

**LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
COMPREHENSIVE PLAN AMENDMENT**

PLANNING AND ZONING BOARD	 LAKE COUNTY FLORIDA	BOARD OF COUNTY COMMISSIONERS
Transmittal July 3, 2013		Adoption July 30, 2013

<p style="text-align: center;">SLPA# 13/7/1-1</p> <p style="text-align: center;">SMALL SCALE COMPREHENSIVE PLAN AMENDMENT</p> <p>Change the Future Land Use Map (FLUM) classification for the Barrington Estates Phase 2 property (9.92 acres) from Rural Transition to Urban Low.</p>	<p>Case Manager:</p> <p>Rick Hartenstein, AICP, CPM Senior Planner Planning & Community Design</p>	<p>Agenda Item # 4</p>
---	---	-----------------------------------

- Item -

Type: Small-Scale Future Land Use Amendment - Developer initiated

**Creation or
Revision:** Revision

Description: Future Land Use Map Amendment to change 9.92+/- acres from Rural Transition Future Land Use Category (FLUC) to Urban Low FLUC south of Clermont – located south of the intersection of County Road 561 & Pine Island Road in Section 14 – Township 23 South – Range 25 East, Alternate Key #1781817.

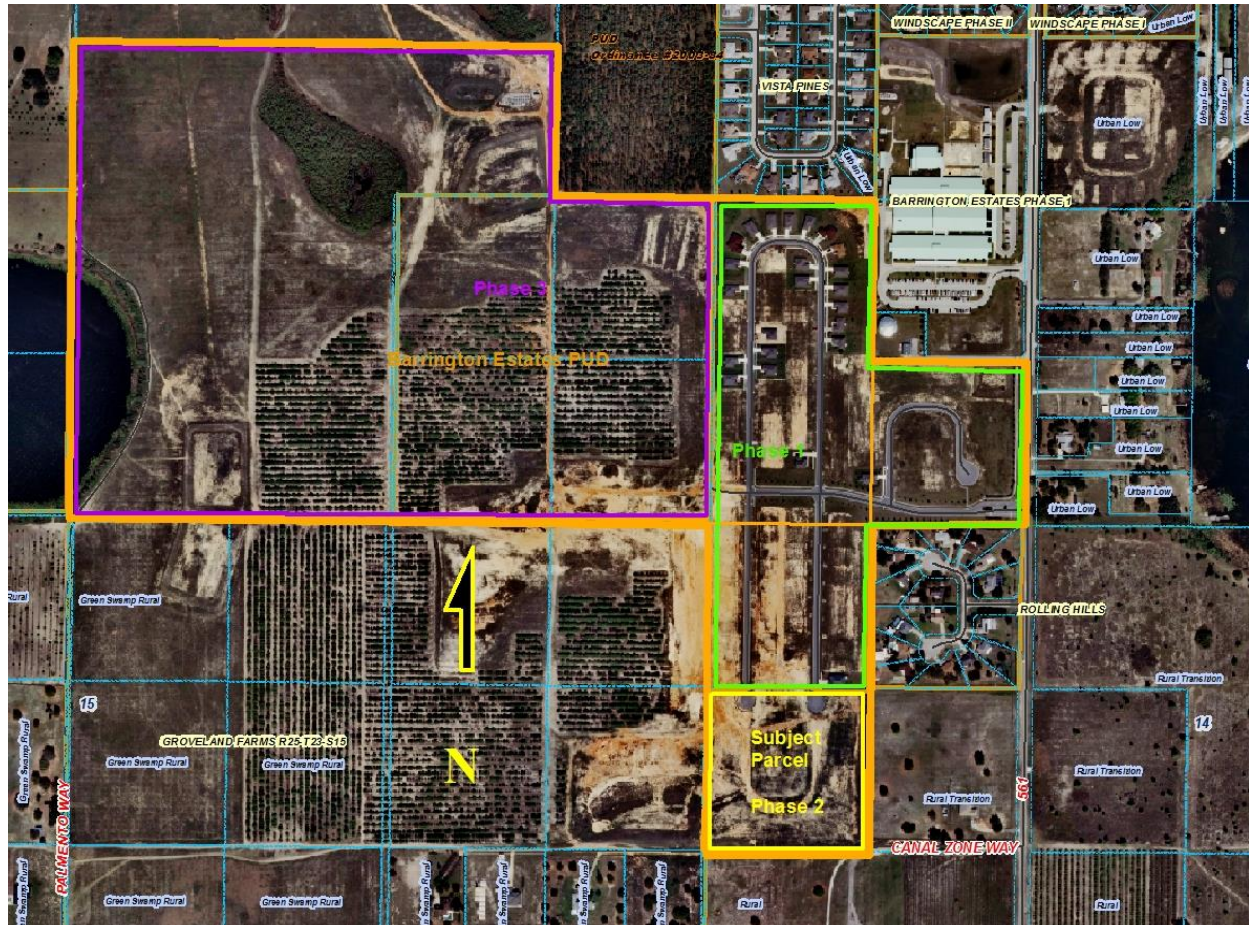
- Summary of Staff Recommendation -

Staff Recommendation: APPROVAL of the request to change 9.92 acres of property from Rural Transition to Urban Low, finding it consistent with the policies of Future Land Use Element specified in the 2030 Comprehensive Plan.

Planning and Zoning Board Recommendation:

- Summary -

Analysis: The purpose of the proposed land use amendment for the 9.92 +/- acre parcel (subject property) is to change the Future Land Use Category (FLUC) from Rural Transition to Urban Low Density to facilitate Phase 2 of the Barrington Estates Planned Unit Development (PUD), approved under Ordinance #2003-84 and amended under Ordinance #2005-91. This change in land use will allow the subject property to proceed with the development of Phase 2 for 30 single family residential units (3 du/net acre), which is the maximum density permitted under Ord. #2005-91 (Barrington Estates PUD).



As shown on the map above, the subject parcel is a portion (Phase 2) of the 148.5 +/- acre Barrington Estates PUD originally approved under Ordinance 2003-84. The PUD was amended by Ordinance #2005-91, pursuant to a Stipulated Settlement Agreement with the State of Florida Land and Water Adjudicatory Commission related to the timing of development within Phase 3 of the PUD, which is located within the Green Swamp Area of Critical State Concern (GSACSC). A copy of both ordinances is provided for reference. The PUD was approved for a maximum of 247 dwelling units (DU) providing significant conditions and requirements were attained. The phases are structured as specified below:

- Phase 1 (green) - 118 DUs on 39.9 acres located in the Urban Low Density FLUC – 4 DU/1 net acre (2030 Plan) formerly known as Urban Expansion FLUC – 4 DU/1 acre (1992 Plan)
- Phase 2 (yellow) – 30 DUs on 9.92 acres located in the Rural Transition FLUC – base density of 1 DU/5 net acres. Under the 2030 Comp Plan, the density may be increased to 1 DU/3 net acres with 35% of net buildable area as open space utilizing PUD zoning or 1 DU/1 net acre with 50% of net buildable area as open space with PUD zoning. The Rural Transition FLUC was formerly known as Suburban FLUC, which had a base density of 1 DU/5 acre. Under the 1992 Plan the density could be increased to 3 DU/1 acre utilizing PUD zoning and meeting timeliness criteria in Policy 1-1A.1. Ordinance #2005-91 (See Attachment #1) stipulates that no development may commence

until it has been determined that the timeliness criteria for residential development in the Suburban FLUC has been met (1992 Comprehensive Plan, Policy 1-1A.1, Timing Residential Development in the Suburban Land Use Category).

With the adoption of the 2030 Comprehensive Plan, the Suburban FLUC was replaced with the Rural Transition FLUC and the timeliness criteria for residential development timing was eliminated, which now limits the maximum density to 1 DU/1 net acre if 50% of the net buildable area is designated as open space.

