

1 shall take precedence. This Ordinance shall supersede and replace any and all previous
2 ordinances for this property, specifically Ordinance #2013-8.

3 A. Land Use and Design:

4 1. Residential:

5 Single-Family Residential at a density of up to four (4) dwelling units (du) to the net
6 acre (490 dwelling units, maximum).

7 2. Commercial:

8 a. Commercial development area shall not exceed twenty-four (24.54) acres
9 maximum and as limited by the maximum floor area ratio of 0.25.

10 b. Commercial uses shall be permitted in accordance with the Comprehensive
11 Plan and Land Development Regulations (LDR), as amended.

12 Accessory uses directly associated with the above principal uses may be
13 approved by the County Manager or designee. Any other use of the site not
14 specified in this Ordinance shall require approval of an amendment to this
15 Ordinance by the Board of County Commissioners.

16 B. Mass Grading and Overburden Removal:

17 1. The mass grading shall be consistent with Exhibit "C" – Mass Grading Conceptual
18 Plan and is subject to the Principles for Guiding Development and Development
19 Requirements within the Green Swamp Area of Critical State Concern contained in
20 the Comprehensive Plan and Land Development Regulations, as amended.

21 2. The mass grading plan shall be subject to the mining regulations contained in the
22 Land Development Regulations, as amended, and shall be submitted as
23 Construction Plans for Phase 1 of the development.

24 3. The mass grading plan shall meet all submittal requirements for a Mining
25 Conditional Use Permit and Operating Plan in accordance with the Land
26 Development Regulations, as amended, but will not be required to go through the
27 Mining Conditional Use Permit Public Hearing process.

28 B.C. Environmental, Open Space and Conservation:

29 1. An environmental assessment consistent with the Comprehensive Plan and LDR,
30 as amended shall be required with site plan, preliminary plat, and/or construction
31 plans.

32 2. The development is providing 49.1 acres of open space, which meets the
33 minimum required open space of 49.07 acres (40% of the net buildable area). The
34 development shall maintain the minimum open space on the site, consistent with
35 the Comprehensive Plan and LDR, as amended.

36 3. All wetlands within the property shall be placed into a conservation easement or
37 similar recorded and legally binding instrument, as allowed by law, pursuant to
38 Lake County Comprehensive Plan Policy I-4.1.5. The conservation easement or
39 similar instrument shall require that all wetlands and wetland buffers be maintained
40 in their natural and unaltered state.

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GD. Development Requirements:

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|--------------------------------|---|
| Impervious Surface Ratio (ISR) | 45% of the development site |
| Floor Area Ratio (FAR) | 25% of the non-residential development site |
| Building Square Footage | 5,000 SF; may increase to max. ISR & FAR if building meets or exceeds sustainable building rating & certification system and retains the first 3 inches of stormwater runoff on the property. |
| Building Height | Forty (40) Feet |

All development shall meet the development requirements within the Green Swamp Area of Critical State Concern in accordance with the Comprehensive Plan and LDR, as amended.

DE. Utilities:

1. Central water and sewer shall be provided to the development prior to construction plan and/or site plan approval.
2. A copy of the Utility Service Agreement between the developer and utility service provider shall be provided to the County prior to the approval of a site plan and/or construction plans.
3. The Developer or Property Owner shall demonstrate that all accessways are designed to accommodate solid waste collection vehicles to Lake County standards, as amended.

EF. Parking: All parking for the development shall be consistent with the Comprehensive Plan and LDR, as amended.

FG. Buffers, Landscaping, and Setbacks:

1. Landscaping and screening shall be in accordance with the Comprehensive Plan and LDR, as amended.
2. Landscape buffers, fences or walls, shall not be required between commercial or mixed (residential/commercial) uses within this planned unit development except to visually screen parking, loading or storage areas.
3. Best Management Practices for native landscaping and “right plant-right place” landscaping techniques shall be used for the landscape design to minimize the use of chemicals, pesticides, and water for irrigation. Invasive and exotic plant species are prohibited.
4. A fifty (50) foot wide buffer shall be along the western perimeter property line, adjacent to agricultural land areas and any agriculture zoned properties. The buffer will be assessed during the review of the required preliminary plat and/or site plan and may consist of existing non-invasive vegetation or Florida Friendly vegetation.

