

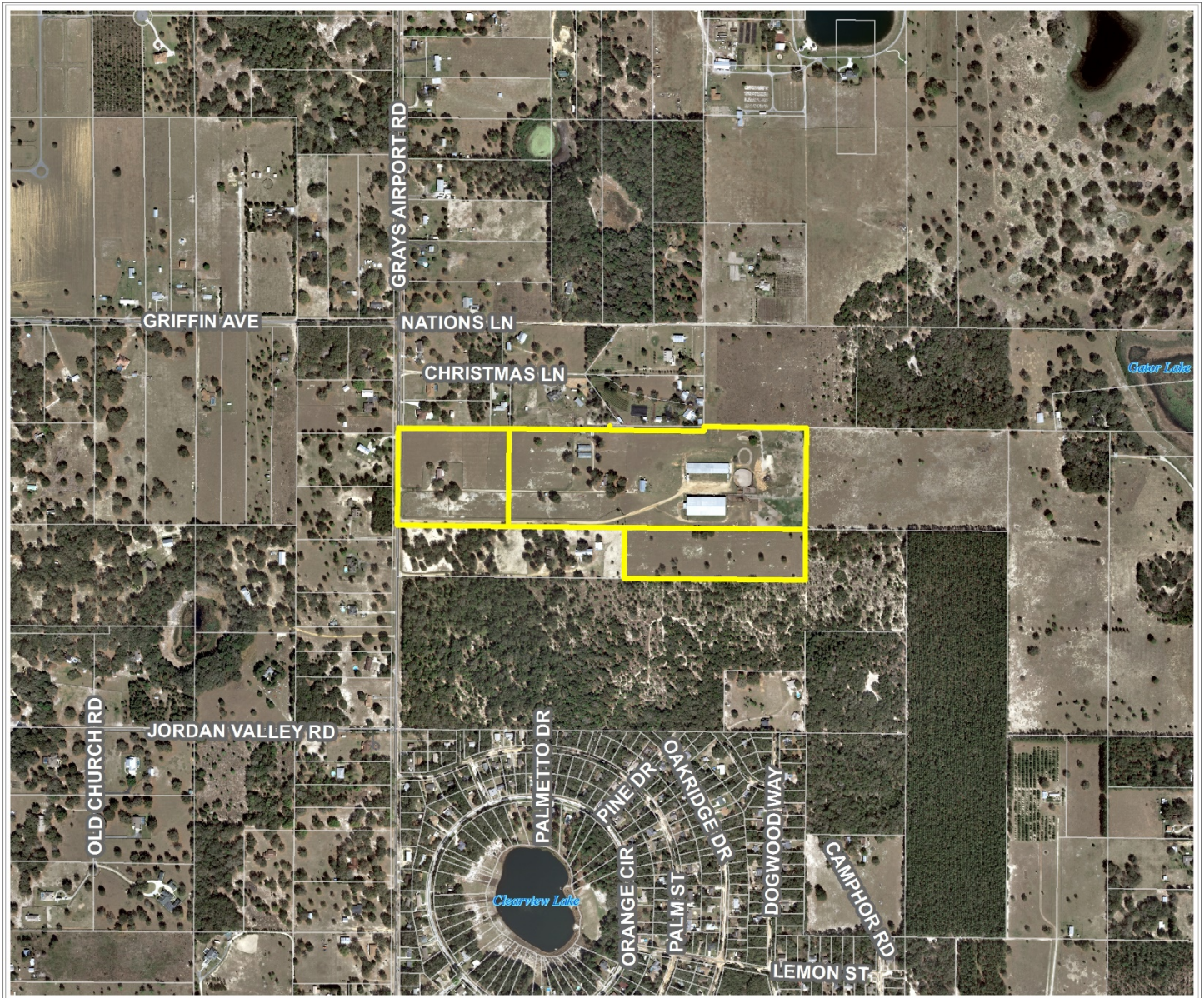
LAKE COUNTY OFFICE OF PLANNING AND ZONING
CONDITIONAL USE PERMIT STAFF REPORT

PLANNING AND ZONING BOARD
January 3, 2018



BOARD OF COUNTY COMMISSIONERS
January 23, 2018

CUP-17-05-5 L-Cross Ranch Equestrian Event Facility	Commission District 5 Blake	Agenda Item #3
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Requested Action: The Applicant seeks conditional use permit (CUP) approval for an equestrian event and stable facility and agri-tourism uses in Agriculture (A) zoning.

