

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
APPLICATION FOR CONDITIONAL USE PERMIT

LAKE COUNTY PLANNING & ZONING BOARD
 September 4, 2013



BOARD OF COUNTY COMMISSIONERS
 September 24, 2013

CUP #12/7/1-1A Revolution Off-Road Driving Experience/JAK Holdings, LLC	Case Manager: Jennifer M. Cotch, Environmental Specialist	Agenda Item # 7
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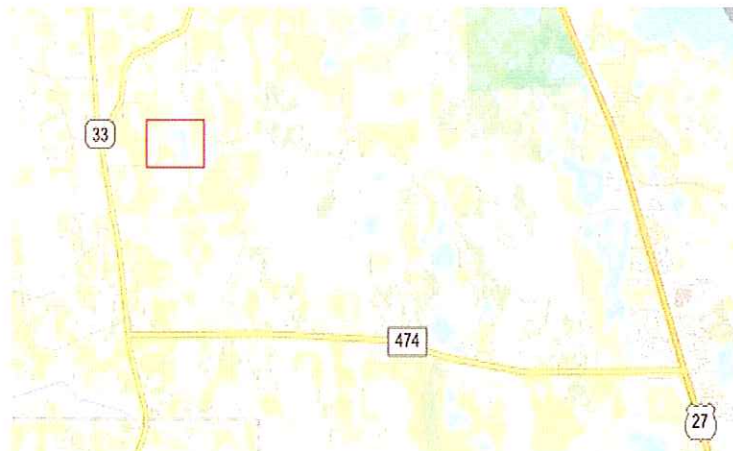
Applicant: Kevin Jowett (the "Applicant")

Owner: Kevin and Audrey Jowett (the "Owner")

Requested Action: The Applicant is requesting to amend CUP Ordinance #2012-43 to increase the number of special events, extend the event hours, and to add primitive camping as a specific use. In addition, the Applicant desires to use an additional twenty acres off-site in order to accommodate parking for special events.

- Site Location & Information -

Approximate site location outlined in **RED**



Site Visit August 14, 2013
Sign Posted August 14, 2013 (3 signs posted)

Size	215.14+/- acres	
Location	South of Clermont, East of SR 33	
Alternate Key #	1743036	
Future Land Use	Green Swamp Core Conservation	
Future Land Use Density	1 du/20 net acres maximum	
	Existing	Proposed
Zoning District	A	A
Density	1 du/20ac	1 du/20 ac
Floor Area Ratio	0.10	0.10
Impervious Surface Ratio	0.10	0.10
Joint Planning Area	N/A	
Utility Area:	N/A	
Site Utilities	Proposed well and septic system for daily business operations; portable toilets and bottled water for special events.	
Road Classification	SR 33 – Access through private easement	
Flood Zone/ FIRM Panel	X & A/ Panel 625 7/3/02	
Commissioner District	1 (Sullivan)	

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Green Swamp Core Conservation	Agriculture	Mining, Agriculture, and Rural Residential	
South	Green Swamp Core Conservation	Agriculture	Vacant lands/wetlands	
East	Green Swamp Core Conservation	Agriculture	Mining Activity	Jahna Industries, Inc.
West	Green Swamp Core Conservation	Agriculture	Rural Residential	

– Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **APPROVAL, with Conditions** of the Conditional Use Permit amendment request, subject to conditions specified in the attached Ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

– Summary of Analysis –

The subject property is located south of the Clermont Area, East of SR 33 and North of CR 474. The Applicant is requesting to amend CUP 12/7/1-1 (Ordinance 2012-43) to increase the number of special events from six (6) to eight (8), which four (4) of eight (8) may exceed 2,000 people, extend the event hours by two (2) hours, as well as add and define primitive camping to the existing conditional use permit. The property is currently used as a small scale outdoor recreational use for special events and recreational activities such as the following:

- Fishing Competitions
- Endurance Races
- Music Festivals
- Cooking Contests
- Off-Road Vehicle Course
- Paintball Courses
- Archery
- Skeet Shooting
- Corn Maze and Pumpkin patch

The property is designated as Green Swamp Core Conservation Future Land Use Category (FLUC). The Comprehensive Plan allows Outdoor Small-scale sporting and recreational camps with a conditional use permit within the Green Swamp (GS) Core Conservation Future Land Use Category. The uses requested by the proposed CUP are consistent with the Land Development Regulations (LDR) as seen in LDR Table 3.01.03, Schedule of Permitted and Conditional Uses and would be consistent with other requirements with significant conditions as contained in the proposed ordinance.

