *Buffers adjacent to rights-of-way for nonresidential uses.*
  - (3) *Plantings.* The required landscape buffer shall be planted with three canopy trees and five accent understory trees per 100 linear feet or fractional part thereof. Shrubs and groundcovers, excluding lawn grass, shall comprise at least 50 percent of the required buffer area, and shall form a continuous three-foot high landscape screen adjoining driveways and parking areas.
- (f) *Buffers along rights-of-way for residential subdivisions and multifamily developments.* Within single-family and multifamily residential developments, a buffer shall be provided along the external roadways to reduce noise generated by traffic and create a visual barrier. Plant and/or structural materials shall be properly installed and maintained in perpetuity. All such buffers shall be in a landscape tract that is maintained by a homeowner's association. Buffers shall conform to either one of the following specifications:
  - (2) A buffer a minimum of 25 feet in width, consisting of an earthen berm, trees and a continuous hedge. Earthen berms shall be a minimum of three feet in height unless otherwise determined by the site review committee. The combined height of the berm and shrubs shall be a minimum of six feet. The height of six feet shall normally be reached within one year from planting. Three canopy tree and five accent understory trees shall be planted for each 100 linear feet of frontage or fractional part thereof. All plant materials utilized shall conform to the plant material specifications of this chapter.
- (k) *Landscape buffers under utility lines.* Landscape buffers that are required under this article that are within 20 feet of existing overhead electric power utility lines may substitute the required canopy trees with understory accent trees as listed in section 123-47. Substituted accent understory trees must use a variety of accent understory trees and shall not include any more than 50 percent of a single variety. Any substitutions must be approved by the site review committee with submittal of a landscape plan. All tree trimming and maintenance must be in accordance with section 123-41.



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

**Section 123-46      Landscaping Adjacent to Fences, Walls or Dumpster Enclosures**

- (2) One canopy tree shall be required for every 50 linear feet of wall or fence abutting a street or right-of-way, and one canopy tree shall be required for every 75 linear feet of wall or fence adjacent to a perimeter parcel line.

**Section 123-47      Landscape Materials List**

- (1) All landscape materials shall be in accordance with the approved “Landscape Material List” within the “City of Clermont Landscape Standards” as amended. This list details the types of species allowed for landscaping use.

**Preferred tree list.**

Preferred Canopy Tree List

<i>a</i>	<i>;</i> <i>;</i> <i>;</i>	<i>e</i>		
<del>X</del>		-md	American Elm	Ulmus americana
	<del>XX</del>	wd	Bald Cypress	Taxodium distichum
		-m	Basswood	Tilia americana
XX	XX	dm	Live Oak	Quercus virginiana
XX		-md	Pignut Hickory	Carya glabra
			Ironwood	Carpinus caroliniana
XX		-wm	Pond Cypress	Taxodium ascendens
	<del>XX</del>	md	Red Bay	Persea borbonia
XX		-wd	Red Maple	Acer rubrum
XX		-d	Sand Live Oak	Quercus geminata
XX		-d	Scrub Hickory	Carya floridana
XX		-md	Southern Magnolia	Magnolia grandiflora
XX	X	m	Sugarberry	Celtis laevigata
XX	X	mwd	Sweet Gum	Liquidambar styraciflua
		-m	Sycamore	Platanus occidentalis
		-m	Tulip Tree	Liriodendron tulipifera
XX		-dm	Turkey Oak	Quercus myrtifolia
XX	XX	mw	Winged Elm, Cork Elm	Ulmus alata
	<del>XX</del>	md	Shumard Oak	
			Slash Pine	Pinus elliotii
			Long Leaf Pine	Pinus palustris
			Little Gem Magnolia	Magnolia grandiflora 'Little Gem'

Preferred Understory Tree List

<i>a</i>	<i>;</i> <i>;</i> <i>;</i>	<i>e</i>		
<del>XX</del>		-dm	American Holly	Ilex cassine
XX		-d	Bluejack Oak	Quercus incana
X		-m	Cherry Laurel	Prunus caroliniana