Owner: Francis E. Bass (the "Property Owner")

Applicant: Jimmy D. Crawford (the "Applicant")

- Site Location & Information -

Size	47.63+/- acres
Location	40810 Grays Airport Road, south of Marion County Road
Alternate Key No.	1238668, 3874485 and 3764374
Future Land Use	Rural
Existing Zoning District	Agriculture (A)
Joint Planning Area/ ISBA	Lady Lake

-Land Use Table-

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	Rural Residential (R-1) Agriculture (A)	Residential	single family dwelling
South	Rural & Rural Transition	R-1 and A	Residential & undeveloped lot	single family dwellings and undeveloped acreage
East	Rural	R-1 and A	vacant	undeveloped acreage
West	Rural	A	Residential	single family dwellings across Grays Airport Rd.

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of conditional use to establish an equestrian event and stable facility with agri-tourism uses in the Agriculture zoning district.

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant seeks approval of a Conditional Use Permit (CUP) to conduct agri-tourism activities and establish an equestrian stable facility use in Agriculture zoning. The property (approximately 47.63-acres) is located along Grays Airport Road, south of Marion County Road located in the Lady Lake area. The property is currently used for agricultural purposes and contains a 3,000 square foot (SF) residential structure, 5 storage-shed structures approximately 144 SF each, and a 728 SF structure to be used as a caretaker's residence. The property also contains fenced grazing and pasture areas. The proposed use of the property for equestrian uses is permissible within the current agriculture zoning and comprehensive plan.

This CUP application was submitted pursuant to a code violation notice. The notice indicated the on-going operation of an equestrian center without proper approvals. The approval of this CUP and approval of the required site plan, will resolve the code enforcement violation.

– Analysis –

LDR Section 14.05.03 (Standards for Review)

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

The application is consistent with Comprehensive Plan Policy I-1.2.8 pertaining to equestrian uses being suitable uses within all future land use categories. The existing Rural future land use of the property allows equestrian related uses pursuant Comp Plan Policy I-1.4.4. Equestrian use is a permissible use within the Agriculture zoning district per Land Development Regulations (LDR) Section 3.01.03. Use of the property for equestrian purposes, to include boarding, requires the livestock buildings which house and shelter animals to be setback 200-feet from the property line per LDR 3.01.04(1)a. Additionally, the 47.63-acre property meets the minimum acreage for riding stable use of 10-acres per LDR 3.01.04(4). The use of this property for equestrian event-stable facility is consistent with Comprehensive Plan Policy I-1.2.9 regarding agri-tourism use which is permissible and consistent use within the existing zoning district and future land use category.

B. Effect on Adjacent Properties.

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

The subject property is surrounded by agricultural and rural residential zoned property. The property is currently being used for agriculture purposes and contains a single family residence and accessory dwelling. The Applicant intends to use the property for an equestrian arena (150-seat), equestrian/agriculture education meeting room (1,800 square feet), recreational vehicle (short-term) parking (36 spaces), self-contained equestrian trailer parking (40 spaces), various agriculture structures (tack room, blacksmith, farrier), picnic-outdoor cooking areas. Other intended uses will be equestrian related summer camp, equestrian training/riding/education programs, equestrian shows/competitions, agri-tourism support uses. It must be noted that the agri-tourism uses are limited to only 20% of the buildable site or development parcel. The conditional use area will be limited to the eastern portion of the property, where the agri-tourism uses may be undertaken. These uses do not appear to pose undue adverse effects on the nearby properties, however, conditions are proposed to mitigate potential adverse impacts. The proposed ordinance contains a condition to require the submittal and approval of a development application prior to commencement of the conditional uses to ensure consistency with the CUP ordinance.

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

The proposed equestrian center for horse boarding and event facility is compatible with the surrounding use and the existing rural character of the community. The property of the proposed use is surrounded by agriculturally zoned lands within the Rural and Rural Transition FLUC. The existing stable is indicative of the rural nature of the area for equestrian use.

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 concept plan shows that the property is essentially set-up for agriculture use and existing equestrian activity. As the proposed use is indicative and permissible within the Agriculture zoning district, landscaping and screening will not be required. However, the Land Development Regulations (LDR) Chapter 9.09.00 specifies noise standards such that noise levels from the new use does not exceed pre-existing noise levels. The proposed CUP ordinance contains conditions regarding adherence to the noise regulations.

