

LAKE COUNTY PLANNING AND COMMUNITY DESIGN PETITION TO REZONE PROPERTY

PLANNING and ZONING BOARD
July 10, 2014



BOARD OF COUNTY COMMISSIONERS
July 22, 2014

PH #5-14-2 Bella Collina PUD Amendment	Case Manager: Steve K. Greene, AICP Chief Planner	Agenda Item #1
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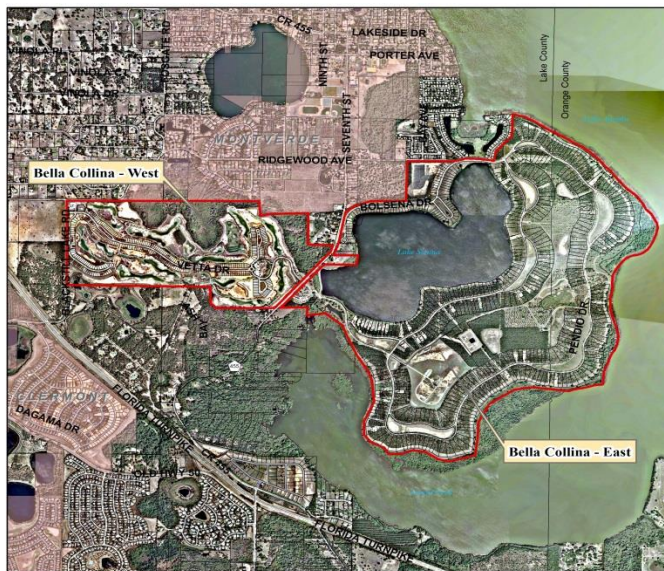
Owner(s): DCS R.E. Inv. LLC/ DCS Cap. Inv. LLC/Bella Collina POA/Pine Island CDD, (the "Owner")

Applicant(s): Miranda Fitzgerald, Esq. (the "Applicant")

Requested Action: Rezone 5 acres of Light Industrial (LM) land to PUD zoning, revoke PUD Ord. #82-90 and Ord. #2001-109 by creating one PUD ordinance consistent with the new Bella Collina Future Land Use Category for the existing residential use, recreational amenities, to include the addition of a 100-unit lodge.

- Site Location & Information -

Approximate site location outlined in Red



Site Visit: May 16, 2014
Sign Posted: June 20, 2014 (4)

Size	Approx. 1,920 acres	
Location	Between Montverde & Clermont, east and west of CR 455, northwest of Blackstill Lake Rd and the Florida Turnpike	
Alternate Key #	3250630 and 1591996 (others)	
Future Land Use/Density	Rural Transition (current), 1 du/5 ac (base); Proposed Bella Collina FLUC (1 du/ 2.2 ac.)	
	Existing	Proposed
Zoning District	PUD/LM	PUD
Density	1 du/ 2.4 ac.	1 du/ 2.2 ac.
Floor Area Ratio (FAR)	1.0	500,000 SF
Impervious Surface Ratio (ISR)	.70 (max)	.60 (max.)
Joint Planning Area	N/A (Montverde area)	
Utilities	Pine Island CDD	
Road Classification	CR 455 (rural collector)	
Flood Zone/ FIRM Panel	Zone A & X / 0580E & 0585E	
Commissioner District	2 - Parks	

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural Transition (RT)	Montverde	Residential dwellings	
South	RT	CFD	YWAM (former Woodlands Lutheran Church Camp)	
East	Orange County	N/A	Water body	Lake Apopka
West	RT	Agriculture	Residential dwellings	

-Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **Approval** of the PUD amendment application to revoke PUD Ord. #82-90 and Ord. #2001-109, rezone property from LM, add 100-unit lodge and neighborhood commercial uses by creating one PUD ordinance consistent with the new Bella Collina Future Land Use Category.

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The existing Bella Collina PUD comprises approximately 1,915 acres that is bisected by CR 455, south of Montverde and north of the Florida Turnpike. The area east of CR 455, approximately 1,485 acres, is commonly referred to as Bella Collina East and is currently governed by PUD Ordinance 2001-109 (Attachment-1). It was approved for 500 dwellings, clubhouse, and other recreational amenities. The land area west of CR 455 is referred as Bella Collina West and comprises approximately 401 acres and is currently governed by PUD Ordinance 92-90 (Attachment-2). It was approved for 368 dwelling units and active recreation, including an 18-hole golf course. In total, Bella Collina is approved for 868 dwelling units.

In 2010, the County designated the property as Rural Transition (RT) Future Land Use. This created a non-conforming situation with the residential density allowed by the PUD. The RT density allows one (1) dwelling unit per five (5) net acres, whereas 801 lots have been platted within the entire 1,915 acre PUD. Four hundred eighty-three (483) lots have been platted within Bella Collina East and 318 within Bella Collina West. This leaves a balance of 67 lots remaining to be platted. The platting of these remaining lots would continue the non-conforming density situation. However, the Applicant desires the opportunity to develop the remaining lots with additional uses that are not permissible under the current RT Future Land Use and the current PUD ordinances.

The Applicant submitted a comprehensive plan amendment to create a new future land use category in order to resolve this situation pursuant to Comprehensive Plan Policy I-7-13.4 regarding Alternative Future Land Use Designations. This policy allows for new future land use designations that are appropriate for the location, provided that the proposed land use does not exceed the density, intensity or use that was publicly advertised. In the case of the new Bella Collina Future Land Use, the proposed Comprehensive Plan (Comp Plan) amendment was advertised after evaluating an appropriate density and intensity between Urban Low and the Urban Medium density and intensity standards.

On April 22, 2014 the Board of County Commissioners (BCC) unanimously approved Bella Collina Future Land Use Category (Attachment 3) for transmittal to the Florida Department of Economic Opportunity (DEO). On May 30, 2014, the DEO issued a letter to Lake County stating that it had no comments to the proposed amendment. The proposed amendment will return to the BCC for adoption consideration on July 22, 2014.

To accommodate the proposed Bella Collina Future Land Use Category and to facilitate the desired development, the Applicant proposes a new Planned Unit Development (PUD) zoning district that would revoke the two existing PUD ordinances and create a new ordinance for the entire property. Additionally, this PUD rezoning request seeks to incorporate limited commercial uses and add five (5) acres of Light Industrial (LM) zoned property. The additional 5 acres will accommodate the proposed 100-unit lodge and is situated on the east side of CR 455, north of Vetta Drive; it was also included in the proposed Bella Collina Future Land Use Category.

The new ordinance will recognize the existing uses, specify the new use of a 100-unit Lodge, remove old development order conditions and replace them with new conditions consistent of with the Land Development Regulations (LDR) and Comprehensive Plan. Existing uses, approved by site plan and building permits and allowed by PUD Ordinance 92-90 and 2001-109, are listed below:

Residential Clubhouse,
Banquet hall,
Pool and gym,
Tennis courts (6)
18-hole golf course, with comfort stations,
Turf care facility,
Water and wastewater facility, and
Irrigation pump house.

The rezoning application proposes to continue the uses listed above with the addition of a 100-unit lodge and commercial activities that are directly associated with the structures listed above. The effectiveness of the proposed rezoning, if approved, is contingent upon the effectiveness of the Bella Collina Future Land Use Category.

- Analysis -
LDR Section 14.03.03

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

The proposed rezoning to establish a new PUD zoning for Bella Collina and the former Light Industrial zoned properties and to revoke the two existing ordinances is not in conflict with the LDR provisions for a new PUD zoning district. The proposed PUD zoning does not conflict with the LDR provisions for a planned unit development. The proposed rezoning application meets the minimum acreage requirements specified by LDR Section 4.03.04(C)(1). The proposed PUD meets the criteria for a planned residential community in that it proposes compatible commercial, as neighborhood commercial uses, compatible with and complementary to the residential community per LDR 4.02.02.

The proposed rezoning district seeks to establish open space consistent with LDR 4.03.04.C. The proposed PUD ordinance intends to carry forward the natural resource protection provisions from PUD Ordinances 92-90 and 2001-109. Additionally, the proposed PUD contains provisions for the use of commercial design standards for the lodge and commercial uses.

B. Whether the proposed rezoning is consistent with all elements of the 2030 Lake County Comprehensive Plan;

Although the former Rural Transition Future Land Use (FLUC) created non-conformity with the residential density of the existing Bella Collina PUDs, the recent transmittal approval of the Bella Collina Future Land Use Category addresses that matter. This PUD rezoning seeks to establish a new zoning district consistent with Bella Collina Future Land Use Category. The proposed PUD ordinance will limit the amount of residential density to 868 dwellings and establish open space provisions similar to the Comprehensive Plan (Comp Plan) Urban Low (UL) Future Land Use Category. Additionally, the proposed PUD zoning seeks to establish development intensity and bulk standards consistent with the Bella Collina Future Land Use Category; impervious area .60, FAR not to exceed 500,000, and building height consistent with Comp Plan Policy I-1.2.3

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

The proposed rezoning and density is consistent with the recently transmitted Bella Collina Future Land Use Category and seeks to continue the existing development program specified above.

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

The Applicant submitted a comprehensive plan amendment to create a new future land use category in order to resolve the non-conforming residential density situation created by the 2011 adoption of the Rural Transition (RT) Future Land Use by submitting a Comp Plan amendment pursuant to Policy I-7-13.4, which allows the establishment of an alternative future land use designations. As previously stated above, the recently adopted Comp Plan designated the property as RT Future Land Use, which created a situation of non-conforming residential density allowed by the PUD. The RT density allows one (1) dwelling unit per five (5) net acres, whereas 801 lots have been platted within the entire 1,920-acre PUD. Four hundred eighty-three (483) lots have been platted within Bella Collina East and 318 within Bella Collina West. The development of the remaining 67 lots would continue the non-conforming density situation.

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;

Transportation – Road improvements will be necessary to accommodate the additional uses being proposed. A driveway for the Lodge entrance may be allowed off of CR 455. This entrance will require turn lanes constructed to meet the latest County design standards.

Fifty (50) foot dedication from the centerline of CR 455 (50 feet minus the existing clear right-of-way from the centerline of the roadway) may be required to match the previous dedication and requirements. Further analysis will be performed with the plan submittal survey during site plan/preliminary plat review.

Schools - Lake County Public Schools has determined that school capacity is available and will be reserved for the Lodge at Bella Collina, in the event there is long-term occupancy by school aged residents. The reservation will be valid for one (1) year from issuance of the determination. If the site plan is completed within that time frame, the reservation of capacity will be valid for the life of the project.

Solid Waste – Solid waste capacity is available to address the impacts caused by the PUD rezoning amendment.

Fire - Lake County Fire Rescue Station (LCFR Station #90) located two (2) miles from the site will provide first-responder services to the property. The Station is an advanced life support station and is staffed with a full-time paramedic. The second-responder station, Station #83, is located three (3) miles from the site and is also an advanced life support station, staffed with a full-time paramedic.

Utilities – Pine Island CDD provides central water and a wastewater system. The Florida Department of Environmental Protection regulates the system and has indicated that there is sufficient capacity to the system for the proposed amendment.

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

As the property is served by Pine Island CDD the proposed PUD rezoning is consistent with the Comprehensive Plan Policy I-7.12.3. The proposed PUD ordinance contains conditions to protect the Lake Apopka Basin and use of Best Management Practices for turf maintenance. Additionally, any new development will require the submittal and acceptance of an environmental assessment and historical survey.

Additionally, the City of Monteverde desired the Applicant to implement a turf fertilizer management plan for golf course treatments. This effort is proposed to limit any adverse impacts of fertilizers and pesticides into surface water and groundwater resources.

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

The application did not contain any information regarding the effect on property values in the area. However, the PUD proposed development conditions will result in a quality development that will positively affect the area.

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

The proposed rezoning will continue the existing orderly and logical development pattern that currently exists in this area. A residential subdivision is situated to the north within the City of Montverde.

The former Woodland Lutheran Church Camp is located to the south, along with low density residential use. Undeveloped land areas exist to the west of the PUD, across Black Still Road.

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

Rezoning the property remains in harmony with the general intent of the LDR and Comp Plan.

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.

