

# LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

**PLANNING AND ZONING BOARD**  
August 6, 2014



**BOARD OF COUNTY COMMISSIONERS**  
August 26, 2014

<b>PH #20-14-5</b> Grand Oaks Holding Rezoning CFD Amendment	<b>Case Manager:</b> Rick Hartenstein, AICP, CPM Senior Planner	<b>Agenda Item # 6</b>
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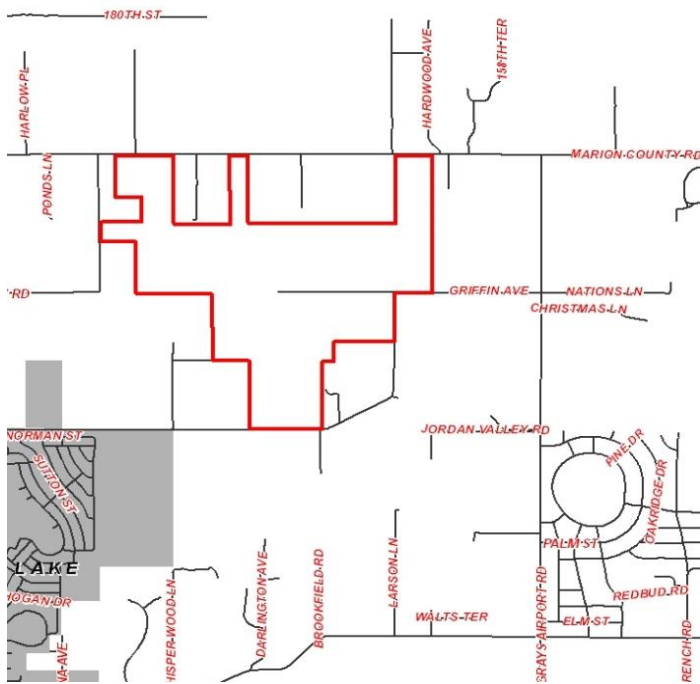
**Owner:** Grand Oaks Holding LLC – Thomas Warriner, Manager (the “Owner”)

**Applicant:** Greg Beliveau – LPG Urban & Regional Planners, Inc. (the “Applicant”)

**Requested Action:** Amend Community Facility District (CFD) Ordinance #2012-65 by reducing the acreage of the CFD by 4.81 +/- acres, removing a caretaker’s residence, expanding the lodge and continuing the existing equestrian museum, training and educational facility, with the support facilities.

### - Site Location & Information -

Approximate site location shown with a red line.



<b>Size</b>	349 +/- acres	
<b>Location</b>	N. Lady Lake area - take US 441 N to US 27 N to left on CR 25, right on Marion County Rd to 3000 Marion County Rd on right.	
<b>Alternate Key #</b>	Multiple (reference the ordinance)	
<b>Future Land Use (FLU)</b>	Rural & Public Service Facilities and Infrastructure (PSFI)	
	<b>Existing</b>	<b>Maximum</b>
<b>Zoning District &amp; Density</b>	Agriculture (1 du per 5 net acres) and R-1 (1 du per 1 net acre)	CFD – N/A
<b>Floor Area Ratio (FAR)</b>	0.10 – Ag & CFD	0.30 max – Rural (FLU) 1.0 max – PSFI (FLU)
<b>Impervious Surface Ratio (ISR)</b>	0.10 – Ag & CFD	0.30 max – Rural (FLU) 0.80 max – PSFI (FLU)
<b>Joint Planning Area</b>	Lady Lake	
<b>Utility Area:</b>	Lady Lake (none available)	
<b>Site Utilities</b>	Well and Septic Tanks	
<b>Road Classification</b>	Marion County Rd. (#5-8010) – Collector	
<b>Flood Zone/ FIRM Panel</b>	X/A – 12069C0160D Effective Date July 3, 2002	
<b>Commissioner District</b>	5 - Cadwell	

**Site Visit:** July 21, 2014

**Posting:** July 21, 2014 (7 Sign Posted)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	Rural	A, AR,RA, & R-2	Mix of low density single-family residential and agriculture	None
<b>South</b>	Rural Transition	A, RA, & R-1	Mix of low density single-family residential and agriculture	None
<b>East</b>	Rural & Rural Transition	A, RA, & R-1	Mix of low density single-family residential and agriculture	None
<b>West</b>	Rural & Rural Transition	A, RA, & R-1	Mix of low density single-family residential and agriculture	None

**– Summary of Staff Determination –**

**STAFF RECOMMENDATION:** Staff recommends **Approval** of the application to amend Community Facility District (CFD) Ordinance #2012-65 by reducing the acreage of the CFD by 4.81 +/- acres, removing a caretaker’s residence, expanding the lodge, and continuing the existing equestrian museum, training and educational facility, together with the support facilities with conditions, as specified in the proposed Ordinance.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**– Summary of Analysis –**

The Applicant is requesting to amend Ordinance #2012-65, the existing Community Facility District (CFD) Zoning District of the current 349 +/-acres Grand Oaks Museum and Equestrian Center by reducing the acreage of the CFD by 4.81 +/- acres, removing the caretaker’s residence, expanding the lodge from 24 rooms to 36 rooms, and continuing the existing equestrian museum and equestrian training and & educational facility, together with the support facilities.