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

The structures of the equestrian event and stable facility are located on the eastern portion of the property and will not interfere with the development or use of the neighboring properties. The western portion and southeastern portion of the property is pasture/grazing acreage. The proposed CUP ordinance shall contain conditions regarding maintaining the minimum required setbacks for livestock/horse stable buildings.

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, parks and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan Shall be considered.

The Florida Department of Health (DOH) has indicated that the use of a Department of Environmental Protection (DEP) permit will be required for a public water system to address the potable water needs for the proposed use. The DOH septic systems for sewage treatment will be permitted after proper evaluation prior to commencing operations. These requirements will be conditions of approval and this service provision will be assessed in conjunction with the required development application prior to commencement of the event center operations. The DOH also indicated that the RV parking spaces must be approved pursuant to state requirements prior to commencement of operations. This will be accomplished within the course of development application review and approval.

Fire protection water supplies for the facility must be provided in accordance with the Florida Fire Prevention Code and Lake County Land Development Regulations at the time of development application submittal prior to commencement of operations.

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 Lake County Fire Rescue Station 54 (6200 Lake Griffin Road, Lady Lake) is approximately 3.4 miles away will provide fire services to the property. The nearest fire hydrant is 1.19 miles. Fire protection water supplies for the facility must be provided in accordance with the Florida Fire Prevention Code and Lake County Land Development Regulations at the time of development application submittal prior to commencement of operations.

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

1. The conditional use permit application is consistent with Comprehensive Plan Policy I-1.2.8 pertaining to equestrian uses being suitable uses within all future land use categories.
2. The conditional use permit application for equestrian event center, with stable is consistent with Comprehensive Plan Policy I-1.4.4 and I-1.4.5 for uses allowed within the Rural and Rural Transition future land use categories.
3. The proposed conditional use is consistent with LDR Section 3.00.02 (C) ("Purpose and Intent of Districts"), which describes the intent of the Agriculture zoning district.
4. The proposed conditional use is consistent with LDR Section 3.01.04(4) of 10-acres for a riding stable or equestrian academy use.

Based on these findings of fact, staff recommends **Approval** of the conditional use permit amendment, with conditions, as specified in the proposed Ordinance.

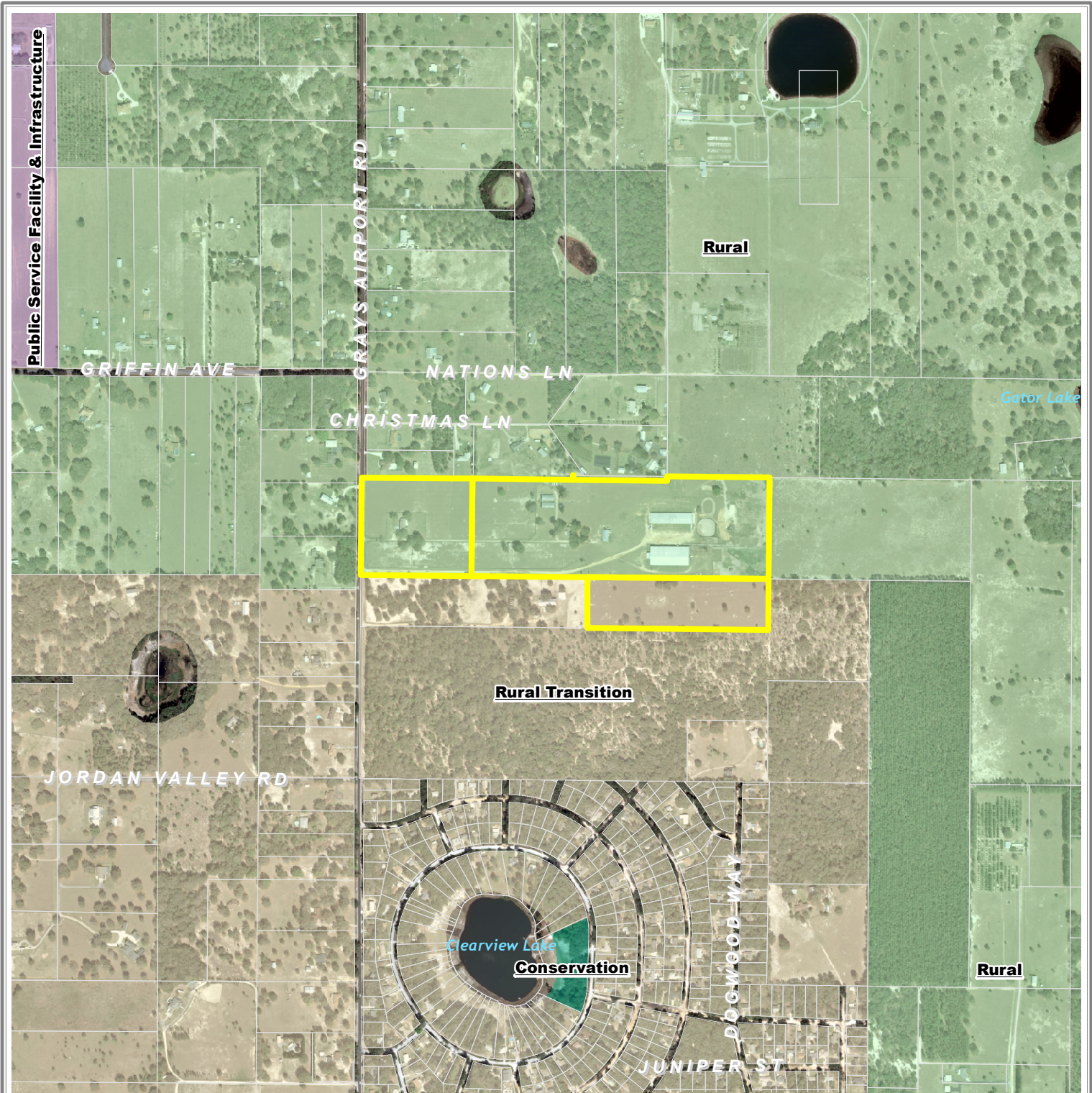
Case Manager: Steve K. Greene, AICP, Chief Planner