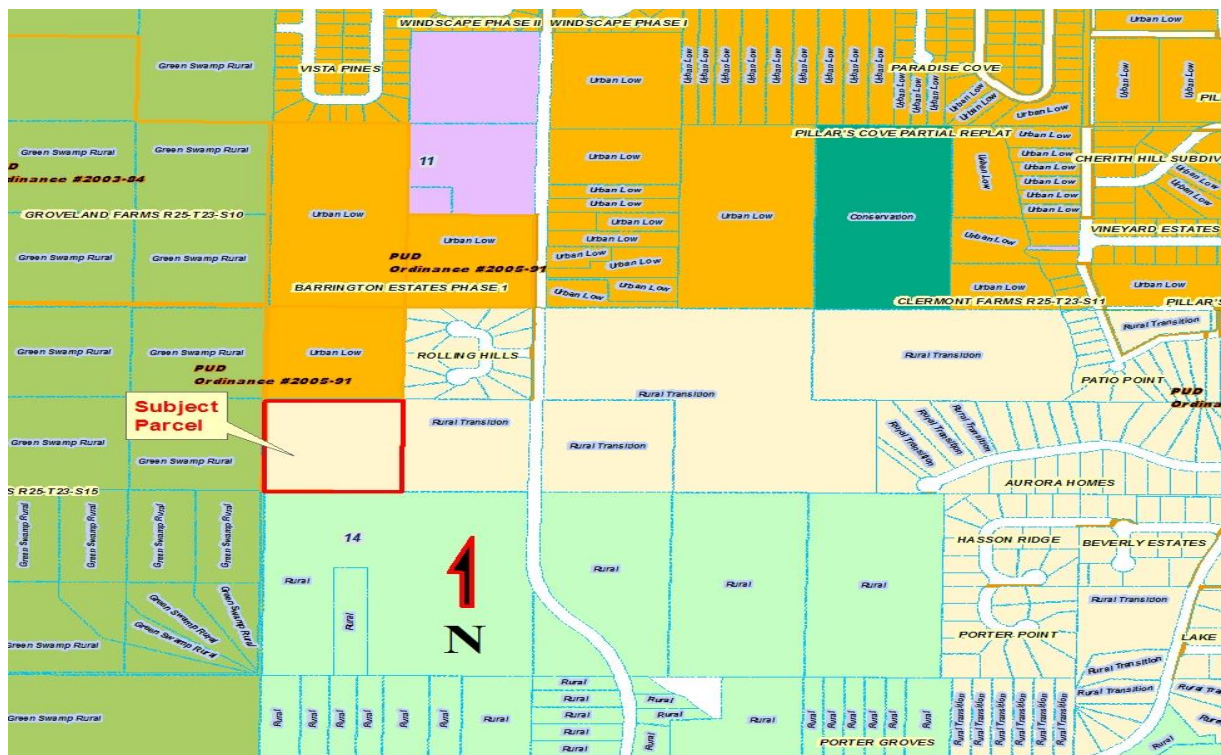
- Phase 3 (purple) – One (1) DU per five (5) acres is the approved density for any property associated with this development in the Green Swamp Rural FLUC (2030 Plan) formerly known as Transitional FLUC (1992 Plan).

As explained above, with the adoption of the 2030 Comprehensive Plan, densities and processes have changed related to Ord#2005-91. If this Small-Scale Map Amendment is approved and adopted, the Barrington Estates PUD will require amending to be consistent with the 2030 Comprehensive Plan.

As shown on the 2030 Future Land Use Map below, the subject property is surrounded by the following land use categories:

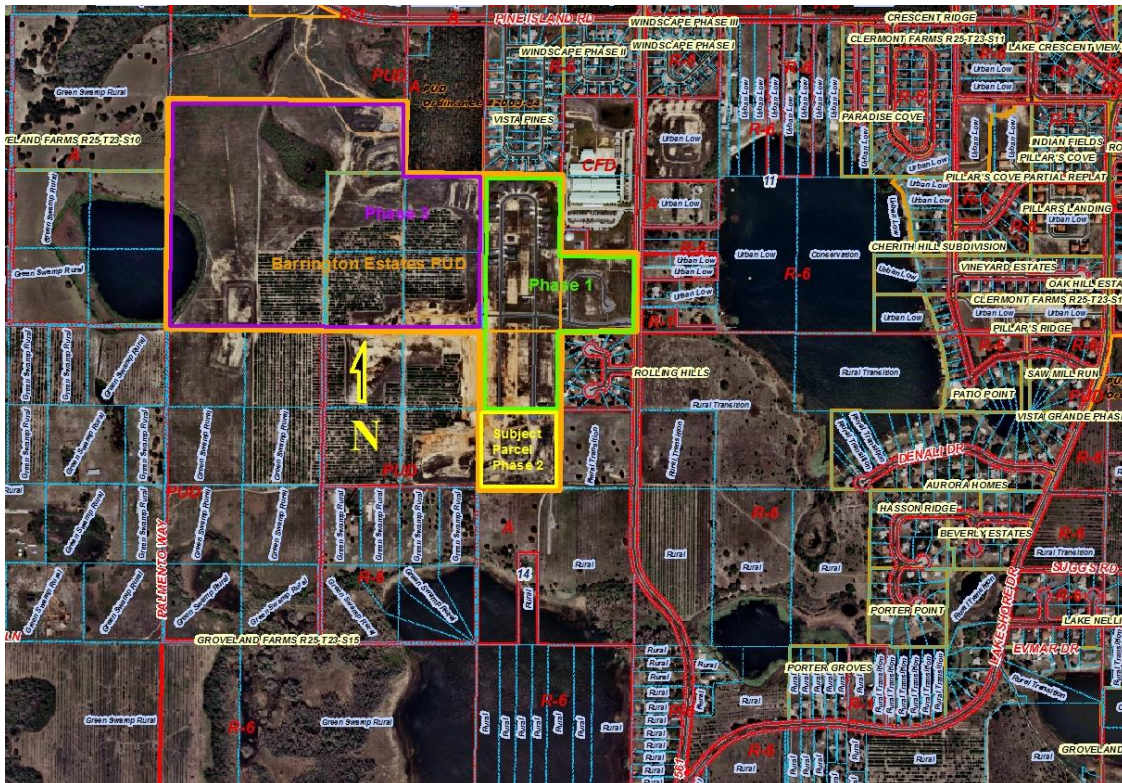
- North – Urban Low Density with a maximum density of 4 du/1 net buildable acre.
- East – Rural Transition with a base density of 1 du/5 net buildable acres but having the potential for a maximum density of 1du/1 net buildable acre by developing as a Rural Conservation Subdivision utilizing a PUD and providing at least 50% of the net buildable area as common open space through the use of a conservation easement.
- South – Rural with a maximum density of 1 du/5 net buildable acres.
- West – Green Swamp Rural with a maximum density of 1 du/ 5 net buildable acres.

The Rolling Hills subdivision to the northeast of the subject parcel was developed at a density of 2 du/acre prior to the adoption and effective date of 2030 Comprehensive Plan, which is more consistent with the Urban Low Density than it is to the Rural Transition FLUC. The land area south of the Rolling Hills Subdivision currently has one (1) single family residential unit. Although Rolling Hills is not consistent with the Rural Transition FLUC, the density is protected by 2030 Comprehensive Plan Policy I-7.1.3, Existing Lot Exception for Density.



Barrington Estates Phase 1 (118 residential lots) was developed at a density of 4 DU/1 acre in 2006/2007 and the final plat was recorded in the Public Records of Lake County, Florida (Plat Book 62 Pages 46 – 49) on September 25, 2007. Phase 1 is being served by central water and connections that are also available for Phase 2. Lake Utility Services, Inc. has provided documentation stating that potable water capacity is available to serve the proposed development addressed in this application. Central sewer service for Phase 1 is provided by an onsite waste water treatment plant (WWTP) that was constructed in 2008. The application indicates the onsite WWTP has sufficient capacity to provide service to the proposed Phase 2 development and connections are available.

