

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD
April 3, 2013



BOARD OF COUNTY COMMISSIONERS
April 23, 2013

PH #10-13-1 Langley Industrial Park	Case Manager: Steve K. Greene, AICP Chief Planner	Agenda Item # 9
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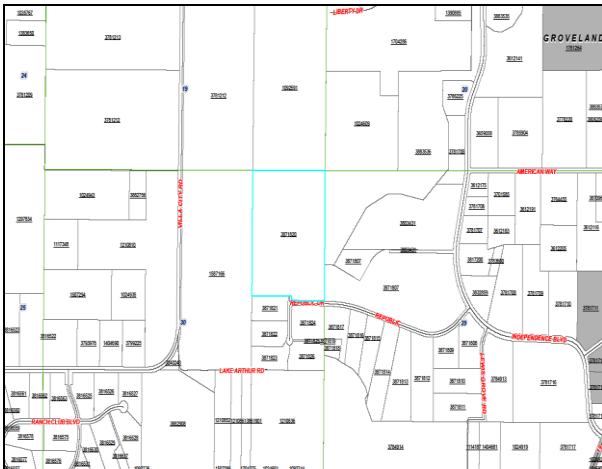
Owner: TD Bank (the "Owner")

Applicant: Jimmy Crawford, P.A. (the "Applicant")

Requested Action: Amend the eighty (80) acre Langley Industrial Park Light Industrial (LM) zoning district by creating a new Planned Industrial (MP) zoning district (51-acres) for block plant and light industrial uses. This includes creating a new ordinance to replace LM Ordinance #2005-112 for the reduced LM acreage.

– Site Location & Information –

Approximate site location outlined in Aqua



Size	51 +/- acres	
Location	Groveland area, West end of Republic Drive, west of the CC Ford Industrial Park	
Alternate Key #'s	3871820	
Future Land Use	Industrial	
	Existing	Proposed
Zoning District	LM	MP
Impervious Surface Ratio Comp Plan & LDR	0.80	No change
Floor Area Ratio Comp Plan & LDR	1.0	No change
Joint Planning Area	N/A – Groveland area	
Utility Area:	City of Groveland	
Site Utilities	Central water and sewer	
Road Classification	US 27, Republic Drive	
Flood Zone/ FIRM Panel	Zones X & A/Panel 460 12/18/12	
Commissioner District	1 (Sullivan)	

Site Visit March 19, 2013

Sign Posted March 19, 2013 (2 posted)

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low-existing Regional Office-proposed	Agriculture (A)	undeveloped	Woodlands at Church Lake MHP
South	Industrial	Light Manufacturing (LM)	Light Manufacturing	Warehouse
East	Industrial	PUD	CC Ford Commerce Park	Industrial uses
West	Rural Transition-existing Regional Office-proposed	R-2 (Estate Residential)	undeveloped	Vacant & remnant grove

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed rezoning request, with proposed conditions, finding it consistent with the Comprehensive Plan and Land Development Regulations.

PLANNING & ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant seeks to amend existing LM zoning district Ordinance #2005-112 (Attachment 1) of the Langley Industrial Park by creating a new 53-acre Planned Industrial (MP) zoning district for block plant and light industrial uses. The new MP zoning district will require a new zoning ordinance as it reduces the size of the pre-existing LM zoning district. The property of the subject rezoning is situated at the northwest corner of Republic Drive, west of the Christopher C. Ford Commerce Park. The property is treed for possible silviculture use. Langley Industrial Park was platted as a 6-lot industrial subdivision in the Year 2008. Lot 2 is the only developed lot within the industrial park as a warehouse. Tract C (or Lot 6) continues to function as a conservation easement.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;

The proposed Planned Industrial (MP) rezoning is consistent with the LDR Table 3.00.03, Future Land Use and Zoning Matrix as these uses are permissible under the Industrial future land use, which was formerly Employment Center. Additionally, the proposed rezoning is consistent with LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits planned industrial and light industrial and uses in the LM Zoning District.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The property is designated as Industrial Future Land Use and consistent with Comprehensive Plan Policy I-1.3.8. The policy allows industrial uses and block plant use with conditional use approval or other land use regulatory instrument. The proposed MP ordinance shall constitute the required conditional use for block plant use on the property.