The Applicant has indicated the caretaker’s residence located on 4.81 acres in the northwest quadrant of the facility was sold to an employee of the facility. Since this is no longer a part of the facility, a small scale Future land Use Map amendment approved in July 2014 removed the 4.81 acres from the Public Service Facilities and Infrastructure Future Land Use Category (FLUC) and placed it in the Rural FLUC in preparation for this amendment and the rezoning of the 4.81 acres from CFD to A to be compliant with the residential use regulations contained in the Land Development Regulations.

The Grand Oaks Museum and Equestrian Center property is located at 3000 Marion County Road in the northwest area of Lake County and is within the Public Service Facilities and Infrastructure and Rural Future Land Use Categories (FLUC). The majority of the property was placed in the Public Service Facilities and Infrastructure FLUC at the owner’s request during the development of the 2030 Comprehensive Plan.

In 2012, CFD Ordinance #2012-65 was approved by the Board of County Commissioners recognizing the existing equestrian museum, equestrian training, educational, and breeding facility, together with associated accessory support and recreational facilities, including a 24-room lodge, a 50,000 square foot (SF) arena, an outdoor amphitheater with a maximum capacity of 200 people, 19-guest cabins, and associated accessory facilities such as but not limited to a caretaker's residence. With the continued upswing in the economy and the completion of the 50,000 SF covered arena, the Owner finds it necessary to request additional lodging for the facility. The proposed ordinance is shown in strike-thru and underlined format to show the proposed changes in relation to approved CFD Ordinance 2012-65.

**- Analysis -**

LDR Section 14.03.03 (Standards for Review)

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

The Applicant seeks to expand the 24-room lodge to 36 rooms, a recognized accessory use to the Cultural Institution (existing equestrian museum) and the Riding Stable/Academy (equestrian training and educational facility) which are permissible within the CFD Zoning District as demonstrated in the Land Development Regulations (LDRs). Section 3.01.03, LDR, Schedule of Permitted and Conditional Uses recognizes cultural institutions and equestrian riding stable or academy as Community Facility uses. These proposed uses for the property are consistent with the CFD definition specified by Section 3.00.02.Y, LDR, as the uses promote the general welfare of community needs for county residents. The equestrian museum and training/education facility uses are similar to and consistent with the Classification of Uses specified by Section 3.01.02.E.5 (Cultural Institution) and 3.01.02.F.2 (Riding Stable or Academy), LDR.

The lodge has been recognized as an accessory use within Ordinance #2012-65 establishing the equestrian museum and training/educational facility as the primary use and the increase of rooms from 24 to 36 remains consistent with the above analysis.

Conditions have been placed in the attached Ordinance governing this accessory use to ensure it is accessory to the museum and equestrian facilities.

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

The Comprehensive Plan (Comp Plan) recognizes equestrian uses as a suitable use of property within all FLUCs as seen in Policy I-1.2.8. In addition, civic uses and active/passive recreation facilities are permitted within the Rural (Policy I-1.4.4) and Public Service Facilities and Infrastructure (Policy I-1.5.3) FLUC as a conditional use and as the CFD Zoning District is a planned zoning district, conditions have been placed in the associated Ordinance regulating the principal as well as the accessory uses.

Objective I-1.5 Public Benefit Future Land Use Series was established to identify lands that benefit the public or general welfare such as conservation, recreation, and public facilities and infrastructure. Lands may be located in rural or urban areas and may be held by government entities or may be privately owned if it serves a public benefit such as natural resource protection or community infrastructure. In this case, the equestrian museum and equestrian training facility is the community infrastructure that is privately owned but has been demonstrated throughout this analysis to be a benefit to the public. The preservation of equestrian history by the carriage museum is both a benefit to the community and the public at large consistent with this Objective.

This request is consistent with the land use provisions of the Rural Future Land Use Series specified by Policy I-1.4.3, as the proposed uses are not adverse to the rural character of the area. The proposed uses

will provide additional community services to the residents of this area together with the public in general, including not-for-profit as well as civic organizations consistent with this policy.

The Comprehensive Plan states in Objective I-7.7 Retention of Agricultural Lands, Lake County shall become proactive in developing partnerships with the agriculture industry, property owners, and local, regional, and state organizations for the purpose of developing a better understanding of how local government can ensure the continued viability of agriculture as a key component of the local economy. The Applicant has indicated this application incorporates a civic use (museum) and equestrian uses (agricultural industry) while at the same time providing not-for-profit and civic organizations the use of the facilities for events, training, and fund raisers at no expense as an example of a public/private partnership benefiting the public while retaining the agricultural use of the land consistent with this Objective.

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

As the proposed changes pertain to the lodge and the removal of acreage, the proposed changes are consistent with the existing land uses in the area. Conditions to ensure consistency are specified in the proposed ordinance.

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

The reduction of the zoning district acreage and the increase of the lodge rooms is the reason for this rezoning amendment.