GH. Transportation:

1. Access management shall be consistent with the Comprehensive Plan, LDR, and Florida Department of Transportation (FDOT) Regulations, as amended.
2. A full operational traffic impact analysis shall be submitted for review and approval

1 with a site plan and/or preliminary plat application.

2 H. Lighting: Exterior lighting shall not illuminate adjacent properties and rights-of-way.
3 Outdoor lighting shall be full-cutoff lighting. Lighting shall be designed so as to prevent
4 direct glare, light spillage, and hazardous interference consistent with Dark Sky
5 Principles and be in accordance with the Comprehensive Plan and Land Development
6 Regulations, as amended.

7 I. Noise: A noise assessment shall be required with the preliminary plat and/or site plan
8 submittal to demonstrate mitigation for any noise impacts the proposed project may
9 have on the neighboring uses pursuant to the LDR, as amended.

10 J. Signage: Signage shall be consistent with the Comprehensive Plan and LDR, as
11 amended.

12 K. Concurrency: The development shall be subject to all applicable Concurrency
13 Management requirements in accordance with the Comprehensive Plan and LDR, as
14 amended.

15 L. Future Amendments to Statutes, Code, Plan, and/or Regulations: The specific
16 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
17 County Comprehensive Plan, and Lake County Land Development Regulations,
18 include any future amendment to the Statutes, Code, Plan, and/or Regulations.

19 M. PUD Term Limits: Physical development shall commence within three (3) years
20 from the date of this Ordinance approval.

- 21 1. Failure to submit an application for a Mining Conditional Use Permit, a Mining
22 Operation Plan, Reclamation/Mass Grading Plan, and bonding or other security
23 necessary to enforce the conditions of approval in accordance with Section
24 6.06.00, LDR, as amended, shall constitute failure to commence physical
25 development and shall cause the revocation of this ordinance in accordance with
26 the Comprehensive Plan or superseding documents amended.
- 27 2. Failure to construct either infrastructure for 100 dwelling units, infrastructure for
28 5,000 square feet of commercial use, or the necessary extension of Woodcrest
29 Way to support the proposed development within three (3) years of approval of
30 this Ordinance, shall constitute failure to commence physical development and
31 shall cause the revocation of this ordinance in accordance with the
32 Comprehensive Plan or superseding documents amended. Clearing and grading
33 alone shall not be construed as sufficient to meet this requirement.
- 34 3. Prior to expiration of the three-year time frame, the Board of County
35 Commissioners may grant, via a Public Hearing, a one (1) extension of the time
36 frame for a maximum of two (2) years upon a showing that reasonable efforts have
37 been made towards securing the required approvals and commencement of work.

38 N. After establishment of the facilities as provided herein, the aforementioned property
39 shall only be used for the uses named in this Ordinance.

40 O. This Ordinance shall inure to the benefit of, and shall constitute a covenant running
41 with the land and the terms, conditions, and provisions hereof, and shall be binding
42 upon the present owner and any successor, and shall be subject to each and every
43 condition herein set out.

1 PQ. The transfer of ownership or lease of any or all of the property described in this
2 Ordinance shall include in the transfer or lease agreement, a provision that the
3 purchaser or lessee is made good and aware of the conditions pertaining to this
4 Ordinance, and agrees to be bound by these conditions. The purchaser or lessee may
5 request a change from the existing plans and conditions by following procedures
6 contained in the Lake County Land Development Regulations, as amended.