WRITTEN COMMENTS FILED:

Support: -0-

Questions: -0-

Opposition: -0-



FUTURE LAND USE LEGEND

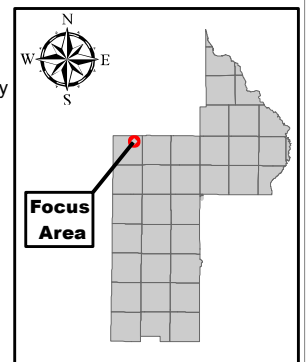
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|--------------------------------|--|--------------------------|----------------------|
| Bella Collina | Heavy Industrial | Recreation | Summer Bay |
| Cagan Crossings | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Low Density |
| Conservation | Mt Plymouth-Sorrento Neighborhood | Rural | Urban Medium Density |
| Green Swamp Core Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | Urban High Density |
| Green Swamp Ridge | Regional Office | Sending Area A-1-20 | |
| Green Swamp Rural | Public Service Facility and Infrastructure | Sending Area A-1-40 | |
| Green Swamp Rural Conservation | Receiving Area A-1-20 | South Lake Regional Park | |

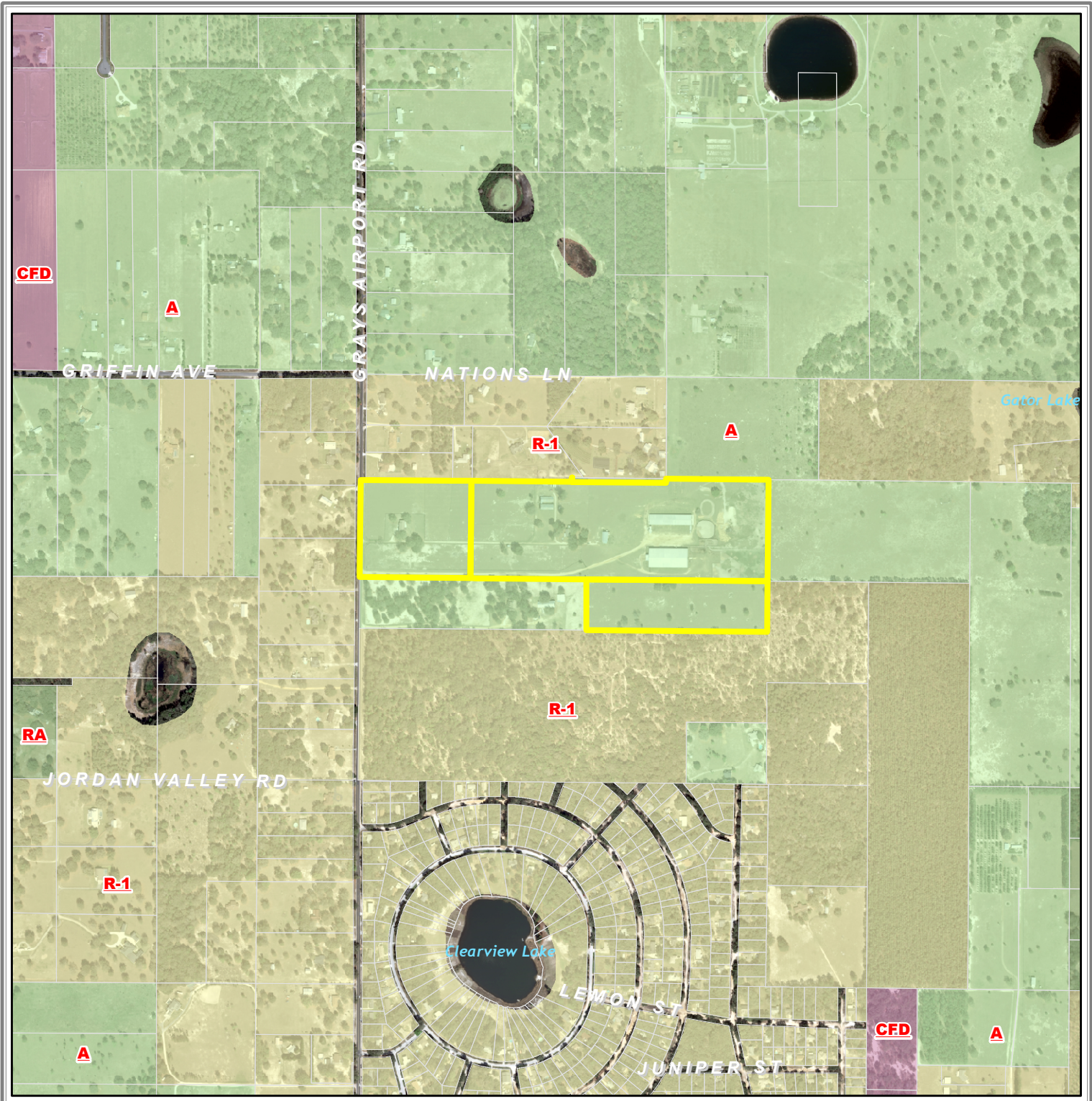
NAME: L-CROSS RANCH EQUESTRIAN EVENTS

CASE NUMBER: CUP-2017-05-5

LOCATION (S-T-R): 11-18-24

REQUEST: ALLOW OUTDOOR EQUESTRIAN EVENTS & 36 R/V HOOKUPS

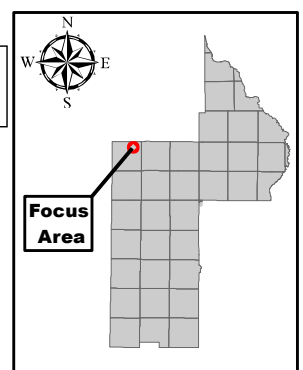




ZONING LEGEND

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

NAME: L-CROSS RANCH
CASE NUMBER: CUP-2017-05-5
LOCATION (S-T-R): 11-18-24
REQUEST: ALLOW OUTDOOR EQUESTRIAN EVENTS & 36 R/V HOOKUPS



Ordinance 2018-xx
L-Cross Ranch Conditional Use Permit
CUP-17-05-5

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

WHEREAS, Jimmy D. Crawford (the "Applicant"), on behalf of Francis E. Bass (the "Property Owner") has submitted a conditional use permit (CUP) application for conditional use of Agriculture (A) zoned property as an equestrian event and stable facility; and

WHEREAS, the subject property consists of 47.63+/- acres along Grays Airport Road, south of Marion County Road located in the Lady Lake area in Section 11, Township 18 South, Range 24 East, having Alternate Key Numbers 1238668, 3874485 and 3764374 and more particularly described as:

LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]

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

WHEREAS, the Lake County Board of County Commissioners deems it necessary and desirable, in order to protect the public health, safety, and general welfare of the citizens of Lake County and in accordance with the purpose and intent of the Land Development Regulations (LDR), to require compliance with the special conditions set forth; in this Conditional Use Permit and

WHEREAS, this Conditional Use Permit was reviewed by the Lake County Planning & Zoning Board on the 3rd day of January, 2018 and by the Board of County Commissioners of Lake County, Florida, on the 23rd day of January, 2018; and

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

Section 1. Permission is hereby granted for the operation of an equestrian stable and horse riding and training center as a Conditional Use within the Agriculture Zoning District.