– STANDARDS OF REVIEW & ANALYSIS –

(Per Section 14.05.03 of the Land Development Regulations)

A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).

This CUP amendment proposes to increase the number of special events from six (6) to eight (8). They also propose that four (4) of the eight (8) events may exceed 2,000 people. They are currently limited to two events that would exceed 2,000 people.

In addition, the amendment proposes to extend the special event hours by two (2) hours and add primitive camping, which is currently undefined. Hunting & Fishing Camps are permitted within the GS Core Conservation Future Land Use and the Agricultural Zoning District and Primitive Camping can be reasonably be expected to occur as part of this use, however, it must be defined. The proposed primitive camping shall be limited to fifty (50) tents confined to Area "D" as shown on the concept plan (Exhibit A), in association with a special event. So that impacts to adjacent residential uses are minimized.

The uses of the property for outdoor recreation are consistent with the LDR and Comp Plan by the approval of CUP Ordinance #2012-43. The Green Swamp Core Conservation Land Use Category allows small-scale sporting and recreational camps as seen in Policy I-4.2.5 with Conditional Use approval. Small-scale sporting and recreational camps are defined as "Outdoor Sports and Recreation clubs that are comprised of 20-developed acres or less (excluding areas maintained in their natural state)".

The Plan defines "Outdoor Sports and Recreation Clubs" as "Establishments primarily engaged in operating sporting and recreational camps, such as boys' and girls' camps, and fishing and hunting camps."

The Board found through its approval of CUP Ordinance #2012-43 that the current uses of the property are consistent with the Comp Plan and LDR under the conditions contained in the ordinance such as the requirements to obtain a special event permit for each event, limited the amount of events and hours of recreational usage.

This CUP amendment proposes to increase the event hours the number of special events from six (6) to eight (8), in which case four (4) of the eight (8) events may exceed 2,000 people, extend the non-music event hours by two (2) hours from 7:00pm to 9:00pm, and to add primitive camping for up to 50 primitive camp sites. Special Events are to occur Thursday through Sunday only.

B. Effect on Adjacent Properties.

1. The proposed conditional use will not have an undue adverse effect upon nearby property.

Prior to the approval of Ordinance #2013-43, the property was used for off-road vehicle course driving by the Revolution Off-road Driving Experience. A successful special event involving an obstacle race was held on the property in 2011 and the applicant successfully sought to add these types of uses to their CUP so that could hold additional events. The Applicant has since had four additional special events and has two more events scheduled for later this year. Due to the success of the events and the increased demand for more events on the property, the Applicant has proposed to increase in the number of events from six (6) to eight (8), four (4) of which may exceed 2,000 people, increase hours of operation by two (2) hours from 7:00 pm to 9:00 pm, and add primitive camping to the allowable uses during special events. There impacts and suggested mitigation are discussed below:

Proposed Primitive Camping

The Comp Plan and the LDR do not specifically define primitive camping. The Comp Plan does define Passive Recreation as "*Recreational activities that generally do not require a developed site. This generally includes such activities as hiking, horseback riding, wildlife appreciation and picnicking. Passive recreation involves existing natural resources and has a minimal impact which can be carried out with little alteration or disruption to the area in which they are performed.*"

This definition can reasonably be interpreted to include camping that does not use mechanized, motorized equipment in a natural area or setting being undertaken with minimal impact, alteration or disruption to the area. Passive recreation does not include the use of permanent showers, restrooms, or water station facilities. The Applicant proposes the primitive camping within Section "D" as shown on the concept plan (Exhibit A).

The primitive camping will only take place in association with a scheduled special event and shall not extend beyond a period of 72 consecutive hours. The proposed location of the primitive camping is approximately 1,500 feet from the closest residential structure. Should an event wish to have primitive camping, the special event permit will need to include the primitive camping activity and include a security plan that will need to be reviewed approved by the Public Safety Department. Approval for primitive camping was granted through the Special Event Permit for one of the events and no adverse impacts observed or reported.