**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** - Public Works has recommended approval for this amendment. Any transportation improvements recommended to address any impacts to area roads as a result of a future traffic impact analysis for the expansion of the facilities will be addressed as part of any future site plan approvals. Conditions have been placed in the attached Ordinance addressing transportation.

**Water and Sewage** – The proposed facility including accessory uses will be served by on-site well and septic tank. The Town of Lady Lake has indicated that water and sewer service is not available in this area. The Florida Department of Health as indicated that any existing or proposed water system with greater than 25 on-site users will require review and approval by the Florida Department of Environmental Protection. Additionally, any existing septic tank and/or wells will have to be assessed at the time of site plan for proper permits to accommodate the existing as well as the proposed uses. Conditions have been included in the attached Ordinance to ensure compliance.

**Fire & Emergency Services** – Lake County Fire and Rescue Station #54 located at Harbor Hills, remains the facility that will provide services to the property. Station #54, is less than five (5) miles from the subject property and has a response time of five (5) minutes or less.

**Solid Waste** – The proposed rezoning amendment will not cause any adverse impact to the current solid waste capacity or level of service.

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

Adverse impacts are not anticipated, however, any future substantial development proposal will cause the need for an Environmental Assessment pursuant to LDR.

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

The application did not contain any information regarding the effect the proposed rezoning would have on property values in the area.

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

The proposed rezoning amendment will result in a continuation of the existing development pattern in the area.

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

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

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

N/A

**FINDINGS OF FACT:**

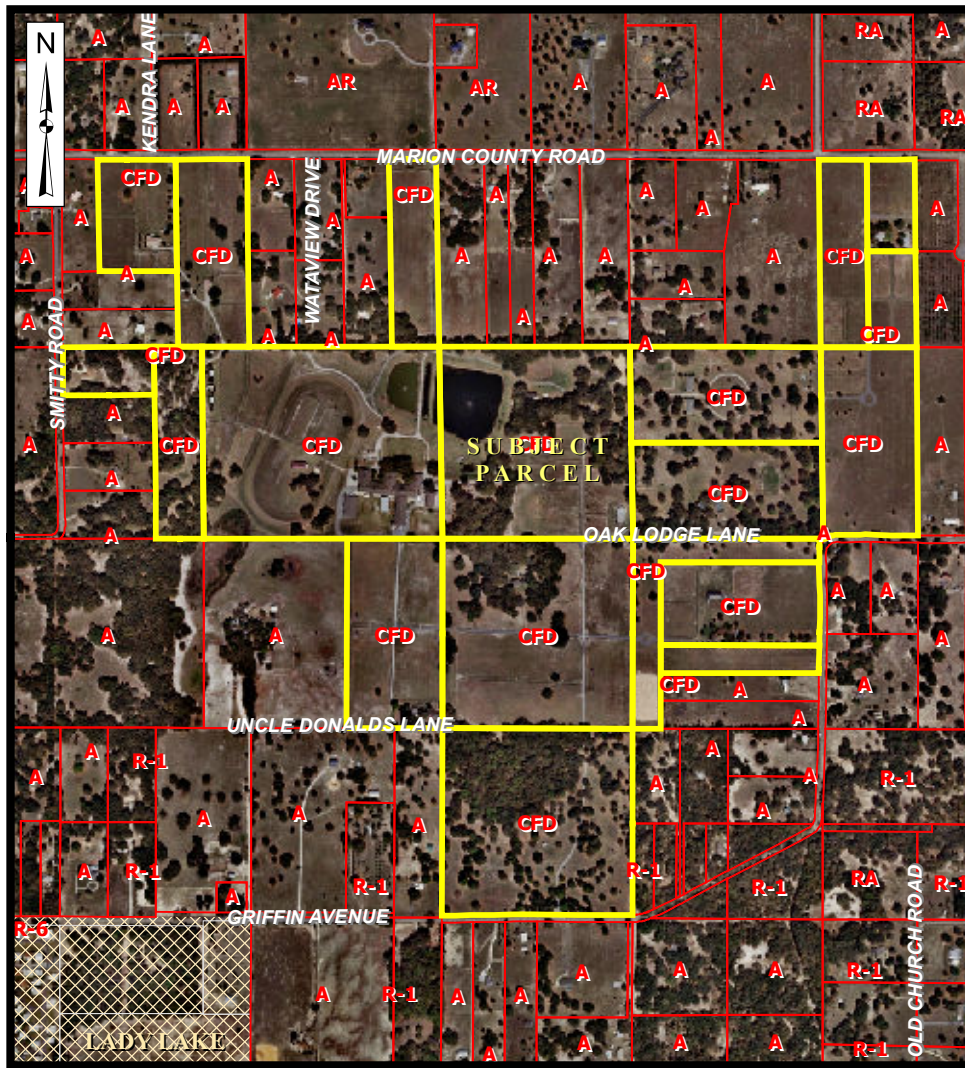
1. The proposed rezoning is consistent with the Comprehensive Plan as civic uses and active/passive recreation facilities are permitted within the Rural (Policy I-1.4.4) and Public Service Facilities and Infrastructure (Policy I-1.5.3) FLUC as a conditional use.
2. The proposed Lodge expansion and existing cabins are accessory uses to the carriage museum and equestrian facilities (principal uses of the property).
3. The proposed CFD rezoning and the proposed uses are consistent with the intent and purpose of Comprehensive Plan Policy I-1.4.3 as it specifies maintaining the rural character of land within Rural Future Land Use Series.
4. The proposed CFD rezoning recognizes that equestrian uses are a suitable use of property within all Future Land Use Category (FLUC) as seen in Policy I-1.2.8.
5. The proposed uses in the rezoning request are consistent with the Community Facilities District specified by Section 3.00.002.Y, LDR.
6. The principal uses proposed by the rezoning request are consistent with Section 3.01.02.E and F, LDR.