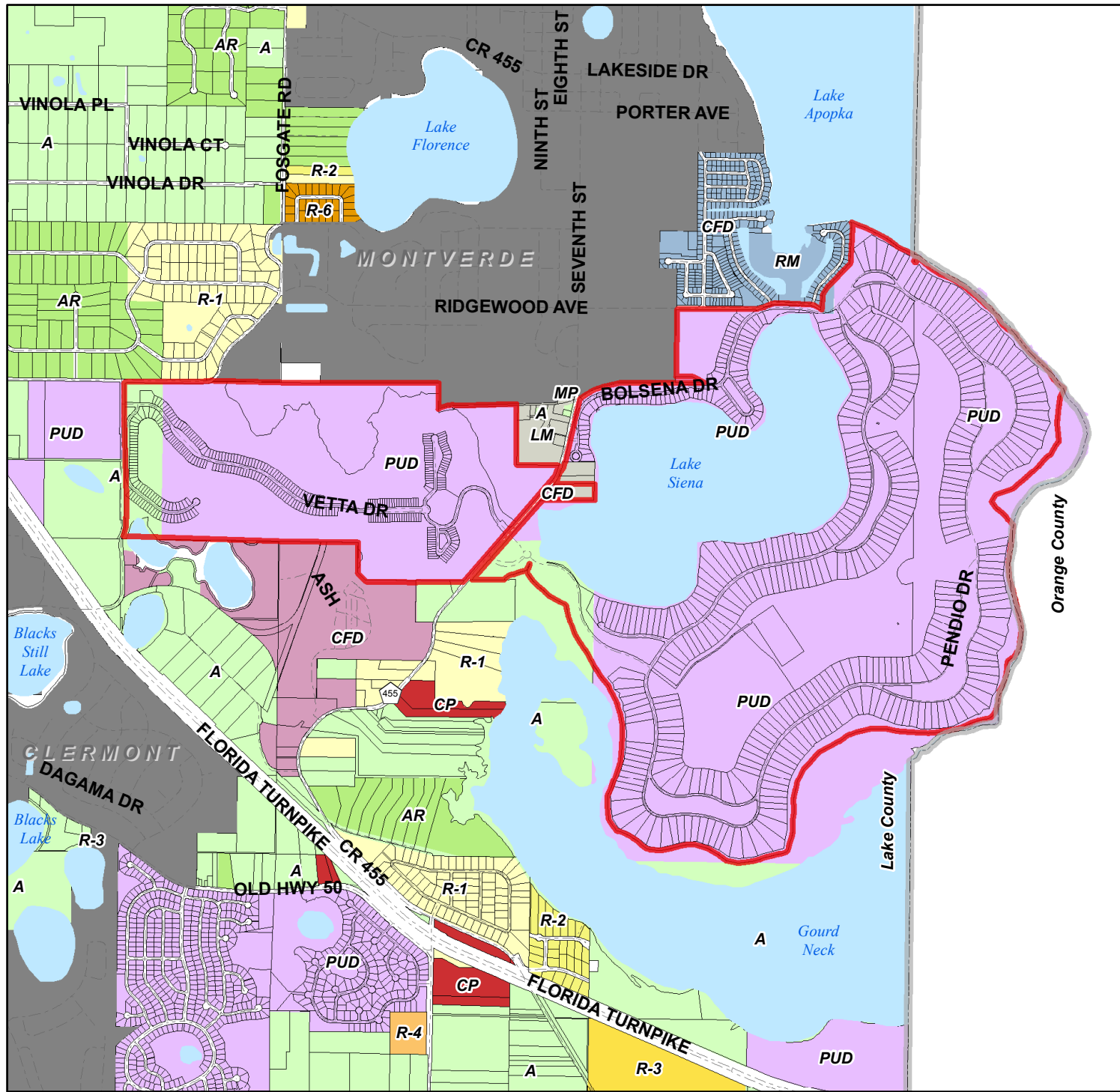
Not applicable.

FINDINGS OF FACT: Staff has reviewed the application for this rezoning request and found:

1. The PUD rezoning is consistent with Comp Plan Policy I-1.2.2 to establish development intensity and bulk standards consistent with the Bella Collina Future Land Use; impervious area .60, and FAR not to exceed 500,000.
2. The PUD rezoning is consistent with Comp Plan Policy I-1.2.3 regarding building height.
3. The proposed rezoning application is consistent with LDR Section 4.03.01 04(C) (1) for the purpose and intent of a PUD.
4. The proposed rezoning application is consistent with LDR Section 4.03.02., regarding commercial use compatible with and complementary to the residential community.
5. The application is consistent with LDR Section 4.03.04(C) (1) regarding the provision for a minimum of 25% open space within residential PUDs.

Based on these findings of fact, staff recommends **Approval** of this PUD rezoning request, with conditions specified in a new PUD ordinance and revocation of PUD Ord. #82-90 and Ord. #2001-109.

WRITTEN COMMENTS FILED: Support: -0- Concern: -0- Oppose: -0-



Zoning

Legend

 A	 R-6	 C-2
 AR	 R-7	 CP
 RA	 RP	 LM
 R-1	 RMRP	 HM
 R-2	 RM	 MP
 R-3	 RV	 CFD
 R-4	 C-1	 PUD



Future Land Use

Legend

 Public Service Facility and Infrastructure
 Rural
 Rural Transition
 Urban Low Density

ORDINANCE NO. #2014-xx
BELLA COLLINA PLANNED UNIT DEVELOPMENT (PUD)
PH #5-14-2

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

WHEREAS, Miranda Fitzgerald (the "Applicant") has submitted a rezoning application on behalf of DCS Real Estate Investments, LLC, DCS Capital Investments, LLC, Bella Collina Property Owners Association, and Pine Island Community Development District (the "Property Owners") to amend the existing Planned Unit Development (PUD) zoning district by revoking PUD Ordinance 82-90 PUD and Ordinance #2001-109 to create a new PUD zoning district for the property for residential, recreation, and lodge/hotel uses; and

WHEREAS, the subject property consists of 1,920.73 +/- acres and is generally located in the Montverde area, east and west of CR 455, northwest of Blackstill Lake Rd and the Florida Turnpike, in Sections 1, 10, 11, 12, 13, 14, and 24/ Township 22 South / Range 26 East, Alternate Key 3250630 and Alternate Key 1591996, among others, and more particularly described below:

LEGAL DESCRIPTION:
(EXHIBIT "A" – ATTACHED)

WHEREAS, the subject property is located within the Bella Collina Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map; and

WHEREAS, the Lake County Zoning Board reviewed Petition PH #5-14-2 on the 10th day of July, 2014, after giving Notice on 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 22nd day of July, 2014, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County 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 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 Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they pertain to the above subject property subject to the following terms:

1
2
3 **Section 1. Terms:**

4 The County Manager or designee shall amend the Lake County Zoning Map in accordance with this
5 Ordinance. The uses of the property shall be limited to the uses specified in this Ordinance and generally
6 consistent with the "Conceptual Plan" attached hereto as Exhibit "B". To the extent where there are conflicts
7 between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence. The adoption of
8 this Ordinance shall revoke and replace PUD Ordinance #1990-82 and PUD Ordinance #2001-109.
9

10 **A. Land Uses:**

11
12 **1. Residential Development/Density (total site area):**

13 868 single-family dwelling units (maximum).
14

15 **2. Lodge/Hotel and Non-Residential Development (total site area):**

16 500,000 square feet (maximum), comprising uses listed below.

- 17 a. 100-unit lodge/hotel may be used for rental or permanent residential use.
18 b. Recreation uses, to include:
19 I. Clubhouse (2);
20 II. Community Pool;
21 III. Gym;
22 IV. Health Spa;
23 V. Tennis courts and other outdoor recreational courts;
24 VI. Docks, boathouses (non-dwelling) – only one (1) dock or boathouse shall be permitted per
25 any two (2) adjacent lots;
26 VII. Golf Course (18 holes);
27 VIII. Banquet Hall;
28 c. Commercial activities that are directly associated with the structures listed above.
29 d. Accessory uses directly associated with the above uses may be approved by the County
30 Manager or designee. Any other use of the site not specified above shall require approval of an
31 amendment to this Ordinance and the Comprehensive Plan by the Board of County
32 Commissioners
33

34 **3. Western Development Area (west of CR 455)**

35 318 single-family residential dwellings (maximum)

36 18-hole golf course, clubhouse

37 Banquet Hall

38 Health Spa

39 Community Pool

40 Tennis Courts

41 Water Treatment Plant

42
43 Setbacks (Buildings) – as measured from the property line:

44 Front – 25 feet

45 Side and rear yard – 5 feet

1 Secondary front – 15 feet
 2

3 **4. Eastern Development Area (east of CR 455)**

- 4 550 single-family residential dwellings (maximum)
 5 100-unit Lodge/Hotel, not to exceed 75 feet in height
 6 Water Treatment Plant
 7 Wastewater Treatment Facility
 8 Commercial activities consistent with Section A.2.c of this Ordinance.
 9

10 Residential Use Lot Size

<u>Village</u>	<u>Units (See Note 1)</u>	<u>Lot size (min.) acre</u>	<u>Lot width (min.) feet</u>
Village 1	Up to 157 (See Note 2)	.50	100
Village 2A	Up to 119 (See Note 2)	.50	100
Village 2B	Up to 53 (See Note 2)	1.0	100
Village 2C	17	1.0	100
Village 3	77	.75	100
Village 4A	69	.25	75
Village 4B	16	.25	75
Village 5	up to 42 (See Note 2)	.25	50
TOTAL	550 (maximum)		

11 Note 1: Total number of lots in Bella Collina East shall not exceed 550 lots.

12 Note 2: Lots may be transferred from Villages 1, 2A, or 2B to Village 5, but the maximum number
 13 of lots allowed in Village 5 shall not exceed 42. Monitoring report of final lot location shall
 14 be provided at the time of the Preliminary Plat application process.
 15
 16
 17

Residential Building Setbacks (feet):

<u>Village</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>	<u>Secondary Front</u>
Village 1	25	10	25	15
Village 2A	25	10	25	15
Village 2B	25	10	25	15
Village 2C	25	10	25	15
Village 3	25	10	25	15
Village 4A	25	7.5	15	15
Village 4B	25	7.5	15	15
Village 5	25	7.5	15	15

- 1 Non-Residential and Lodge/Hotel Setbacks (feet):
- 2 Front (CR 455 frontage) – 25 feet
- 3 Front (internal to PUD) – 10 feet
- 4 Side (internal to PUD) – 5 feet
- 5 Side (to PUD boundary) – 20 feet
- 6 Rear (internal to PUD) – 10 feet

- 7
- 8 Limited Commercial Bulk Standards:
- 9 One (1) acre (maximum)

10
11 **B. Specific Conditions:**

- 12 1. Any future development non-residential, lodge/hotel or dock use shall require a site plan
- 13 application for review and approval prior to commencement of the development and use. The
- 14 Town of Montverde shall be provided a copy of any future development application.
- 15 2. Noise: A noise study will not be required for the development of Neighborhood Commercial and
- 16 Lodge/Hotel use. Public Address Systems or similar amplification devices shall not be installed or
- 17 used.

18
19 **C. Impervious Surface Ratio (ISR)/Floor Area Ratio (FAR)/Building Height/Setbacks**
20 **(Not specifically stated elsewhere in this Ordinance)**

- 21 1. Residential Building Setbacks (standard):
- 22 a. Along rights-of-way – 25 feet from property line for all lots;
- 23 b. Residential minimum building line width of 50 feet, minimum side and rear yard setbacks shall
- 24 be 5 feet;
- 25 c. Secondary front – 15 feet;
- 26 2. ISR – 0.60 (maximum), collectively
- 27 3. FAR - 500,000 square feet (maximum),
- 28 4. Height – Residential, 50 feet and Non-residential 75 feet.

29
30 **D. Public School Concurrency:**

31 Lake County Public Schools has determined that school capacity is available and will be reserved for
32 the Lodge at Bella Collina, to accommodate possible long-term occupancy by school aged residents.
33 The reservation will be valid for one (1) year from issuance of the determination. If the site plan is
34 completed within that time frame, the reservation of capacity will be valid for the life of the project.

35
36 **E. Utilities:**

- 37 1. Solid Waste – The Developer or Property Owner shall demonstrate that all access-ways are
- 38 designed to accommodate solid waste collection vehicles to Lake County standards, as amended.
- 39 Private solid waste collection may be provided with approval by the County Manager or designee.
- 40
- 41 2. Water/Wastewater/Re-Use Facilities –
- 42 a. Water/Wastewater: Shall be provided by the Pine Island CDD to the Bella Collina PUD utilizing
- 43 existing water and wastewater facilities. Operation of the existing and future expansion of
- 44 these facilities, including limitation on water use and effluent disposal shall be permitted in

1 accordance with Florida Department of Environmental Protection (FDEP), and SJRWMD.
2 Central potable water and wastewater service system shall be utilized. Septic systems or
3 individual potable water wells shall not be permitted.
4

- 5 b. Re-Use: Should wastewater effluent of unrestricted public access quality be made available in
6 quantity sufficient for golf course irrigation at the boundary of the golf area, the use of reuse
7 water for irrigation of the golf areas shall be mandatory, in accordance with St. Johns River
8 Water Management District (SJRWMD) consumptive use permit. This does not preclude the
9 use of other non-potable water sources provided the use is properly permitted in accordance
10 with SJRWMD.
11

12 3. Drainage/Stormwater Management/Floodplain/Surface Water Protection:
13

- 14 a. Stormwater management shall be in accordance with the St. Johns River Water Management
15 District (SJRWMD) permitting requirements and the LDR, as amended.
16
17 b. Stormwater management facilities will be designed to minimize impacts to existing surface
18 waters.
19

20 **F. Fire Protection and Rescue Services:**

21 All Development shall comply with the State Fire Code, Florida Fire Prevention Code, National Fire
22 Protection Standards, the Orange County/Lake County Mutual Aid Agreement, and the Land
23 Development Regulations, as amended.
24

25 **G. Transportation Improvements/Access Management:**
26

- 27 1. Any future development shall require access and design management in accordance with the LDR,
28 as amended.
29
30 2. The Applicant shall construct a left turn lane into the lodge/hotel site for southbound CR 455 traffic.
31 Construction of the turn lane shall be completed prior to commencement of operations of the
32 lodge/hotel.
33
34 3. Multiple points of access shall be designed into the road network to facilitate access by fire/safety
35 and public and private service vehicles.
36

37 **H. Signage:**
38

- 39 1. All signage shall be in accordance with the LDR, as amended.
40
41 2. Signage and entry features may be allowed within County dedicated right-of-way subject to a Lake
42 County right-of-way utilization permit.
43