7 QR. Action by the Lake County Code Enforcement Special Master. The Lake County Code
8 Enforcement Special Master shall have the authority to enforce the terms and
9 conditions set forth in this ordinance and to recommend that the Ordinance be
10 revoked.

11 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner
12 shall obtain development order approvals from Lake County. The applications for final
13 orders shall meet all submittal requirements and comply with all County codes and
14 ordinances, as amended.

15 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be
16 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in
17 no way affect the validity of the remaining portions of this Ordinance.

18 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to
19 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section
20 125.66, Florida Statutes.

21 **Section 5. Effective Date.** This Ordinance shall become effective as provided by law.

22
23 ENACTED this _____ day of _____, 2013.

24
25 FILED with the Secretary of State _____, 2013.

26
27 EFFECTIVE _____, 2013.

28 BOARD OF COUNTY COMMISSIONERS
29 LAKE COUNTY, FLORIDA

30 _____
31 JIMMY CONNER, Chairman

32 ATTEST:

33 _____
34 NEIL KELLY, Clerk of the
35 Board of County Commissioners
36 Lake County, Florida

37 APPROVED AS TO FORM AND LEGALITY

38 _____
39 SANFORD A. MINKOFF, County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

Parcel No.1:

The North 661 feet of the South 1485 feet of the East 1/2 of the Southeast 1/4 of Section 27, Township 24 South, Range 26 East, Lake County, Florida.

Parcel No.2:

The North 661 feet of the South 1485 feet of Section 26, Township 24 South, Range 26 East, Lake County, Florida, lying West of the right of way of U.S. Highway No. 27.

LESS and EXCEPT the following described parcels:

From the Southwest corner of Section 26, Township 24 South, Range 26 East, Lake County, Florida, run South 89°41'50" East, along the South line of said Section 26, 3386.26 feet to a point on the centerline of U.S. Highway #27, run thence along said centerline, North 20°05'20" West, 1384.28 feet; run thence North 89°41'50" West, 119.49 feet to the Point of Beginning; said Point of Beginning being on the Westerly right-of-way line of U.S. Highway # 27; continue thence North 89°41'50" West, 269.69 feet; run thence North 00°18'10" East, 187.47 feet; run thence South 89°41'50" East, 200.0 feet to the aforesaid Westerly right-of-way line of U.S. Highway #27; run thence South 20°05'20" East, 200.0 feet to the Point of Beginning.

AND

From the Southwest corner of Section 26, Township 24 South, Range 26 East, Lake County, Florida, run South 89°41'50" East, along the South line of said Section 26, 3386.26 feet to a point on the centerline of U.S. Highway #27, run thence along the said centerline of U.S. Highway # 27, North 20°05'20" West 1384.28 feet; thence North 89°41'50" West 119.49 feet for a Point of Beginning, said Point of Beginning being on the Westerly right-of-way line of the aforesaid U.S. Highway #27; run thence along said Westerly right-of-way line South 20°05'20" East 200.0 feet; thence North 89°41'50" West 439.38 feet; thence North 00°18'10" East 374.93 feet; thence South 89°41'50" East 100.00 feet; thence South 00°18'10" West 187.47 feet; thence South 89°41'50" East 269.69 feet to the Point of Beginning.

Parcel No.3:

That part of the South 1/4 of the Southwest 1/4 of the Southeast 1/4 lying West of the right of way of U.S. Highway No. 27; The South 1/4 of the Southeast 1/4 of the Southwest 1/4; and the South 1/4 of the Southwest 1/4 of the Southwest 1/4; Section 26, Township 24 South, Range 26 East, Lake County, Florida;

The South 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 24 South, Range 26 East, Lake County, Florida.

Parcel No. 4:

The North 494 feet of the South 824 feet of Section 26, Township 24 South, Range 26 East, Lake County, Florida, lying West of the right of way of U.S. Highway No. 27, and the North 494 feet of the South 824 feet of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 24 South, Range 26 East, Lake County, Florida.