C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;

The subject property is compatible with adjacent industrial uses on the south and west. These land areas have existing industrial uses, with Lot 1 of the Langley Industrial Park built as a warehouse operation. The Chris C. Ford Commerce Park DRI, an industrial park with active uses, is situated on the east. Although vacant and undeveloped, the properties on the north and west have residential land use. Rural Transition future land use is to the west and zoned as Estate Residential (R-2). Urban Low future land use is to the north and zoned Agriculture.

D. Whether there have been changed conditions that justify a rezoning;

The block plant use causes the need to rezone the property from LM to MP as the current Ordinance #2005-112 does not allow block plant use. Block plant use is considered a heavy industrial use, which requires MP zoning.

- E. **Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

The proposed rezoning is not anticipated to generate any additional demand on public facilities and infrastructure. Central water and sewer will be provided by the City of Groveland. The property connects to Republic Drive which is an existing paved road, constructed to County standards.

- F. **Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;**

No information has been submitted to indicate that the proposed rezoning would result in significant adverse impacts on the natural environment. However, an Environmental Assessment (EA) will be required with the development application for review and approval. In addition, a tree removal permit will be required prior to clearing the property for development. The proposed ordinance contains conditions regarding the submission of the EA and keeping some of the planted pines as additional screening and buffering to mitigate dust impacts.

- G. **Whether, and the extent to which, the proposed rezoning would affect the property values in the area;**

There is no evidence that the proposed rezoning would adversely affect property values in the area.

- H. **Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area.

- I. **Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

The proposed rezoning will not be in conflict with the public interest and would be in harmony with the general intent of the Comprehensive Plan and LDR.

- J. **Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A.

FINDINGS OF FACT: Staff has reviewed the proposed rezoning and found:

1. The request is consistent with LDR Table 3.00.03, Future Land Use and Zoning Matrix as industrial uses are permissible within the Industrial future land use, which was formerly Employment Center.
2. The proposed rezoning request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which permits planned industrial and light industrial and uses in the MP Zoning District.
3. The request is consistent with Comprehensive Plan Policy I-1.3.8 (“Industrial Future Land Use Category”), as industrial uses are allowable and the proposed plant is allowable with the approval of a conditional use permit. The proposed MP zoning ordinance shall constitute the required conditional use permit.

Therefore, based on these findings of fact, staff recommends **APPROVAL** of the attached Ordinance.

WRITTEN COMMENTS FILED: Supportive: -0- Concern: -0- Opposition: -0-

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ORDINANCE #2013-XX
PH #10-13-1
TD Bank/Crawford/Langley Industrial Park

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AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Jimmy Crawford, P.A, (the "Applicant") has submitted an application on behalf of TD Bank (the "Property Owner") to rezone approximately 51.39-acres of Langley Industrial Park from Light Industrial (LM) to Planned Industrial (MP) to add block plant and light industrial uses related to the manufacturing of building products; and

WHEREAS, on the 20th day of December, 2005, the Lake County Board of County Commissioners approved Ordinance #2005-112, which rezoned 80.54 +/- acres from Agriculture (A) to Light Industrial (LM) for light industrial uses within the Langley Industrial Park; and

WHEREAS, the subject property of the current rezoning application consists of approximately 53 +/- acres located in the Groveland area, in Section 30, Township 21 South, Range 25 East, consisting of Alternate Key Number 3871820, and more particularly described as:

Langley Industrial Park Sub Lot 1, PB 63, PG 48-49/ ORB 4271, PG 1055

WHEREAS, the property subject to the request is located within the Industrial Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, Lake County Planning and Zoning Board did review petition PH#10-13-1 on the 3rd day of April, 2013, after giving Notice of Hearing for a change in the use of land, including a notice that said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of April, 2013; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, staff report 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 pertaining to the development of the above described property have been duly approved; and

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

1 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to show
2 the Planned Industrial (MP) Zoning District in accordance with this Ordinance. All uses shall be
3 generally consistent with the Concept Plan as shown in Exhibit "A" of this Ordinance. To the
4 extent where there are conflicts between the Conceptual Plan and this Ordinance, this
5 Ordinance shall take precedence.

6 A. Land Uses:

- 7 1. Light Industrial
8 2. Block and concrete Plant
9 3. Outdoor storage, subject to conditions below.