Increased Number of Special Events

Since approval of last ordinance granting approval of the special events, the Application has obtained an additional twenty acre property to be used for parking for the special events. The main issue of the earliest special events held on the property was that traffic was backed up on State Road 33, as well as County Road 474, which is located approximately two (2) miles south of the access road to the subject property. During the last two Special Events drawing a large number of people the 20 acre site was utilized to park vehicles in close proximity to the event site. This greatly improved the traffic delays on SR 33 according to Sheriff Deputies and Staff onsite. The additional area for parking has minimalized the adverse traffic impacts. The parking area is located immediately south of the neighboring residential property (Ward Property). However, the enhance ability to move vehicles off the road may benefit this property owner and residents using SR 33 and the private road. County staff observed these benefits while conducting site visits during the last two large special events. The request to have eight (8) large scale special events is consistent with the Boards decision to allow the same number of events in a similar CUP (Ordinance 2012-58/CUP# 12/9/2-2 for the Roper Property in SE Lake on the County line) which allows similar uses and holds similar special events.

Additional Hours of Operation

The Applicant is requesting an additional two hours per special event. The existing Ordinance limits the hours of operation for Special Events other than Music Festivals to 7:00 am to 7:00 pm, Thursday through Sunday. The proposed Ordinance would allow such events to operate from 7:00 am to 9:00 pm. The Applicant is requesting the additional time to accommodate a wider spectrum of special events. During the last two large special events, the traffic and number of people greatly diminished after 5pm. Music played for these running events was directed away from the adjoining residential uses and was greatly diminished at this point.

The neighboring property owner, Travis Ward, has indicated his opposition to any extension of the hours and particularly for music played during races. Although music is played at these events as entertainment for participants it is not considered as a Music Event. Mr. Ward has requested that the music be limited to 6 hours for non-music events. Based on reports from staff on sites during running events, the incidental music for these events, music was reduced to background noise on the periphery of the property.

2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

The adjacent land area remains characterized by agricultural uses, wetlands, wooded areas, low density rural residential uses and vacant lands as was the case when CUP Ordinance #2012-43 was approved. Given the nature of the proposed use for primitive camping, it is appropriate for a remote low density area. The proposed changes of the existing CUP are not anticipated to add additional impacts that have not already been addressed and implemented in the existing CUP based on the experience of the past two large events. The increased number of events, hours of duration and primitive camping will all be addressed through a Special Event Permit Application and will be required to be in compliance with the existing Special Event Ordinance. These changes do not alter the existing recreational uses on the property which remain compatible with the surrounding land uses with the implementation of the proposed ordinance conditions.

3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.

The proposed ordinance brings forward the conditions previously approved to limit and minimize impacts on properties within the immediate vicinity. The proposed conditions include setbacks for special events in which events are not to be located closer than 100 feet from the property line of any adjacent residentially used property, as well as requiring all obstacles, or other points of congregation of event participants shall be located a minimum of 200 feet from any property used for residential purposes, and a minimum of 400 feet from any residence. The proposed primitive camping is located approximately 1,500 feet from the closest residence. An existing 50-foot wide vegetation buffer shall be kept and maintained. In addition, should a proposed event have the potential of generating more noise than specified in the initial noise study, a new noise study shall be required and all mitigation recommendation of said noise study be implemented by the Applicant. The continued implementation of the prior conditions are intended to minimize any adverse effects on property in the immediate vicinity of the recreational use. These items will be further addressed and detailed during the review of the special event application to ensure that any special events conform to the ordinance conditions.

4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of the neighboring property, in accordance with applicable district regulations.

The proposed primitive camping uses will be contained on-site with the minimum 100-ft setback from properties with residential uses and are landscaped with a 50-ft wide buffer. The primitive camping area is shown on the concept plan (Exhibit A) within the area designated Section "D" and is located approximately 1,500 feet from the closest residential structure. The proposed ordinance will extend the hours of non-musical events by two (2) hours, from 7:00pm to 9:00pm, Thursday through Sunday. In addition, noise attenuation (as recommended by a noise study) has been incorporated into the proposed Ordinance to mitigate any impacts to adjacent land uses.