**CITY OF CLERMONT  
ORDINANCE NO. 2025-017**

<del>XX</del>	<del>XX</del>		<del>-Chickasaw Plum</del>	<del>Prunus angustifolia</del>
<del>X</del>	<del>XX</del>	<del>dm</del>	<del>East Palatka Holly</del>	
<del>XX</del>		<del>-md</del>	<del>Flowering Dogwood</del>	<del>Cornus florida</del>
		<del>-md</del>	<del>Fringe Tree</del>	<del>Chionanthus virginica</del>
<del>XX</del>	<del>XX</del>	<del>d</del>	<del>Myrtle Oak</del>	<del>Quercus myrtifolia</del>
<del>XX</del>	<del>X</del>	<del>md</del>	<del>Redbud</del>	<del>Cereis canadensis</del>
<del>XX</del>	<del>XX</del>	<del>dm</del>	<del>Southern Red Cedar</del>	<del>Juniperus silicicola</del>
<del>XX</del>	<del>X</del>		<del>-Walter's Viburnum</del>	<del>Viburnum obovatum</del>
<del>XX</del>	<del>XX</del>		<del>-Wax Myrtle</del>	<del>Myrica cerifera</del>
<del>XX</del>			<del>-Wild Olive (Devilwood)</del>	<del>Osmanthus americanus</del>
<del>X</del>	<del>XX</del>	<del>md</del>	<del>Crepe Myrtle</del>	<del>Lagerstroemia indica</del>
<del>X</del>	<del>XX</del>	<del>dw</del>	<del>Youpon Holly</del>	

~~a = Unidentified drought tolerance scale used in our land development regs.~~

~~b = Landscaping to promote water conservation using the principles of Xeriscape.~~

~~This is a drought tolerance index provided by SJRWMD:~~

~~X = Moderate drought tolerance~~

~~XX = High drought tolerance~~

~~e = Drought Tolerant Plant Guide for Lake County. Lake County Water Authority.~~

~~d = dry~~

~~m = moist~~

~~w = wet~~

**Section 123-48      Soil Amendments**

With any new development or redevelopment of a site, a soil amendment plan will be required. The plan shall follow the requirements contained within the "City of Clermont Landscape Standards" as amended.

**. Preferred shrub list.**

Preferred shrubs are as follows:

Preferred Shrub List

	<i>Common Name</i>	<i>Botanical Name</i>
(X)	Arborvitae, Oriental (E)	Platyeladus orientalis
	-Azalea (E)	Rhododendron hybrids
(X)	Boxwood, Japanese (E)	Buxus microphylla
(X)	Crepe Myrtle (D)	Lagerstroemia indica
(X)	Cypress, Leylandii (E)	Cypressoecyparis leylandii
(X)	Feijoa (E)	Feijoa sellowiana
(X)	Holly, Ambigua (D)	Hex ambigua
(X)	Holly, American (E)	Hex opaca

<del>(X)</del>	<del>Holly, Burford (E)</del>	<del>Hex-cornuta</del>
<del>(XX)</del>	<del>Holly, Yaupon (E)</del>	<del>Hex-vomitoria</del>
<del>(XX)</del>	<del>Juniper (E)</del>	<del>Juniperus spp.</del>
<del>(XX)</del>	<del>Palmetto, Saw</del>	<del>Serenoa-repens</del>
<del>(XX)</del>	<del>Palmetto, Scrub</del>	<del>Sabal-etonia</del>
<del>(X)</del>	<del>Photinia, Red-leaf (E)</del>	<del>Photinia-glabra</del>
<del>(X)</del>	<del>Photinia, Red-tip "Fraserii"</del>	<del>Photinia-fraserii</del>
<del>(X)</del>	<del>Pittosporum, Japanese (E)</del>	<del>Pittosporum-tobira</del>
<del>(XX)</del>	<del>Podocarpus, Yew (E)</del>	<del>Podocarpus-macrophyllus</del>
<del>(X)</del>	<del>Privet, Chinese (E)</del>	<del>Ligustrum-sinense</del>
<del>(X)</del>	<del>Privet, Florida (D)</del>	<del>Forestiera-segregata</del>
<del>(XX)</del>	<del>Privet, Japanese (E)</del>	<del>Ligustrum-japonicum</del>
<del>(XX)</del>	<del>Sage, Texas (E)</del>	<del>Leucophyllum-frutescens</del>
<del>(XX)</del>	<del>Silverthorn (E)</del>	<del>Elageagnus-pungens</del>
	<del>Viburnum, Sandankwa (E)</del>	<del>Viburnum-suspensum</del>
<del>(X)</del>	<del>Viburnum, Sweet (E)</del>	<del>Viburnum-odoratissimum</del>
<del>(XX)</del>	<del>Wax Myrtle (E)</del>	<del>Myrica-cerifera</del>

**Key:**

- ~~(X)~~—Xeriscape—Moderate drought tolerance
- ~~(XX)~~—Xeriscape—High drought tolerance
- ~~(D)~~—Deciduous
- ~~(E)~~—Evergreen

**Section 123-49      Nonpreferred Trees**

Nonpreferred trees are as follows:

Nonpreferred Trees

<i>Common Name</i>	<i>Botanical Name</i>
Silk Oak	Grevillea robusta
Jacaranda	Jacaranda acutifolia
Australian Pine	Casuarina species
Eucalyptus	<u>Eucalyptus obliqua</u>
Ear Tree	Enterlobium cyclocarpum
Paper Mulberry	Broussonetia papyrifera
Chinaberry	Nebia azedarch
Cajeput or Punk Tree	Melaluca leucadendra
Florida Holly or Brazilian Pepper	Schinus terebinfolius
Chinese Tallow Tree	Sapium sebiferum
Mimosa	Albizzia julibrissin
Black cherry	Prunus Serotina



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-017**

**SECTION 3: CONFLICT**

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

**SECTION 4: SEVERABILITY**

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

**SECTION 5: CODIFICATION**

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

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

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

**SECTION 7: PUBLICATION AND EFFECTIVE DATE**

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



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-017**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 27th day of May, 2025.

CITY OF CLERMONT

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

ATTEST:

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

Approved as to form and legality:

\_\_\_\_\_  
Christian W. Waugh, City Attorney



CITY OF CLERMONT  
ORDINANCE NO. 2025-017

**BUSINESS IMPACT ESTIMATE**

**TO:** Mayor Murry and Council Members  
**FROM:** Planning and Development Services / Curt Henschel  
**DATE:** May 12, 2025  
**SUBJECT:** Ordinance No. 2025-017 – Amendments to various sections of the LDC under Chapter 123 Vegetation

---

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 2025-017 is proposed to be adopted by the City on May 27, 2025, and is subject to this new requirement. Following are the categories required to be addressed for the proposed ordinance based on the new legislation:

**1. Summary of proposed Ordinance 2025-017.**

Land Development Code, Chapter 123, Vegetation, Article I and Article II, to update various sections in the LDC with regard to Landscaping.

**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.**

There are no direct compliance costs for businesses.

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

There are no new charges or fees on existing businesses.

**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 enforcement requirements for City staff beyond that which are in the existing code; therefore, there are no additional regulatory costs.

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

The proposed ordinance is not expected to impact any existing businesses.

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

No additional information.

<b>Account Number:</b>	526733
<b>Customer Name:</b>	City Of Clermont-Legals
<b>Customer Address:</b>	City of Clermont - LEGALS Po Box 120219 Clermont FL 34712-0219
<b>Contact Name:</b>	Nicole Wisniewski
<b>Contact Phone:</b>	352.241.7334
<b>Contact Email:</b>	nwisniewski@clermontfl.org
<b>PO Number:</b>	

<b>Date:</b>	04/14/2025
<b>Order Number:</b>	11229729
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	1.0000
<b>Line Count:</b>	71.0000
<b>Height in Inches:</b>	5.8800

**Print**

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	04/21/2025 - 04/21/2025	Govt Public Notices
LEE dailycommercial.com	1	04/21/2025 - 04/21/2025	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	\$114.18
Tax Amount	\$0.00
Service Fee 3.99%	\$4.56
Cash/Check/ACH Discount	-\$4.56
Payment Amount by Cash/Check/ACH	\$114.18
Payment Amount by Credit Card	\$118.74

<b>Order Confirmation Amount</b>	<b>\$114.18</b>
----------------------------------	-----------------

# Ad Preview

## LEGAL NOTICE

On Tuesday, May 6, 2025 at 6:30 PM the Clermont Planning and Zoning Commission will consider the proposed ordinance to allow for the amendment of the Land Development Regulations, Chapter 123, Vegetation, Article I, and Article II.

### ORDINANCE NO. 2025-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 123, "VEGETATION", ARTICLE I "IN GENERAL", SECTION 123-1 "DEFINITIONS"; ARTICLE II "LANDSCAPING", SECTION 123-40(C) "INSTALLATION OF LANDSCAPE MATERIAL", SECTION 123-42(4) "PLANT MATERIAL", SECTION 123-43(E3) (F2)(K) "LANDSCAPE BUFFERS", SECTION 123-46(2) "LANDSCAPING ADJACENT TO FENCES, WALLS OR DUMPSTER ENCLOSURES", SECTION 123-47 "PREFERRED TREE LIST", SECTION 123-48 "PREFERRED SHRUB LIST", SECTION 123-49 "NONPREFERRED TREES", PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

All public hearings are held in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont, FL 34711.