Section 2. Terms. The County Manager or designee shall amend the Official Zoning Map to reflect a Conditional Use Permit (CUP) to allow uses with conditions as outlined within this Ordinance.

A. Land Use. The uses of the site will be allowed as specified below and consistent with Exhibit "B", the Conceptual Plan:

- a. Equestrian Center - Training and Educational Facility
- b. Horse Boarding, blacksmith, farrier, equine/veterian health
- c. Horse stable (1) - (13,500 square feet), 98-horse stalls, maximum
- d. 36 Recreational Vehicle (RV) parking spaces (12-feet by 45-feet)
- e. 20 self contained Equestrian Trailers (16-feet by 50 feet)
- f. 1,800 square foot mutl-purpose building (education and restroom facilities)

- 1 g. 2,400-square foot barns (2) - (30-feet by 80 feet)
- 2 h. 29,500 square foot performance arena (150-seat capacity)
- 3 i. Principal residential dwelling (1)
- 4 j. Caretaker's residence – (1), 728 square feet
- 5 k. Outdoor picnic-cooking areas
- 6 l. Utility Buildings and accessory structures associated with the above uses
- 7 Accessory uses directly associated with the above uses may be approved by the County
- 8 Manager or designee. Any other use of the site not specified above will require approval of an
- 9 amendment to this Ordinance by the Board of County Commissioners.

10 To the extent where there are conflicts between the Conceptual Plan and this Ordinance, the

11 Ordinance will take precedence.

12 **B. Special Events: Limited to thirty (30) per year and classified as advertised activities expected to draw**

13 **250 or more people.**

- 14 a. Equestrian and Livestock Training Programs
- 15 b. Equestrian Clinics
- 16 c. Equestrian Shows
- 17 d. Family, Riding, and Animal Educational Programs
- 18 e. Advertised special events expected to draw more than 500 people must obtain a Special
- 19 Event Site Plan Permit through Lake County no less than sixty (60) days prior to the event.

20 **C. Specific Conditions**

- 21 a. Equestrian Parking – Limited to fifty six (56) spaces for self-contained equestrian
- 22 trailers/recreational vehicle units, to remain on-site no more than ninety (90) consecutive
- 23 days or for the duration of an event or education/training program.
- 24 b. Electric and potable water hook-ups/services are permitted for equestrian parking.
- 25 c. A development application for site plan which details the operations must be submitted for
- 26 review and approval prior to commencement of the operations.
- 27 d. Parking surfaces may be grass or other pervious material, except as required for ADA
- 28 access. There will be no parking allowed outside the property limits.
- 29 e. Hours of operations:
 - 30 i. Normal – 7:00 a.m. to 7:00 p.m., Sunday through Saturday (except for care and
 - 31 feeding of livestock).
 - 32 ii. Special Event hours – 7:00 a.m. to 7:00 p.m.

- 1 f. All special events, as defined in the LDR, must receive the appropriate approvals and
2 permits.
- 3 **D. Impervious Surface Ratio (ISR)** may not exceed 0.20 (maximum) in accordance with the
4 Comprehensive Plan, as amended.
- 5 **E. Setbacks:** All new structures must meet the setbacks established in the LDR, as amended.
 - 6 a. All structures that house/shelter animals must be located no less than two hundred (200)
7 feet from the nearest Right-of-Way line of any Public Road, County Road, state or federal
8 Road or highway or property line. The two hundred-foot setback may be reduced to one
9 hundred (100) feet if the adjacent property is under common ownership.
 - 10 b. Wetland setbacks must be in accordance with the LDR, as amended.
 - 11 c. Parking spaces for RV and self-contained trailers must have 10-foot separation between and
12 10-foot setback from other structures, the edge of access drives and property lines.
- 13 **F. Open Space, Floor Area Ratio, and Building Height** must be in accordance with the
14 Comprehensive Plan and Land Development Regulations (LDR), as amended.
- 15 **G. Utilities:** The Applicant shall ensure that the potable water and septic system is properly permitted
16 prior to commencement of new uses. Prior to issuance of any building permits, septic permits must
17 be applied for and approved by the Department of Health and the Department of Environmental
18 Protection, if applicable.
- 19 **H. Landscaping, Buffering, and Screening:** Existing landscape must be preserved and maintained.
20 Any landscaping required for future expansions or redevelopment must be consistent with the LDR,
21 as amended.
 - 22 a. Opaque screening material must be used along the north side of the equestrian/RV parking
23 area to screen the view to the adjacent northern property.
- 24 **I. Lighting:** Exterior lighting, if utilized, must not illuminate adjacent properties or Rights-of-Way,
25 consistent with Dark-Sky Principles, and in accordance with the LDR, as amended.
- 26 **J. Noise:** Prior to commencement of the new uses, a noise assessment will be submitted for review
27 and approval in accordance with the LDR, as amended.
- 28 **K. Signage:** Signs must be in accordance with the LDR, as amended.
- 29 **L. Stormwater Management:** Future redevelopment must be in accordance with SJRWMD
30 Stormwater requirements and LDR, as amended.
- 31 **M. Concurrency Management Requirements:** Any development must comply with the Lake County
32 Concurrency Management System, as amended.
- 33 **N. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall submit
34 a development application generally consistent with Exhibit "B" – Conceptual Plan, for review and
35 approval in accordance with the Comprehensive Plan and LDR, as amended.