C. Adequacy of Public Facilities.

The proposed conditional use will be served by adequate public facilities including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, park and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan shall be considered.

The proposed increase of special events and additional hours of operation for said special events are not expected to result in additional demands on public facilities. However, advanced notice to Public Safety will remain as an ordinance condition. The Applicant will be required to submit a Special Event Application, a minimum of 90 days prior to the proposed special event date, in which Public Safety will review an Incident Action Plan, among other requirements. Public Safety must approve the application prior to the event(s). Special events are served by portable toilets and bottled water, which will require approval by the Lake County Department of Health.

The additional land acquired by the Applicant, to be used for Special Event parking, is anticipated to aid the traffic backups caused by some of the Special Events which is expected to reduce some of the safety concerns posed by the Special Events.

D. Adequacy of Fire Protection.

The Applicant shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

The subject parcel is approximately 3 miles from Lake County Fire Station 110 (closest fire station), located at 6234 County Road 561, Clermont. The facility is a 24-hour manned station with an estimated response time of 4 minutes.

FINDINGS OF FACT: Staff has reviewed the application for the proposed conditional use permit and found:

1. The request is consistent with the Comprehensive Plan as seen in Policy 1-4.2.5 and conforms to the general land use criteria and activities of the Green Swamp Core/Conservation Future Land Use Category with the conditions contained the proposed ordinance.
2. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which allows Recreational Uses (Similar Uses) in the Agriculture (A) Zoning District with the conditions, contained the proposed ordinance.
3. The application is consistent with LDR Section 3.01.05 Similar Uses, not specifically listed and not more obnoxious or detrimental than the uses listed in LDR Subsection 3.01.03 for the Agriculture Zoning District, based on a noise study, and in conjunction with the specific conditions of the Ordinance.

Therefore, based on these findings of fact, staff recommends **APPROVAL, with Conditions** subject to the conditions as set forth in the attached Ordinance.

WRITTEN COMMENTS FILED: Supportive: -0- Concern: -0- Opposition: -1-



CURRENT ZONING
AGRICULTURE

**REVOLUTION OFF-ROAD/
JAK HOLDINGS, LLC**

CASE NO.
CUP# 12/7/1-1A

CASE LOCATION:
09-24S-25E

REQUESTING:
Amend existing CUP to allow primitive camping, extend hours for special events; add over-flow parking area.

ZONING

LAND USE

SUBJECT PARCEL



CURRENT 2030 FUTURE LAND USE
GREEN SWAMP CORE CONSERVATION

MAP COMPOSITION:
JANUARY, 2011

FOCUS AREA

LAKE COUNTY PLANNING

PLANNING DEPARTMENT
LAKESIDE, ILLINOIS 60155-1000
TEL: 630-231-1000 FAX: 630-231-1001
WWW.LAKECOUNTYPLANNING.COM

1 **NOW, THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AS**
2 **FOLLOWS:**

3 **Section 1** Permission is hereby granted for the operation of a Small Scale Outdoor Recreational Facility as a
4 Conditional Use within the Agriculture (A) Zoning District.

5 **Section 2** Terms: This Ordinance shall mean and include the total of the following uses as included herein. The
6 County Manager or designee shall amend the Lake County Zoning Map to reflect a Conditional Use
7 Permit, in accordance with this Ordinance which shall supersede and replace Ordinance #2012-43.

8 A. Land Uses: Use of the site shall be limited to the use specified below and consistent with EXHIBIT "A"
9 "Conceptual Plan":