The development pattern for the area to the northeast of the subject parcel is consistent with the Urban Low FLUC as most of the developments shown on the map below were developed at a density ranging from 2.5 to 3.5 du/acre.



County Road (CR) 561 is identified as the affected roadway having a Level of Service (LOS) designation of “D”, with a capacity of 792 trips. This segment of CR 561 currently operates at a volume to capacity ratio of 26%. The proposed land use amendment will generate approximately 30 pm peak hour trips of which 20 will impact the peak hour direction, increasing the volume to capacity ratio to 29%. Other services such as fire, police, and solid waste have sufficient capacity to serve the proposed land use change. An Open Space buffer easement is proposed along the southern and eastern sides of the subject property providing a transitional buffer between the proposed Urban Low Density and Rural/Rural Transition FLUC. The subject parcel is ripe for urban development and staff recommends approval of the land use change.

- Standards for Review -

A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed amendment would be consistent with the Comprehensive Plan by directing orderly, compact growth, discouraging urban sprawl, and directing growth and development to urban areas where public facilities and services are present as stated in Policy I-1.1.3, Comprehensive Plan (“Direct Orderly, Compact Growth”). The subject parcel has public facilities and services such as central water and sewer available and by approving this request, will allow the completion of the development linking internal roadways and fire protection. During the development of Phase 1, Lenox Street was terminated at the Phase 2 northern boundary line with a cul-de-sac to provide fire equipment turning radius, anticipating the completion of the southern loop of Lenox Street during the development of Phase 2. This amendment will

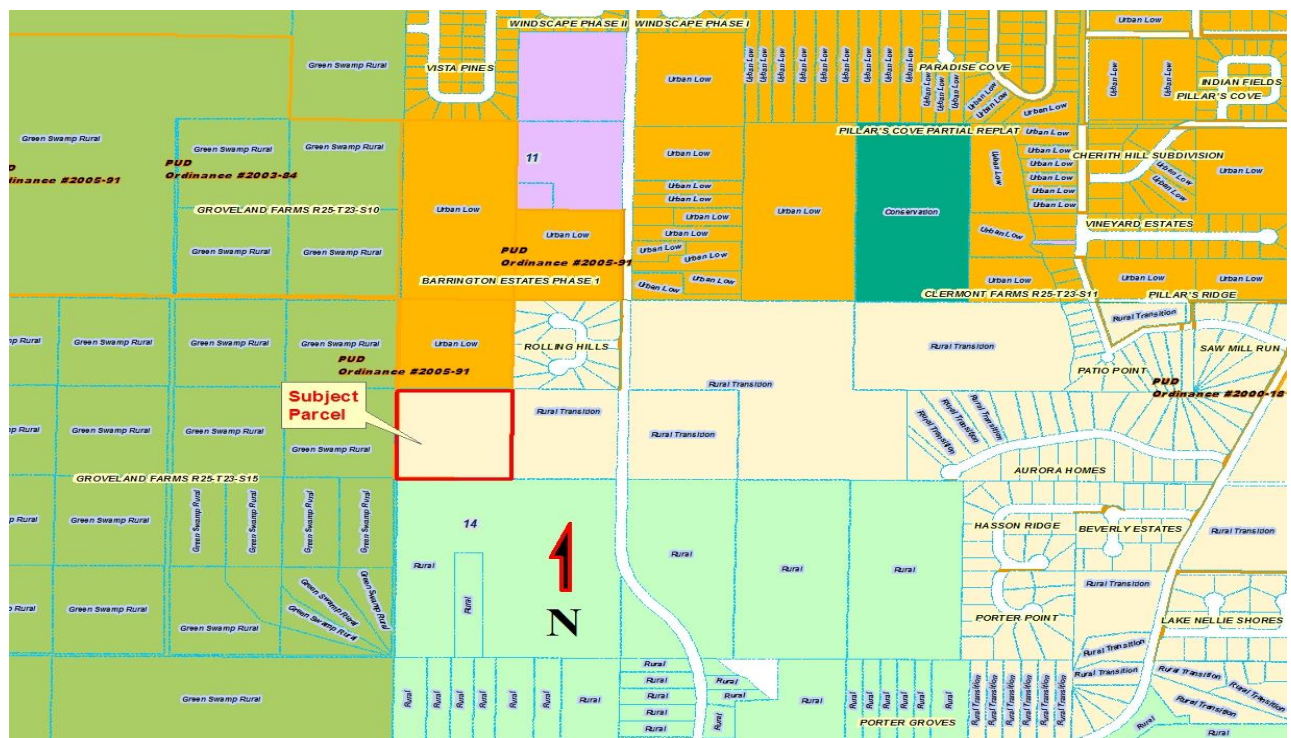
eliminate the two (2) cul-de-sacs and allow the completion of Lenox Street promoting a more orderly and efficient traffic circulation pattern within the PUD. Furthermore, the approval of this request will allow the loop connection for the fire protection water supply, thus providing a more efficient and reliable fire protection system as was anticipated when the PUD was approved.

B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

The proposed amendment would not be in conflict with the Comprehensive Plan by providing a compact and orderly development pattern for the area.

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

The proposed amendment from Rural Transition to Urban Low density FLUC would be consistent with the existing and proposed land uses, as the area to the north and east is developed as single-family residential with urban services such as central water and in some cases sewer, fire protection water supply, and densities ranging from 1 to 3 du/acre consistent with the proposed Urban Low Density FLUC as demonstrated on the map below.



The area to the west of the proposed amendment is located in the Green Swamp Area of Critical State Concern (GSACSC) Rural FLUC and is the boundary for urban development to the west. The area to the south is in the Rural FLUC and with the projected buffers along the southern boundary of the proposed amendment parcel, this will provide mitigation as a transitional area between the urban and rural uses. The Rolling Hills subdivision, located northeast of the subject property, was developed at a density of 2 du/acre, which is more consistent with the Urban Low Density rather than the Rural Transition FLUC, and the property south of the Rolling Hills subdivision currently has one (1) single family residential unit. These two areas on the west side of CR 561 and to the east/northeast of the subject property should be evaluated for a future land use amendment to Urban Low Density some time in the future to eliminate a possible enclave.

D. Whether there have been changed conditions that justify an amendment.

The subject parcel was approved by PUD Ord. #2005-91 as Phase 2 of the Barrington Estates PUD subject to meeting the timing of development criteria for the former Suburban FLUC. On September 22, 2011, the 2030 Comprehensive Plan

and associated Future Land Use Map designation changed from Suburban FLUC to Rural Transition FLUC and the timing for development criteria was eliminated. Due to this change, the subject parcel is no longer afforded the opportunity to move forward with development based on timeliness criteria and thus the Applicant has requested this map change to proceed with the development of Phase 2, since most of the infrastructure is in place, adequate capacity exists on the affected roadways and in the affected schools, and the requested density is consistent with the platted density to the north.

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

Transportation

The roadway segment impacted by this project is CR 561 from Log House Rd/Pine Island Rd to Florida Boys Ranch Rd; the standard LOS for the impacted roadway of CR 561 is "D" with a capacity of 792. This segment of roadway is operating at a volume to capacity ratio (v/c) of twenty six (26) percent. This project will be generating thirty (30) pm peak hour trips, in which twenty (20) trips will impact the peak hour direction increasing the Volume to Capacity Ratio (v/c) to twenty nine (29) percent. Currently there are no County funded improvements scheduled for this roadway segment. Applicant will be required to complete a Tier 1 Traffic Impact Study and address any potential impact mitigation based on that study prior to preliminary plat approval.