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

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

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

Tracy Ackroyd Howe, MMC  
City Clerk

Daily Commercial  
April 21, 2025

11229729 4/21/2025



# AGENDA ITEM

<b>Meeting Date</b>		
Tuesday, May 6, 2025		
<b>Agenda Item Name</b>		
Ordinance No. 2025-018 <i>Irrigation and Landscaping Regulations</i>		
<b>Requested Action</b>		
Recommend approval of Ordinance No. 2025-018.		
<b>Staff Report</b>		
<p>City Staff is proposing code changes to the Land Development Code regarding Landscaping. These changes are focused around water conservation within the city.</p> <p>These changes include:</p> <ol style="list-style-type: none"> <li>1. The requirement of soil amendments: this proposed change will require the addition of compost material to the top layer of soil before any new landscape material is to be introduced to the parcel.</li> <li>2. The requirement of smart controllers. These are wifi based irrigation controllers that operate more efficiently when detecting weather events in the area.</li> <li>3. Limiting the amount of sod to be used: this limitation will limit the overall amount of non-drought tolerant sod from the current allowance of 60% to 25%.</li> <li>4. Allowing additional Florida Friendly plants to be used within the landscape. The current plant list is being revamped to a referenced "Landscape Standards" which will include all approved species along with an option to utilize approved IFAS (Institute of Food and Agricultural Sciences) Florida Friendly plants.</li> <li>5. Reducing the annual water budget for each landscape customer from 35 inches per year to 28 inches. This is backed and supported by the St Johns River Water Management District.</li> </ol> <p>These changes collectively will substantially contribute to water conservation measures throughout the city, which is being driven by the St. Johns River Water Management District. The water conservation measures are a benefit to the City, the homeowner, and the residents. Staff recommends approval of Ordinance 2025-18.</p>		
<b>Additional Analysis</b>		
<b>Fiscal Impact Summary</b>		
<b>Fiscal Impact</b>	<b>Fund Number and Description</b>	<b>Available Budget Amount</b>
<b>Exhibits Attached</b> (copies of original agreements)		
1. 2025-018	2025-018.pdf	
2. 2025-018 BIE for Irrigation & Landscaping	2025-018 Business Impact Estimate for Code Irrigation & Landscaping.pdf	
3. Legal Ad PZ	2025-018 Legal Ad Code - Irrigation & Landscaping - PZ.pdf	



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-018**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 18, “ENVIRONMENT AND NATURAL RESOURCES”, ARTICLE VIII “WATER EFFICIENT IRRIGATION AND LANDSCAPING”; DIVISION 1 “GENERALLY”, SECTION 18-212 “DEFINITIONS”, SECTION 18-216 “APPLICATION OF LANDSCAPE AND IRRIGATION SYSTEM DESIGN PROVISIONS”, SECTION 18-218 “EXCEPTION TO LANDSCAPE IRRIGATION PROVISIONS”; DIVISION 2 “IRRIGATION”, SECTION 18-247 “IRRIGATION PLAN SUBMITTAL”, SECTION 18-248 “IRRIGATION SYSTEM DESIGN”, SECTION 18-250 “LANDSCAPE IRRIGATION SCHEDULE”; DIVISION 3 “LANDSCAPING”, SECTION 18-279 “LANDSCAPING STANDARDS”, SECTION 18-281 “DESIGN STANDARDS”, PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on May 6, 2025, 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 City Code, Chapter 18, “Environment and Natural Resources”, Article VIII “Water Efficient Irrigation and Landscaping”; Division 1 “Generally”, Section 18-212 “Definitions”, Section 18-216 “Application of Landscape and Irrigation System Design Provisions”, Section 18-218 “Exception to Landscape Irrigation Provisions”; Division 2 “Irrigation”, Section 18-247 “Irrigation Plan Submittal”, Section 18-248 “Irrigation System Design”, Section 18-250 “Landscape Irrigation Schedule”; Division 3 “Landscaping”, Section 18-279 “Landscaping Standards”, Section 18-281 “Design Standards”; and

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Clermont, that various sections with Chapter 18, “Environment and Natural Resources”, Article VIII, Divisions 1, 2 and 3 of the Clermont City Code 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.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

**SECTION 2:**

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

**CHAPTER 18 ENVIRONMENT AND NATURAL RESOURCES, ARTICLE VIII  
WATER EFFICIENT IRRIGATION AND LANDSCAPING**

**DIVISION 1 GENERALLY**

**Section 18-212 Definitions**

For the purpose of this article the following terms, phrases, words and their derivatives shall have the meaning given herein.

*Address* means the house number of the physical location of a specific property. This includes rural route numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the United States Postal Service to determine a delivery location, the lot number shall be the property's address.