- 10 1. All permitted uses within the Agriculture (A) Zoning District;
- 11 2. The following Outdoor Small Scale Recreational Uses:
 - 12 a. Off-road vehicles to include:
 - 13 i. A maximum of 12 trucks and jeeps, and shall be legal for street use, including mufflers
 - 14 ii. A maximum of 30 Segways, All Terrain Vehicles (ATVs), or remote control vehicles.
 - 15 b. Paintball Course
 - 16 c. Archery and Skeet Shooting
 - 17 d. Corn Maze and Pumpkin Patch
 - 18 e. Passive Recreation Activities, including but not limited to: hiking, horseback riding, wildlife
19 appreciation, and picnicking).
 - 20 f. Primitive Camping.
21 For the purposes of this ordinance, Primitive Camping is defined as a camping unit site(s)
22 that is not accessible to vehicles and no facilities are provided for the comfort or
23 convenience of the campers. Primitive camping in natural areas shall be undertaken with
24 minimal impact, alteration or disruption to the area and shall not include mechanized or
25 motorized equipment or vehicles.
- 26 3. Water ski instructional facility to include:
 - 27 a. Non-Motorized Personal Watercraft, such as kayaks and canoes
 - 28 b. Motorized Vessels: Maximum of five (5) motorized vessels, including personal
29 watercraft.
 - 30 c. Accessory structures
- 31 4. Special Events: Fishing competitions, endurance races, music festivals, cooking contests, or any
32 other specialty event **drawing more than 500 persons** shall be subject to the following conditions:
 - 33 a. **Special Event Permit. All special events as specified herein, shall obtain a Special**
34 **Event Permit through Lake County no less than 30 days prior to the event.**
 - 35 b. Number. There shall be no more than eight (8) ~~six (6)~~ total events in this group per
36 calendar year. This includes one music festival and seven (7) ~~five (5)~~ other special
37 events in this category. Of the eight (8) ~~six~~ total events, only four (4) ~~two (2)~~ may
38 exceed 2,000 people.
 - 39 c. Duration. Shall not exceed 72 consecutive hours per event.

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- d. Setbacks. Events shall not be located closer than 100 feet from the property line of any adjacent residentially used property. Any obstacles, or other points of congregation of event participants, shall be located a minimum of 200 feet from the property line of any property used for residential purposes and 400 feet from any residence.
- e. Music Festivals. The stage(s) associated with any music event must be a minimum of 500 feet from the property line of any property used for residential purposes. One music festival per calendar year may be permitted with the Hours of Operation from 7:00 am to Midnight, Friday or Saturday for one day only. **A Music Festival shall be defined as an outdoor musical entertainment event that is the principal event on the site, involves the assembly of more than 500 people, and operates for six (6) hours or longer. Music accessory to other special events played during those activities shall be considered a Music Festival. Duration of music and location of stages, sound equipment, etc. may require specific conditions based noise studies submitted with the special event application.**
- f. Hours of Operation for Special Events other than Music Festivals: 7:00 am to **9 7:00 pm**, Thursday through Sunday. Hours of Operation shall mean hours that such events are open to the public.
- g. **Primitive Camping. Primitive camping during special events shall be limited to fifty (50) tents/sites.**
- h. Emergency Personal. Any events which could possibly injure spectators or participants shall have medical standby consisting of one (1) paramedic and one (1) emergency medical technician, **or as determined by the Public Safety Department.**

5. Accessory uses incidental to and directly associated with these primary uses may be approved by the County Manager or designee. Any other use of the site shall require an amendment to this Ordinance as approved by the Board of County Commissioners.

To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence.

B. Specific Conditions:

- 1. Site Plan Required. Site plan approval is required for **any new** –Outdoor Recreational Facility structures and uses. ~~Special events shall be conducted as specified herein and shall be subject to any additional requirements required as part of the Incident Action Plan for any Special Event drawing more than 500 people.~~
- 2. Developed Area: The developed area of the Outdoor Recreational Facility and its accessory uses shall not exceed 20-acres of the total site. For the purpose of this section the compacted area of any track/road shall count towards this limitation. All trucks, jeeps, segways, ATV's and remote control vehicles used by customers, shall operate on the approved designated trails.
- 3. Structures: The site shall be limited to three (3) enclosed buildings consisting of a meeting center not to exceed 5,000 square feet, a garage building capable of housing up to twelve (12) vehicles not to exceed 3,000 square feet, and sanitation facilities. Shade structures, no larger than 200 square feet each, are permitted. These shade structures are not to be enclosed.
- 4. Noise: All uses, ~~and~~, activities **and events** shall be subject to all Lake County noise regulations, as amended. A noise study shall be required with **the special event applicaiton** ~~any site plan~~

1 ~~submittal for the development of~~ an outdoor motorized track event facility, ~~or~~ any new structure,
2 and any new event that could generate more noise than specified by the initial noise study. All
3 mitigation recommendations of the Noise Study shall be implemented by the Applicant.