Utilities

The Applicant has provided documentation stating that central water and sewer capacity are available for the proposed development.

Solid Waste

Environmental Services has indicated that capacity is available to support the proposed development.

Schools

The School Board of Lake County Florida believes the Small-Scale Future Land Use Map (SSFLUM) change will not have an adverse impact on Lake County Public Schools. The proposed SSFLUM change has the potential to add approximately 30 new single-family dwelling units that will contribute 13 new students to the Lake County School system. Based on current school attendance zones, schools that will not be adversely affected by the proposed SSFLUM change and their projected five-year capacity status are as follows:

- Pine Ridge Elementary School 10% Under Capacity
- Cecil E. Gray Middle School 31% Under Capacity
- South Lake High School 38% Under Capacity

Fire Facilities

The proposed project is provided fire protection by Lake County Fire Rescue (LCFR) Station #109 which is a 24-hour manned station and is located approximately 2.9 miles from the Barrington Estates PUD with an estimated response time of 6 to 10 minutes. In addition, the development is currently served by central water and has fire hydrants throughout, with available capacity to serve the additional units (30) projected for Phase 2.

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

The proposed Phase 2 will be served by central water and sewer, there are no wetlands onsite or adjacent to the proposed project, and having been previously disturbed (cleared), most likely does not host any threatened or endangered species. Accordingly, the amendment is not anticipated to result in a significant impact on the natural environment.

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

There is no indication there will be any adverse effects on the property values in the area.

H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The subject parcel is proposed as Phase 2 of a 3-phase planned unit development. Phase 1 is located in the Urban Low Density FLUC and was developed at a density of 4 du/net acre. Phase 2 is contiguous to the southern boundary of Phase 1 and was planned as an extension of Phase 1 as demonstrated on the overall development plan page of the approved preliminary plat for Phase 1, Barrington Estates. The approval of this amendment will promote an orderly and logical development pattern by allowing the development to remain consistent as planned, eliminating the two (2) long cul-de-sac roads and enabling the completion of the loop of Lenox Street, and facilitating the completed loop for the fire protection water supply.

I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

The amendment is consistent with the interest of the public and these regulations by encouraging a compact and orderly development pattern for the area.

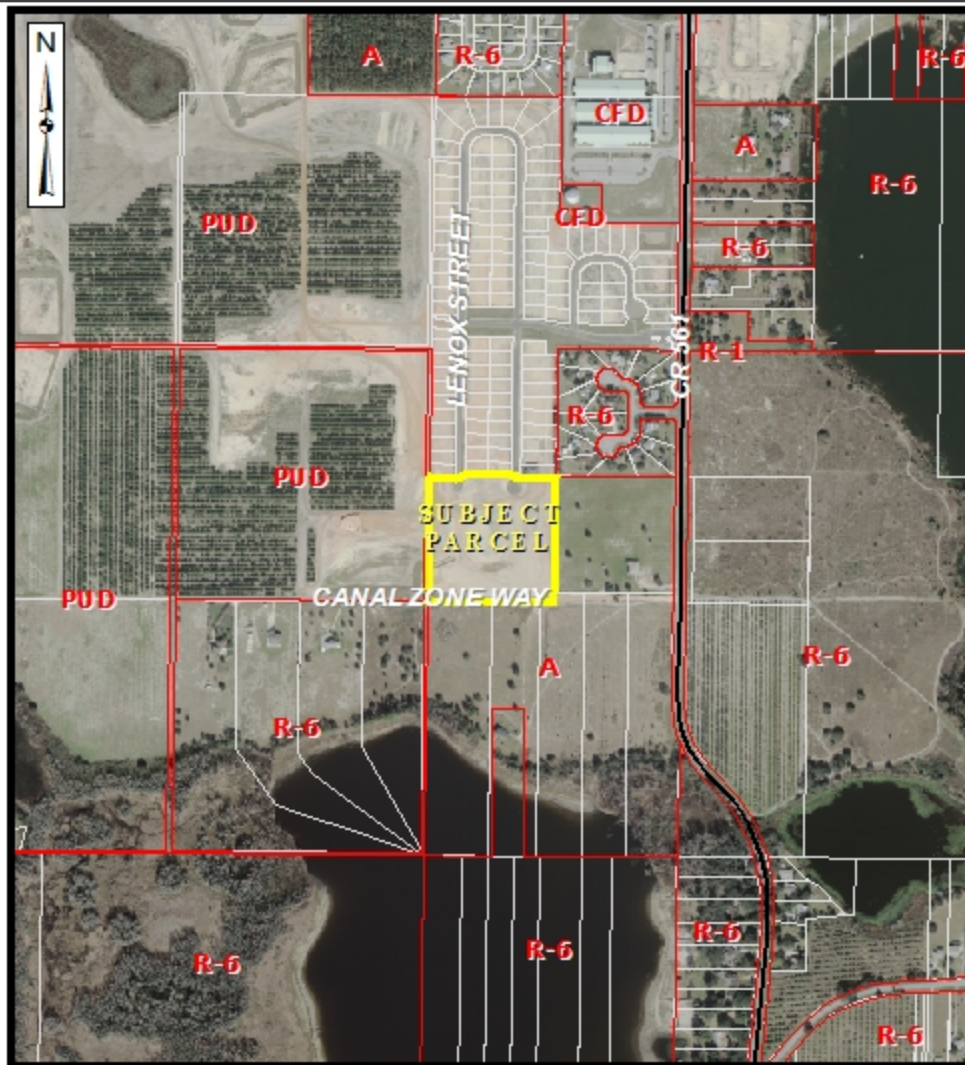
– Conclusions –

The Small-Scale Future Land Use Map amendment recommended above will address the specific needs of the Barrington Estates PUD by allowing the development to complete Phase 2 and the general needs of the other communities in the immediate area by encouraging a compact and orderly development pattern for the area.

