

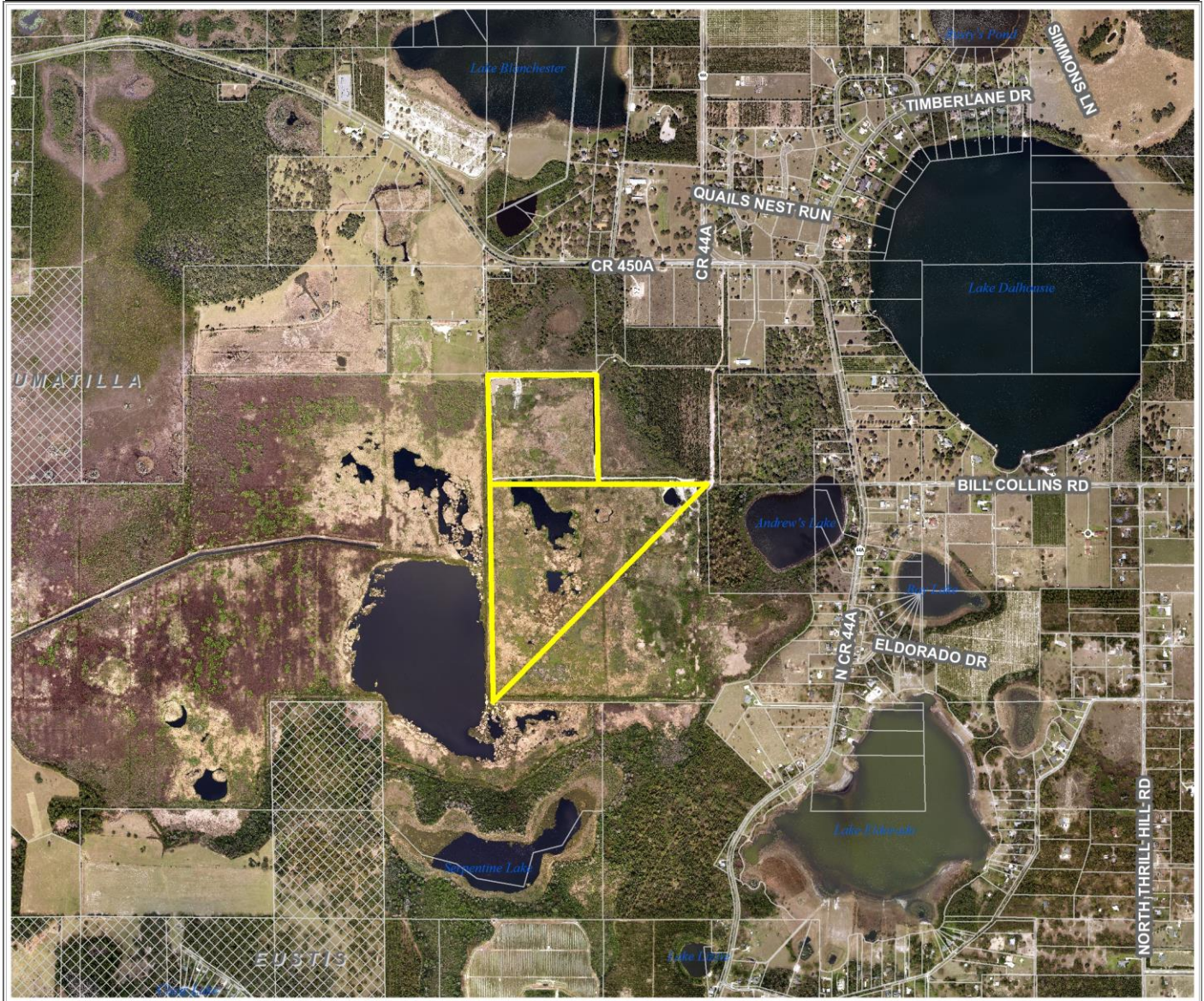
# LAKE COUNTY OFFICE OF PLANNING AND ZONING MINING CONDITIONAL USE PERMIT STAFF REPORT