4 5. Hours of Operation for motorized events will be from 8:00 a.m. to 8:00 p.m. or sunset, whichever is
5 earlier.

6 6. Parking:

- 7 a. Parking surfaces may be grass or other pervious material.
- 8 b. Accessible parking shall be provided in compliance with the Florida Accessibility Code.
- 9 c. Overflow parking on access easement is not permitted. No ATV's operated by customers shall
10 be permitted on access easement.
- 11 d. Overflow parking may be allowed with approval by Lake County Public Safety as part of
12 an incident management plan submitted pursuant to Section 2.A.4.a of this ordinance.
- 13 e. Overflow and/or off-site parking area boundaries shall be visibly marked to ensure
14 visitors/customers do not park or otherwise access private property not associated with
15 an event.

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17 C. Setbacks. There shall be no storage of vehicles or materials within 100 feet of the North and West
18 property lines or within 50 feet of the South and East property lines.

19 D. Open Space, Impervious Surface Ratio and Floor Area Ratio, Building Height: Shall be in accordance
20 with the Comprehensive Plan and LDR, as amended. No driving routes/trails shall be paved.

21 E. Landscaping & Screening.

- 22 1. Existing vegetation within 50 feet of the property line shall be maintained.
- 23 2. Parking lot landscaping shall be provided consistent with the LDR. No other formal
24 landscaping shall be required.

25 F. Environmental:

- 26 1. An Environmental Assessment will be required with the site plan application.
- 27 2. All wetlands should be identified. The wetland and associated buffer areas must be visibly
28 marked to ensure visitors/customers are prohibited from accessing said areas.
- 29 3. All tracks, driveways, structures, or any other activity must maintain a minimum 50-ft buffer
30 for the wetland with the exception of existing roads.
- 31 4. All structures shall be constructed outside of the Flood Zone.

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33 G. Solid waste disposal shall be managed in accordance with Lake County Code, as amended.

34 H. Fire Protection, Public Safety, and Emergency Services Access: Access and fire safety requirements of
35 the property shall be provided in accordance with the Florida Fire Prevention Code and LDR, as
36 amended.

37 I. Transportation Improvements/Access Management:

- 38 1. General access to the site shall be from State Road 33.
- 39 2. Road Maintenance:
 - 40 a. The access road must be maintained at a minimum of every four weeks or as needed due to
41 elements of heavy rain and extreme dry conditions.

- b. After each large special event, the access road must be maintained within 3-5 days. If access is restricted, immediate maintenance is required.
 - c. During dry conditions airborne dust must be suppressed by water application.
 - d. Maintenance shall be at the expense of the Applicant and not at the expense of any other property owners or users of the access road (easement).
3. An improved and unobstructed point of ingress and egress shall be provided for all emergency vehicles. If improvements are necessary for ingress and egress, the property owner shall be responsible for constructing the point of ingress and egress to Lake County standards.
4. The Applicant shall post a minimum \$5,000 bond to ensure the maintenance of the road (easement).
- J. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, and consistent with Dark-Sky Principles, and shall be directed in a manner that does not illuminate adjacent properties or public right of ways
- K. Signage: Signs shall be in accordance with the LDR, as amended.
- L. Outside Agencies: The use of the site shall be in conformity with all Federal, State and Local Regulations at all times.
- M. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be required to submit an amendment to the approved site plan to incorporate the features of EXHIBIT "A" – CONCEPTUAL PLAN, for review and approval in accordance with the Comprehensive Plan and LDR, as amended. Any deviation that is not generally consistent with the Conceptual Plan may require an amendment of the CUP Ordinance as determined by the County Manager or designee.
- N. Future Amendments to Statutes, Code, Plans, 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 shall include any future amendments to the Statutes, Code, Plans, and/or Regulations.
- O. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Conditional Use Permit, unless a proposed use meets every requirement of the zoning district in which the property is located. Any other proposed use must be specifically authorized by the Board of County Commissioners.