– Staff Recommendation –

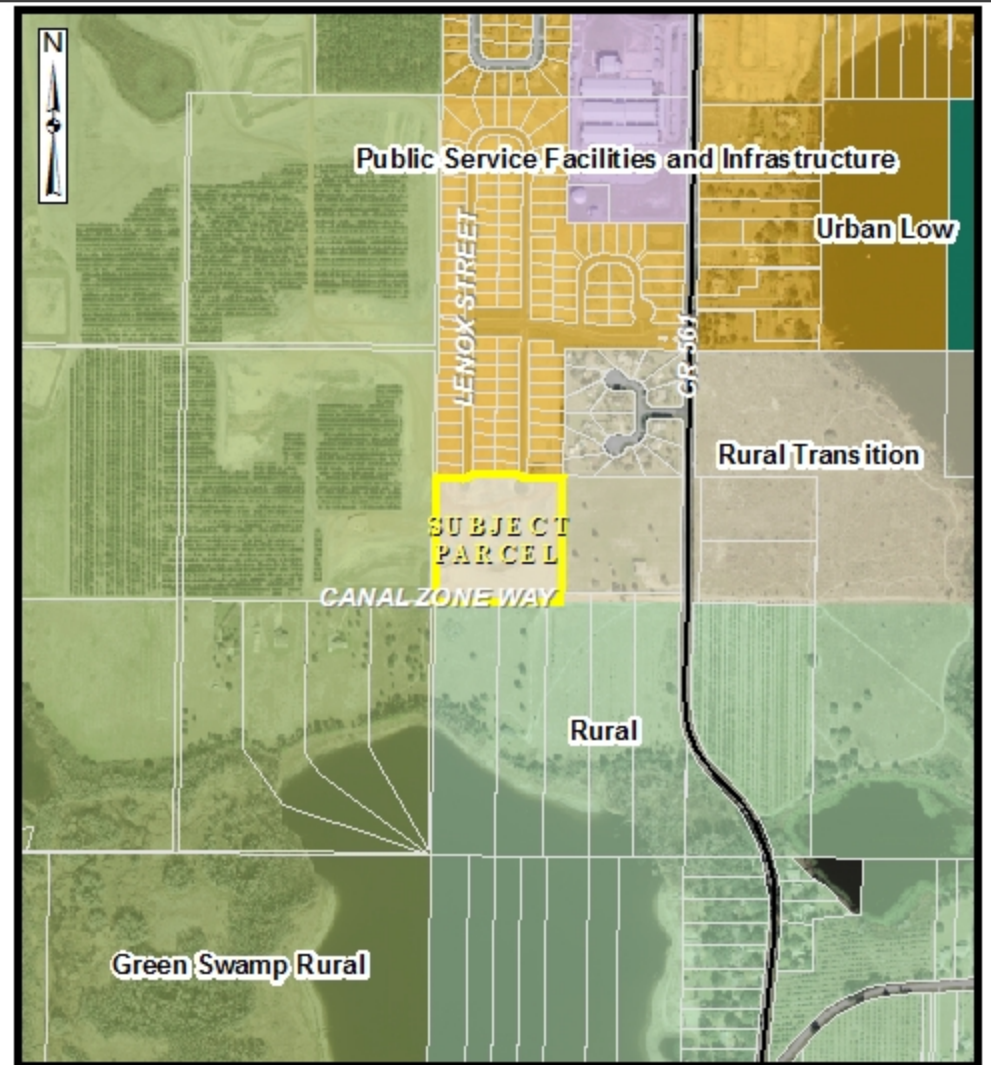
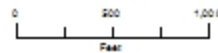
APPROVAL of the proposed Small-Scale Future Land Use Map amendment to change the future land use from Rural Transition to Urban Low (up to 4 dwellings per net acre) which is further limited to 3 DU/Acre, the maximum density permitted under Ord. #2005-91 (Barrington Estates PUD).

Planning & Zoning Board Recommendation:



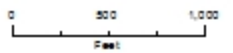
CURRENT ZONING

PLANNED UNIT DEVELOPMENT (PUD)



2030 FUTURE LAND USE

RURAL TRANSITION



**BARRINGTON ESTATES
PHASE 2
SMALL SCALE MAP
AMENDMENT**

CASE NO.
SLPA #13/7/1-1
CASE LOCATION:
14 - 23 S - 25 E

REQUESTING:
Future Land Use (FLU) Map Change from
Rural Transition FLU to Urban Low FLU

- ZONING**
- LAND USE**
- SUBJECT PARCEL**

DATASOURCES:

Lake County GIS Department Planimetrics, 2008 aerial image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

This map product was prepared from a Geographic Information System established by the Lake County Board of County Commissioners. Its employees, agents and personnel, make no warranty as to its accuracy and, in particular its accuracy as to labeling, dimensions, contours, property boundaries, or placement or location of any map features therein. The Lake County Board of County Commissioners, its employees, agents and personnel MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE EXPRESS OR IMPLIED WITH RESPECT TO THIS MAP PRODUCT. Independent verification of all data contained on this map product should be obtained by any user of this map.

MAP COMPOSITION:
JANUARY, 2008



ORDINANCE 2013-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 FUTURE LAND USE MAP; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act is set forth in Chapter 163, Florida Statutes, Part II, Section 163.3161 through 163.3248; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(g), authorizes the Board of County Commissioners of Lake County to "Prepare and enforce comprehensive plans for the development of the county"; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

WHEREAS, on the 23rd day of July, 2010, the State of Florida Department of Community Affairs, now known as the Department of Economic Opportunity published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

WHEREAS, on the 22nd day of September, 2011, the Lake County 2030 Comprehensive Plan Amendment became effective; and

WHEREAS, Section 163.3187, Florida Statutes, sets forth the process for adoption of Small Scale Comprehensive Plan Amendments; and

WHEREAS, the Planning & Zoning Board, in its capacity as the Local Planning Agency, considered this ordinance and recommended _____ at a properly advertised public hearing on the 3rd day of July, 2013; and

WHEREAS, on the 30th day of July 2013, this Ordinance is scheduled to be heard at a public hearing before the Lake County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners considered this ordinance, the recommendations of the Lake County Planning and Zoning Board, and any comments, favorable or unfavorable, from the Public and surrounding property owners at a duly advertised Public Hearing and was _____ at a properly advertised public hearing on the 30th day of July, 2013; and

WHEREAS, it serves the health, safety and general welfare of the residents of Lake County to adopt this amendment to the Lake County Comprehensive Plan Future Land Use Map;

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Comprehensive Plan Small Scale Map Amendment. The 2030 Future Land Use Map is hereby amended to change the Future Land Use Category from Rural Transition to Urban Low Density for the following property: Approximately 9.92 +/- acres south of Clermont – located south of the intersection of County Road 561 & Pine

Island Road in Section 14 – Township 23 South – Range 25 East, Alternate Key #1781817. The land is further described as follows and is shown in Exhibit “A”:

LEGAL DESCRIPTION:

A portion of Section 14, Township 23 South, Range 25 East, Lake County, Florida, being described as follows:

BEGIN at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14; thence run N $00^{\circ}54'43''$ E along the west line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14 a distance of 649.14 feet to a point on the south line of Barrington Estates Phase 1, according to the plat thereof as recorded in Plat Book 62, Pages 46 through 49, Public Records of Lake County, Florida; thence run easterly along the southerly line of said Barrington Estates Phase 1 the following courses and distances; run S $89^{\circ}11'42''$ E a distance of 136.26 feet; thence run N $73^{\circ}38'12''$ E a distance of 52.33 feet; thence run S $89^{\circ}11'42''$ E a distance of 240.00 feet; thence run S $72^{\circ}01'37''$ E a distance of 52.33 feet; thence run S $89^{\circ}11'42''$ E a distance of 184.93 feet to a point on the east line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14; thence run S $00^{\circ}55'45''$ W along the east line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14 a distance of 644.55 feet to a point on the south line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14; thence run N $89^{\circ}35'33''$ W along the south line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14 a distance of 661.02 feet to the Point of Beginning.

Containing 9.92 acres, more or less.

Section 2. Advertisement. This Ordinance was advertised pursuant to Chapter 163, Florida Statutes, Section 163.3184(11).

Section 3. 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 4. Effective Date. This Ordinance shall become effective as provided by Section 163.3187, Florida Statutes.

(Rest of Page Intentionally Blank)

SLPA# 13-7-1-1, Barrington Estates Ph 2 Comprehensive Plan Map Amendment

ENACTED this ____ day of _____, 2013.

FILED with the Secretary of State _____, 2013.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

Leslie Campione, Chairman
This ____ day of _____, 2013.