Planning and Zoning Board  
February 7, 2018



Board of County Commissioners  
February 27, 2018

<b>MCUP-17-04-5</b> Pine Meadows Peat Mine	<b>Commissioner District 5</b> <b>Blake</b>	<b>Agenda Item #1</b>
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**Requested Action:** Revise the Pine Meadows Peat Mine Mining Conditional Use Permit (MCUP) to increase the number of trucks leaving the site each day from ten (10) trucks to twenty-five (25) trucks by amending Ordinance 2014-65.

**Owners:** Peat Holding, LLC

**Applicant:** Jack Reiner, Reliable Peat Co.

**- Site Location & Information -**

<b>Size</b>	132.98 Acres
<b>Location</b>	West of County Road 44A, in the Eustis/Umatilla Area
<b>Alternate Keys</b>	3871996 and a portion of 1081599
<b>Future Land Use</b>	Rural Transition (1 dwelling unit per 5 net acres)
<b>Zoning District</b>	Rural Residential (R-1) (Max. density of 1 dwelling unit per acre) and Mining Conditional Use Permit (MCUP) Ordinance #2014-64
<b>Joint Planning Area/ ISBA</b>	Portion located within Umatilla ISBA
<b>Overlay Districts</b>	None

**- 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 Transition	Agriculture (A) and Rural Residential (R-1)	Undeveloped	Wetlands and Non-Agricultural Acreage
<b>South</b>	Rural Transition and Conservation	Rural Residential (R-1)	Undeveloped	Wetlands, Vacant Land, and Timber
<b>East</b>	Rural Transition	Rural Residential (R-1)	Undeveloped	Wetlands and Non-Agricultural Acreage
<b>West</b>	Conservation	Agriculture (A)	Undeveloped	Wetlands and Vacant Land

**- Summary of Staff Recommendation -**

**Staff Recommendation:** Staff recommends **APPROVAL** of the request to revise the Pine Meadows Peat Mine Mining Conditional Use Permit (MCUP) to increase the number of trucks leaving the site each day from ten (10) trucks to twenty-five (25) trucks by amending Ordinance 2014-65.

**Planning and Zoning Board Recommendation:**

**Analysis**

The subject property (Alternate Key 3871996 and a portion of 1081599) contains approximately 132.98 acres. The property is located west of County Road 44A, in the Eustis/Umatilla Area, a portion of the property lies within the Umatilla Interlocal Service Boundary Area (ISBA). The property is zoned Rural Residential (R-1) and obtained Mining Conditional Use Permit (MCUP) approval via Ordinance 2014-64 for peat mining. On May 17, 2015 the Operating Permit was approved on the subject property by the Office of Planning and Zoning.

The Applicant submitted a conditional use permit application to amend the conditions within Ordinance 2014-64 to increase the number of trucks leaving the site each day. Section 2.J.5. of Ordinance 2014-64 allows a maximum of ten (10) trucks loaded with peat to leave the site each day; the applicant is requesting to increase the number to twenty-five (25) loaded trucks per day.

### **Standards for Review**

#### *Pursuant to LDR Section 14.05.03 Standards for Review*

- A. Consistency with the Comprehensive Plan and Local Code. The proposed conditional use is in compliance with all requirements, and is consistent with the general purpose, goals, objectives, and standards of the Comprehensive Plan, the Lake County Code, and is in compliance with all additional standards imposed on it by the particular provisions of these regulations authorizing such use.**

The proposed amendment would not be in conflict with the Land Development Regulations (LDR). Pursuant to Land Development Regulations (LDR) Table 3.1.03, *Schedule of Permitted and Conditional Uses*, mining may be undertaken within the Rural Residential Zoning District as a conditional use. The subject property obtained a mining conditional use permit in Year 2014 and obtained approval of a mining operation permit