Based on these findings of fact, staff recommends **approval** of the rezoning application, with conditions, as specified in the attached Ordinance.

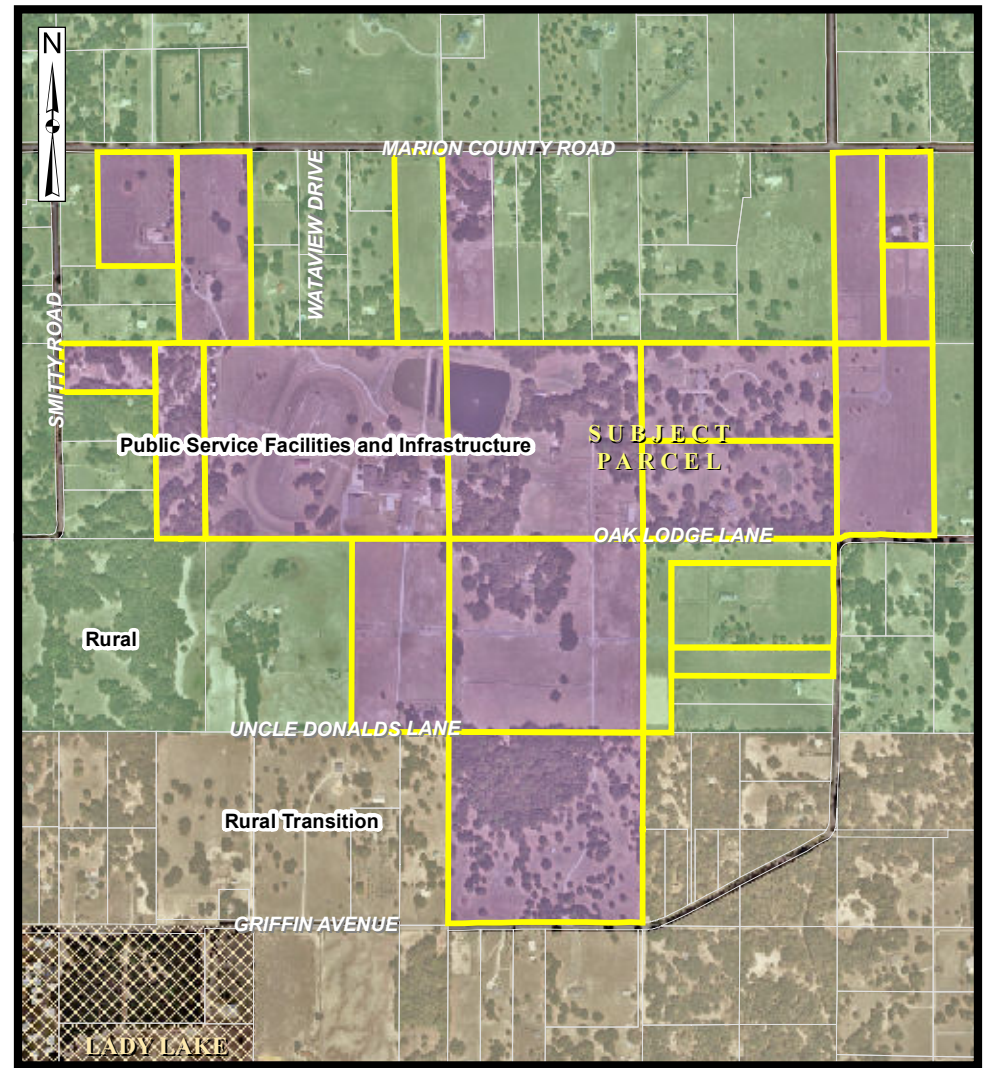
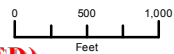
**WRITTEN COMMENTS FILED: Supportive: -0-**

**Concern: -0-**

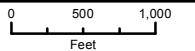
**Opposition: -0-**



**CURRENT ZONING**  
**COMMUNITY FACILITY DISTRICT (CFD)**



**CURRENT 2030 FUTURE LAND USE**  
**RURAL & PUBLIC SERVICE FACILITIES & INFRASTRUCTURE**



**GRAND OAKS  
 HOLDING, LLC**

**CASE NO.**  
 PH #20-14-5

**CASE LOCATION:**  
 3/4/9/10-18S-24E

**REQUESTING:**  
 Amend CFD Ordinance  
 #2012-65

**ZONING**

**LAND USE**

**SUBJECT PARCEL**

**DATA SOURCES:**  
 Lake County GIS Department; Planimetrics, 2008 Aerial Image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