*Annual beds* means any landscape where the majority of plants are replaced yearly or more frequently.

*Automatic irrigation smart controller* means a web based controller that monitors weather conditions and adjusts the irrigation events automatically based on site data. ~~timer, capable of operating solenoid valves, to set days and lengths of time for proper application of water, in each irrigation zone.~~

*Best management practices (BMPs)* means irrigation system, lawn, and landscape practices designed to reduce negative impacts on the environment and promote water conservation.

*District* means the St. Johns River Water Management District.

*Drought tolerant plants* means plants, once established, that survive on natural rainfall with occasional irrigation during dry periods.

*Emitter* means a device that applies irrigation water. The term "emitter" is primarily used to refer to the low flow rate devices used in micro-irrigation systems.

*Even-numbered address* means an address ending in the numbers 0, 2, 4, 6, 8 or the letters A through M.

*Florida Friendly Landscape*, as provided for in F.S. § 373.185, means quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant. The principles of Florida Friendly Landscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

*Green space* means the entire parcel less the building footprint, driveways, vehicular use areas, hardscapes such as decks, swimming pools, decorative fountains, patios, and other nonporous areas. Stormwater management systems, and wetland conservation areas, lakes, rivers and creeks are excluded in the calculation of green space area.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

*Irrigation system* means a permanent watering system designed to transport and distribute water to plants as a supplement to natural rainfall.

*Irrigation zone* means a control valve circuit containing emitters and/or sprinklers with consistent application rates.

*Landscape irrigation* means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way. The term "landscape irrigation" does not include agricultural crops, nursery plants, cemeteries, golf course greens, tees, fairways, primary roughs, and vegetation associated with recreation areas, such as, but not limited to, football, baseball and soccer fields.

*Landscape plant zone* means a grouping of plants with similar water and cultural needs, such as sunlight and soil. Plant groupings based on water use are as follows: natural plants, drought tolerant plants, and oasis plants.

*Micro-irrigation* means the frequent application of small quantities of water directly on or below the soil surface or plant root zone, usually as discrete drops, tiny streams or miniature sprays through emitters placed along the water delivery pipes (laterals). Micro-irrigation encompasses a number of methods or concepts, including drip; previously known as trickle irrigation, subsurface, bubbler and micro-spray irrigation.

*Mulch* means any material applied to the soil surface to retain soil moisture, control erosion, inhibit weeds, and/or regulate soil temperatures.

*Natural plants* means plants, once established, that survive on rainfall without irrigation.

*Nonresidential landscape irrigation* means the irrigation of landscape not included within the definition of the term "residential landscape irrigation," such as that associated with public, commercial and industrial property, including commercial or transient housing units, hotel and motel units, and public medians and rights-of-way.

*Oasis plants* means plants, once established, requiring frequent irrigation.

*Odd-numbered address* means an address ending in the numbers 1, 3, 5, 7, 9 or the letters N through Z.

*Overspray* means water that is delivered beyond the landscape area wetting pavements, walks, structures, or other nonlandscaped areas.

*Plant bed* means a grouping of trees, shrubs, ground covers, perennials, or annuals growing together in a defined area devoid of turf grass, normally using mulch around the plants (DEP Model Ordinance). For the purposes of Florida Water Star, plant beds must be designed so that, at maturity, the plant material must provide coverage of 60 percent of the plant bed.

*Rain sensor device* means a calibrated device that is designed to measure rainfall and override the irrigation cycle of the irrigation system when a predetermined amount of rainfall has occurred.

*Reclaimed water* means a reclaimed water system, including systems in which the primary source is reclaimed water; which may or may not be supplemented from another source during peak demand periods.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

*Residential landscape irrigation* means the irrigation of landscape associated with any housing unit having sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units and mobile homes.

*Running annual water budget* means a water budget based on 12 consecutive months of irrigation water consumption.

*Runoff* means water not absorbed by the soil that flows from the area.

*Site appropriate plants* means landscape plant species that are suited to the site growing conditions.

*Turf and/or turf grass* means continuous plant coverage consisting of grass species appropriately suited to the site where it is planted.

*Water features* means features of a site that holds water temporarily or permanently. The term "water features" may include both natural features such as lakes, wetlands, rivers and creeks, or artificial features such as retention and detention ponds, fountains, ditches and canals.

*Wind sensor* means a device used to measure the wind speed or velocity and override the irrigation cycle of the irrigation system when a pre-determined wind speed has occurred.