10 B. Landscaping:

- 11 1. Landscaping shall be accordance with the Land Development Regulations, as
12 amended.

13 C. Setbacks.

- 14 1. Materials stored outside shall be setback a minimum of 50 feet from all property
15 lines.
16 2. Buildings and structures shall maintain setbacks consistent with the Light Industrial
17 Zoning District.

18 D. Open Space, Impervious Surface Ratio (ISR), Building Height, and Floor Area Ratio
19 (FAR), in accordance with the Comprehensive Plan and Land Development
20 Regulations, as amended.

21 E. Concurrency Management Requirements: Any development shall comply with the
22 Lake County Concurrency Management System, as amended.

23 F. Development Review and Approval: Prior to the issuance of permits, the Applicant
24 shall be required to submit a development application generally consistent with Exhibit
25 "A" - Conceptual Plan, attached, for review and approval in accordance with the
26 Comprehensive Plan and LDR, as amended.

27 G. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific
28 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
29 County Comprehensive Plan, and Lake County Land Development Regulations shall
30 include any future amendments to the Statutes, Code, Plans, and/or Regulations.

31 **Section 2. Conditions:** Conditions as altered and amended which pertain to the above tract of land shall
32 mean:

- 33 A. After establishment of the facilities as provided herein, the aforementioned property shall only
34 be used for the purposes named in this Ordinance. Any other proposed use must be
35 specifically authorized by the Board of County Commissioners.

- 1 **B.** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
2 move, convert, or demolish any building structure, add other uses, or alter the land in any
3 manner within the boundaries of the above described land without first obtaining the necessary
4 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
5 required from the other appropriate governmental agencies.
- 6 **C.** This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
7 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
8 Owner and any successor, and shall be subject to each and every condition herein set out.
- 9 **D.** Construction and operation of the proposed use shall at all times comply with the regulations of
10 this and other governmental permitting agencies.
- 11 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance
12 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
13 made good and aware of the conditions established by this Ordinance and agrees to be bound
14 by these conditions. The purchaser or lessee may request a change from the existing plans
15 and conditions by following procedures contained in the Land Development Regulations, as
16 amended.
- 17 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code
18 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
19 in this ordinance and to recommend that the ordinance be revoked.

20 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
21 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
22 affect the validity of the remaining portions of this Ordinance.
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Section 4. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this _____ day of _____, 2013.

FILED with the Secretary of State _____, 2013.