I. Open Space/Environmental/Historical Considerations:

1. An archaeological survey will be conducted prior to the development of parcels identified by Alternate Key #3250630 and Alternate Key #151996 in accordance with the provisions of the Florida Department of State, Division of Historic and Natural Resources. Development of these parcels will be conducted in accordance with those provisions.
2. Turf Fertilizer Management: The following best management practices shall be implemented regarding fertilizer usage within the development.
 - a. No fertilizer containing nitrogen and/or phosphorus shall be applied to turf and/or landscape plants during the period from July 1 through August 31 of any year.
 - b. No phosphorus fertilizer shall be applied to turf and/or landscape plants within the PUD at application rates which exceed 0.25 lbs. P2P5/1,000 square feet (S.F.) per application nor exceed 0.50 lbs. P2O5/1,000 S.F. per year.
 - c. Fertilizer applied to turf and/or landscape plants within the development shall contain no less than 50 percent slow-release nitrogen per guaranteed analysis label.
 - d. Fertilizers should be applied to turf and/or landscape plants at the lowest rate necessary. No more than four pounds of nitrogen per 1,000 S.F. shall be applied to any turf/landscape area in any calendar year.
 - e. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable. Fertilizer released on an impervious surface must be immediately contained and both properly and legally applied to turf or other landscape area, or returned to the original or other appropriate container. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or other water bodies.
 - f. A fifty (50) foot natural buffer shall be established upland of wetlands and between any development. This buffer shall be classified as a "no-build zone." The "no-build" fifty (50) foot upland natural buffer and associated conservation areas and littoral zone shall be maintained in native vegetation. No pesticides or fertilizers shall be used in the no-build zone.
 - g. Spreader deflector shields are required when fertilizing via broadcast spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer free zones and surface waters and wetlands.
 - h. All applicators, including institutional applicators of fertilizer, other than private homeowners on their own property, shall abide by and successfully complete an appropriate Florida Department of Agriculture and Consumer Services (FDACS), F.S. Ch. 482 certification course, providing training and continuing education requirements in minimizing nitrogen leaching and phosphorus runoff from fertilizer applications.
 - i. Noncommercial applicators not otherwise required to be certified are required to follow the recommendations of the University of Florida's Institute of Food and Agricultural Sciences

- 1 (IFAS) Florida Yards and Neighborhoods program and the regulations pertaining to fertilizers
2 contained therein. In the case of conflicting information between the IFAS guidelines and the
3 Fertilizer Management conditions in this Ordinance, the Ordinance shall govern.
- 4 j. All commercial and institutional applicators applying fertilizer to turf and/or landscape plants,
5 including but not limited to residential lawns, golf courses, institutional properties, commercial
6 properties, multifamily and condominium properties must upon request from a County official
7 produce a valid certificate of proof of FDACS F.S. Chapter 482 certification.
- 8 k. A golf course ground water monitoring report for the golf course shall be submitted annually to
9 ensure consistency with the natural resource protection provisions of the LDR, as amended. A
10 Golf Course Water Management Plan shall be submitted with any modification of the golf
11 course design
- 12
- 13 3. An environmental assessment shall be provided prior to new development to address all flora and
14 fauna species and associated habitat on this site. The assessment shall be submitted for review at
15 the time construction plans are submitted.
- 16
- 17 4. Tree and soil protection areas. Areas designated for tree and soil protection that are located
18 outside of the dedicated open space shall be identified. These areas shall include the critical root
19 zone and greatest extent of the drip line for the trees included in the area to be protected. The
20 method of protection shall be indicated on the plan, including fencing or other protection methods.
21 Tree protection and mitigation shall be in accordance with the Land Development Regulations, as
22 amended.
- 23
- 24 5. Open Space – Collectively, a minimum of twenty-five percent (25%) of the land area shall be
25 devoted to the provision of open space consistent with the definitions specified in the
26 Comprehensive Plan.
- 27
- 28 6. Wetlands:
- 29 a. Development shall adhere to the wetland setbacks specified in the Comprehensive Plan and Land
30 Development Regulations.
- 31 b. All wetlands within the property shall be placed into a conservation easement that shall run in
32 favor of, and be enforceable by, a homeowners' association, a public agency acceptable to
33 Lake County, or Lake County, at its option. The conservation easement shall require that all
34 wetlands and wetland buffers be maintained in their natural and unaltered state. Any such
35 easement shall allow access to water dependent structures such as docks and walkways.
- 36 c. Wetlands shall not be included as part of any platted lot, other than a lot platted as common
37 area, which shall be dedicated to a homeowners' association, qualified agency or Lake County
38 for ownership and maintenance.
- 39 d. Upland buffers adjacent to wetlands shall be included within the conservation easement. Such
40 easement will specifically allow water dependent structures serving the adjacent upland uses.

41

1 7. Lakes:

- 2 a. Development shall be consistent with the Comprehensive Plan and Land Development
3 Regulations, as amended, regarding natural resource protection of the Lake Apopka Basin.
4 b. Docks and boathouses: Only one (1) dock or boathouse shall be permitted per any two
5 adjacent lots.
6

7 **J. Landscaping and Buffering:**

- 8
9 1. A landscape plan shall be submitted for review and approval with the site development application
10 and prior to the installation of any trees along any publicly dedicated right-of-way.
11
12 2. Installation of trees in the area between the sidewalk and street shall be in accordance with the
13 LDR, as amended.
14
15 3. Parking lot landscaping and other landscape and buffering not previously specified shall be in
16 accordance with the Land Development Regulations, as amended.
17

18 **K. Development Review and Approval:**

19 Prior to the issuance of any permits, the Applicant shall be required to submit a preliminary plat or site
20 plan application generally consistent with EXHIBIT "B" – CONCEPTUAL PLAN, for review and
21 approval in accordance with the Comprehensive Plan and the Land Development Regulations, as
22 amended.
23

24 **L. Concurrency Management Requirements:**

25 A capacity reservation certificate shall be required before any final development order authorizing
26 construction is issued. The Applicant or Developer shall comply with the Land Development
27 Regulations as amended.
28

29 **M. Future Amendments to Statutes, Code, Plans, and/or Regulations:**

30
31 The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
32 Comprehensive Plan, and Lake County Land Development Regulation shall include any future amendments to
33 the Statutes, Code, Plan, and/or Regulations.

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

- 35
36 **A.** After establishment of the facilities as provided herein, the aforementioned property shall only be used
37 for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by
38 the Board of County Commissioners.
39
40 **B.** No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move,
41 convert, or demolish any building structure, or alter the land in any manner within the boundaries of the

1 above described land without first submitting the necessary plans in accordance with requirements of
2 Lake County, and obtaining the permits required from the other appropriate governmental agencies.
3

4 **C.** This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land and
5 the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any
6 successor, and shall be subject to each and every condition herein set out.
7

8 **D.** Construction and operation of the proposed use shall at all times comply with the regulations of Lake
9 County and any other permitting agencies.
10

11 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance shall include
12 in the transfer or lease agreement, a provision that the purchaser or lessee receives written or record
13 notice of the conditions pertaining to the PUD and that such notices shall run with title to the land. The
14 purchaser or lesser may request a change from the existing plans and conditions by following
15 procedures contained in the Lake County Land Development Regulations, as amended.
16

17 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement
18 Special Master shall have authority to enforce the terms and conditions set forth in this Ordinance.
19

20 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to
21 be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
22 the validity of the remaining portions of this Ordinance.
23

24 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to
25 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section
26 125.66, Florida Statutes.

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

ENACTED this _____ day of _____, 2014.

FILED with the Secretary of State _____, 2014.

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

JIMMY CONNER, 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

EXHIBIT - A
LEGAL DESCRIPTION

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BELLA COLLINA EAST. A PORTION OF BELLA COLLINA AS RECORDED IN PLAT BOOK 51, PAGES 31-49, A PORTION OF BELLA COLLINA EAST AS RECORDED IN PLAT BOOK 53, PAGES 95-98, ALL OF BELLA COLLINA NORTH ENTRANCE AS RECORDED IN PLAT BOOK 53, PAGE 31, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND A PORTION OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST LYING IN SECTIONS 1, 11, 12, 13, 14 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AND A PORTION OF SECTIONS 7 AND 18, TOWNSHIP 22 SOUTH, RANGE 27 EASTLAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF SOUTH LINE OF NORTH HALF (N1/2) OF NORTHWEST QUARTER (NW1/4) OF NORTHEAST QUARTER (NE 1/4) WITH WEST LINE OF NORTHEAST QUARTER (NE 1/4) OF NORTHEAST QUARTER (NE 1/4) OF AFORESAID SECTION 14-22-26; THENCE SOUTH 89°27'21" WEST, A DISTANCE OF 706.79 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 455; THENCE NORTH 41°15'24" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,527.98 FEET; THENCE NORTH 41°46'07" EAST, A DISTANCE OF 246.53 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 89°51'49" EAST, A DISTANCE OF 880.36 FEET; THENCE NORTH 01°20'39" EAST, A DISTANCE OF 270.95 FEET; THENCE SOUTH 89°51'49" WEST, A DISTANCE OF 661.08 FEET TO A POINT ON AFORESAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 764.20 FEET A CENTRAL ANGLE OF 22°58'23" AND A CHORD DISTANCE OF 304.36 FEET WHICH BEARS NORTH 25°09'15" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 306.41 FEET; THENCE NORTH 13°40'04" EAST, A DISTANCE OF 114.01 FEET; THENCE NORTH 89°56'32" EAST, A DISTANCE OF 4.85 FEET; THENCE NORTH 13°40'04" EAST, A DISTANCE OF 184.73 FEET; THENCE NORTH 12°44'49" EAST, A DISTANCE OF 901.32 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 979.00 FEET A CENTRAL ANGLE OF 02°09'02" AND A CHORD DISTANCE OF 36.74 FEET WHICH BEARS NORTH 57°52'18" EAST; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 36.75 FEET; THENCE NORTH 56°47'47" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 918.50 FEET, A CENTRAL ANGLE OF 20°18'00" AND A CHORD DISTANCE 323.73 FEET WHICH BEARS NORTH 66°56'47" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 325.43 FEET; THENCE NORTH 77°05'47" EAST, A DISTANCE OF 249.70 FEET; THENCE NORTH 89°34'25" EAST, A DISTANCE OF 1,433.32 FEET; THENCE NORTH 62°52'10" WEST, A DISTANCE OF 210.15 FEET; THENCE NORTH 89°51'10" WEST, A DISTANCE OF 281.00 FEET; THENCE NORTH 00°50'16" EAST, A DISTANCE OF 1,146.61 FEET; THENCE SOUTH 89°38'56" EAST, A DISTANCE OF 1,340.99 FEET; THENCE NORTH 01°14'28" EAST, A DISTANCE OF 5.55 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 314.34 FEET A CENTRAL ANGLE OF 22°45'09" AND A CHORD DISTANCE OF 124.01 FEET WHICH BEARS NORTH 77°38'39" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 124.83 FEET; THENCE NORTH 23°43'54" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 66°16'06" EAST, A DISTANCE OF 42.77 FEET TO A POINT OF CURVATURE

1 OF A NON TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1,204.47 FEET A
2 CENTRAL ANGLE OF 03°18'06" AND A CHORD DISTANCE OF 69.40 FEET WHICH BEARS NORTH
3 68°44'46" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 69.40
4 FEET; THENCE NORTH 70°23'49" EAST, A DISTANCE OF 6.53 FEET TO A POINT OF CURVATURE
5 OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 271.31 FEET, A CENTRAL ANGLE OF
6 10°10'38" AND A CHORD DISTANCE 48.13 FEET WHICH BEARS NORTH 75°29'08" EAST; THENCE
7 EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 48.19 FEET TO A POINT OF A
8 COMPOUND CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 217.59 FEET, A CENTRAL
9 ANGLE OF 12°33'44" AND CHORD DISTANCE OF 47.61 FEET WHICH BEARS NORTH 86°51'19"
10 EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.71 FEET;
11 THENCE NORTH 03°08'11" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 86°51'49" EAST, A
12 DISTANCE OF 48.00 FEET; THENCE SOUTH 86°56'51" EAST, A DISTANCE OF 1.58 FEET; THENCE
13 NORTH 01°29'23" EAST, A DISTANCE OF 5.01 FEET; THENCE SOUTH 87°04'56" EAST, A DISTANCE
14 OF 535.48 FEET; THENCE SOUTH 76°46'51" EAST, A DISTANCE OF 50.05 FEET; THENCE SOUTH
15 65°10'08" EAST, A DISTANCE OF 56.55 FEET; THENCE SOUTH 57°59'33" EAST, A DISTANCE OF
16 50.83 FEET; THENCE SOUTH 55°08'02" EAST, A DISTANCE OF 37.17 FEET; THENCE NORTH
17 05°51'46" EAST, A DISTANCE OF 254.96 FEET; THENCE NORTH 32°48'36" EAST, A DISTANCE OF
18 126.37 FEET; THENCE NORTH 43°29'37" EAST, A DISTANCE OF 572.75 FEET; THENCE NORTH
19 02°54'58" EAST, A DISTANCE OF 683.35 FEET TO THE TO A POINT ON THE NORMAL HIGH WATER
20 LINE OF LAKE APOPKA HEREIN AFTER REFERRED TO AS POINT "A"; THENCE RUN ALONG SAID
21 NORMAL HIGH WATER LINE SOUTHERLY; THENCE WESTERLY; THENCE NORTHERLY TO A POINT
22 ON THE SOUTH LINE OF THE NORTH HALF (N1/2) OF NORTHWEST QUARTER (NW1/4) OF
23 NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 14 BEING THE POINT OF BEGINNING, BEING
24 SOUTH 43°24'59" WEST, 8259.31 FEET FROM AFORE SAID POINT "A". CONTAINING 1,489.684
25 ACRES, MORE OR LESS.