**Section 18-216      Application of Landscape and Irrigation System Design Provisions**

- (a) Compliance with the landscape and irrigation system design provision of this article is required of all office, commercial, industrial, institutional, multifamily, and single-family sites receiving potable water service from the city and/or located within the city limits in the following categories:
  - (1) New construction.
  - (2) Newly irrigated landscaped and turf areas.
  - (3) ~~Renovations of existing landscapes.~~ All new developments shall incorporate language in their CCR docs to require irrigation systems, as designed and approved must be maintained as designed but maintained as needed.
  - (4) In the case of a phased residential development that is currently under development at the time of this revision, the remaining lots may be completed under the former LDR's pertaining to landscaping.
- (b) Alternate methods of compliance may be considered as long as they meet the intent and purpose of this article and the intent of the district.

**Section 18-218      Exception to Landscape Irrigation Provisions**

- (a) Irrigation using micro-spray, micro-jet, drip or bubbler irrigation is allowed ~~anytime.~~ provided it meets SJRWMD standards.
- (b) Irrigation of new landscape is allowed daily for the initial 30 days following installation and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

- (c) Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices, is allowed at any time of day on any day within 24 hours of application. Lawn maintenance/pest control companies must install an advisory marker, visible in the front yard, showing the date of the application. Watering in of chemicals shall not exceed one-fourth inch of water per application except as otherwise required by law, the manufacturer, or best management practices.
- (d) Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ~~20~~ 10 minutes per hour per zone.
- (e) Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed any time of day on any day.
- (f) Discharge of water from a water-to-air air conditioning unit or other water-dependent cooling system is not limited.
- (g) The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

**DIVISION 2            IRRIGATION**

**Section 18-247            Irrigation Plan Submittal**

A detailed irrigation plan shall be submitted by an irrigation contractor certified by the city and/or the county, illustrating zones, pipe sizes, emitter types, nozzle size and precipitation rate and total precipitation rate for each zone, irrigation water source connection point, backflow prevention device, type and locations of automatic shut-off devices, controller specifications, and any other pertinent information shall be submitted to the water conservation coordinator for review and approval prior to installation of an irrigation system.

All Landscape and Irrigation Plans Must Contain the Following Information:

Provide legend on plan with symbol identifying type of emitter for each zone irrigated, rain & wind sensors, controller, irrigation zones, all solenoid valves, and backflow devices (including type).

Spray-type & rotor type irrigation may not be mixed within a single zone; and tree bubblers must be on a separate zone or on the zone with shrubs.

Identify separately all hardscape/impervious areas and building footprint.

Identify distinct property lines & lot dimensions.

Provide a legend with each plant species and number of units.

Identify species of turf in each turf zone — and calculate the percentage of non-drought tolerant species used on site property. (60/40 — High use)

Identify planting beds and included plantings area.

**Section 18-248            Irrigation System Design**

- (a) A site plan, at a readable and defined scale, shall be submitted illustrating the proposed irrigation zones. Turf areas shall be on separate irrigation zones from other landscape plant zones. The irrigation system shall be designed to accommodate separate landscape plant zones based on differing water requirements.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

- (b) Spacing for rotors and sprays shall not exceed 50 percent of the sprinklers' diameter of coverage, per manufacturer's specifications to accomplish head-to-head coverage.
- (c) Sprays and rotors shall have matching application rates within each irrigation zone. Sprays and rotors may not be mixed within a single zone. Tree bubblers must be on a separate zone or on the zone with shrubs. Tree bubblers must be of a type that can be adjusted to be on or shut off.
- (d) All irrigation systems shall be designed to avoid overspray, runoff, low head drainage, or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways, structures, or water features. Narrow areas four feet wide or less shall not be irrigated unless such irrigation can be contained within that narrow area. Emitters may not transverse sidewalks or driveways in order to cover a larger area.
- (e) Irrigation control equipment installed prior to the 2025 landscape standards adoption shall include an automatic irrigation controller having program flexibility such as repeat cycles and multiple program capabilities. Automatic irrigation controllers shall have a replaceable battery back-up to retain the irrigation programs. The irrigation control equipment shall be reset to accommodate irrigation needs based on the season. Automatic control systems shall be equipped with an operable and properly placed and calibrated automatic shut-off or rain sensor device which will disable the system after a maximum of one-half inch of rainfall. Vents on such sensor must be closed. Such sensors may not be disabled at any time.
- (f) All properties that receive water from the city for the purpose of landscape irrigation must have a separate landscape irrigation meter. The city shall establish a running annual water budget (RAWB) for each landscape irrigation customer based on property size, pervious area, and an annual landscape irrigation application rate of ~~35~~ 28 inches. Where individual residential lot sizes have not been determined, an initial running annual water budget shall be based on an assumed property size of 11,000 square feet (one-fourth acre) with 50 percent pervious area.
- (g) For a property for which a running annual water budget has been determined using an assumed property size and pervious area where a property exceeds the assumed specified property size of 11,000 square feet, a water customer may request that a new running annual water budget be established by submitting a signed and sealed property survey to the city's planning and development services department showing the total square footage of the property and the percent of pervious surface.
- (h) Exceeding the running annual water budget is subject to the fine schedule identified in section 18-245.
- (j) Newly installed sod will be permitted to have an establishment period not to exceed 45 days. During this establishment period, watering of the new sod is permitted during typical restricted times as defined in Section 18-250.