**MAP COMPOSITION:**  
 JULY, 2014

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

**FOCUS AREA**

**LAKE COUNTY  
 FLORIDA**

**ORDINANCE #2014-  
PH #20-14-5  
Grand Oaks Holding LLC/LPG Urban & Regional Planners, Inc.**

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

**WHEREAS**, LPG Urban & Regional Planners, Inc. (the "Applicant") submitted an application on behalf of Grand Oaks Holding LLC (the "Owners") to amend Community Facility District (CFD) Ordinance #2012-65 by reducing the acreage of the CFD zoning by 4.81 +/- acres, removing a caretaker's residence, expanding the lodge from 24 to 36 rooms, and continuing the existing equestrian museum, training and educational facility, together with the support facilities; and

**WHEREAS**, the subject property for this Ordinance consists of approximately 344.19 +/- acres located at 3000 Marion County Road, Lady Lake area, in Sections 3, 4, 9, and 10, Township 18 South, Range 24 East, consisting of Alternate Key Numbers 1698324, 1237092, 1237343, 2945788, 1584833, 2540966, 1584744, 1237335, 1237459, 2919116, 2941359, 1584752, 3817439, 1278503, 1584761, 1809045, 1739527, 2862904, & 2540958 and more particularly described as:

**LEGAL DESCRIPTION – (Exhibit "A")**

**WHEREAS**, the property subject to the request is located within the Rural and Public Service Facilities and Infrastructure Future Land Use Categories as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

**WHEREAS**, on the 25<sup>th</sup> day of September, 2012, the Board of County Commissioners approved the Grand Oaks Holding, LLC rezoning (Ordinance #2012-65) on 349 +/- acres for an existing equestrian museum and equestrian training & educational facility together with support facilities and accessory uses; and

**WHEREAS**, Ordinance #2012-65 shall be superseded and replaced with this Ordinance upon its adoption; and

**WHEREAS**, Lake County Planning and Zoning Board did review petition PH #20-14-5 on the 6<sup>th</sup> day of August, 2014, after giving Notice of Hearing for a change in the use of land, including a notice that said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 26<sup>th</sup> day of August, 2012; and

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

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

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

4 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to show  
 5 the Community Facility District (CFD) in accordance with Exhibit "A" of this Ordinance. This  
 6 Ordinance shall revoke/rescind and replace CUP#11/7/3-5 Ordinance #2012-65. All uses shall be  
 7 generally consistent with the Concept Plan as shown in Exhibit "B", of this Ordinance. To the extent  
 8 where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall  
 9 take precedence.

10 **A. Land Use:** The uses listed below are specifically limited to the land area described in Exhibit  
 11 "A" of this Ordinance.

<b>Principal Uses</b>
Equestrian Museum
Equestrian Training and Educational Facility
Equestrian Event Facilities
Special Events

12  
 13 1. **Accessory Uses Terms and Conditions:** The following terms and conditions shall apply  
 14 to the accessory uses listed in the table below.

<b>Accessory Uses, including but not limited to:</b>
Stables (for Guests Only)
Educational/Multi-purpose Building
Fifty (50) Bed Dormitory (Student and Staff Housing)
Storage Buildings
Blacksmith/Ferrier Shop
Restaurant/Café (for Guests Only)
Gift Shop
Workshop/Maintenance Building(s)
Equestrian Performance Arena (Open Air)
Covered Equine Arena (51,500 SF Maximum)
Lodge with accessory Health Spa/Salon
Office Building
Chapel/Church
Self-Service Laundry (for Guest Only)
Nineteen (19) Guest Cabins (Maximum)
Private Heliport (One Landing Pad)
Outdoor Cooking/Barbeque Area
Amphitheater
Golf Driving Range (for Guests Only)
Skeet Shooting Range (for Guests Only)
Public Swimming Pool (for Guests Only)
Any use determined by the County Manager or designee to be similar in nature to the above uses.



- 1                    **a. Lodge:**  
2                    i. The lodge shall be limited to ~~twenty-four (24)~~thirty-six (36) rooms.  
3                    ii. A health spa/salon not to exceed nine hundred (900) square feet within the Lodge.
- 4                    **b. Cabins:**  
5                    i. A maximum of 19 guest cabins shall be permitted.  
6                    ii. The Owner shall demonstrate at site plan submittal that all cabins have been  
7                    properly permitted by Lake County. Any cabin constructed without a building  
8                    permit shall obtain after-the-fact building permits for each unpermitted cabin.
- 9                    **c. Private Heliport:**  
10                    i. The private heliport shall be limited to one (1) landing pad for the Owner's use  
11                    only.  
12                    ii. The heliport shall be subject to all federal, state, and local permitting requirements  
13                    prior to development.
- 14                    **d. Equestrian Event Parking:**  
15                    i. Event Parking shall be limited to forty-five (45) spaces for self-contained  
16                    equestrian trailer/recreational vehicle units.  
17                    ii. Electric and potable water hook-ups/services are permitted.  
18                    iii. The equestrian trailer/recreational vehicle units may remain onsite no more than  
19                    ninety (90) consecutive days.  
20                    iv. A wastewater pump-out station shall be provided near the event parking area.  
21                    v. A fifty (50) foot Type "C" landscape buffer shall be required between the event  
22                    parking area and adjacent residential use property.
- 23                    **2.** Any other use of the site not identified above shall require an amendment to this  
24                    Ordinance as approved by the Board of County Commissioners.
- 25                    **B. Events:** Events shall be classified as advertised events expected to draw less than 500  
26                    persons to that advertised event.