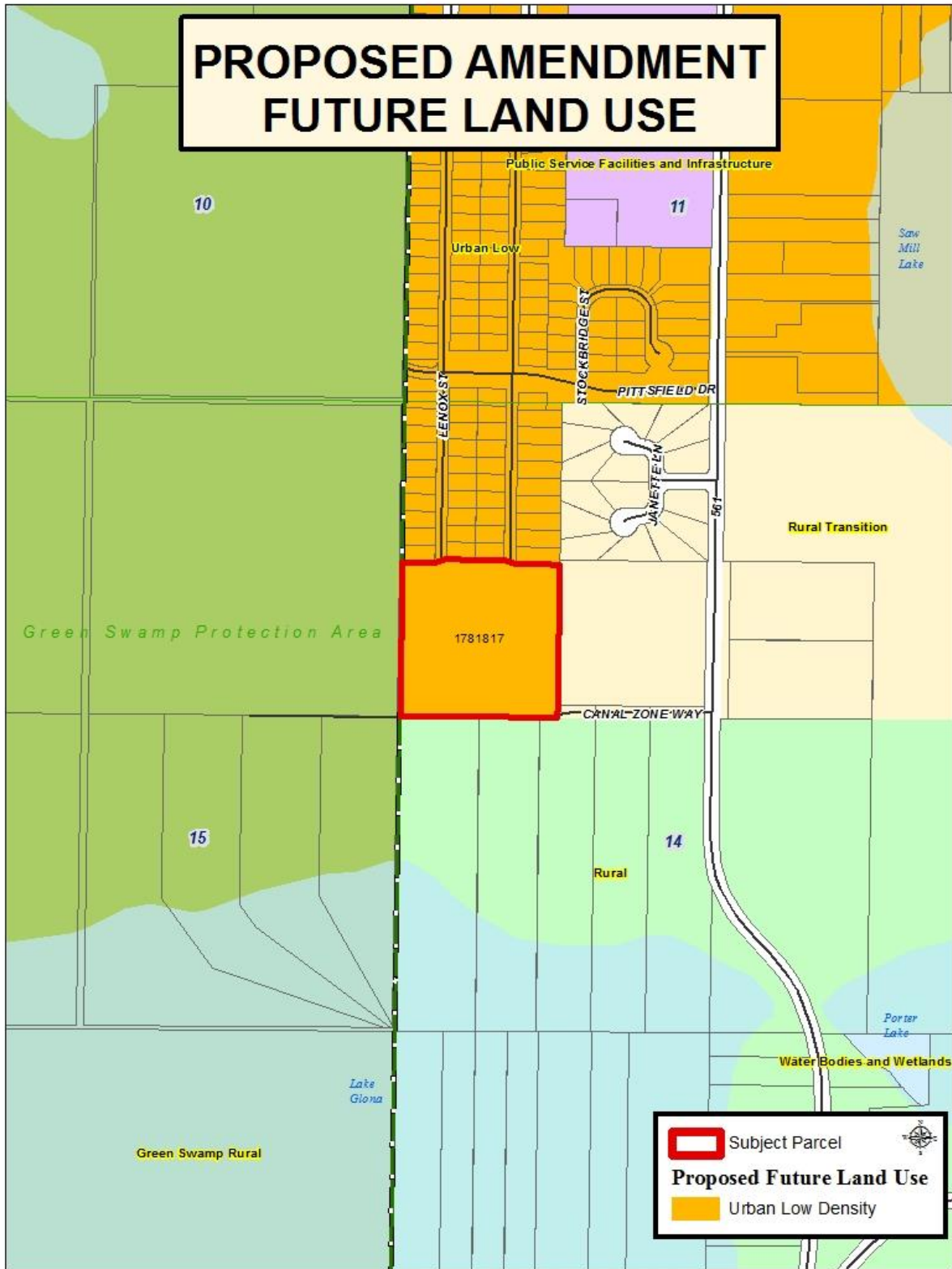
ATTEST:

Neil Kelly, Clerk of the
Board of County Commissioners,
Lake County, Florida

Approved as to form and legality:

Sanford A. Minkoff
County Attorney

Exhibit A





Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Bill Mathias
District 2
Rosanne Brandenburg
District 3
Tod Howard
District 4
Debbie Stivender
District 5
Kyleen Fischer

201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 343-0198 · www.lake.k12.fl.us

June 5, 2013

Mr. Brian Sheahan, Director
Division of Planning and Community Design
Growth Management Department
Lake County
Post Office Box 7800
Tavares, Florida 32778-7800

RE: Lake County Proposed Small-Scale Future Land Use Map Amendment - SLPA#13/7/1-1;
Project #2013010007, Application #2254

Dear Mr. Sheahan:

The County is currently reviewing a proposed small-scale future land use map (SSFLUM) amendment of approximately 9.92 acres from Lake County Rural Transition (1 DU/1 AC) to Lake County Urban Low Density (4 DU/1 AC). (This application was submitted for Barrington Estates Phase 2, proposing 30 single-family residential dwelling units.)

As the School Board of Lake County's authorized representative, I am forwarding the School Board's comments to your attention so they can be included with your planning report. The School Board of Lake County Florida believes the SSFLUM change will not have an adverse impact on Lake County Public Schools. The following School Board comments reflect projected enrollment data from the District's Five-Year Facilities Master Plan, FY 2013-2017, and student generation rates from the Impact Fee Study.

According to Lake County, the proposed SSFLUM change has the potential to add approximately 30 new single-family dwelling units that will contribute 13 new students to the Lake County School system. Based on current school attendance zones, schools that will not be adversely affected by the proposed SSFLUM change and their projected five-year capacity status are as follows:

- **Pine Ridge Elementary School** 10% Under Capacity
- **Cecil E. Gray Middle School** 31% Under Capacity
- **South Lake High School** 38% Under Capacity

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed SSFLUM change on the public schools which currently serve the area under consideration. Should you have any questions or need additional information please contact me at (352)253-6694.

Sincerely,

Dawn McDonald, Senior Planner
Growth Planning Department

Enclosure

LAKE COUNTY PUBLIC SCHOOLS RESIDENTIAL GROWTH IMPACT REPORT

**REVIEWING AUTHORITY
NAME / CASE NUMBER**

**Lake County Planning & Community Design
Lake County Proposed Small-Scale Future Land Use Map Amendment - SLPA#13/7/1-1; Project #2013010007, Application #2254**

ITEM DESCRIPTION

The County is currently reviewing a proposed small-scale future land use map (FLUM) amendment of approximately 9.92 acres from Lake County Rural Transition (1 DU/1 AC) to Lake County Urban Low Density (4 DU/1 AC). (This application was submitted for Barrington Estates Phase 2, proposing 30 single-family residential dwelling units.)

LOCATION

Section 14, Township 23S, Range 25E
Located north of Canal Zone Way, south of Lenox Street, east of the Green Swamp, and west of County Road 561.

**CURRENT LAND USES
PROPOSED LAND USE**

Lake County Rural Transition (1 DU/1 AC)
Lake County Urban Low Density (4 DU/1 AC)

**NEW DU IMPACT
STUDENT GENERATION**

	SF-DU	MF-DU	Mobile	SF Impacts
				30 DU
	0.410	0.254	0.145	13
Elementary School	0.186	0.131	0.065	6
Middle School	0.100	0.057	0.036	3
High School	0.124	0.066	0.044	4

SCHOOLS

Pine Ridge Elementary School
Cecil Gray Middle School
South Lake High School

	Projected Enrollment 2016-2017*	Permanent Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Perm. Capacity w/ Impact	Planned Capacity On Site
Pine Ridge Elementary School	881	986	89%	887	90%	No
Cecil Gray Middle School	985	1,441	68%	988	69%	No
South Lake High School	1,496	2,412	62%	1,500	62%	No

**Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2013-2017*

CSA 15

Elementary
Middle
High

	Student Enrollment 2016-2017*	Permanent Student Capacity*	% of Permanent Capacity
Elementary	881	986	89%
Middle	0	0	0%
High	0	0	0%

**Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2013-2017*

COMMENTS:

According to Lake County, the existing FLUM category would allow a maximum of nine single-family residential dwelling units on the amendment site. The proposed FLUM category would allow a maximum of 39 single-family residential dwelling units on the amendment site. The proposed FLUM amendment results in an increase of 30 single-family residential dwelling units and will generate 13 students, which will not adversely impact Lake County Schools.

School Concurrency became effective in Lake County on June 1, 2008, per Chapter 163, Florida Statutes. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations.

FILED

2003 OCT 15 PM 2:03

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

CFN 2003136942
Bk 02435 Pgs 1226 - 1231; (6pgs)
DATE: 10/22/2003 03:20:50 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 25.00
TRUST FUND 3.50

ORDINANCE #2003-84
Tracking No. #33-03-PUD
PH#16-03-2

Robert Shakar, Presco Associates, Inc.