26
27 BELLA COLLINA WEST. ALL OF BELLA COLLINA WEST, LESS TRACT A AND TRACT P, ACCORDING
28 TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54, PAGES 1 THROUGH 19, SITUATED IN
29 SECTIONS 10, 11 AND 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, OF THE PUBLIC RECORDS OF
30 LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
31 BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID SECTION 10

32
33 THENCE SOUTH 89°30'14" WEST ALONG SOUTH LINE OF SAID SECTION 10, A DISTANCE OF
34 2,638.52 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE WESTERLY,
35 HAVING A RADIUS OF 525.56 FEET A CENTRAL ANGLE OF 37°26'35" AND A CHORD DISTANCE OF
36 337.38 FEET WHICH BEARS NORTH 09°31'20" EAST; THENCE DEPARTING SOUTH LINE OF SAID
37 SECTION 10 AND NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 343.46 FEET;
38 THENCE SOUTH 89°30'27" WEST, A DISTANCE OF 18.17 FEET; THENCE NORTH 01°02'40" WEST, A
39 DISTANCE OF 493.61 FEET; THENCE NORTH 01°24'11" WEST, A DISTANCE OF 1,040.53 FEET;
40 THENCE NORTH 01°00'22" WEST, A DISTANCE OF 727.40 FEET; THENCE NORTH 44°33'24" EAST, A
41 DISTANCE OF 35.01 FEET; THENCE SOUTH 89°52'50" EAST, A DISTANCE OF 583.36 FEET; THENCE
42 NORTH 89°09'19" EAST, A DISTANCE OF 737.82 FEET TO A POINT OF CURVATURE OF A
43 NONTANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 290.00 FEET, A CENTRAL
44 ANGLE OF 26°54'40" AND A CHORD DISTANCE 134.96 FEET WHICH BEARS NORTH 75°41'59" EAST;
45 THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 136.21 FEET; THENCE

1 NORTH 89°11'40" EAST, A DISTANCE OF 1,142.89 FEET; THENCE NORTH 88°43'38" EAST, A
2 DISTANCE OF 2,637.92 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER
3 (SW1/4) OF AFORESAID SECTION 11; THENCE SOUTH 00°34'01" EAST ALONG THE EAST LINE OF
4 SAID SECTION 11, A DISTANCE OF 461.82 FEET TO A POINT OF CURVATURE OF A NON TANGENT
5 CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1,920.00 FEET A CENTRAL ANGLE OF
6 13°09'42" AND A CHORD DISTANCE OF 440.08 FEET WHICH BEARS NORTH 80°45'37" EAST;
7 THENCE DEPARTING SAID EAST LINE OF SOUTHWEST QUARTER (SW1/4) OF SECTION 10 AND
8 EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 441.05 FEET; THENCE NORTH
9 87°20'28" EAST, A DISTANCE OF 892.80 FEET; THENCE SOUTH 00°17'41" EAST, A DISTANCE OF
10 974.73 FEET; THENCE SOUTH 89°47'12" EAST, A DISTANCE OF 711.05 FEET TO A POINT ON THE
11 WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 455; THENCE SOUTH 11°20'15" WEST, ALONG
12 SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 58.96 FEET TO A POINT OF CURVATURE
13 OF A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 458.84 FEET A
14 CENTRAL ANGLE OF 28°39'48" AND A CHORD DISTANCE OF 227.16 FEET WHICH BEARS SOUTH
15 25°40'08" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF
16 229.54 FEET; THENCE SOUTH 40°00'02" WEST, A DISTANCE OF 1,671.98 FEET; THENCE SOUTH
17 39°44'20" WEST, A DISTANCE OF 568.74 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-
18 WAY LINE, SOUTH 89°06'09" WEST, A DISTANCE OF 794.85 FEET; THENCE SOUTH 00°35'48" EAST,
19 A DISTANCE OF 12.50 FEET; THENCE SOUTH 89°06'16" WEST, A DISTANCE OF 324.48 FEET;
20 THENCE NORTH 01°05'10" WEST, A DISTANCE OF 9.51 FEET; THENCE SOUTH 88°54'50" WEST, A
21 DISTANCE OF 521.18 FEET; THENCE NORTH 45°51'43" WEST, A DISTANCE OF 200.03 FEET TO A
22 POINT ON THE EAST LINE OF THE NORTHWEST QUARTER (NW1/4) OF AFORESAID SECTION 14;
23 THENCE NORTH 00°38'17" WEST ALONG SAID EAST LINE, A DISTANCE OF 512.75 FEET; THENCE
24 DEPARTING SAID EAST LINE SOUTH 88°48'56" WEST, A DISTANCE OF 1,317.66 FEET TO THE
25 POINT OF BEGINNING. CONTAINING 425.674 ACRES, MORE OR LESS.

26
27 LODGE/HOTEL SITE

28
29 THAT PORTION OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 11,
30 TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING EAST OF STATE ROAD
31 NO. 455, LESS THE SOUTH 406.30 FEET THEREOF.

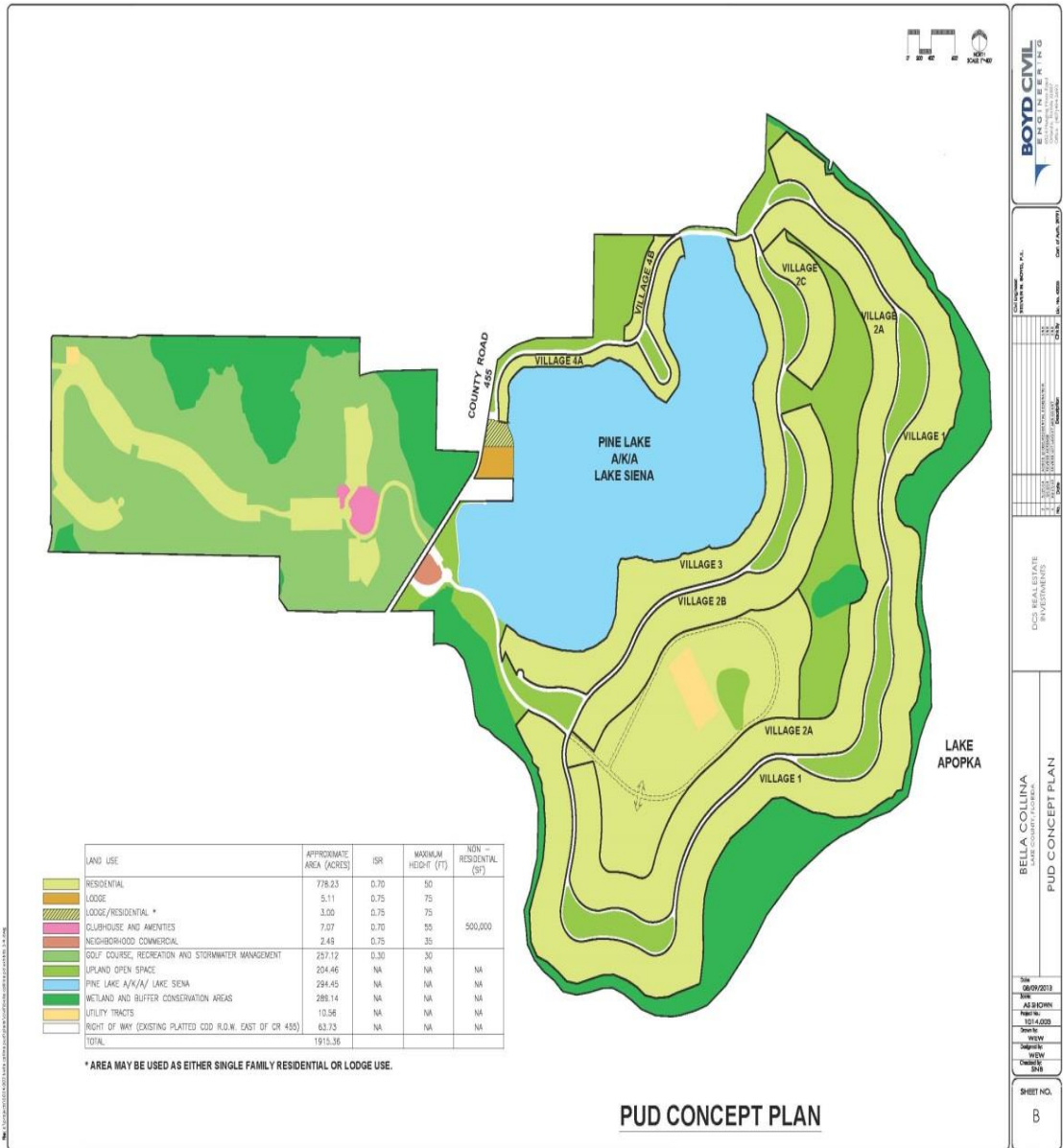
32
33 AND

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35 THAT PART OF THE NORTH 135.44 FEET OF THE SOUTH 406.30 FEET OF THE NORTH ½ OF THE
36 SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
37 LAKE COUNTY, FLORIDA LYING EAST OF STATE ROAD 455.

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EXHIBIT B CONCEPTUAL PLAN



4
 5

Attachment -1

ORDINANCE #2001-109
Tracking No.: #104-01-PUD
PH#47-01-2
The Ginn Development Co.

CFN 2001085392
BOOK 01997 PAGE 1095 - 1104
DATE: 09/06/2001 08:46:02 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 41.00
TRUST FUND 5.50

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 2nd day of July, 2001, review petition PH#47-01-2, a request to rezone from A (Agriculture) to PUD (Planned Unit Development) on property generally located in the Montverde area - From the intersection of CR 455 and Ridgewood Avenue (DR2-1864), property located S of Ridgewood Avenue and E of CR 455. (Secs. 11/12/13/14 Twp. 22S Rge 26E). (1,485.51 +/-acres)

[LEGAL DESCRIPTION: EXHIBIT "A" - ATTACHED]

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 24th day of July, 2001 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 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:

FILED
2001 AUG 29 PM 3:24
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

R- BOARD SUPPORT

1. Terms: The terms and conditions of this Ordinance shall mean and include the total of the following. The County Manager or designee shall amend the Lake County Zoning Maps from Agriculture to PUD in accordance with this ordinance.

I Land Uses

A. Residential

1. Number and Type of Residential Units

The applicant shall be allowed to develop up to a total of 500 single family residential dwelling units.

2. Building Height

The maximum building height shall not exceed 40 feet.

3. Lot Size

Lot sizes shall be developed in the ranges as presented on the May 1, 2001 conceptual plan, as follows:

Village	#of units	size of units	minimum lot width
Village 1	150	1 acre	100'
Village 2	175	1 acre	100'
Village 3	75	¾ acre	100'
Village 4	100	¼ acre	75'

B. Setbacks

Village	Front	Side	Rear	Secondary Front
Village 1	25'	10'	25'	15'
Village 2	25'	10'	25'	15'
Village 3	25'	10'	25'	15'
Village 4	25'	7.5'	15'	15'

C. Recreational

Clubhouse and recreation area or areas are proposed for Tracts A, B, and around Pine Lake. The exact location(s) shall be determined during Preliminary Plat Review. If only one clubhouse facility is developed, it shall in no case exceed 8,000 square feet. If more than one clubhouse facility is developed, the total floor area of all clubhouses shall not exceed 10,000 square feet.



No individual boat ramps shall be allowed; docks shall be allowed via elevated boardwalk over the conservation area. In any case only one (1) dock or boathouse shall be permitted per any two adjacent lots.

D. Historical Resources

An archaeological survey will be conducted to protect potential Native American burial sites and other historically significant artifacts.

II Public Facilities

The development shall be served by a central water and sewer system. The developer of the property may construct the system, may have the system constructed by a public or private utility provider, or may arrange for provision of central utilities to be connected to an existing utility.

III Open Space Requirements:

- A. The required open space for the project as a residential PUD is 371.25 acres. A minimum of 137.49 acres of open space will be provided through the preservation of wetlands and an upland natural buffer.
- B. Landscape/Buffering Requirements: Landscape plans (and vegetative buffers) for the open space (water retention area - WRA), boulevard planting and commercial buffering should be adequately addressed where appropriate, pursuant to the current landscaping standards outlined in the Land Development Regulations, as amended.

IV Wetlands/Tree Protection Requirement

- A. A tree removal permit shall be required pursuant to the Land Development Regulations, as amended.
- B. The minimum tree planting shall be in accordance with the current Land Development Regulations, at the time of permitting.
- C. The petitioner will maintain a fifty (50) foot upland natural buffer around the lake.
- D. In an effort to enhance and protect the shoreline, the following activities shall be allowed to take place within the upland natural buffer and wetland areas:
 - 1. Removal of exotic and nuisance species of wetland plants shall be allowed with appropriate Federal, State and Local permits are obtained.
 - 2. Replacement and enhancement of the shoreline shall be allowed with planting of native upland and wetland grasses;
 - 3. A conservation buffer will be placed over the upland natural buffer area;

4. No individual boat ramps or docks shall be allowed via elevated boardwalk over the conservation area;
 5. Design standards and layout will be provided with the Preliminary Plat and Construction Plans for the development.; and
 6. Stormwater design will meet or exceed Florida Outstanding Waters Design Controls.
- E. Activities in wetlands must be permitted through applicable regulatory agencies and all shall include appropriate mitigation for impacts. Conservation easements are required for all remaining wetlands on site.
- F. Setbacks from wetlands must be consistent with Chapter VI of the Lake County Land Development Regulations, as amended.
- G. An environmental survey will be conducted in accordance with LDR Section 6.04.00 to address natural vegetative communities, wildlife corridors, and designated species.
- H. A jurisdictional wetland line will be determined for the wetlands on site. The line shall be verified by applicable agencies and surveyed. The surveyed wetland line shall be included on the plans.

V Transportation Improvements

- A. The applicant shall comply with the Lake County Access Management Ordinance per Section 9.05 of the Lake County Land Development Regulations, as amended.
- B. The applicant shall provide a Traffic Impact Analysis for the development. The scope of work and parameters shall be determined during a pre-study meeting between Lake County and the Developer.
- C. All roads within the development shall be designed both horizontally and vertically to meet the LDR's requirements for their classification. Pavement width shall be based on ADT.
- E. Minimum centerline radius for a local road internal to a subdivision shall be 150 feet. If the roadway is a cul-de-sac or looped roadway, but not classified as a feeder distributor or neighborhood collector, and adheres to all other regulations with no variances, then a minimum centerline radius of 100 (hundred) feet is acceptable; provided each lane width from the centerline radius is increased by a minimum 2 (two) feet and a minimum 50 (fifty) feet of pavement transition is provided to the Point of Curvature (PC) and from the Point of Terminus (PT). Increased dimension for the transition and/or pavement width may be required if the transition is part of a compound or reverse curve and/or vertical/horizontal conditions deem it necessary as determined by the County engineer.