The amendment to the MCUP Ordinance is consistent with all elements of the Comprehensive Plan. Policy I-1.4.5, *Rural Transition Future Land Use Category*, allows for Mining and Resource Extraction with a Conditional Use Permit. The application request is consistent with the Comprehensive Plan Policy I-7.5.10, *Natural Resource Extraction*, which requires compliance with all other provisions of the Comprehensive Plan, and requires a conditional use permit for mining uses. Additionally, by implementing the existing ordinance conditions, the application is consistent with Objective III-3.5 *Mining and Borrow Pits*, pertaining to the impacts from the proposed mining activity.

Comprehensive Plan Policy III-3.5.2, *Prohibitions on Mining in Environmentally Sensitive Areas*, prohibits new peat mining operations in the most effective recharge areas or protected recharge areas. The portion of the project which is located outside of the Wekiva Study Area is not in the most effective or protected recharge areas, according to the *Floridan Aquifer Recharge Map, Exhibit #6 of the Future Land Use Map Series* overlaid on the Lake County GIS map created for this application (Staff Exhibit 3).

**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 wetlands and open water. The existing ordinance contains conditions to mitigate possible impacts to adjacent property. No undue adverse effects are anticipated by increasing the number of trucks leaving the site with peat from 10 to 25 truckloads per day.

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

The area around the subject property consists of vacant wetlands, conservation areas, silviculture activities, and large lot rural residential uses. The existing ordinance and mining operating permit provides conditions to reduce or mitigate noise, dust, and traffic impacts to minimize any adverse effects on properties within the immediate vicinity through design, landscaping, buffers and screening.

- 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 existing Ordinance requires a 100-foot setback along all property lines and a 200-foot setback from residential zoning districts adjacent to the project boundary. These ordinance conditions will remain in effect with the new CUP ordinance.

**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 existing ordinance and mining operating permit approved the location of the peat mining activities so as not to interfere with the development of neighboring property.

**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.**

Potable water and sewer – No impact on sanitary facilities and water supply capacities are anticipated due to the increased truck loads.

Solid waste - No impact on solid waste is anticipated.

Transportation –Access to the site through a private easement connecting to County Road 450A. The applicant has completed a Tier 1 traffic study (Attachment A). Should the MCUP amendment receive BCC approval, staff recommends the previously approved operating permit be amended prior to starting the new additional truck activity.

**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 six (6) miles from Lake County Fire Station 27 (closest fire station), located at 19212 State Road 44, Eustis and which is anticipated to provide sufficient services for the mining operations.

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

Not at this time.

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

1. The request is consistent with the LDR Table 3.1.03, *Schedule of Permitted and Conditional Uses*, which states that mining may be undertaken within the Rural Residential Zoning District as a conditional use; and
2. The request is consistent with Comprehensive Plan Policy I-1.4.5, Rural Transition Future Land Use Category, which allows for Mining and Resource Extraction with a Conditional Use Permit.

Based on these findings of fact, staff recommends **APPROVAL** of the request to revise the Pine Meadows Peat Mine Mining Conditional Use Permit (MCUP) to increase the number of trucks leaving the site each day from ten (10) trucks to twenty-five (25) trucks by amending Ordinance 2014-65.

**Case Manager:** Michele Janiszewski, Chief Planner

**WRITTEN COMMENTS FILED:**

**Support: -0-**

**Questions: -0-**

**Opposition: -0-**

**ORDINANCE #2018-XX**  
**Pine Meadows Peat Mine/Reliable Peat Company**  
**MCUP-17-04-5**

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

3 **WHEREAS**, Jack Reiner of Reliable Peat Company, Inc. (the "Permittee") on behalf of Peat Holding,  
4 LLC (the "Owner"), has made application to amend Pine Meadows Mining Conditional Use Permit (MCUP)  
5 by rescinding and replacing Ordinance 2014-64; and