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1 **O. Future Amendments to Statutes, Code, Plans, or Regulations:** The specific references in this
2 Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan,
3 and Lake County Land Development Regulations will include any future amendments to the Statutes,
4 Code, Plans, or Regulations.

5 **Section 3. Conditions.**

6 **A.** In the event of any breach in any of the terms or conditions of this permit or any default or failure of
7 the Owner or her successor to: Fulfill development in substantial accordance with the conceptual
8 plan as submitted to the Planning & Zoning Board and the Board of County Commissioners; comply
9 with the codes of the governmental agencies having lawful and appropriate jurisdiction; or comply
10 with any of the terms of the Conditional Use Permit; or if this CUP is found to become a nuisance or
11 safety hazard, the permit may be revoked after due Public Hearing before the Planning & Zoning
12 Board and the Board of County Commissioners.

13 **B.** This Conditional Use Permit will inure to the benefit of, and will constitute a covenant running with
14 the land; and the purpose, terms, and conditions contained in this Ordinance will be binding upon
15 the Owner or any successor and her interest.

16 **C.** Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement
17 Special Master will have authority to enforce the terms and conditions set forth in this ordinance and
18 to recommend that the ordinance be revoked.

19 **D.** Inspection. This use will be inspected by the Code Enforcement Division annually to ensure
20 compliance with the conditions of this Conditional Use Permit and the approved site plan. An annual
21 inspection fee will be assessed. If an emergency inspection is necessary during non-operating hours,
22 a fee will also be assessed.

23 **Section 4. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
24 unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity
25 of the remaining portions of this Ordinance.

26 **Section 5. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
27 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
28 125.66, Florida Statutes.

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1 Section 6. Effective Date. This Ordinance will become effective as provided by law.

2 ENACTED this _____ day of _____, 2018.

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4 FILED with the Secretary of State _____, 2018.

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6 EFFECTIVE _____, 2018.

7
8 BOARD OF COUNTY COMMISSIONERS
9 LAKE COUNTY, FLORIDA

10
11 _____
12 TIMOTHY I. SULLIVAN, CHAIRMAN

13 ATTEST:

14
15 _____
16 NEIL KELLY, CLERK OF THE
17 BOARD OF COUNTY COMMISSIONERS
18 LAKE COUNTY, FLORIDA

19 APPROVED AS TO FORM AND LEGALITY

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21 _____
22 MELANIE MARSH, COUNTY ATTORNEY

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**Exhibit A.
Legal Description**

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PARCEL 1:

THE WEST 722.00 FEET OF THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS THE NORTH 28.55 FEET THEREOF, ALSO LESS THE WESTERLY 33 FEET FOR RIGHT-OF-WAY OF COUNTY ROAD.

PARCEL 2:

THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY AND EXCEPT THE FOLLOWING:

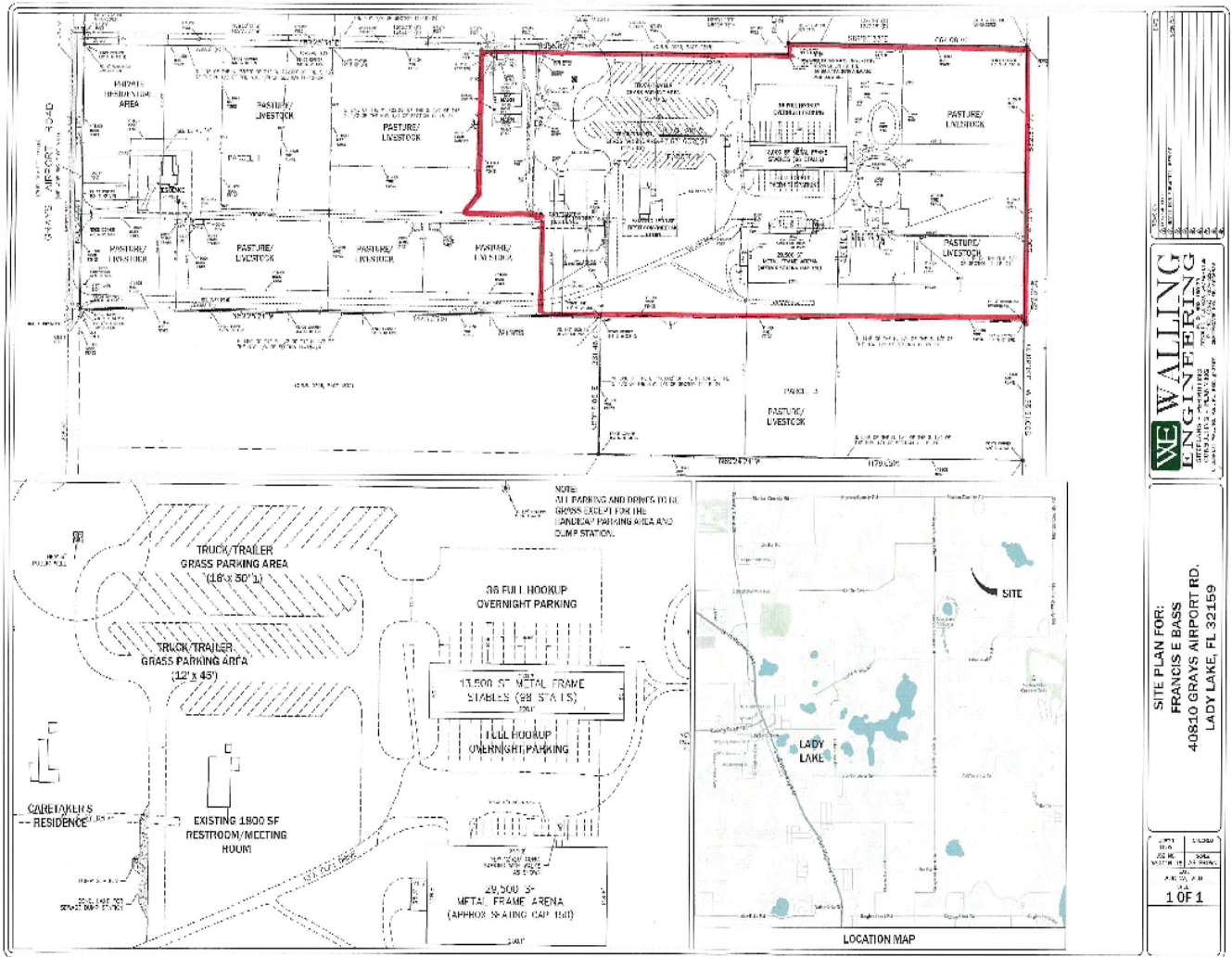
COMMENCE AT THE NORTHEAST CORNER OF THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ OF SAID SECTION 11, THENCE NORTH 89°52'13" WEST ALONG THE NORTH BOUNDARY OF THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ A DISTANCE OF 1277.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°52'13" WEST ALONG SAID NORTH BOUNDARY OF THE SOUTH ½ OF THE NORTH ½ OF THE NORTHWEST ¼ A DISTANCE OF 1345.30 FEET TO THE EAST RIGHT-OF-WAY LINE OF A 66 FOOT COUNTY ROAD; THENCE SOUTH 00°06'47" WEST ALONG AND WITH SAID RIGHT-OF-WAY LINE OF 66 FOOT COUNTY ROAD A DISTANCE OF 28.55 FEET; THENCE DEPARTING FROM SAID RIGHT-OF-WAY LINE SOUTH 89°52'13" EAST A DISTANCE OF 1345.46 FEET; THENCE NORTH 00°12'37" WEST A DISTANCE OF 28.55 FEET TO THE POINT OF BEGINNING; ALSO LESS THE WEST 722.00 FEET THEREOF.

PARCEL 3:

THE EAST 1180.02 FEET OF THE NORTH ¼ OF THE SOUTH ½ OF THE NORTHWEST ¼ OF SECTION 11, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

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Exhibit B. Concept Plan



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