EFFECTIVE _____, 2013.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

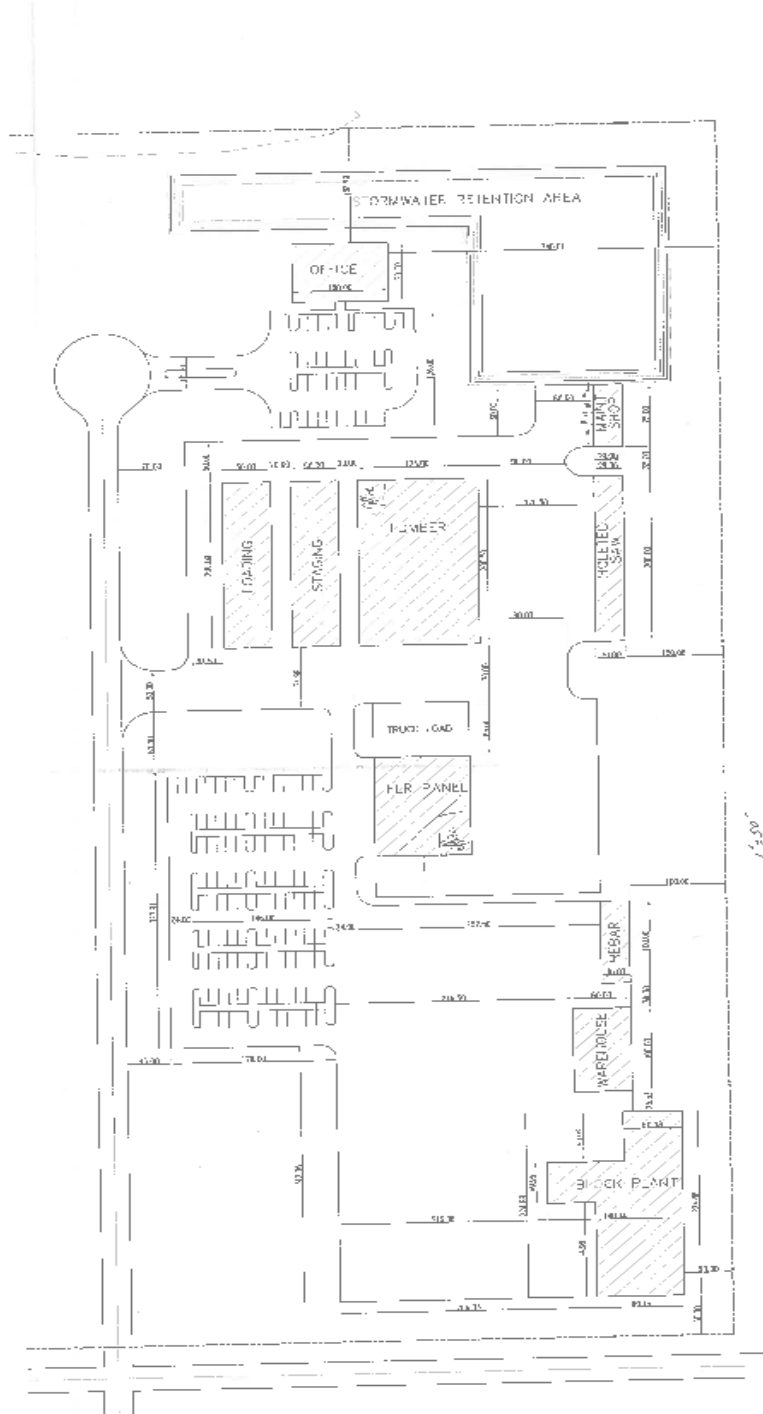
**NEIL KELLY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, COUNTY ATTORNEY

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Exhibit "A" Concept Plan



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**ORDINANCE #2013-xx
Langley Industrial Park
PH #10-13-1**

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jimmy Crawford, P.A., submits this petition on behalf of TD Bank to amend existing Light Industrial (LM) Ordinance #2005-112 of the Langley Industrial Park to reduce the size of the Light Industrial (LM) zoning district and;

WHEREAS, the acreage reduction of 51.30-acre is predicated by a concurrent Planned Industrial (MP) rezoning of Lot-1 (also known as Alternate Key #3871820), situated within Langley Industrial Park and;

WHEREAS, the balance of the Langley Industrial Park property will consist of 29 +/- acres generally located in the Groveland area on the south side of US 27, Section 22, Township 21 South, Range 25 East, Lake County, Florida, lying within Alternate Key Numbers 3871821, 3871822, 3871823, 3871824, 3871825, and 3871826, more particularly described as follows:

E 1/2 of the NE 1/4 of Sec 30 Township 21S, Range 25 East; also right of way easement 15 feet within width extending along and S of N boundary of said Sec 30 Township 21S, Range 25 East, from NW corner of E 1/2 of said Sec 30 to the NW corner of the property herein before described, also known as Langley Industrial Park, Plat Book 63, Page 48-49, less Lot 1.

WHEREAS, the subject property is located within the Industrial Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning and Zoning Board reviewed petition PH #10-13-1 on the 3rd day of April, 2013, after giving Notice of Hearing on a petition for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of April, 2013; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, and any comments, favorable or unfavorable, from the public and surrounding property owners at a duly advertised public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above subject property, as legally described above, subject to the following terms:

Section 1. Terms: The County Manager or designee shall amend the Official Zoning Map from Light Industrial (LM) to Light Industrial (LM) for the above-described subject property in accordance with this Ordinance.

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Section 2. Severability: If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Development Review and Approval: Development shall comply with all County codes and ordinances, as amended.

Section 4. Effective Date. This Ordinance shall become effective as provided for by law.

ENACTED this _____ day of _____, 2013.

FILED with the Secretary of State _____, 2013.

EFFECTIVE _____, 2013.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, Chairman

ATTEST:

**NEIL KELLY, Clerk of the
Board of County Commissioners
Lake County, Florida**

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, County Attorney