6 **WHEREAS**, the subject mining area/property consists of 132 +/- acres and is generally located in  
7 the Eustis Area, Southwest of CR 450A and CR 44A intersection in Section 29, Township 18 South, Range  
8 27 East, having Alternate Key (AK) Numbers AK#3871996 and a portion of AK#1081599 lying outside of the  
9 Wekiva Study Area, and more particularly described as:

10  
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**LEGAL DESCRIPTION – EXHIBIT "A"**

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

14 **WHEREAS**, the Permittee submitted an application for the purpose of amending the Pine Meadows  
15 Mining Conditional Use Permit established by Ordinance 2014-64; and

16 **WHEREAS**, the Lake County Board of County Commissioners deems it necessary and desirable in  
17 order to protect the public health, safety, and general welfare of the citizens of Lake County in accordance  
18 with the purpose and intent of this Ordinance, to require compliance with the special conditions set forth in  
19 this Ordinance; and

20 **WHEREAS**, this Conditional Use Permit MCUP-17-04-5 was reviewed by the Planning & Zoning  
21 Board on February 7, 2018; and

22 **WHEREAS**, the Board of County Commissioners reviewed the petition on February 27, 2018, the  
23 recommendations of the Lake County Planning & Zoning Board, staff report and any comments, favorable or  
24 unfavorable, from the public and surrounding property owners at a public hearing duly advertised; and

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

27 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
28 Florida, that the Official Zoning Map of Lake County, Florida, be altered and amended as they pertain to the  
29 above tract of land, as specified in Exhibit "A", subject to the following terms:

30 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Maps to reflect  
31 a Mining Conditional Use Permit (MCUP) in the Rural Residential (R-1) Zoning District in  
32 accordance with this Ordinance. Use of the property must be consistent with EXHIBIT "B" -  
33 CONCEPTUAL PLAN and all conditions in this Ordinance. Where conflicts exist between the  
34 Conceptual Plan and this Ordinance, the text of this Ordinance will prevail. This Ordinance will  
35 rescind and replace Ordinance 2014-64.

36 Permission is hereby granted to Permittee to utilize such property for:

37 1. Mining for removal of peat outside of the Wekiva Study Area.

- 1           2. Conservation uses.
- 2           3. Uses permitted within the Rural Residential (R-1) Zoning District.
- 3           4. Accessory uses and structures, including a caretakers unit, directly related to the above
- 4           uses may be approved by the County Manager or designee. Any other use of the site shall
- 5           require approval of an amendment to this Ordinance by the Board of County
- 6           Commissioners.

7   **Section 2. Conditions:**

8           **A. Operation and Permit Requirements:** Mining shall require approval of an Operation Permit

9           that includes the following in accordance with the Land Development Regulations, as amended:

- 10           1. Operation Plan;
- 11           2. Reclamation Plan.
- 12           3. Tree Removal Permit.
- 13           4. Noise Study.
- 14           5. Traffic Study and Management Plan.
- 15           6. Regular reports to the County of operations on the site, including monitoring of water levels
- 16           and quality.

17           **B. General Standards:**

- 18           1. **Permits and Approvals.** All applicable federal and state permits shall be obtained prior to
- 19           commencement of peat mining activities on the site, and shall be kept current.
- 20           2. **Agency Approvals.** All mining activities shall be conducted in accordance with all
- 21           applicable federal, state, regional and local laws, ordinances, rules and regulations, as
- 22           amended.
- 23           3. **Consistency with Operating Permit.** All mining and other activities shall be consistent
- 24           with the Lake County Code, Land Development Regulations, the Lake County
- 25           Comprehensive Plan and the approved Mining Conditional Use Permit. Any amendment
- 26           to the MCUP ordinance shall require an amendment to the operating permit to ensure
- 27           consistency between the MCUP ordinance and the mining operations.
- 28           4. **Best Management Practices.** All operational activities shall employ best management
- 29           practices.
- 30           5. **Phasing.** The mining activities shall be conducted in phases as described in the Operation
- 31           Permit so as to expose the least amount of land surface practical at any time during the
- 32           peat mining operation.
- 33           6. **Pile Height.** Temporary spoil piles or storage of materials shall be in accordance with the
- 34           Land Development Regulations, as amended.
- 35           7. **Hours of operation.** Hours of operation shall be 7:30 a.m. to 4:30 p.m., Monday through
- 36           Friday. There shall be no mining activities conducted on Saturday or Sunday.