Barrington Estates

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

WHEREAS, the Lake County Planning and Zoning Commission did on the 3rd day of September, 2003, review petition PH#16-03-2, a request for rezoning from A (Agriculture) and R-6 (Urban Residential District) to PUD (Planned Unit Development) on property generally located in the South Clermont area - From the intersection of Pine Island Road/CR 565B proceed S'ly along CR 561 approximately 1,600 feet to property lying on the West side of the right-of-way. (Sec's 10 & 14 Twp. 23 Rge. 25) (148.5 +/- acres)

*Urban Expansion
Suburban & Transitional
(GIS/ACSC)*

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of September, 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 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 and conditions:

R - Board support



ORDINANCE NO. #2003-84
 (Tracking No. #33-03-PUD) (PH#16-03-2) (Robert Shakar, Presco Associates, Inc.)

1. Terms: This Ordinance shall mean and include the following land uses and supersedes any and all ordinances previous granted for the site legally described herein and attached hereto as "Exhibit -A". The County Manager or designee shall amend the Zoning Map in accordance with this ordinance.

A. Residential

1. There shall be a total of approximately 148.5 acres utilized for a maximum of 247 dwelling units. The residential development shall be constructed in THREE (3) phases.

Phase I – 118 units on the 39.9 acres located in the Urban Expansion (30 +/- acres) and Suburban (>10 acres) Future Land Use Categories as indicated on the September 17, 2003 Conceptual Plan.

Phase II – 30 units in the Suburban Future Land Use Category as indicated on the September 17, 2003 Conceptual Plan. This development phase shall not commence until it has been determined that Policy 1-1A.1 can be proven to be met.

Phase III – 99 units in the Transitional Future Land Use Category as indicated on the September 17, 2003 Conceptual Plan. This development phase shall not commence until it has been determined that Policy 1A-2.1 can be proven to be met.

2. If the Developer and Staff are in disagreement as to the development phases in the Suburban and Transitional Future Land Use Categories meeting timeliness provisions, the issue may be brought to the Board of County Commissioners for final determination.

3. Setbacks:

Setbacks shall be consistent with those of the R-3 zoning district within Phases I & II , as outlined in this ordinance. Setbacks for Phase III shall be consistent with the R-2 zoning district.

All setbacks from wetland areas, as found in the Lake County Land Development Regulations, as amended, shall apply.

ORDINANCE NO. #2003-84
(Tracking No. #33-03-PUD) (PH#16-03-2) (Robert Shakar, Presco Associates, Inc.)

B. Recreational

1. One park (active recreation).
2. Open space shall be allowed to be utilized for passive recreation.
3. Bicycle support facilities.

C. Public Facilities

1. Transportation:
 - a. The developer shall provide turn lane improvements to CR 561 at the intersection with the access drive of the PUD, if warranted.
 - b. The developer shall provide a sidewalk on one side of each internal street with connectivity to the school site on CR 561.
 - c. All internal streets shall be constructed to County standards.
2. Water and Wastewater
 - a. The development shall be served by a central potable water system, with service provided by the certificated utility in which the development lies.
 - b. The development shall be served by a central wastewater treatment system either provided by the utility district provider or provided by an on-site system constructed so as to facilitate connection to the central utility system provider when service becomes available.

D. Agriculture

Existing orange groves on site shall be allowed to continue in planned phases not under development. Operations shall include maintenance and irrigation of the groves.

E. Open Space

The development shall provide for a total of 71 +/- acres of open space. The Suburban and Urban Expansion Future Land Use Categories shall provide a minimum of 10 +/- acres of open space, included in the previously stated 71 +/- acres.

ORDINANCE NO. #2003-84

(Tracking No. #33-03-PUD) (PH#16-03-2) (Robert Shakar, Presco Associates, Inc.)

- F. Future Development Orders: Any requested development order must comply with the Lake County Land Development Regulations, as amended, and Lake County Comprehensive Plan, as amended.
 - G. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations include any future amendments to the Statutes, Code, Plan, and/or Regulations.
 - H. Development Review and Approval: Prior to the issuance of any permits, the developer shall be required to submit formal site plans for review and approval by the Lake County Development Review Staff. The site plans shall meet all submittal requirements and comply with all County Codes and Ordinances.
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, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with Chapter XIV of the Lake County Land Development Regulations, and obtaining approval from the County Manager or designee upon obtaining the permits required from the other appropriate governmental agencies.
 - C. This ordinance 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 this Ordinance 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 this Ordinance, 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 Chapter XIV of the Lake County Land Development Regulations (LDRs), as amended.

ORDINANCE NO. #2003-84
(Tracking No. #33-03-PUD) (PH#16-03-2) (Robert Shakar, Presco Associates, Inc.)

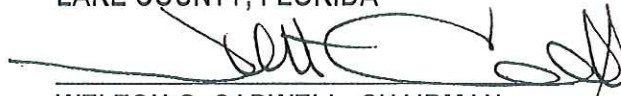
SECTION 3. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 23rd day of September, 2003.

FILED with the Secretary of State October 16, 2003.



EFFECTIVE October 16, 2003.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA



WELTON G. CADWELL, CHAIRMAN

ATTEST:



James C. Watkins, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY:


SANFORD A. MINKOFF, County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2003-84

Tracking No. #33-03-PUD

PH#16-03-2

Robert Skahar, Presco Associates Inc.

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

LEGAL DESCRIPTION: Those uplands that lie in that part of the E 1/2 of SW 1/4 of NE 1/4 lying S and West of SR 565A, in Sec 10 Twp. 23S Rge. 25E, Lake County, Florida; SW 1/4 of NW 1/4 of NW 1/4 of Sec 14 Twp. 23S Rge. 25E and SE 1/4 of SW 1/4 of SW 1/4 of Sec 11 Twp. 23S Rge. 25E, less r/w for public records per Warranty Deed from Samuel Roen and Marcia S. Roen, his wife, to John P. Adams Properties, Inc., a Florida Corporation, recorded in Deed Bk 963 Pg 2146 all of the Public Records of Lake County, Florida. The W 1/2 of SW 1/4 of SW 1/4 of Sec 11 Twp. 23S Rge. 25E and the NW 1/4 of NW 1/4 of NW 1/4 of Sec 14 Twp. 23S Rge. 25E, all lying in Lake County, Florida. Tracts 55, 56, 57 and 58 in Sec 10 Twp. 23S Rge. 25E, in Groveland Farms a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Bk 2 Pgs 10 & 11, public records of Lake County, Florida. The S 1,920 ft of W 1/2 of SE 1/4 of Sec 10 Twp. 23S Rge. 25E and the S 607 ft of SW 1/4 of NE 1/4 of SE 1/4, in Sec 10 Twp. 23S Rge. 25E, Less that portion of all waterbodies and wetlands that lie within the previously described area of Sec 10 Twp. 23S Rge. 25E, all lying in Lake County, Florida.

Barrington Estates

CFN 2005187933
Bk 03020 Pgs 0868 - 874; (7pgs)
DATE: 11/30/2005 08:07:59 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 61.00

ORDINANCE NO. #2005-91
Amended Per Stipulated Settlement Agreement

ORDINANCE #2003-84
Tracking No. #33-03-PUD
PH#16-03-2

Robert Shakar, Presco Associates, Inc.

