

FILED

REVISED ORDINANCE #74-90

MAY 15 7 11 AM '91

WHEREAS, the Lake County Planning and Zoning Commission did, on the 28th day of November, 1990, review petition #189-90-3 (GlenBrook), a request to approve the preliminary development plan for a rezoning from A (Agricultural) to PUD (Planned Unit Development) zoning district on property generally located in the South Lake County area - Property lying E of US 25/27 at its intersection with C-474. The property is more particularly described as:

LEGAL DESCRIPTION: The NW 1/4 of the NE 1/4; the SE 1/4 of the NE 1/4, less the S 722.08 ft. thereof; the SW 1/4 of the NE 1/4, less the S 772.08 ft. thereof; and the E 1/2 of the NW 1/4, lying E of US Hwy. 27, less the S 722.08 ft. thereof; all lying in Sec. 26, Twp. 24S, Rge. 26E, Lake County, Florida.

AND, after giving Notice of Hearing on petition for development plan approval, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of December, 1990, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the Public and surrounding property owners at a Public Hearing duly advertised, and

WHEREAS, upon review, certain terms and conditions pertaining to the development of the above described property have been duly approved, and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land subject to the following terms and conditions:

Terms: The PUD (Planned Unit Development) facility shall mean and include the total of the following provided that the applicant submit to the Board of County Commissioners revised preliminary development plans of the development, prior to any construction or site approval.

I. Land Uses

A. Residential

1. Number and Type of Residential Units

A total of 722 dwelling units will be permitted at a gross residential density of 6.52 dwelling units/acre. Of these dwelling units, 530 are proposed for multi-family units and 192 will be proposed for single-family units.

2. Setback Requirements

The minimum building distance between buildings within the PUD shall be one-half of the sum of the height of building, but in no case shall the distance be less than 20 ft. for multi-family concepts, or less than 10 ft. for single-family patio home/zero lot line concepts, or less than 15 ft. for traditional single-family residences.

Setback distances from street rights-of-way shall be a minimum of 20 ft. for front yard setbacks, or 15 ft. for side yard (corner lot) setbacks. In the event of a side entry garage (as opposed to front entry), the non-entry side of the garage will be setback a minimum of 15 ft. from the right-of-way line.

The minimum lot widths shall be measured at the building setback line as opposed to the property line in order to compensate for curvature and cul-de-sac lots.

B. Commercial

1. The applicant shall be permitted 20.5 acres of specialty commercial lot area to consist of a maximum of 200,000 sq. ft. of specialty commercial/retail space, and a 20 room hotel/motel site.

2. Setbacks

Setbacks shall be as established within Section 696.20(C)(2) of the Lake County Zoning Ordinance.

II Public Facilities

A. Water/Sewer Facilities

1. The proposed development shall provide a central water and waste water treatment facility to serve the entire development.
2. The location and construction requirements of the wastewater treatment plant shall be in compliance with Section 70.28 of the Lake County Zoning Regulations, Section 1-6.06 of the Lake County Pollution Control Board Rules and Chapter 17-6 and 17-610 of the Florida Administrative Code.
3. The Stormwater Concept shall be designed to maximize upland recharge.
4. Th project shall be served by regional water and waste water treatment facilities, when such facilities are made available, in accordance with the Lake County Water and Wastewater Master Plan as amended to include the South Lake Service Planning Area. Costs of connection and payment of impact fees related to facilities construction and connection shall be borne by developer and/or current property owners.
5. Prior to the provision of service by regional facilities, the developer may elect to construct temporary on-site centralized water and wastewater treatment facilities to provide for water and wastewater demands generated within the project boundaries. Such facilities and related transmission and collection facilities shall be

constructed according to standards to be established by the Lake County Department of Environmental Services. In addition, such facilities shall, upon completion of construction, be dedicated to the County within ninety (90) days after notification by the County, of their intent to accept the facilities.

6. Water and wastewater treatment facilities design capacity shall be sufficient to accommodate capacity demand at buildout. Facilities construction may be phased in accordance with a phasing plan to be submitted to and approved by the Department of Environmental Services prior to construction. At no time shall development proceed which will place a demand on facilities greater than actual capacity of such facilities.
7. Sludge treatment and disposal plans shall be submitted to and approved by the Department of Environmental Services, prior to water and wastewater facilities construction.
8. Should the design capacity of the temporary wastewater treatment facility meet or exceed minimum thresholds for FDER and Lake County Department of Environmental Services for reuse of effluent to unrestricted public access areas, then the facilities shall be upgraded to be permitted for maximum reuse of the wastewater effluent on all normally maintained open areas. Should wastewater effluent of unrestricted public access quality be made available at the boundary of the development, then use of the reuse water on all normally maintained open areas shall be mandatory. All costs associated with either upgrading temporary facilities or infrastructure required for reuse water transmission and distribution within the development shall be borne by the developer and/or current property owners.
8. The location of any temporary on-site centralized water and wastewater facilities shall be within the interior of the development and in compliance with Section 70.28 of the Lake County Zoning Regulations.