VI Stormwater

- A. The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements. The stormwater management system shall demonstrate that each phase is able to exist as an independent stable unit for drainage purposes. The natural pre-development drainage pattern shall be maintained to the maximum extent possible.
- B. A large portion of the proposed development falls within the 100-year floodplain as delineated on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel Number 120421 0325 B and 120421 1250B, effective date April 01, 1982. The applicant shall locate and include the 100-year floodplain boundary on all plans. Compensating storage will be required for fill in the 100-year flood zone.
- C. Since more than 5 (five) acres of the proposed development, consisting of an isolated wetland near the center of the property, lie within an unnumbered Zone 'A' as delineated on the FIRM, the applicant shall provide a detailed flood study as required by FEMA Regulation 60.3 (b) (3) and Section 9.07 of the Lake County Land Development Regulations.
- D. Lake County LDRs and FEMA further require developments that alter the 100 year floodplain boundary to prepare and submit appropriate Letters of Map Revision addressing the floodplain boundary changes along with the detailed flood study that supports the LOMR as cited in National Flood Insurance Program (NFIP) regulation 44 CFR 65.3. Final plat approval of Lake County development that alter the 100 year floodplain boundary will be contingent upon submittal of any necessary LOMR applications to FEMA and receipt of final approval from FEMA based on that submittal.
- E. A geo-technical report will be required with the Preliminary Plat submittal; per Section 14.07.04 of the Lake County Land Development Regulations.
- F. All stormwater pipes under roads are required to be RCP with a minimum diameter of 18 inches.
- G. All stormwater systems shall be designed to OFW standards and for zero discharge to Lake Apopka.

VII Wastewater treatment and disposal

This wastewater treatment and disposal system shall be designed and operated in a manner that will not degrade the surficial aquifer or Lake Apopka water quality, or hinder established cleanup goals for the basin. This system shall be performance based with monitoring of the unsaturated soils below the root zone and the surficial aquifer. The minimum standard for effluent disposal shall a slow rate sprayfield.

ORDINANCE NO. #2001-109
 (Tracking No. #104-01-PUD) (PH#47-01-2) (The Ginn Company)

A Water Monitoring Plan and an Agricultural Use Plan shall be prepared and implemented after approval of the County. The monitoring plan shall include but not be limited to monitoring of effluent, ground water monitoring upgradient of, within the proposed sprayfield site, and down gradient wells. Monitoring shall be by both wells and lysimeters, as appropriate. At least three months prior to operation of the sprayfield monitoring shall be initiated for the purpose of establishing baseline water quality with respect to sodium, chloride, phosphorus, ammonia, nitrite, nitrate and Total Kjeldahl Nitrogen (TKN). Based upon the results of a minimum of three months data, a range of acceptable concentrations shall be established. After the wastewater plant has reached at least 25% of capacity, water quality parameters for nutrients in the unsaturated soils below the root zone in the sprayfield shall not exceed more than 125% of the baseline water quality for three consecutive quarters. Ground water quality parameters shall not have negative trend that could reasonably be attributed to the effluent disposal. Performance standards for water quality can be modified with approval of the County.

If the performance based water quality standards cannot be met, additional effluent treatment to reduce loading and/or relocation of the sprayfield offsite shall be required.

If and when TMDL standards are established for the basin, this facility shall be required to meet those standards for both wastewater and stormwater.

VIII Concurrency Management: If applicable, the Applicant must comply with Concurrency Management. A Concurrency Test must be submitted and approved or an Affidavit of Deferral must be signed prior to final Board action.

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

Prior to the filing of the final plat, the Applicant and Lake County shall provide for the creation of a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU) or other entity as may be approved by the County to provide for the operation and maintenance of common areas, common recreational facilities, street lighting, and other common facilities; and in addition provide for the proportionate share of this development's cost for fire, E.M.S., and Sheriff's services. The MSTU or MSBU shall be funded by special assessments.

X Development Review and Approval: Prior to the issuance of any permits, the applicant shall be required to submit formal preliminary plats and site plans for review and approval by the Lake County Development Review Committee. The site plans shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

XI 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.

XII 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.

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 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 (LDRs) and obtaining approval from the County Manager or designee upon obtaining the permits required from 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 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 the PUD (Planned Unit Development) ordinance, as amended, 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, Lake County Land Development Regulations (LDRs), as amended.

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

ENACTED this 24th day of July 2001.


FILED with the Secretary of State August 29 2001.

EFFECTIVE August 29 2001.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

Catherine C. Hanson
CATHERINE HANSON, CHAIRMAN

ATTEST:


JAMES C. WATKINS, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY:


SANDFORD A. MINKOFF, County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2001-109
TRACKING NO. #104-01-PUD

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

PUBLIC HEARING NO.: PH#47-01-2 (The Ginn Development Co.)

LEGAL DESCRIPTION: Govt Lots 1, 2, 3 (7-22-27); Beg at SE cor of Sec, run W 999.19 ft, NW'ly along ditch to Hwy, NE'ly along Hwy to N line of S 1/2 of SE 1/4 of SE 1/4, E 1010 ft, S 666.35 ft to POB (11-22-26); SW 1/4 of SE 1/4 E of Hwy & S of Pine Island Road (11-22-26); E 1/2 of NE 1/4 of SE 1/4 S of RR & E of Hwy (11-22-26); Begin at NE cor of Sec run S 892.96 ft, N 75 deg W 63.5 ft, N 64 deg 10' W 255.35 ft, N 50 deg 28' 30" W 734.1 ft., S 41 deg. 14' W 100 ft., N 49 deg 13' W 213 ft, N 46 deg 21' W to ditch NE'ly along ditch 267.73 ft, E to POB (14-22-26); Begin 892.96 ft S of NE cor of Sec, run N 75 deg. W 63.5 ft, N 64 deg. 10' W 255.35 ft, N 50 deg. 28' 30" W 734.1 ft, S 41 deg. 14' W 100 ft., N 49 deg. 13' W 213 ft., N 46 deg. 21' W to N line of Sec, W to Hwy, SW'ly along Hwy to S line of N 1/2 of NW 1/4 of NE 1/4, E to W line of E 1/2 of NE 1/4, S to S line of NE 1/4, E to Sec line, N to POB (14-22-26); Govt Lot 1, 2, 3 & 4 (13-22-26); Begin at NW cor of Sec, run N 87 deg 32' E 3087.96 ft, S 55 deg. W 77.31 ft., S 76 deg. 30' W 469.18 ft, S 89 deg. 30' W 166.47 ft, N 78 deg. W 268.89 ft, S 89 deg. 30' W 263.25 ft, S 34 deg. 20' W 133.25 ft, S 0 deg. 20' E 753.28 ft, S 36 deg. 30' W 333.48 ft, S 57 deg. W 164.03 ft, S 72 deg. 45' W 352.33 ft, N 89 deg. 55' W 192.28 ft, N 78 deg. 20' W 524.45 ft, N 75 deg W 437.63 ft to W line of Sec, N 892.96 ft to POB (13-22-26); Begin at NE cor of Sec run S 87 deg. 32' W 2195.61 ft, S 55 deg. W 77.31 ft, S 76 deg. 30' W 469.18 ft, S 89 deg. 30' W 166.47 ft, N 78 deg. W 268.89 ft S 89 deg 30' W 263.25 ft, S 34 deg 20' W 133.25 ft, S 0 deg. 20' E 573.28 ft, S 36 deg 30' W 333.48 ft, S 57 deg. W 164.03 ft, S 72 deg. 45' W 352.33 ft, N 89 deg. 55' W 192.28 ft, N 78 deg. 20' W 524.45 ft N 75 deg W 437.63 ft to W line of Sec, S to S line of N 1/2 of Sec, E to E line of Sec, N to POB (13-22-26); Begin at SW cor of Sec, run N 0 deg. 37' W 2665.41 ft, N 87 deg. 50' E to a Point 223.42 ft W of center of Sec, N 5 deg 41' E 464.63 ft, N 21 deg. 56' E 444.49 ft, N 0 deg. 48' W 594.57 ft, N 7 deg. 03' W 84.64 ft, N 8 deg. 3' W 212.3 ft, N 30 deg. 53' W 320.02 ft, N 25 deg 02' W 283.41 ft, N 13 deg. 86' W 328.79 ft, E 1827.23 ft, S 3 deg. 44' W 504.46 ft, S 43 deg 17' W 535 ft, S 29 deg. 42' W 140.7 ft, S 2 deg 42' W 221.95 ft, S 66 deg. 39' E 40.45 ft., S 57 deg. 38' E 152.7 ft, S 70 deg. 48' E 72.2 ft, N 87 deg. 02 E 127.8 ft, S 0 deg. 48' E 646.2 ft, S 89 deg. 40" E 329.25 ft, S 0 deg. 48' E 454.4 ft, S 36 deg. 11' E 205.09 ft, S 42 deg. 02' W 339.65 ft, S 31 deg. 35' W 128.9 ft, S 17 deg 40' W 110.3 ft, S 1 deg. 30' E 186.88 ft, S 17 deg. 15' E 218.29 ft, S 13 deg. 30' E 535.35 ft, S 8 deg. 10' E 457.92 ft, S 39 deg. 25' W 406.12 ft, S 36 deg. W 131.08 ft, S 3 deg. E 187.4 ft, S 89 deg. W 223.48 ft, S 71 deg. 45' W 200.78 ft, S 89 deg. 45' W 455.35 ft, S 55 deg. W 59.01 ft, S 87 deg. 32' W to POB --- LESS that part

Attachment - 2

2ND REVISED - ORDINANCE #82-90

WHEREAS, the Lake County Planning and Zoning Commission did, on the 19th day of December, 1990, review petition #174-90-3 (Montverde Country Club/Robert Davis), a request to approve the preliminary development plan for a PUD (Planned Unit Development) zoning district on property generally located in the Montverde area -From the intersection of SR 50 & C-455; proceed N on C455 approx. 2-1/2 mi. to property lying W of C-455; E on Blackstill Lake Rd. (DR3-1757) and S of Fosgate Rd. (DR3-1860). The property is more particularly described as:

LEGAL DESCRIPTION: Exhibit "A" attached

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 22nd day of January, 1991, 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

WHEREAS, Lake County has reviewed the Legal Descriptions for the Development and found certain clerical errors in the original Ordinance 82-90, and

WHEREAS, The property owner and Lake County wish to make clear the legal description, terms and conditions of placed upon the development, this revised Ordinance will supercede Ordinance 82-90, but does not grant further rights to the development than those which it is entitled by approved Settlement Agreement and or Lake County issued Vested Rights determinations.

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:

1. Terms: The PUD (Planned Unit Development) facility shall mean and include the total of the following;

I. Land Uses:

A. Residential

CFN 2002012102
Bk 02065 Pgs 0159 - 171; (13pgs)
DATE: 02/04/2002 10:30:26 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 53.00
TRUST FUND 7.00

1. Number and Type of Residential Units

A total of 470 ~~368~~ single-family residential dwelling units will be permitted at a gross residential density of 1.09 dwelling units per acre or less.

2. Setbacks:

Front yard setbacks: 25 ft. from the property line.

Side and rear yard setbacks: 5 ft. from the property line.

B. Recreational

1. The applicant shall provide active recreational facilities, which shall consist of an eighteen (18) hole golf course with club house.

II Public Facilities

A. Water and Sewer Facilities

1. The project shall be served by regional water and wastewater treatment facilities when such facilities are made available unless variances are granted in accordance with the most current statutes, regulations and ordinances. Costs of connection and payment of impact fees related to facilities construction and connection shall be borne by developer and/or current property owners.
2. Prior to the provision of service by regional water facilities, the developer may elect to construct temporary on-site centralized water treatment facilities to provide for water demands generated within the project boundaries. Such facilities and related transmissions and storage 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.
3. Prior to the provision for service by regional wastewater facilities, the developer may elect to construct temporary on-site individual wastewater disposal systems, provided the systems are approved by HRS and the developer complies with the provisions of Chapter 381.272, Florida Statutes.
4. Water treatment facility design capacity shall be sufficient to accommodate capacity demand at build-out. 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.

5. Should wastewater effluent of unrestricted public access quality be made available at the boundary of the golf course then use of the reuse water on the golf area shall be mandatory. All costs associated with the infrastructure required for reuse water transmission and distributions shall be borne by the developer and/or current property owner(s).

III. Wetlands, Tree, Wildlife and Landscaping

A. Tree Removal Permit Process

1. If the developer proposes to remove any approved trees, the removal application, tree survey and \$150.00 fee shall be submitted with PUD final development plans (construction plans), pursuant to ~~Section 17-119~~ Chapter IX, Tree Protection ordinance, Appendix E of the Lake County Code. No site alterations shall be initiated until approvals are obtained.
2. Each single-family or duplex lot shall have at least three (3) approved trees with a combined total of six (6) inches DBH or greater, or an equivalent number of replacement trees as defined in ~~Section 17-119~~ Chapter IX, Tree Protection ordinance, Appendix E of the Lake County Code, prior to Certificate of occupancy. Pursuant to ~~Section 17-122~~ Chapter IX, Tree Protection ordinance, Appendix E of the, Tree Protection Ordinance, Lake County Code, no certificate of occupancy can be issued for any new single-family or duplex dwelling unit unless each lot of 6,000 sq. ft. or greater has at least three approved trees with a combined total of six (6) inch DBH or greater, or a replacement tree as defined in ~~Section 17-118~~ Chapter IX, Tree Protection ordinance, Appendix E of the Lake County Code.
3. Posts shall be used as protective barriers to the roots and trunk of every tree designated for preservation on 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)~~ Chapter IX, Tree Protection ordinance, Appendix E of the Lake County Code. 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 ribbon, plastic tape or rope to the stakes along the perimeter of the area. These

protective measures must be established on site prior to initiation of construction activities.