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

**Section 18-250 Landscape Irrigation Schedule**

- (a) All landscape irrigation shall be limited in amount to only that which is necessary to meet landscape needs and no more than three-fourths inch of water may be applied per irrigation zone on each day that irrigation occurs. Irrigation shall be prohibited between the hours of 10:00 a.m. and 4:00 p.m. Irrigation shall be limited to two days per week during Daylight Saving Time and one day per week during Eastern Standard Time, but at no time may any one zone run for more than one hour per zone per watering day.
- (b) The watering schedule is as follows:
  - (1) Daylight Saving Time (second Sunday in March to the first Sunday in November).
    - a. Odd addresses ending in 1, 3, 5, 7 and 9 or no address may water on Wednesday and Saturday.
    - b. Even addresses ending in 0, 2, 4, 6 and 8 may water on Thursday and Sunday.
    - c. Nonresidential irrigation may water on Tuesday and Friday.
  - (2) Eastern Standard Time (first Sunday in November to the second Sunday in March).
    - a. Odd addresses ending in 1, 3, 5, 7, and 9 or no address may water on Saturday.
    - b. Even addresses ending in 0, 2, 4, 6 and 8 may water on Sunday.
    - c. Nonresidential irrigation may water on Tuesday.
- (c) The city may adjust schedules for reclaimed customers to accommodate the city's reclaimed water system demands. These schedules may be changed in the future should the supply of reclaimed water either exceed or not meet demand. The city will notify such customers, in writing, should such changes be necessary. This schedule will follow the St. Johns River Water Management District schedule and restrictions.
- (d) A variance from the specific landscape irrigation days or day set forth in subsections (a) and (b) of this section may be granted if strict application of the scheduled days or day would lead to unreasonable or unfair results in particular instances, provided that the applicant demonstrates with particularity that compliance with the scheduled days or day will result in a substantial economic, health or other hardship on the applicant requesting the variance or those served by the applicant. Where a contiguous property is divided into different zones, a variance may be granted hereunder so that each zone may be irrigated on different days or day than other zones of the property. However, in no event shall the variance allow a single zone to be irrigated more than two days per week during Daylight Saving Time or more that one day per week during Eastern Standard Time.

**DIVISION 3 LANDSCAPING**

**Section 18-279 Landscaping Standards**

Landscaping shall meet all applicable landscape requirements adopted by the city, including those outlined in this division. All landscaping must comply with the Landscape Standards adopted on May 27, 2025, which are Florida Friendly quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant. The principles of Florida Friendly Landscape include planning and design, appropriate choice of plants,



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

**Section 18-281**      **Design Standards**

- (a) Installed trees and plants shall be grouped together into landscape plant zones according to water and cultural (soil, climate, and light) requirements.
- (b) Plant groupings based on water requirements are as follows: natural, drought tolerant and oasis.
- (c) ~~Landscape designed prior to the 2025 adoption shall have~~ wind breaks ~~shall be~~ utilized to reduce wind velocity and water loss that occurs by evaporation during irrigation and by evapotranspiration from plants. Windbreaks can be formed by walls, fences, shrub beds or hedges. An alternative to the physical windbreaks may be the addition of a wind sensor set to disengage the irrigation system when wind speeds exceed 15 miles per hour.
- (d) ~~Residential (single family and duplex): A maximum of 25 percent of the landscape area may be planted with irrigated turf grass. All other areas shall be planted with approved plants within the adopted Landscape Standards, or drought tolerant turf grass that is not irrigated. A maximum of 60 percent of the landscape area may be planted with turf grass if a non-drought tolerant species of turf grass is used. St. Augustine species are not drought tolerant in the city area. There is no limit to the amount of turf grass that may be used if such turf grass is of a drought-tolerant species, such as Bahia or centipede.~~  
Commercial and Multifamily: commercial, multifamily, common green areas in subdivisions and retention ponds shall use Bahia grass or other approved drought tolerant ground cover.
- (e) A layer of mulch to a minimum depth of three inches shall be specified on the site plan in plant beds and around individual trees in turf areas. ~~Non-Organic mulch (such as rubber) is prohibited. Organic mulches are preferred.~~ The mulch shall not be placed directly against the plant stem or tree trunk. Mulch shall not be required in annual beds.