III Stormwater Management System Requirements

1. The storm water management system shall be designed to meet the Lake County Drainage Specifications, Section 93 of the Subdivision Regulations; and the Lake County Pollution Control Board Rule 1-6.04. The storm water management system shall be designed using percolation

and retention concepts. The use of dry/wet detention systems, which discharge off-site prior to providing the retention volume required by the Lake County Pollution Control Board Rule 1-6.04 is not acceptable.

2. Storm water runoff shall be treated prior to discharge to surface waters or wetlands. Rear lot and perimeter swales landward from the surface waters and wetlands to capture at least 1/2 inch of runoff from contributing drainage areas shall be required. The use of skimmers at discharge outlets is required.
3. Systems discharging to land-locked lakes shall not cause an increase in total pre-development flood-stage.
4. Filling in the 100-year floodplain is discouraged. If fill is to be placed within the 100-year floodplain, then compensatory storage shall be required.
5. Erosion and sediment control measures shall be employed during construction to prevent sediment migration to the wetlands/lakes. Best management practices shall be employed (the applicant can refer to the Department of Environmental Regulations, The Florida Land Development Manual: A guide to Sound Land and Water Management for a reference of acceptable practices). The erosion and sediment control measures shall be indicated on the construction plans and approved by the Pollution Control Division.
6. Stormwater runoff from roofs and other impervious surfaces shall be diverted into swales or other drainage facilities to minimize direct overland flow to streets and water courses. The overflow from the swales or other drainage facilities shall be diverted to retention ponds sized to meet the Lake County Pollution Control Board Rule 1-6.04.
7. All pollution abatement structures and waste handling devices shall be maintained pursuant to Section 1-6.05 and 1-6.06 of the Lake County Pollution Control Board Rules.
8. Soils exposed during site alteration shall be e stabilized. Vegetation and restoration of exposed areas shall be made at the completion of each phase of construction. Vegetative growth shall be accomplished within 180 days on soils exposed during site alteration.
9. A master drainage plan shall be submitted to the Pollution Control Division for review as part of the preliminary plan submittal requirements. The drainage

plan shall demonstrate that each phase is able to exist as an independent stable unit for drainage purposes.

IV Trees, Wetlands and Landscaping Requirements:

1. Removal of trees shall be done in accordance with the provision contained in Section 17-119, Tree Protection Ordinance, Lake County Code. Tree removal application and review fee of \$150.00 shall be submitted along with final development plans (construction plans), if approved trees are to be removed. No site alterations shall be made until such application is approved by the Pollution Control Division.
2. Each single-family or duplex lot shall have at least three (3) approved trees with a six (6) inch DBH or greater, or an equivalent number of replacement trees as defined in Section 17-118, Lake County Code, prior to application for certificate of occupancy for the dwelling unit for each lot.
3. Posts shall be used as protective barriers to the roots and trunk of all trees designated for preservation of the parcel being developed. Construction machinery, soil deposits, material or solvents shall not be placed within the drip-line of any tree designated for preservation and to do so will constitute a violation of the tree protection ordinance, pursuant to Section 17-123 (a), (b), (c). In lieu of constructing barriers as required above, the developer may physically designate large areas containing protected trees where no land alteration or other development activities of any kind may occur. This area may be designated by placing stakes at a distance of twenty-five (25) ft. apart and tying ribbons, plastic tape or rope to the stakes along the perimeter of the area. These protection measures must be established on site prior to initiation of construction activities.
4. County jurisdictional wetlands occur on site; however, the developer has indicated that alteration is not proposed at this time. Should the developer later decide to alter wetlands, an additional fee and a new wetland alteration application shall be submitted with PUD final development plans (construction plans).
5. Landscaping plans are required for this project pursuant to Lake County Landscaping Codes, Section 17-130.6, for multi-family and commercial sections proposed. These plans and review fee of \$100.00 shall be submitted along with final development plans (construction plans) to the division of Planning and Development.

V Open Space Buffer Requirements

A. Residential

Twenty-five (25%) percent of the gross land area utilized for residential purposes shall be provided as open space.

B. Commercial

Twenty percent (20%) of the gross land area utilized for commercial purposes shall be provided as open space.

C. Wetland

Conservation and Open space area, which contains wetland soils shall be dedicated as an environmental easement which shall permit passive recreation uses only.

VI Recreational Facilities

1. The applicant shall provide active recreational facilities for the development to accommodate the proposed residences. These facilities will be indicated on the final design plans.

VII Development Phasing

- Phase I: 1991 - mid-1992
Single-family - 176 multi-family units
- Phase II: 1992 - mid 1993
96 single-family and 177 multi-family units
- Phase III: 1993 - mid 1994
177 multi-family units and 60,000 sq. ft. of specialty retail commercial
- Phase IV: 1994 - mid 1995
20 motel/hotel room, 140,000 sq. ft. of specialty retail commercial

VIII Creation of a Municipal Services Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU)

Prior to the filing of the preliminary plat, the applicant shall meet with Lake County to discuss the formation of a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) or other entity to manage the operation and maintenance of common areas, common recreational facilities, street lighting and other common facilities.