Events
Equestrian Summer Day Camp
Equestrian Training Programs
Equestrian Shows (Breed & Discipline Competitions)
Riding and Educational Programs for Area Schools, the Elderly, and Civic Groups or Organizations
Polo Training Camp/Retreat

- 27  
28                    **C. Special Events:** Special events shall be classified as advertised events expected to draw  
29                    more than 500 persons to the advertised event and shall be subject to the following conditions:  
30

Special Events
Music Festivals/Concerts
Equine Discipline Events such as but not limited to Amateur Rodeo, Barrel Racing, Team Roping, and Polo Matches
Civil and Historic Reenactments

- 1                   **1. Number:** There shall be no more than twelve (12) special events per calendar year
- 2                   i. A maximum of three (3) of the special events may be music festivals
- 3                   ii. Only three special events may exceed 3,000 people.
- 4                   **2. Duration:** Special events shall not exceed 72 consecutive hours per event.
- 5                   **3. Setbacks:**
- 6                   i. Special Event activities shall not be located closer than 100 feet from the property
- 7                   line of any residentially used property.
- 8                   ii. Any obstacles, or other points of congregation of event participants, shall be
- 9                   located a minimum of 200 feet from the property line of any property used for
- 10                  residential purposes and 400 feet from any residence.
- 11                  iii. The arena, barns, tracks, fields and parking shall comply with the requirements of
- 12                  the Comprehensive Plan and Land Development Regulations, as may be
- 13                  amended, if not otherwise specified herein. In no case shall the setback for these
- 14                  structures and uses be less than 50-feet.
- 15                  **4. Music Festivals/Concerts:**
- 16                  i. **Stage Setback:** The stage(s) associated with any music event must be a
- 17                  minimum of 500 feet from the property line of any property used for residential
- 18                  purposes.
- 19                  ii. **Hours of Operation:** 7:00 a.m. to Midnight, Friday or Saturday for one (1) day
- 20                  only. Hours of Operation shall mean hours that such events are open to the public.
- 21                  **5. Hours of Operation for Special Events other than Music Festivals/Concerts:** 7:00
- 22                  a.m. to 9:00 p.m., Monday through Saturday. Hours of Operation shall mean hours that
- 23                  such events are open to the public.
- 24                  **6. Emergency Personal:** Any events which could possibly injure spectators or participants
- 25                  shall have medical standby consisting of one (1) paramedic and one (1) emergency
- 26                  medical technician.
- 27                  **7. Notification:** The Applicant shall notify Lake County of any Special Events in writing at
- 28                  least thirty (30) days in advance of the special event. Such notice shall be provided to the
- 29                  attention of the Department of Growth Management.
- 30                  **8. Application:** For Special Events drawing, or expected to draw more than 500 people a
- 31                  day, a completed Special Event Application shall be required. The Special Event
- 32                  Application shall be approved by Lake County Emergency Management prior to the event
- 33                  and may require conditions to ensure the Public Health, Safety and Welfare not included in
- 34                  this ordinance.
- 35                  For Public Health, Safety and Welfare conditions not addressed in the Special Events
- 36                  Application, Lake County Emergency Management will coordinate with the applicant to
- 37                  ensure all conditions of concern are satisfactorily addressed and ensure that emergency
- 38                  medical access for any adjacent properties is provided. Depending on the complexity of
- 39                  the Special Event, Lake County Emergency Management may require the implementation
- 40                  of an Incident Action Plan (IAP). The Lake County Emergency Management shall have the
- 41                  authority to deny the request if found adverse to the health, safety, and welfare of the
- 42                  public.
- 43                  **9. Solid Waste:** A solid waste management plan shall be required with each Special Event
- 44                  permit, as approved by the Lake County Solid Waste Division.

1 **D. Open Space, Setbacks, and Parking:** Open Space, Setbacks, and Parking shall be in  
2 accordance with the Comprehensive Plan and LDR, as amended.

3 **E. Floor Area (FAR), Impervious Surface (ISR), and Height of Structures:**

Future Land Use Category	FAR	ISR	Height of Structure
Rural	0.10 (LDR)	0.10	50-Feet
<u>Public Service Facilities and Infrastructure</u>	<u>1.0 (Comp Plan)</u>	<u>0.80</u>	<u>75-Feet</u>

4 **F. Landscaping, Buffering, and Screening:** Landscaping, Buffering, and Screening shall be in  
5 accordance with the Comprehensive Plan and Land Development Regulations, as amended.

6 **G. Transportation Improvements/Access Management:**

7 **1. Access Management:** All access management shall be in accordance with the  
8 Comprehensive Plan and Land Development Regulations, as amended.