4. Sixty-nine (69) acres of wetlands occur on site; however, the application has indicated that alteration is not proposed at this time. The wetland review application submitted by the consultant states that "the type of development activity proposed for this site (wetlands) is unknown at this time". In the event that alteration is proposed later, an additional wetland fee and technical information shall be submitted with the PUD preliminary plat to the Pollution Control Division. Any wetland alteration shall be approved by the Pollution Control Division staff prior to site alteration.
5. Landscaping plans shall be submitted for this project with PUD final development plans (construction plans), or with commercial site plan submittal, pursuant to ~~Section 17.130.6 Chapter IX, Appendix D of the~~ of the Lake County ~~Landscaping Ordinance Code~~.

IV. Stormwater Management System Requirements

1. The storm water management system should 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. Code and the rules of the~~ ST. Johns River Water Management District. These regulations indicate that the stormwater management system should be designed using percolation and retention concepts. The applicant proposes to use a combination for swales and dry bottom retention ponds in the Golf Corridor. The water retention areas will need to be shown on the plat of record in the form of drainage easements.
2. Systems discharging to land-locked lakes shall not cause an increase in total pre-development flood-stage.
3. Filling in the 100-year floodplain is discouraged. If fill is to be approved within the 100-year floodplain, then compensatory storage will be required.
4. Erosion and sediment control measures should be employed during construction to prevent sediment migration to wetlands/lakes. Best management practices should be employed. The applicant can refer to the Department of Environmental Regulations, the Florida Land Development Manuals A Guide to Sound Land and Water Management for a reference of acceptable practices. The erosion and sediment control measures should be indicated on the construction plans and approved by the Pollution Control Division.
5. The drainage plan should demonstrate that each phase is able to exist as an independent stable unit. The natural pre-development drainage pattern should be maintained to the extent possible.

6. Surface water runoff shall be treated prior to discharge to wetlands. It is presumed that treatment will be provided if the system provides for the retention and infiltration of the first 0.5 inch of runoff from contributing drainage areas. This may be accomplished by using a perimeter swale.
7. It is recommended that storm water runoff from roofs and other impervious surfaces 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 should be diverted to retention ponds sized to meet the Lake County Pollution Control Board Rule 1-6-04: requirements of the Lake County Code and the St. Johns River Water management District.
8. Soils exposed during site alteration should be stabilized. Vegetation and restoration of exposed areas should be made at the completion of each phase of construction. Vegetative growth should be accomplished within 180 days on soils exposed during site alteration.

V. Open Space Buffer Requirements

A. Residential

Twenty-five percent of the gross land area utilized for recreational purposes shall be provided as open space.

B. Wetlands:

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

VI. Creation of a Municipal Services Taxing Unit (MSTU) or Municipal Services 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 or Municipal Services Benefit Unit or other entity to manage the operation and maintenance of common areas, common recreational facilities, street lighting and other common facilities. The MSTU and MSBU shall be funded by special assessments.

VII. Special Requirements:

1. The applicant shall provided \$150.00 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 \$127.00 per lot for fire impact fee. Should an impact fee for fire 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.

VIII. Transportation Improvements:

A. Dedication of Right-of-way

1. The applicant shall provide a traffic study identifying off-site impacts. Study to be provided with preliminary plat submittal.
2. Provide right and left turn lanes with storage and taper per Florida Department of Transportation standards at each entrance.
3. Dedicate additional right-of-way along Black Still Lake Rd., Fosgate Rd., and C-455 to provide 40 ft. from the centerline.
4. Provide improvements (turn lanes) as recommended in the proposed traffic study, at the following intersections.

Fosgate Rd. & Blackstill Lake Rd. Blackstill Lake Rd. & Old Hwy. 50 (C-50).
5. The internal collector road is to have 24 ft. pavement. The right-of-way width from the entrances to the first intersection should be 80 ft.
6. All access to be internal.
7. Extend right-of-way to the South for a future connection to adjacent property.

IX. Fire Protections

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 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 80 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. System will be capable of, providing minimum flow requirements with two (2) hydrants flowing and maintained 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.

X. Phasing

- Phase I - 18 hole golf course and 125 units
- Phase II - 50 units
- Phase III - Collector Street through to Blackstill Lake Rd. and 105 units
- Phase IV - 120 units
- Phase V - 70 units

XI. Variances of Lake County Subdivision and Zoning Regulations

1. Related to street right-of-way: Single-family residences shall be 25 ft. from the property line (r/w) for all lots.
2. PUD Ordinance Section 696.18 - Single-family residences shall maintain minimum lot width at building line for all lots at 40 ft.; a minimum rear yard setback for all lots to be 5 ft.; and minimum lot frontage for all lots to be 35 ft.
3. PUD Ordinance, Section 696.20: Single-family residences shall maintain the following setback distances between buildings:
 - a. minimum sideyard setback, lots of 22,000 sq. ft. and larger, to be 7.5 ft.
 - b. minimum sideyard setback, lots of less than 22,000 sq. ft. and more than 75 ft. frontage, to be 5 ft.
 - c. minimum sideyard setback of lots less than 75 ft. frontage, 10 ft. minimum between buildings, minimum sideyard 0 - 5 ft.;

4. A waiver of Subdivision Ordinance, Section 81.112 - The applicant will be allowed to have a cul-de-sac length of 1,600 ft. in one area of the project, subject to review and concurrence by the Public Works Department of Lake County, at the time of construction plan approval.
 5. A waiver of Subdivision Ordinance, Section 81.120 - The applicant will be permitted to have slopes on the site which will require roads in excess of eight percent (8%), provided that the proposed deviations to the slope requirements are subject to review and concurrence by the Lake County Public Works Department.
 6. Waiver of Subdivision Ordinance, Section 81.123 - To be consistent with the theme of the project, the applicant may be allowed to propose alternative signage design and materials, provided that signage meets the Manual of Uniform Traffic Control Devices (MUTCD) specifications and that the Lake County Public Works Department has final approval of traffic control signs placed within the right-of-way.
 7. A waiver of Subdivision Ordinance, Section 92.10 - The applicant will be permitted to allow selected valuable existing trees to remain in the right-of-way, provided that the determination of which trees to save be done with the review of concurrence of the Department.
 8. Sidewalks: The applicant shall provide sidewalks throughout the development no later than two (2) years per phase, provided that construction of the sidewalk along the main collector road and along portions of the roads without lot frontage be performed with roadway construction.
 - a. Pressure Pipe Encasement Requirement: (pressure pipe must be encased under pavement): A waiver is required that encasement not be required where depth of the pipe provides at least 36 inches pipe cover under the bottom of the base.
 9. Zoning Ordinance, Section 70.40 (T): The applicant will be permitted a minimum parking space of 9 ft. by 18.
 10. PUD Ordinance Section 696-11: The applicant is allowed to sell an unplatted section of the PUD for development by another owner, subject to control by the current applicant and according to the officially approved PUD development plan.
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 Chapters IX and XIV of the Lake County Code, and obtaining approval from the Director of Current Planning appropriate Lake County Departments, ~~upon~~ and obtaining the permits required from the other appropriate local, State or Federal 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 #82-90 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 #82-90, 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, Chapter XIV, Appendix E of the Lake County Zoning Regulations Code, as amended.

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 2nd of January, 1991, A.D. 22nd of January, 2002, A.D.

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

ENACTED this 22nd day of January, 2002.

~~FILED with the Secretary of StateXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, 2002~~

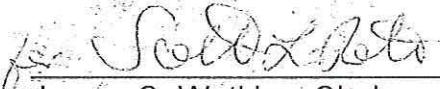
~~EFFECTIVE onXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, 2002~~

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


Robert A. Pool, Chairman

This 29th day of January, 2002

ATTEST:


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

Approved as to form and legality:


Sanford A. Minkoff
County Attorney

Exhibit "A"

(Tract 1) The NORTH 643.45 ft. of the NORTHWEST 1/4 of the NORTHEAST 1/4, WEST of Hwy., Section 14, Township. 22S. Range. 26E;

AND,

(Tract 2) The NORTH 643.45 ft. of the EAST 1/2 of the NORTHEAST 1/4 of the NORTHEAST 1/4 of the NORTHWEST 1/4, Section 14, Township 22S, Range 26E.;

AND,

(Tract 3) The WEST 3/4 of the NORTH 1/2 of the NORTHEAST 1/4, of the NORTHWEST 1/4, Section 14, Township 22S, Range 26E;

AND,

(Tract 4) The SOUTHEAST 1/4 of the SOUTHWEST 1/4 of the SOUTHEAST 1/4, Section 11, Township 22S, Range 26E, less that part lying EAST of the public road;

AND,

(Tract 5) The SOUTHWEST 1/4 of the SOUTHWEST 1/4 of the SOUTHEAST 1/4, Section 11, Township 22S, Range 26E;

AND,

(Tract 6) The SOUTH 1/2 of the NORTH 1/2: of the SOUTHWEST 1/4 of the SOUTHEAST 1/4, Section 11, Township 22S, Range 26E;

AND,

(Tract 7A) The WEST 852 ft. of the NORTH 1/4 of the SOUTHWEST 1/4 of the SOUTHEAST 1/4, Section 11, Township 22S, Range 26E;

AND,

(Tract 7B) Begin 210 ft. NORTH of the SOUTHEAST corner of the NORTHWEST 1/4 of the SOUTHEAST 1/4 of Section 11, Township 22S, Range 26E, run NORTH to railroad, WEST along railroad to the WEST line of the NORTHWEST 1/4 of the SOUTHEAST 1/4, thence SOUTH to the SOUTHWEST corner of the NORTHWEST 1/4 of the SOUTHEAST 1/4, thence EAST 852 ft.; thence NORTH 210 ft., thence EAST 486 ft. to the P.O.B;

AND,

(Tract 8) The SOUTHEAST 1/4 of the SOUTHWEST 1/4, Section 11, Township 22S, Range 26E.;

AND,

(Tract 9) The EAST 25 acres of the NORTHEAST 1/4 of the SOUTHWEST 1/4 of Section 11, Township 22S, Range 26E.;

AND

(Tract 10A) The WEST 1/2 of the EAST 1/2 of the WEST 1/2 of the NORTHEAST 1/4 of the SOUTHWEST 1/4 of Section 11, Township 22S, Range 26E;

AND

(Tract 10B) The WEST 1/2 of the WEST 1/2 of the NORTHEAST 1/4 of the SOUTHWEST 1/4 of Section 11, Township 22S, Range 26E;

AND

(Tract 11) The EAST 1/2 of the SOUTHWEST 1/4 of the SOUTHWEST 1/4 of Section 11, Township 22S, Range 26E, lying SOUTH and EAST of railroad.;

AND

(Tract 12) Begin at the NORTHWEST corner of the SOUTHEAST 1/4 of the SOUTHEAST 1/4, of Section 11, Township 22S, Range 26E, run SOUTH 330 ft., thence WEST 468 ft., thence NORTH 540 ft., thence EAST 468 ft. and SOUTH 210 ft. to the P.O.B.

AND

(Tract 13) The SOUTHWEST 1/4 of the NORTHEAST 1/4, Section 14, Township 22S, Range 26E.

AND

The SOUTHEAST 1/4 of Section 10, Township 22S, Range 26E, and that portion of the WEST 1/2 of the SOUTHWEST 1/4 of Section 11, Township 22S, Range 26E, Lake County, Florida, lying WESTERLY of the centerline of abandoned railroad.

(Tract 14) Begin at the SOUTHWEST corner of the NORTHEAST 1/4 of the SOUTHEAST 1/4 of Section 11, Township 22S, Range 26E, run S 88 ° 2 minutes E to the right of way of Hwy.; thence SOUTHWESTERLY along the right of way to the WEST line of the SOUTHEAST 1/4 of the SOUTHEAST 1/4, NORTH of the P.O.B.;

LESS

Beginning at the SOUTHWEST corner of the NORTHEAST 1/4 of the SOUTHEAST 1/4 of Section 11, Township 22S, Range 26E, run thence EAST along the SOUTH line of said NORTHEAST 1/4 of the SOUTHEAST 1/4 to the WEST right of way line of Hwy., back to the P.O.B. and run thence S 1 ° 12 minutes WEST along 40 line 32.8 ft.; thence S 88 ° 02 minutes E to the said WEST right of way line of Hwy., thence NORTH EASTERLY along the right of way line to intersect the first described line.;

LESS

Commence at an iron axle at the NORTH 1/4 corner of Section 14, Township 22S, Range 26E, Lake County, Florida, thence N 89 deg. 31' 51" W, along the NORTH boundary of said Section 14, a distance of 329.42 ft.; thence S 01 deg. 02' 03" W, 655.04 ft. to the P.O.B.; thence continue S 01 deg. 02' 03" W, 12.5 ft. to a certain property agreement line recorded September 2, 1959 in O.R. Book, 97, Page. 575, and recorded October 22, 1959, in OR Book. 103, Page. 22, Public Records of Lake County, Florida, thence S 89 deg. 15' 35" E, along said line 806.70 ft. to the WESTERLY right of way line of CR 455; thence N 41 deg. 17' 26" E along said right of way line 16.45 ft. thence N 89 deg. 15' 35" W 817.33 ft. to the P.O.B.