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

WHEREAS, the Lake County Planning and Zoning Commission did on the 3rd day of September, 2003, review petition PH#16-03-2, a request for rezoning from A (Agriculture) and R-6 (Urban Residential District) to PUD (Planned Unit Development) on property generally located in the South Clermont area – From the intersection of Pine Island Road/CR 565B proceed S'ly along CR 561 approximately 1,600 feet to property lying on the West side of the right-of-way. (Sec's 10/11/14 Twp. 23 Rge. 25) (148.5 +/-acres)

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of September, 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 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 and conditions:

E. Board Support

1. Terms: This Ordinance shall mean and include the following land uses and supersedes any and all ordinances previous granted for the site legally described herein and attached hereto as "Exhibit -A". The County Manager or designee shall amend the Zoning Map in accordance with this ordinance.

A. Residential

1. There shall be a total of approximately 148.5 acres utilized for a maximum of 247 dwelling units provided that development within the Transitional Future Land Use Category is found to pass all provisions of Policy 1A-2.1 of the Lake County Comprehensive Plan. The residential development shall be constructed in THREE (3) phases.

Phase I – 118 units on the 39.9 acres located in the Urban Expansion (30 +/- acres) and Suburban (>10 acres) Future Land Use Categories as indicated on the September 17, 2003 Conceptual Plan.

Phase II – 30 units in the Suburban Future Land Use Category as indicated on the September 17, 2003 Conceptual Plan. This development phase shall not commence until it has been determined that Policy 1-1A.1 can be proven to be met.

~~Phase III – 99 units in the Transitional Future Land Use Category as indicated on the September 17, 2003 Conceptual Plan. This development phase shall not commence until it has been determined that Policy 1A-2.1 can be proven to be met.~~

Phase III – Pursuant to the State of Florida Land and Water Adjudicatory Commission Stipulated Settlement Agreement, Phase III or that portion of the development within the Green Swamp Area of Critical State Concern Transitional Future Land Use shall be allowed a density of one dwelling unit per five acres (1 du / 5 ac).

2. ~~If the Developer and Staff are in disagreement as to the development phases in the Suburban and Transitional Future Land Use Categories meeting timeliness provisions, the issue may be brought to the Board of County Commissioners for final determination.~~

The density in Phase III may only be increased, to a maximum of 99 residential units, upon meeting the Timeliness provisions of Lake County Comprehensive Plan for development within the Transitional Future Land Use Category of the Green Swamp Areas of Critical State Concern (Policy 1A-2.1). Once the provisions for Timing of Development within the Transitional Future Land Use have been satisfied, the determination that Policy 1A-2.1 has been met shall be rendered to the Florida Department of Community Affairs for their review consistent with the requirements of

Section 380.07, Florida Statutes. The increase in density shall not become effective until the Department of Community Affairs has rendered no objection to the finding of the Timeliness Analysis or their review time pursuant to Section 380.07, Florida Statutes has elapsed.

3. Setbacks:

Setbacks shall be consistent with those of the R-3 zoning district within Phases I & II, as outlined in this ordinance. Setbacks for Phase III shall be consistent with the R-2 zoning district.

All setbacks from wetland areas, as found in the Lake County Land Development Regulations, as amended, shall apply.

No development shall occur within the 100-year floodplain.

B. Recreational

1. One park (active recreation).
2. Open space shall be allowed to be utilized for passive recreation.
3. Bicycle support facilities.

C. Public Facilities

1. Transportation:

- a. The developer shall provide turn lane improvements to CR 561 at the intersection with the access drive of the PUD, if warranted.
- b. The developer shall provide a sidewalk on one side of each internal street with connectivity to the school site on CR 561.
- c. All internal streets shall be constructed to County standards.

2. Water and Wastewater

- a. The development shall be served by a central potable water system, with service provided by the certificated utility in which the development lies.
- b. The development shall be served by a central wastewater treatment system either provided by the utility district provider or provided by an on-site system constructed so as to facilitate connection to the central utility system provider when service becomes available.

D. Agriculture

Existing orange groves on site shall be allowed to continue in planned phases not under development. Operations shall include maintenance and irrigation of the groves.

E. Open Space

The development shall provide for a total of 71 +/- acres of open space. The Suburban and Urban Expansion Future Land Use Categories shall provide a minimum of 10 +/- acres of open space, included in the previously stated 71 +/- acres. A minimum of 60% of the total development acreage within Phase III or that portion of the development within the Transitional Future Land Use shall be provided as open space. The conceptual plan shows 99 acres of the development within the Transitional Future Land Use, therefore a minimum of 60 acres shall be provided within that area of the development.

F. Environmental

Transmittal of any future ordinance approving or amending Phase III shall include a wildlife survey and management plan.

The shall be no encroachment in to or alteration of the 100 year floodplain.

F. G. Future Development Orders: Any requested development order must comply with the Lake County Land Development Regulations, as amended, and Lake County Comprehensive Plan, as amended.

Any and all future development orders relating to Phase III shall require a habitat and species survey to be rendered to the Department of Community Affairs along with the approved development plans.

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

H. I. Development Review and Approval: Prior to the issuance of any permits, the developer shall be required to submit formal site plans for review and approval by the Lake County Development Review Staff. The site plans shall meet all submittal requirements and comply with all County Codes and Ordinances.

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, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with Chapter XIV of the Lake County Land Development Regulations, and obtaining approval from the County Manager or designee upon obtaining the permits required from the other appropriate governmental agencies.
- C. This ordinance 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 this Ordinance 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 this Ordinance, 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 Chapter XIV of the Lake County Land Development Regulations (LDRs), as amended.

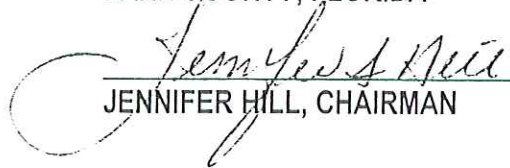
SECTION 3. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 25th day of October, 2005.

FILED with the Secretary of State November 21, 2005.

EFFECTIVE November 21, 2005.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


JENNIFER HILL, CHAIRMAN

ATTEST:


James C. Watkins, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY:

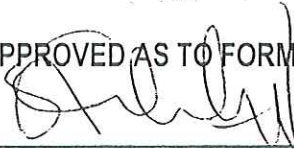

Sanford A. Minkoff
County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2005-91
AMENDED Per Stipulated Settlement Agreement
ORDINANCE NO.#2003-84
Tracking No. #33-03-PUD
PH#16-03-2
Robert Shakar, Presco Associates, Inc.

LEGAL DESCRIPTION: Those uplands that lie in that part of the E 1/2 of SW 1/4 of NE 1/4 lying S and West of SR 565A, in Sec 10 Twp. 23S Rge. 25E, Lake County, Florida; SW 1/4 of NW 1/4 of NW 1/4 of Sec 14 Twp. 23S Rge. 25E and SE 1/4 of SW 1/4 of SW 1/4 of Sec 11 Twp. 23S Rge. 25E, less r/w for public records per Warranty Deed from Samuel Roen and Marcia S. Roen, his wife, to John P. Adams Properties, Inc., a Florida Corporation, recorded in Deed Bk 963 Pg 2146 all of the Public Records of Lake County, Florida. The W 1/2 of SW 1/4 of SW 1/4 of Sec 11 Twp. 23S Rge. 25E and the NW 1/4 of NW 1/4 of NW 1/4 of Sec 14 Twp. 23S Rge. 25E, all lying in Lake County, Florida. Tracts 55, 56, 57 and 58 in Sec 10 Twp. 23S Rge. 25E, in Groveland Farms a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Bk 2 Pgs 10 & 11, public records of Lake County, Florida. The S 1,920 ft of W 1/2 of SE 1/4 of Sec 10 Twp. 23S Rge. 25E and the S 607 ft of SW 1/4 of NE 1/4 of SE 1/4, in Sec 10 Twp. 23S Rge. 25E, Less that portion of all waterbodies and wetlands that lie within the previously described area of Sec 10 Twp. 23S Rge. 25E, all lying in Lake County, Florida.