Section 3 Additional conditions of this permit shall mean:

- A. In the event of any breach in any of the terms or conditions of this permit or any default or failure of the Permittee or his successor to: Fulfill development in substantial accordance with the conceptual plan as submitted to the Planning & Zoning Board and the Board of County Commissioners; comply with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or comply with any of the terms of the Conditional Use Permit; or this CUP is found to become a nuisance or safety hazard, the permit may be revoked after due Public Hearing before the Planning & Zoning Board and the Board of County Commissioners.
- B. This Conditional Use Permit shall inure to the benefit of, and shall constitute a covenant running with the land; and the purpose, terms, and conditions contained herein shall be binding upon the Permittee or any successor and his interest hereto.

- 1 C. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement
- 2 Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and to
- 3 recommend that the ordinance be revoked.
- 4 D. Inspection. This use shall be inspected by the Code Enforcement Division annually to ensure
- 5 compliance with the conditions of this Conditional Use Permit and the approved site plan. An annual
- 6 inspection fee will be assessed. If an emergency inspection is necessary during non-operating hours, a
- 7 fee shall also be assessed.

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9 **Section 4. Effective Date. This Ordinance shall become effective as provided by law.**
 10 **ENACTED** this _____ day of _____, 2013.
 11
 12 **FILED** with the Secretary of State _____, 2013.
 13
 14 **EFFECTIVE** _____, 2013.

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16
17 **BOARD OF COUNTY COMMISSIONERS**
18 **LAKE COUNTY, FLORIDA**

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21 _____
22 **LESLIE CAMPIONE, Chairman**

23 **ATTEST:**

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25 _____
26 **NEIL KELLY, Clerk of the**
27 **Board of County Commissioners**
28 **Lake County, Florida**

29
30 **APPROVED AS TO FORM AND LEGALITY**

31
32 _____
33 **SANFORD A. MINKOFF, County Attorney**

Cotch, Jennifer

From: Sheahan, Brian
Sent: Monday, August 26, 2013 8:57 AM
To: Cotch, Jennifer
Subject: FW: music festival

From: jagf20@aol.com [<mailto:jagf20@aol.com>]
Sent: Tuesday, August 20, 2013 1:40 PM
To: Sheahan, Brian
Subject: Re: music festival

Brian, yes I would like to make it where there will be no more than 6 hrs of music or DJ with loud speakers, and if it went more than 6 hrs then it would be considered a music event. Thank you for your time.

Travis

-----Original Message-----

From: Sheahan, Brian <BSheahan@lakecountyfl.gov>
To: 'jagf20@aol.com' <jagf20@aol.com>
Cc: Greiner, Anita <AGreiner@lakecountyfl.gov>; Cotch, Jennifer <jcotch@lakecountyfl.gov>; Greene, Steve <sgreene@lakecountyfl.gov>
Sent: Tue, Aug 20, 2013 12:59 pm
Subject: RE: music festival

Mr. Ward,


There is currently no definition of "Music Festival" in the county code. The proposed ordinance creates a definition so that there is clear guidance on what constitutes a Music Festival. The proposed definition is as follows:

"An outdoor musical entertainment event that is the principal event on the site, involves the assembly of more than 500 people, and operates for six (6) hours, or longer"

In the situation you describe, if the event were held as a mud race and the music/DJ were provided as entertainment for the race then it would not be a Music Event. If it is your desire as an effected property owner to limit the music for all events other than the Music Festivals to less than 6-hours, we can discuss that limitation with the Applicant.

I hope this provides sufficient clarification. If you have further questions please do not hesitate to contact me.

Brian T. Sheahan, AICP, Manager
Division of Planning & Community Design
Department of Growth Management
Lake County Board of County Commissioners
P.O. Box 7800, 315 West Main Street
Tavares, FL 32778-7800
Website: <http://www.lakecountyfl.gov>
Voice: 352-343-9672 Fax: 352-343-9767

 Go Green: Please do not print this email unless you really need to.

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Let Lake County help your business grow. For questions on how to start or relocate a business call 352.343.9867
www.BusinessInLakeFL.com

From: jagf20@aol.com [mailto:jagf20@aol.com]

Sent: Tuesday, August 20, 2013 12:40 PM

To: Sheahan, Brian

Subject: music festival

Hi Brian, could you please tell me again what will change on the music festival definition? Lets just say Revolution put in for a 4k mud race event and he had live music and a DJ for 8 hrs, would that be considered a music event also? Even thoe he did not put in for a music festival as a main event. Please explain how this will work?

Thank you,
Travis