N of CR 3-1865 (12-22-26); Begin 274.69 ft E of NW cor of Govt Lot 1, run S 01 deg. 37' 32" W 475.16 ft, S 42 deg. 12' 11" W 572.75 ft, S 31 deg. 31' 10" W 126.37 ft, S 04 deg. 34' 20" W 254.69 ft, S 70 deg. 48' E 72.2 ft, N 87 deg 02' E 127.8 ft, S 0 deg. 48' E 646.2 ft, S 89 deg. 40' E 329.25 ft, S 0 deg. 48' E 454.4 ft, S 36 deg. 11' E 205.09 ft, S 42 deg 02' W 339.65 ft, S 31 deg. 35' W 128.9 ft, S 17 deg. 40' W 110.3 ft, S 1 deg 30' E 186.88 ft, S 17 deg. 15' E 218.29 ft, S 13 deg. 30' E 535.35 ft, S 8 deg. 10' E 457.92 ft, S 39 deg. 25' W 405.12 ft, S 36 deg. W 131.08 ft, S 03 deg. E 187.4 ft, S 89 deg. W 223.48 ft, S 71 deg. 45' W 200.78 ft, S 89 deg. 45' W 455.35 ft, S 55 deg. W 59.01 ft, E to SE cor of Sec, N to N line of Sec, W to POB (12-22-26); Begin 100.06 ft N of SW cor of SE 1/4 of NW 1/4, run N 88 deg. 22' E 281 ft, S 64 deg. 39' E 210.15 ft, N 87 deg. 50' E 639.47 ft, N 5 deg. 41' E 464.63 ft, N 21 deg. 56' E 444.49 ft, N to N line of SE 1/4 of NW 1/4, S 87 deg. 50' W 1333.05 ft, S to POB --- LESS N 25 ft of W 1109.43 ft & Less railroad r/w (12-22-26).

Attachment -3

TRANSMITTAL ONLY
ORDINANCE 2014 –
LPA#13/10/1-2

Bella Collina, CR 455, near Montverde

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING POLICY I-1.2.2 *CONSISTENCY BETWEEN FUTURE LAND USE AND ZONING*, TO ADD THE BELLA COLLINA FUTURE LAND USE CATEGORY TO TABLE FLUE 2 - FUTURE LAND USE CATEGORIES TABLE; AMENDING POLICY I-1.2.6 *CALCULATION OF DENSITY AND INTENSITY IN MIXED USE DEVELOPMENT*, TO ADD THE BELLA COLLINA FUTURE LAND USE CATEGORY TO THE LIST OF FUTURE LAND USE CATEGORIES THAT ALLOW MIXED USE DEVELOPMENT; AMENDING OBJECTIVE I-1.3 *URBAN FUTURE LAND USE SERIES*, TO ADD BELLA COLLINA FUTURE LAND USE CATEGORY TO THE LIST OF FUTURE LAND USE CATEGORIES THAT MAKE UP THE URBAN FUTURE LAND USE SERIES; CREATING POLICY I-1.3.11 *BELLA COLLINA FUTURE LAND USE CATEGORY* TO CREATE THE BELLA COLLINA FUTURE LAND USE CATEGORY AND LIST THE ALLOWED USES, AND REQUIREMENTS FOR IMPERVIOUS SURFACE, DENSITY, INTENSITY, OPEN SPACE AND BUILDING HEIGHT; AMENDING THE FUTURE LAND USE MAP FROM RURAL TRANSITION TO BELLA COLLINA FUTURE LAND USE CATEGORY FOR THE PARCELS LOCATED SOUTH OF MONTVERDE AND EAST AND WEST OF CR 455, MORE PARTICULARLY DESCRIBED IN SECTION 3 BELOW, AND SHOWN IN EXHIBIT A; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(1)(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 Community Planning and Development Division of the Florida 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 became effective; and

WHEREAS, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

WHEREAS, on the 2nd day of April, 2014, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

WHEREAS, on the 22nd day of April, 2014, this Ordinance was heard at a public hearing

1 before the Lake County Board of County Commissioners; and

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

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

7 **Section 1. Comprehensive Plan Future Land Use Map Amendment.**

8 The 2030 Future Land Use Map is hereby amended to change the Future Land Use Category on
 9 the property described in Exhibit A, from Rural Transition to Bella Collina.

10

11 **Section 2. Comprehensive Plan Text Amendment.**

12 The 2030 Comprehensive Plan is hereby amended to include the following text amendments.
 13 Added text is shown as underlined, deleted text is shown as ~~striketrough~~. The notation * * *
 14 shall mean that all preceding or subsequent text remains unchanged.

15

16

17

18 **Policy I-1.2.2 Consistency between Future Land Use and Zoning**

19 The County shall regulate land use activities within the Future Land Use Categories and overlay
 20 areas illustrated on the Future Land Use Map and described within the Comprehensive Plan
 21 through the implementation of zoning districts. Zoning districts shall be defined within the Land
 22 Development Regulations, and a zoning map produced that depicts the demarcation of each
 23 zoning district. The maximum density and intensity of zoning districts shall not exceed the
 24 density and intensity allowed by the Future Land Use Category. The Future Land Use Categories
 25 are summarized in Table FLUE-2, as follows:

26

Table FLUE 1 - Future Land Use Categories Table

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Urban Low Density	4 d.u./1 acre	0.25 to 0.35	0.60	25%	Note (3)
Urban Medium Density	7 d.u./1 acre	0.35 to 0.50	0.70	20%	Note (3)
Urban High Density	Min. 4 d.u./1 acre Max 12 d.u./1 acre	2.0	0.80	10%	Note (3)
Cagan Crossings (728.5 acres) (4)	8,000 d.u.	700,000 s.f.	NS	44%	Note (3)
<u>Bella Collina</u>	<u>868 d.u.</u>	<u>500,000 s.f.</u>	<u>0.60</u>	<u>25%</u>	<u>Note (3)</u>
Regional Office	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Regional Commercial	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)
Industrial	NS	1.0	0.80	NS	Note (3)
Public Service Facilities & Infrastructure	1 caretaker unit per parcel	1.0	0.80	NS	Note (3)
Mt. Plymouth-Sorrento Main Street	5.5 d.u./1 acre	0.30	0.60	20% to 25%	"see Mt. Plymouth-Sorrento Policies"
Mt. Plymouth - Sorrento Neighborhood	2 d.u./1 acre	0.20 to 0.30	0.30	30% to 50%	"see Mt. Plymouth-Sorrento Policies"
Rural	1 d.u./5 acres	NS	0.20 0.30	Min. 35%	Note (3)
Rural Transition	1 d.u./5 acres 1 d.u./3 acres 1 d.u./1 acre	NS	0.30 0.50	35% to 50%	Note (3)
Recreation	NS	0.10	0.50	NS	Note (3)
Conservation	NS	NS	NS	NS	Note (3)
APPLICABLE ONLY IN THE WEKIVA RIVER PROTECTION AREA					
A-1-40 Sending Area (Sending Area Number One)	1 d.u./40 acres 1 d.u./10 acres	NS	0.20 to 0.30	Min. 50%	Note (3)
A-1-20 Sending Area (Sending Area Number Two)	1 d.u./20 acres 1 d.u./5 acres	NS	0.20 to 0.30	Min. 50%	Note (3)
A-1-20 Receiving Area (Receiving Area Number One)	1 d.u./20 acres 1 d.u./5 acres 1 d.u./1 acre	NS	0.20 to 0.30	Min. 50%	Note (3)
Mt. Plymouth Sorrento Receiving Area (Receiving Area Number Two)	5.5 d.u./1 acre	0.30	0.60	20% to 25%	Note (3)

1 applied to such residential areas. Residential uses are excluded on parcels in this category
2 located within Mount Dora joint planning area first authorized by the Board of County
3 Commissioners on September 28, 2004.

4
5 ***

6
7 **Policy I-1.2.6 Calculation of Density and Intensity in Mixed Use Development**

8 Within a mixed-use development, the maximum residential density shall be up to 100 % and
9 the maximum non-residential intensity shall be up to 100% for development within the
10 following Future Land Use Categories:

- 11 • Urban Medium Density
- 12 • Urban High Density
- 13 • Regional Office
- 14 • Regional Commercial
- 15 • Industrial
- 16 • Cagan Crossings
- 17 • Mt. Plymouth-Sorrento Main Street
- 18 • Ridge in the Green Swamp Area of Critical State Concern; ~~and~~
- 19 • Public Service Facilities and Infrastructure; ~~and~~
- 20 • [Bella Collina](#)

21
22 Residential density may be calculated over the entire net acreage of the site, and the non-
23 residential intensity may be calculated over the entire net acreage of the site.

24
25 Example: A parcel consisting of 50-net acres with a density of seven dwelling units per net acre
26 and an intensity of 0.35 could potentially develop 350 dwelling units and 762,300 square feet of
27 non-residential development.

28
29 Calculations:

30 Residential

31 7 du X 50 net acres = 350 du

32 Non-Residential

33 0.35 X 50 net acres X 43,560 square feet in one acre = 762,300 square feet

34
35 In all other Future Land Use Categories the *sum* of the residential density and the non-
36 residential intensity shall not exceed a combined total of 100% calculated as follows:

$$\frac{\text{Residential density}}{\text{Maximum allowed density}} + \frac{\text{Non-residential Floor Area Ratio}}{\text{Maximum allowed Floor Area Ratio}} \leq 100\%$$

1 Residential density shall be calculated over the net acreage of the site that is used for
2 residential development, and non-residential intensity shall be calculated over the net acreage
3 of the site that is used for non-residential development.

4
5 Example: A parcel consisting of 50-net acres with a density of four dwelling units per net acre
6 and an intensity of 0.25, with residential development on one-half of the parcel (25-net acres)
7 and commercial development on one-half (25-net acres) of the parcel you could potentially
8 develop 100 dwelling units and 272,250 square feet of non-residential development.

9
10 Calculations:

11 Residential

12 4 du X 25 net acres = 100 du

13 Non-Residential

14 0.25 X 25 net acres X 43,560 square feet in one acre = 272,250 square feet

15
16 ***

17
18 **OBJECTIVE I-1.3 URBAN FUTURE LAND USE SERIES**

19 The Urban Future Land Use Series is established to identify areas within the County that are
20 suitable for urban development. Future Land Use Categories within the Urban Future Land Use
21 Series include: Urban Low Density, Urban Medium Density, Urban High Density, Cagan
22 Crossings, Regional Office, Regional Commercial, ~~and~~ Industrial, and Bella Collina. Lands within
23 this series require a full range of services, utilities and facilities.

24
25 ***

26 **Section 2. Comprehensive Plan Text Creation.**

27 The 2030 Comprehensive Plan is hereby amended to create *Policy I-1.3.11 Bella Collina Future*
28 *Land Use Category*. Added text is shown as underlined, and the notation * * * shall mean that
29 all preceding or subsequent text remains unchanged.

30
31 ***

32 **Policy I-1-3-11 Bella Collina Future Land Use Category**

33 This category shall exist and apply solely on the property describe as:

34
35 **BELLA COLLINA EAST DESCRIPTION**

36
37 A PORTION OF BELLA COLLINA AS RECORDED IN PLAT BOOK 51, PAGES 31-49, A PORTION OF
38 BELLA COLLINA EAST AS RECORDED IN PLAT BOOK 53, PAGES 95-98, ALL OF BELLA COLLINA
39 NORTH ENTRANCE AS RECORDED IN PLAT BOOK 53, PAGE 31, ALL OF THE PUBLIC RECORDS OF
40 LAKE COUNTY, FLORIDA AND A PORTION OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26
41 EAST LYING IN SECTIONS 1, 11, 12, 13, 14 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AND
42 A PORTION OF SECTIONS 7 AND 18, TOWNSHIP 22 SOUTH, RANGE 27 EASTLAKE COUNTY,
43 FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1 BEGINNING AT INTERSECTION OF SOUTH LINE OF NORTH HALF (N1/2) OF NORTHWEST
2 QUARTER (NW1/4) OF NORTHEAST QUARTER (NE 1/4) WITH WEST LINE OF NORTHEAST
3 QUARTER (NE 1/4) OF NORTHEAST QUARTER (NE 1/4) OF AFORESAID SECTION 14-22-26;
4 THENCE SOUTH 89°27'21" WEST, A DISTANCE OF 706.79 FEET TO A POINT ON THE EASTERLY
5 RIGHT-OF-WAY LINE OF COUNTY ROAD 455; THENCE NORTH 41°15'24" EAST ALONG SAID
6 EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,527.98 FEET; THENCE NORTH 41°46'07" EAST,
7 A DISTANCE OF 246.53 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH
8 89°51'49" EAST, A DISTANCE OF 880.36 FEET; THENCE NORTH 01°20'39" EAST, A DISTANCE OF
9 270.95 FEET; THENCE SOUTH 89°51'49" WEST, A DISTANCE OF 661.08 FEET TO A POINT ON
10 AFORESAID EASTERLY RIGHT-OF-WAY LINE ALSO BEING A POINT OF CURVATURE OF A NON
11 TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 764.20 FEET A CENTRAL
12 ANGLE OF 22°58'23" AND A CHORD DISTANCE OF 304.36 FEET WHICH BEARS NORTH 25°09'15"
13 EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 306.41 FEET;
14 THENCE NORTH 13°40'04" EAST, A DISTANCE OF 114.01 FEET; THENCE NORTH 89°56'32" EAST,
15 A DISTANCE OF 4.85 FEET; THENCE NORTH 13°40'04" EAST, A DISTANCE OF 184.73 FEET;
16 THENCE NORTH 12°44'49" EAST, A DISTANCE OF 901.32 FEET TO A POINT OF CURVATURE OF A
17 NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 979.00 FEET A
18 CENTRAL ANGLE OF 02°09'02" AND A CHORD DISTANCE OF 36.74 FEET WHICH BEARS NORTH
19 57°52'18" EAST; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTHEASTERLY
20 ALONG THE ARC OF SAID CURVE A DISTANCE OF 36.75 FEET; THENCE NORTH 56°47'47" EAST, A
21 DISTANCE OF 100.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY
22 HAVING A RADIUS OF 918.50 FEET, A CENTRAL ANGLE OF 20°18'00" AND A CHORD DISTANCE
23 323.73 FEET WHICH BEARS NORTH 66°56'47" EAST; THENCE NORTHEASTERLY ALONG THE ARC
24 OF SAID CURVE, A DISTANCE OF 325.43 FEET; THENCE NORTH 77°05'47" EAST, A DISTANCE OF
25 249.70 FEET; THENCE NORTH 89°34'25" EAST, A DISTANCE OF 1,433.32 FEET; THENCE NORTH
26 62°52'10" WEST, A DISTANCE OF 210.15 FEET; THENCE NORTH 89°51'10" WEST, A DISTANCE OF
27 281.00 FEET; THENCE NORTH 00°50'16" EAST, A DISTANCE OF 1,146.61 FEET; THENCE SOUTH
28 89°38'56" EAST, A DISTANCE OF 1,340.99 FEET; THENCE NORTH 01°14'28" EAST, A DISTANCE OF
29 5.55 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHERLY,
30 HAVING A RADIUS OF 314.34 FEET A CENTRAL ANGLE OF 22°45'09" AND A CHORD DISTANCE OF
31 124.01 FEET WHICH BEARS NORTH 77°38'39" EAST; THENCE EASTERLY ALONG THE ARC OF SAID
32 CURVE A DISTANCE OF 124.83 FEET; THENCE NORTH 23°43'54" WEST, A DISTANCE OF 10.00
33 FEET; THENCE NORTH 66°16'06" EAST, A DISTANCE OF 42.77 FEET TO A POINT OF CURVATURE
34 OF A NON TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1,204.47 FEET A
35 CENTRAL ANGLE OF 03°18'06" AND A CHORD DISTANCE OF 69.40 FEET WHICH BEARS NORTH
36 68°44'46" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 69.40 FEET;
37 THENCE NORTH 70°23'49" EAST, A DISTANCE OF 6.53 FEET TO A POINT OF CURVATURE OF A
38 CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 271.31 FEET, A CENTRAL ANGLE OF
39 10°10'38" AND A CHORD DISTANCE 48.13 FEET WHICH BEARS NORTH 75°29'08" EAST; THENCE
40 EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 48.19 FEET TO A POINT OF A
41 COMPOUND CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 217.59 FEET, A CENTRAL
42 ANGLE OF 12°33'44" AND CHORD DISTANCE OF 47.61 FEET WHICH BEARS NORTH 86°51'19"
43 EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.71 FEET; THENCE
44 NORTH 03°08'11" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 86°51'49" EAST, A DISTANCE