9 **2. Traffic Analysis:** A ~~Tier 2~~ Traffic Impact Analysis will be required with ~~the~~ any future site  
10 plan submittal. Any transportation improvements recommended as a result of the traffic  
11 impact analysis will be addressed as part of the site plan approval.

12 **H. Signage:** All signage shall be accordance with the Comprehensive Plan and Land  
13 Development Regulations, as amended.

14 **I. Lighting:** Exterior lighting shall be cut-off type and in accordance with the Land Development  
15 Regulations, as amended, and consistent with Dark-Sky principles. A photometric plan for all  
16 exterior lighting shall be provided with the site plan application.

17 **J. Fire Protection:** Fire Protection shall be in accordance with the all applicable federal, state,  
18 and local codes and/or regulations, as amended.

19 **K. Utilities:**

20 **1.** The provision of potable water, as applicable, shall be permitted in accordance with Florida  
21 Department of Health, Florida Department of Environmental Protection, the  
22 Comprehensive Plan, and Land Development Regulations, as amended.

23 **2.** Septic and sewage service, as applicable, shall be permitted in accordance with the  
24 Florida Department of Health, Florida Department of Environmental Protection, the  
25 Comprehensive Plan, and Land Development Regulations, as amended.

26 **3.** Any portion of an on-site septic system shall be setback 100 feet from the wetland  
27 jurisdiction line in accordance with the Comprehensive Plan, as amended.

28 ~~**L. Unpermitted Structures:** Prior to the approval of a site plan, all structures located on the~~  
29 ~~property shall demonstrate compliance with the Florida Building Code and National Fire~~  
30 ~~Protection Code, or shall obtain an after the fact building permit following site plan approval.~~

31 **ML. Concurrency Management Requirements:** Any development shall comply with the Lake  
32 County Concurrency Management System, as amended.

33 **NM. Development Review and Approval:** Prior to the issuance of permits, the Applicant shall be  
34 required to submit a site plan application generally consistent with Exhibit "B" - Conceptual

1 Plan, attached, for review and approval in accordance with the Comprehensive Plan and  
2 LDR, as amended.

3 **ON. Future Amendments to Statutes, Code, Plans, and/or Regulations:** The specific  
4 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake  
5 County Comprehensive Plan, and Lake County Land Development Regulations shall include  
6 any future amendments to the Statutes, Code, Plans, and/or Regulations.

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

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

12 **B.** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,  
13 move, convert, or demolish any building structure, add other uses, or alter the land in any  
14 manner within the boundaries of the above described land without first obtaining the  
15 necessary approvals in accordance with the Lake County Code, as amended, and obtaining  
16 the permits required from the other appropriate governmental agencies.

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

20 **D.** Construction and operation of the proposed use shall at all times comply with the regulations  
21 of this and other governmental permitting agencies.

22 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance  
23 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is  
24 made good and aware of the conditions established by this Ordinance and agrees to be  
25 bound by these conditions. The purchaser or lessee may request a change from the existing  
26 plans and conditions by following procedures contained in the Land Development  
27 Regulations, as amended.

28 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code  
29 Enforcement Special Master shall have authority to enforce the terms and conditions set  
30 forth in this ordinance and to recommend that the ordinance be revoked.

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

34 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to  
35 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance  
36 with Section 125.66, Florida Statutes.  
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**Section 45. Effective Date. This Ordinance shall become effective as provided by law.**

**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014

**FILED** with the Secretary of State \_\_\_\_\_, 2014.

**EFFECTIVE** \_\_\_\_\_, 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**

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**Exhibit "A"**  
**Boundary Legal Description**

**LEGAL DESCRIPTION**  
**ALSO DESCRIBED AS**

THAT PORTION OF SECTIONS 3, 4, 9, AND 10, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