ALSO LESS THE FOLLOWING DESCRIBED PARCEL (Racetrac)

LEGAL DESCRIPTION: (Racetrac Parcel)

A part of Section 28, Township 24 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 26; thence along the South line of said Section 26, North 89°59'11" West, a distance of 2034.49 feet, to the westerly right-of-way line of

1 U.S. Highway 27 (State Road 25) per Florida Department of Transportation Right-of-Way Map
2 Section 11200, for a point of beginning. Thence continue along said South line, North 89°59'11"
3 West, a distance of 469.14 feet; thence leaving said South line. North 20°17'17" West. a
4 distance of 1184.20 feet; thence South 89° 53'15" East, a distance of 469.45 feet, to a point on
5 the westerly right-of-way line of said U.S. Highway 27; thence along said westerly right-of-way
6 line, South 20°17' 17" East, a distance of 1183.34 feet, to the point of beginning. Containing
7 11.95 acres, more or less.

8 **Subject to:**

9 Legal description: ingress/egress easement

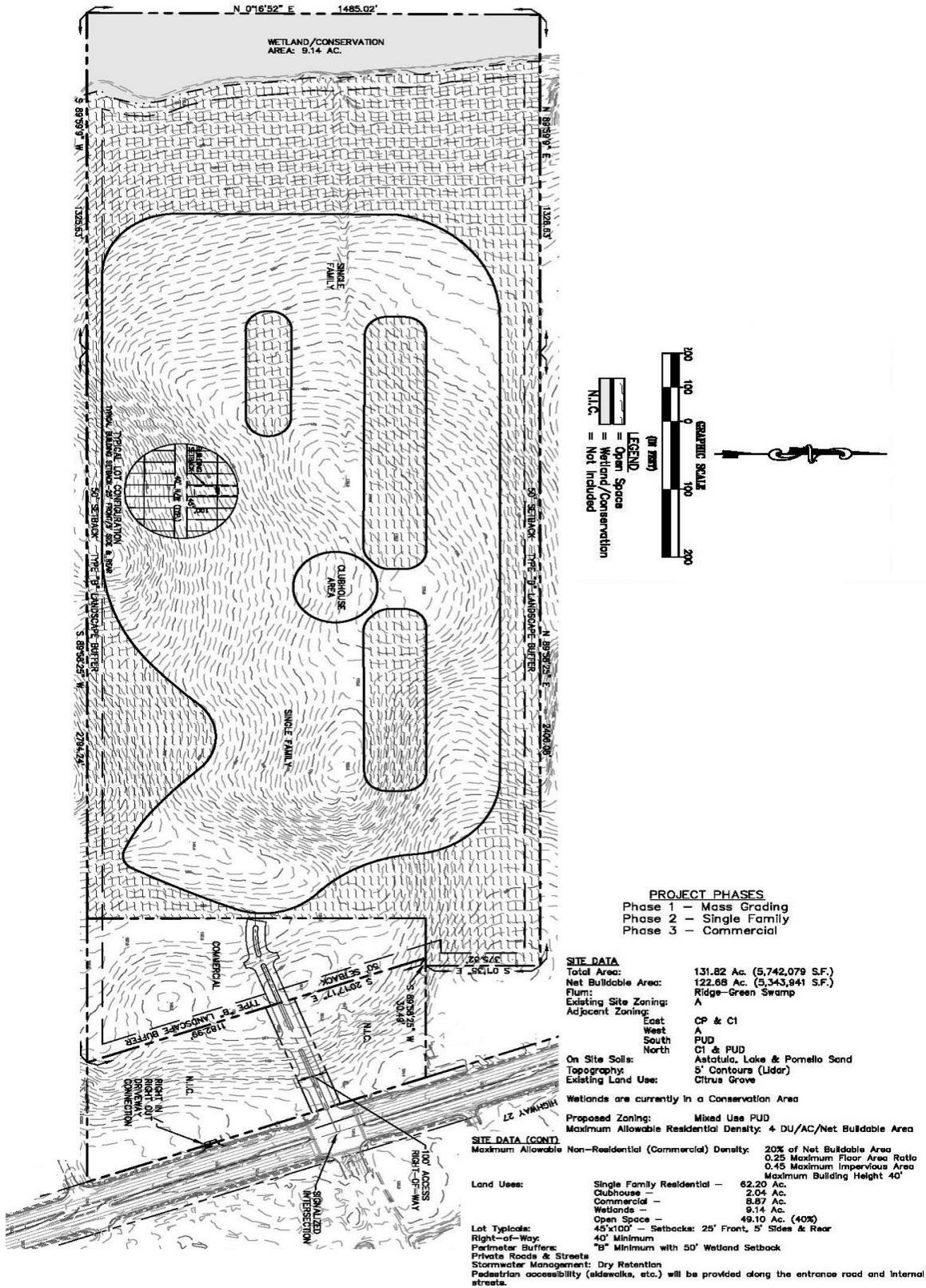
10 A part of Section 26, Township 24 South, Range 26 East, Lake County, Florida, being more
11 particularly described as follows:

12 Commence at the Southeast corner of said Section 26; thence along the South line of said
13 Section 26, North 89°59'11" West, a distance of 2503.63 feet; thence leaving said South line,
14 North 20°17'17" West, a distance of 635.57 feet, for a Point of Beginning; thence continue North
15 20°17'17" west, a distance of 75.00 feet; thence North 69°43'18" East, a distance of 440.00 feet,
16 to the westerly right-of-way line of U.S. Highway 27 (State Road 25) per Florida Department of
17 Transportation Right-of-Way Map Section 11200; thence along said westerly right-of-way line.
18 South 20°17'17" East, a distance of 75.00 feet: thence leaving said westerly right-of-way line,
19 South 69°43'18" West, a distance of 440.00 feet, to the Point of Beginning.
20 Containing 0.75 acres, more or less.

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EXHIBIT "B" – CONCEPT PLAN



PROJECT PHASES
 Phase 1 – Mass Grading
 Phase 2 – Single Family
 Phase 3 – Commercial

SITE DATA

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|-----------------------|---|
| Total Area: | 131.82 Ac. (5,742,079 S.F.) |
| Net Buildable Area: | 122.68 Ac. (5,343,941 S.F.) |
| Flum: | Ridge-Green Swamp |
| Existing Site Zoning: | A |
| Adjacent Zoning: | East CP & C1 West A South PUD North C1 & PUD |
| On Site Soils: | Astoria, Lake & Pomello Sand |
| Topography: | 5' Contours (Lidar) |
| Existing Land Use: | Citrus Grove |

Wetlands are currently in a Conservation Area

Proposed Zoning: Mixed Use PUD
 Maximum Allowable Residential Density: 4 DU/AC/Net Buildable Area

SITE DATA (CONT.)

| | |
|---|-------------------------------|
| Maximum Allowable Non-Residential (Commercial) Density: | 20% of Net Buildable Area |
| | 0.25 Maximum Floor Area Ratio |
| | 0.45 Maximum Impervious Area |
| | Maximum Building Height 40' |

Land Uses:

| | |
|-----------------------------|-----------------|
| Single Family Residential – | 62.20 Ac. |
| Clubhouse – | 2.04 Ac. |
| Commercial – | 8.87 Ac. |
| Wetlands – | 9.14 Ac. |
| Open Space – | 49.10 Ac. (40%) |

Lot Typicals:
 45'x100' – Setbacks: 25' Front, 5' Sides & Rear

Right-of-Way:
 40' Minimum

Perimeter Buffers:
 "B" Minimum with 50' Wetland Setback

Private Roads & Streets
 Stormwater Management: Dry Retention

Pedestrian accessibility (sidewalks, etc.) will be provided along the entrance road and internal streets.

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