1 OF 48.00 FEET; THENCE SOUTH 86°56'51" EAST, A DISTANCE OF 1.58 FEET; THENCE NORTH
2 01°29'23" EAST, A DISTANCE OF 5.01 FEET; THENCE SOUTH 87°04'56" EAST, A DISTANCE OF
3 535.48 FEET; THENCE SOUTH 76°46'51" EAST, A DISTANCE OF 50.05 FEET; THENCE SOUTH
4 65°10'08" EAST, A DISTANCE OF 56.55 FEET; THENCE SOUTH 57°59'33" EAST, A DISTANCE OF
5 50.83 FEET; THENCE SOUTH 55°08'02" EAST, A DISTANCE OF 37.17 FEET; THENCE NORTH
6 05°51'46" EAST, A DISTANCE OF 254.96 FEET; THENCE NORTH 32°48'36" EAST, A DISTANCE OF
7 126.37 FEET; THENCE NORTH 43°29'37" EAST, A DISTANCE OF 572.75 FEET; THENCE NORTH
8 02°54'58" EAST, A DISTANCE OF 683.35 FEET TO THE TO A POINT ON THE NORMAL HIGH
9 WATER LINE OF LAKE APOPKA HEREIN AFTER REFERRED TO AS POINT "A"; THENCE RUN ALONG
10 SAID NORMAL HIGH WATER LINE SOUTHERLY; THENCE WESTERLY; THENCE NORTHERLY TO A
11 POINT ON THE SOUTH LINE OF THE NORTH HALF (N1/2) OF NORTHWEST QUARTER (NW1/4) OF
12 NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 14 BEING THE POINT OF BEGINNING, BEING
13 SOUTH 43°24'59" WEST, 8259.31 FEET FROM AFORE SAID POINT "A".
14 CONTAINING 1,489.684 ACRES, MORE OR LESS.

15
16 BELLA COLLINA WEST DESCRIPTION

17
18 ALL OF BELLA COLLINA WEST, LESS TRACT A AND TRACT P, ACCORDING TO THE PLAT THEREOF
19 AS RECORDED IN PLAT BOOK 54, PAGES 1 THROUGH 19, SITUATED IN SECTIONS 10, 11 AND 14,
20 TOWNSHIP 22 SOUTH, RANGE 26 EAST, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA,
21 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

22
23 BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID SECTION 10

24
25 THENCE SOUTH 89°30'14" WEST ALONG SOUTH LINE OF SAID SECTION 10, A DISTANCE OF
26 2,638.52 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE CONCAVE WESTERLY,
27 HAVING A RADIUS OF 525.56 FEET A CENTRAL ANGLE OF 37°26'35" AND A CHORD DISTANCE OF
28 337.38 FEET WHICH BEARS NORTH 09°31'20" EAST; THENCE DEPARTING SOUTH LINE OF SAID
29 SECTION 10 AND NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 343.46 FEET;
30 THENCE SOUTH 89°30'27" WEST, A DISTANCE OF 18.17 FEET; THENCE NORTH 01°02'40" WEST,
31 A DISTANCE OF 493.61 FEET; THENCE NORTH 01°24'11" WEST, A DISTANCE OF 1,040.53 FEET;
32 THENCE NORTH 01°00'22" WEST, A DISTANCE OF 727.40 FEET; THENCE NORTH 44°33'24" EAST,
33 A DISTANCE OF 35.01 FEET; THENCE SOUTH 89°52'50" EAST, A DISTANCE OF 583.36 FEET;
34 THENCE NORTH 89°09'19" EAST, A DISTANCE OF 737.82 FEET TO A POINT OF CURVATURE OF A
35 NONTANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 290.00 FEET, A CENTRAL
36 ANGLE OF 26°54'40" AND A CHORD DISTANCE 134.96 FEET WHICH BEARS NORTH 75°41'59"
37 EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 136.21 FEET; THENCE
38 NORTH 89°11'40" EAST, A DISTANCE OF 1,142.89 FEET; THENCE NORTH 88°43'38" EAST, A
39 DISTANCE OF 2,637.92 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER
40 (SW1/4) OF AFORESAID SECTION 11; THENCE SOUTH 00°34'01" EAST ALONG THE EAST LINE OF
41 SAID SECTION 11, A DISTANCE OF 461.82 FEET TO A POINT OF CURVATURE OF A NON TANGENT
42 CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1,920.00 FEET A CENTRAL ANGLE OF
43 13°09'42" AND A CHORD DISTANCE OF 440.08 FEET WHICH BEARS NORTH 80°45'37" EAST;
44 THENCE DEPARTING SAID EAST LINE OF SOUTHWEST QUARTER (SW1/4) OF SECTION 10 AND

1 EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 441.05 FEET; THENCE NORTH
2 87°20'28" EAST, A DISTANCE OF 892.80 FEET; THENCE SOUTH 00°17'41" EAST, A DISTANCE OF
3 974.73 FEET; THENCE SOUTH 89°47'12" EAST, A DISTANCE OF 711.05 FEET TO A POINT ON THE
4 WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 455; THENCE SOUTH 11°20'15" WEST,
5 ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 58.96 FEET TO A POINT OF
6 CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF
7 458.84 FEET A CENTRAL ANGLE OF 28°39'48" AND A CHORD DISTANCE OF 227.16 FEET WHICH
8 BEARS SOUTH 25°40'08" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A
9 DISTANCE OF 229.54 FEET; THENCE SOUTH 40°00'02" WEST, A DISTANCE OF 1,671.98 FEET;
10 THENCE SOUTH 39°44'20" WEST, A DISTANCE OF 568.74 FEET; THENCE DEPARTING SAID
11 WESTERLY RIGHT-OF-WAY LINE, SOUTH 89°06'09" WEST, A DISTANCE OF 794.85 FEET; THENCE
12 SOUTH 00°35'48" EAST, A DISTANCE OF 12.50 FEET; THENCE SOUTH 89°06'16" WEST, A
13 DISTANCE OF 324.48 FEET; THENCE NORTH 01°05'10" WEST, A DISTANCE OF 9.51 FEET; THENCE
14 SOUTH 88°54'50" WEST, A DISTANCE OF 521.18 FEET; THENCE NORTH 45°51'43" WEST, A
15 DISTANCE OF 200.03 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER
16 (NW1/4) OF AFORESAID SECTION 14; THENCE NORTH 00°38'17" WEST ALONG SAID EAST LINE,
17 A DISTANCE OF 512.75 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 88°48'56" WEST, A
18 DISTANCE OF 1,317.66 FEET TO THE POINT OF BEGINNING.
19 CONTAINING 425.674 ACRES, MORE OR LESS.

20
21 This Future Land Use Category shall consist solely of the following uses, densities
22 and intensities:

- 23
- 24 • A total of 868 single-family dwelling units;
- 25 • 100-unit lodge/hotel;
- 26 • Clubhouse with spa, pool, gym facility, tennis courts, and other recreational facilities
27 and/or equipment;
- 28 • Banquet hall;
- 29 • Docks and boathouses. In any case, only (1) dock or boathouse shall be permitted per
30 any two adjacent lots;
- 31 • Eighteen (18) hole golf course and ancillary buildings/structures;
- 32 • Water and sewer facility buildings/structures; and
- 33 • Commercial activities that are directly associated with the structures listed above.
- 34

35 The maximum impervious surface ratio within this category shall be 0.60, which shall be applied
36 collectively over the entire site, the maximum density shall be 868 single-family dwelling units,
37 the maximum floor area ratio (FAR) shall be 500,000 square feet, the minimum open space shall
38 be 25%, and the building height shall meet the requirements set forth in Policy I-1.2.3 entitled,
39 Building Heights within Future Land Use Categories.

40
41 ***
42

1 **Section 4. Advertisement.** This Ordinance was advertised pursuant to Chapter 163, Florida
2 Statutes, Section 163.3184(11).

3
4 **Section 5. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be
5 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
6 way affect the validity of the remaining portions of this Ordinance.

7
8 **Section 6. Effective Date.** This Ordinance shall become effective upon filing with the Secretary
9 of State.

10
11 ENACTED this ____ day of _____, 2014.

12
13 FILED with the Secretary of State _____, 2014.

14
15
16 BOARD OF COUNTY COMMISSIONERS
17 LAKE COUNTY, FLORIDA

18
19
20
21 _____
22 Jimmy Conner, Chairman

23 ATTEST:

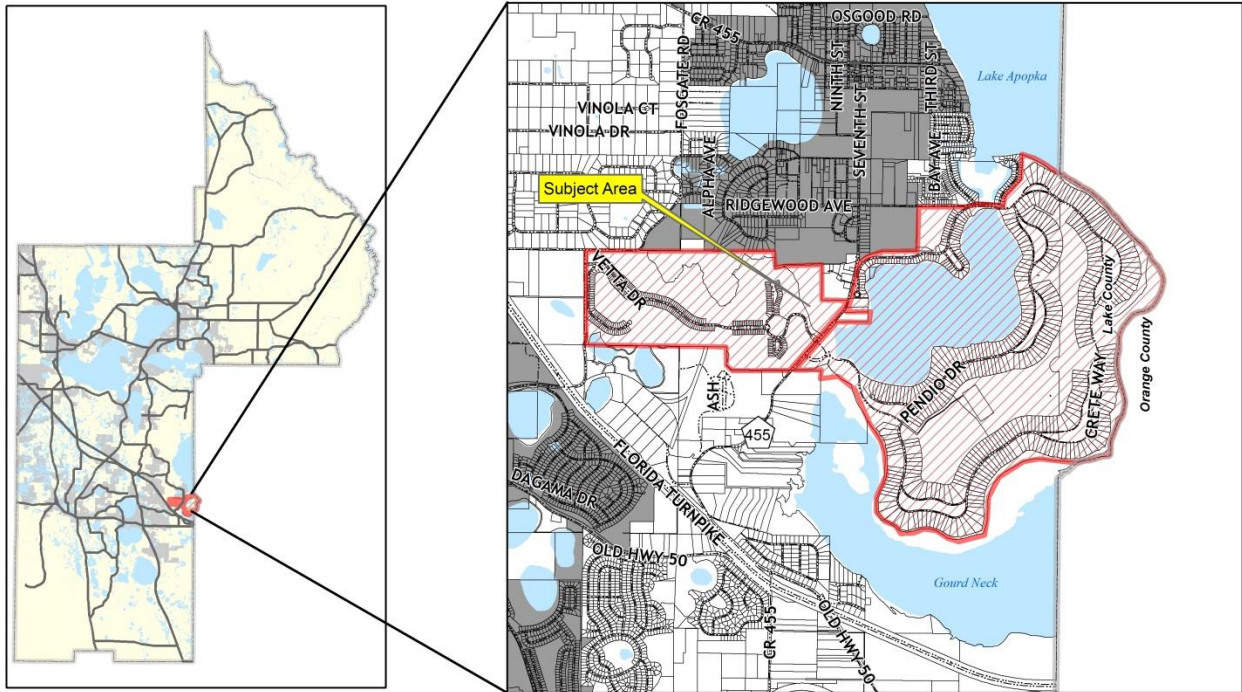
24
25
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27 _____
28 Neil Kelly, Clerk of the Board of
29 County Commissioners, Lake County, Florida

30
31 Approved as to form and legality:

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33
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35 _____
36 Sanford A. Minkoff, County Attorney

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6

EXHIBIT A
LPA#13/10/1-2
East and West of CR 455, near Montverde



7