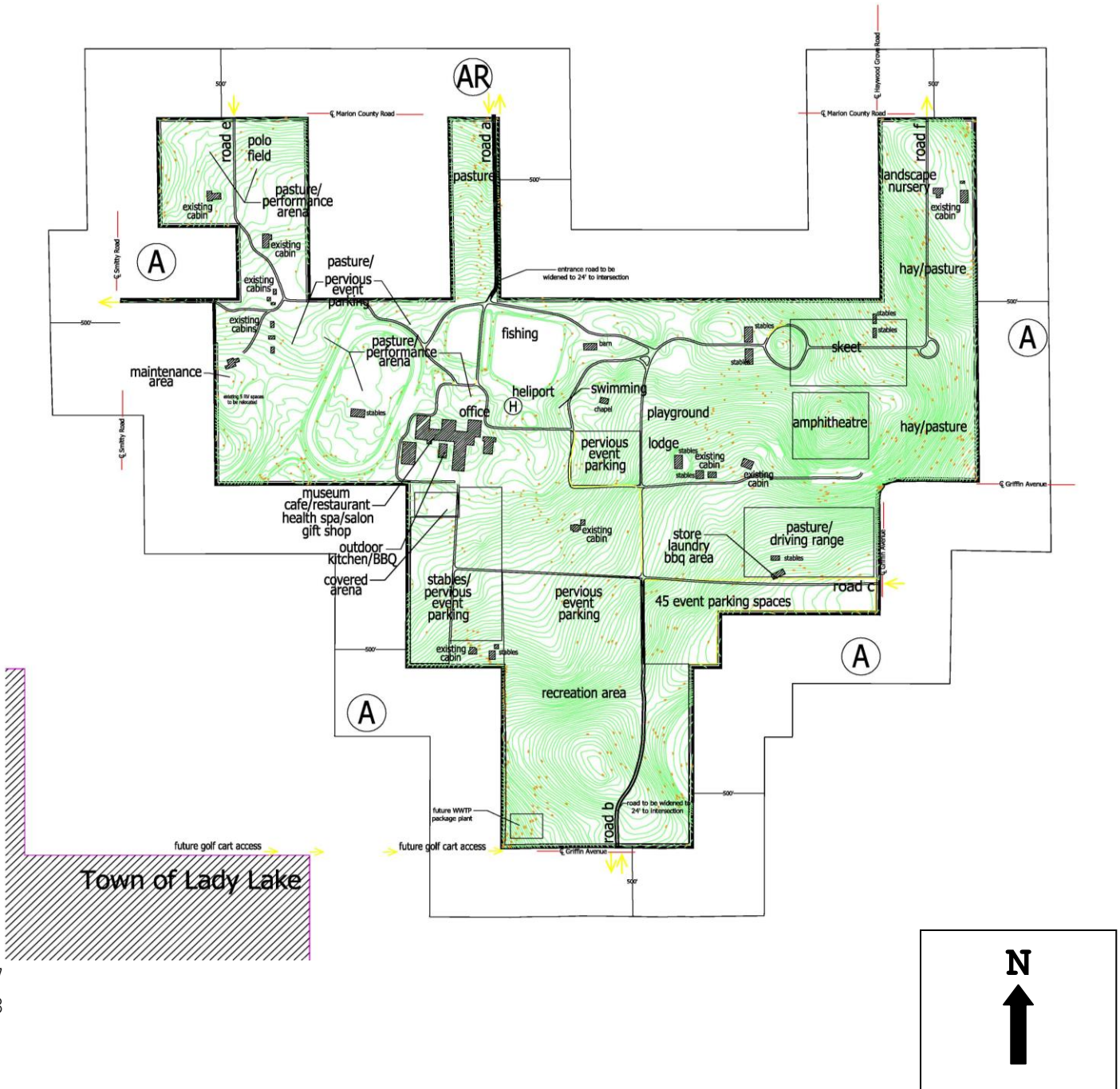
COMMENCE AT THE SOUTHEAST CORNER OF SECTION 4 AND RUN SOUTH 89°55'21" WEST A DISTANCE OF 664.09 FEET TO POINT OF BEGINNING. THENCE SOUTH 89°56'28" WEST FOR 1,328.19 FEET; THENCE NORTH 00°28'42" WEST FOR 1,000.03 FEET; THENCE SOUTH 89°53'28" WEST FOR 661.57 FEET; THENCE NORTH 00°20'03" WEST FOR 333.07 FEET; THENCE NORTH 89°52'05" EAST FOR 828.45 FEET; THENCE NORTH 00°37'21" WEST FOR 525.43 FEET; THENCE SOUTH 89°52'05" WEST FOR 539.82 FEET; THENCE NORTH 00°37'21" WEST FOR 803.35 FEET; THENCE NORTH 89°34'35" EAST FOR 1,032.81 FEET; THENCE SOUTH 00°37'20" EAST FOR 1,334.03 FEET; THENCE NORTH 89°52'05" EAST FOR 991.10 FEET; THENCE NORTH 00°20'17" WEST FOR 1,335.36 FEET; THENCE NORTH 89°47'38" EAST FOR 328.69 FEET; THENCE SOUTH 00°52'17" EAST FOR 1,335.32 FEET; THENCE SOUTH 89°52'02" EAST FOR 2,650.16 FEET; THENCE NORTH 00°36'06" WEST FOR 1,331.95 FEET; THENCE SOUTH 89°47'48" EAST FOR 664.48 FEET; THENCE SOUTH 00°31'00" EAST FOR 2,661.98 FEET; THENCE NORTH 89°57'31" WEST FOR 660.51 FEET; THENCE SOUTH 00°14'14" WEST FOR 929.56 FEET; THENCE NORTH 89°58'25" WEST FOR 1,125.90 FEET; THENCE SOUTH 00°14'59" WEST FOR 386.40 FEET; THENCE NORTH 89°58'25" WEST FOR 193.31 FEET; THENCE SOUTH 00°09'45" WEST FOR 1,316.30 FEET; THENCE NORTH 89°59'18" WEST FOR 1,320.42 FEET; THENCE NORTH 00°08'58" EAST FOR 1,316.64 FEET; THENCE NORTH 89°56'21" WEST FOR 663.82; THENCE NORTH 00°08'16" EAST FOR 1,315.04 FEET TO POINT OF BEGINNING.

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Less 4.81 +/- acres described as, The N ½ of the NW ¼ of the SW ¼ of the SE ¼ -- Less West 25 feet for Road Right-of-Way, Section 4, Township 18 South, Range 24 East, Lake County, Florida.

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### Exhibit "B" Concept Plan



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