**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. 2025-018**

**SECTION 5: CODIFICATION**

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

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

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

**SECTION 7: PUBLICATION AND EFFECTIVE DATE**

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



*CITY OF CLERMONT*  
**ORDINANCE NO. 2025-018**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 27th day of May, 2025.

CITY OF CLERMONT

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

ATTEST:

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

Approved as to form and legality:

\_\_\_\_\_  
Christian W. Waugh, City Attorney



CITY OF CLERMONT  
ORDINANCE NO. 2025-018

**BUSINESS IMPACT ESTIMATE**

**TO:** Mayor Murry and Council Members  
**FROM:** Planning and Development Services / Curt Henschel  
**DATE:** May 12, 2025  
**SUBJECT:** Ordinance No. 2025-018 – Amendments to various sections of the City Code under Chapter 18, Article VIII, Division 1, 2 & 3

---

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 2025-018 is proposed to be adopted by the City on May 27, 2025, and is subject to this new requirement. Following are the categories required to be addressed for the proposed ordinance based on the new legislation:

**1. Summary of proposed Ordinance 2025-018.**

City Code, Chapter 18, Article VIII, Division 1, 2 & 3, to update various sections in the Code with regard to Irrigation and Landscaping.

**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.**

There are no direct compliance costs for 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 new charges or fees on existing businesses; however, new development will incur additional costs under the soil and landscaping proposed amendments.

**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 enforcement requirements for City staff beyond that which are in the existing code; therefore, there are no additional regulatory costs.

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

The proposed ordinance is not expected to impact any existing businesses.

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

No additional information.

<b>Account Number:</b>	526733
<b>Customer Name:</b>	City Of Clermont-Legals
<b>Customer Address:</b>	City of Clermont - LEGALS Po Box 120219 Clermont FL 34712-0219
<b>Contact Name:</b>	Nicole Wisniewski
<b>Contact Phone:</b>	352.241.7334
<b>Contact Email:</b>	nwisniewski@clermontfl.org
<b>PO Number:</b>	Ordinance 2025-018

<b>Date:</b>	04/15/2025
<b>Order Number:</b>	11229806
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	1.0000
<b>Line Count:</b>	75.0000
<b>Height in Inches:</b>	6.2100

**Print**

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	04/21/2025 - 04/21/2025	Govt Public Notices
LEE dailycommercial.com	1	04/21/2025 - 04/21/2025	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	\$120.50
Tax Amount	\$0.00
Service Fee 3.99%	\$4.81
Cash/Check/ACH Discount	-\$4.81
Payment Amount by Cash/Check/ACH	\$120.50
Payment Amount by Credit Card	\$125.31

<b>Order Confirmation Amount</b>	<b>\$120.50</b>
----------------------------------	-----------------

# Ad Preview

## LEGAL NOTICE

On Tuesday, May 6, 2025 at 6:30 PM the Clermont Planning and Zoning Commission will consider the proposed ordinance to allow for the amendment of the City Code, Chapter 18, Article VIII, Division 1, 2 and 3.

### ORDINANCE NO. 2025-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 18, "ENVIRONMENT AND NATURAL RESOURCES", ARTICLE VIII "WATER EFFICIENT IRRIGATION AND LANDSCAPING"; DIVISION 1 "GENERALLY", SECTION 18-212 "DEFINITIONS", SECTION 18-216 "APPLICATION OF LANDSCAPE AND IRRIGATION SYSTEM DESIGN PROVISIONS", SECTION 18-218 "EXCEPTION TO LANDSCAPE IRRIGATION PROVISIONS"; DIVISION 2 "IRRIGATION", SECTION 18-247 "IRRIGATION PLAN SUBMITTAL", SECTION 18-248 "IRRIGATION SYSTEM DESIGN", SECTION 18-250 "LANDSCAPE IRRIGATION SCHEDULE"; DIVISION 3 "LANDSCAPING", SECTION 18-279 "LANDSCAPING STANDARDS", SECTION 18-281 "DESIGN STANDARDS", PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

All public hearings are held in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont, FL 34711.

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

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

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

Tracy Ackroyd Howe, MMC  
City Clerk

Daily Commercial  
April 21, 2025  
11229806