The MSTU or MSBU, if created, shall be funded by special assessments.

IX Street Lights and Sidewalk Requirements:

Street lights shall be required throughout the development in accordance with acceptable standards. The applicant shall provided sidewalks on a minimum of one (1) side of each street in order to provide pedestrian and bicycle access throughout the development.

Special Requirements

1. The applicant shall provided one-hundred fifty (\$150.00) dollars per lot for school impact fee. Should an impact fee for schools be adopted in the future by the Board of County Commissioners, the applicant shall pay more or less of the fees established by the Board.
2. The applicant shall provide one-hundred twenty-seven (\$127.00) dollars per lot for a fire impact fee. Should an impact fee for fire adopted in the future by the Board of County Commissioners, the applicant shall pay more or less of the fees established by the Board.

X Transportation Improvements

1. The applicant shall provided a traffic study identifying offsite impacts and evaluating internal circulation and proposed access.
2. At the completion of each phase, the development shall request the Department of Transportation to evaluate the signal warrants at each entrance. Results of these evaluations will be forwarded to the Public Works and Planning Departments. The development shall install a signal when deemed warranted by the Department of Transportation.
3. The applicant shall provide full entrance improvements at each entrance (ie right and left turn lanes with storage and taper per FDOT standards). Design of entrance improvements shall account for traffic volumes identified in the traffic study.
4. The applicant shall provide a connection to the adjacent property to the south (Walker Heights). Coordinate the location with the adjacent property owner. Also, coordinate a shared access with Walker Heights across from C-474.
5. All access is to be internal. The commercial area along US 27 should access internally.

XI Fire Protection

1. Single-family units - 500 gpm at 20 psi residual pressure, minimum flow. System to be pressurized. Hydrants to be placed 500 ft. along the main. Main to be minimum 6" in size. Long dead end 6" are not allowed. Must be a looped 6" system or 8" system.
2. Multi-family (2 stories or less in height) - 750 gpm at 20 psi residual pressure, minimum flow. System to be pressurized. Hydrants to be placed 500 ft. along the main. Main to be minimum 6" in size. Long dead end 6" are not allowed. Must be looped 6" system or 8" system.
3. Multi-family (more than 2 stories in height) - same as required for multi-family above, except it also requires "Aerial Apparatus" in accordance with County specifications for same.
4. Commercial/Recreational Buildings - must meet water supply and fire code requirements per recognized County, State and National Standards.
5. Planned Unit Developments will be required to satisfy fire protection requirements based on planned development.
6. All developments that are required to supply water supply must supply Fire Protection with a plot plan showing location of water system, or tie-ins to existing system, and location of fire hydrants. Plan must also show size and location of fire mains.

All water supply systems will be tested in accordance with NFPA Guidelines. Systems will be capable of providing minimum flow requirements with two hydrants flowing and maintaining 20 psi residual pressure on the system. Systems shall be capable of providing required flow for two or three hours in accordance with County Standards.

7. Public safety impact fee - \$127.00 per lot, due at the time of building permits are obtained.
2. Conditions as altered and amended which pertain to the above tract of land shall mean:
- A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the

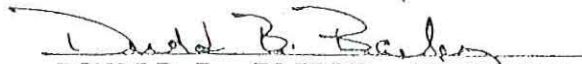
Planning and Zoning Commission and the Board of County Commissioners.

- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, removed, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the above described land without first submitting the necessary plans in accordance with Section 70.31 of the Zoning Ordinance of Lake County, and obtaining approval from the Director of Current Planning upon obtaining the permits required from the other appropriate governmental agencies.
- C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
- E. The transfer of ownership or lease of any or all of the property described in Ordinance #74-90 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the PUD (Planned Unit Development) established by Ordinance #74-90, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in Section 691, Paragraph 691.12, Lake County Zoning Regulations, as amended.

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 18th of December, 1990, A.D.

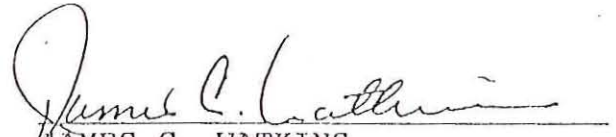
STATE OF FLORIDA)

COUNTY OF LAKE)


DONALD B. BAILEY, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

I HEREBY CERTIFY that the above and foregoing is a true copy of an Ordinance adopted by the Board of County Commissioners in regular session on December 18, 1991 as the same appears on record of County Commissioners' Minute Book 40 Pages 38-40.

BY:


JAMES C. WATKINS
Clerk of the Circuit Court
and Ex-Official Clerk of the
Board of County Commissioners
Lake County, Florida

STATE OF FLORIDA, COUNTY OF LAKE
I HEREBY CERTIFY that the above and foregoing
is a true copy of the original filed in this office.
JAMES C. WATKINS, Clerk Circuit Court

By Sandra Carter Deputy Clerk

Dated 5/23/91