37           **C. Setbacks:**

- 38           1. A minimum 100-foot setback shall be established along all property lines except where
- 39           there is a residential zoning district adjacent to the property line, in which case the setback

1 shall be a minimum of 200 feet.

2 2. Setbacks shall be permanently marked in a manner acceptable to the County prior to the  
3 initiation of any phase of excavation and shall remain in place until peat mining activities  
4 and reclamation are completed. Such markers shall be shown on the Operating Plan and  
5 shall be spaced at no more than 100 feet in areas being excavated.  
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7 **D. Reclamation Standards:**

8 1. Reclamation Plan - A Reclamation Plan, conforming to the Mining Reclamation Standards  
9 contained in the Lake County Land Development Regulations shall be filed with the  
10 Operating Plan/Permit. The reclamation plan shall fully describe the proposed site  
11 reclamation by both illustration and documentation, and including but not limited to:

- 12 a. A plan view with cross sections, final slopes/contours, vegetative plantings,  
13 stormwater retention areas, etc. shall be submitted.
- 14 b. All areas to be reclaimed by depicting and describing what man-made and natural  
15 features will exist when the reclamation plan is completed; and
- 16 c. A contour map and two (2) typical cross sections, generally oriented north to south  
17 and east to west, showing areas to be filled, backfilled, reconstructed, and reshaped.
- 18 d. Identification of the size, type, location, and planting schedule for all vegetation to be  
19 planted or seeded in accordance with the reclamation plan.

20 2. Timing. Reclamation shall commence within 90 days after completion of each phase of  
21 excavation or within 90 days after commencement of mining activities for the next phase,  
22 whichever is earlier. Reclamation of the area associated with any completed phase of the  
23 mining activity shall be completed no later than two (2) years after termination of mining in  
24 that phase. Only one (1) active mining phase and one (1) active reclamation phase shall  
25 be permitted at any given time during the life of the mining activity. In the event that peat  
26 mining operations cease for a period of three (3) years, reclamation for all disturbed areas  
27 associated with the peat mining operation shall commence and be completed within a five-  
28 year period from the date of cessation of operation.

29 3. Topography. Sloping and grading shall be conducted in such a manner as to minimize soil  
30 erosion and surface water runoff and to make the land surface suitable for re-vegetation.  
31 The final reclamation elevation of the site shall be as proposed by the Mining Site Plan to  
32 be incorporated into the Operating Plan.

33 4. Mining activities shall not adversely impact the water levels or water quality of surface  
34 waters, the Floridan Aquifer, the surficial aquifer, or the wetlands beyond the boundaries of  
35 the mine.

36 5. Any trees, shrubs or grasses growing on this site that are listed as prohibited species in the  
37 Lake County LDRs, as amended, or are listed by other agencies as invasive non-native  
38 species, shall be destroyed prior to completion of reclamation.

39 6. Tree Mitigation. The phasing schedule shall include mitigation of trees in each phase  
40 proportionate to the number of phases and amount of mitigation required. The County  
41 Manager or designee may allow substitution of trees smaller than minimum requirements  
42 to ensure survivability.

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**E. Phasing:**

1. **Phasing.** The mining activities shall be conducted in phases as described in the Operating Plan so as to disturb the least amount of wetland area practical at any time during the peat mine operation.
2. Reclamation of Phases shall be completed pursuant to the LDR, as amended and the approved Operating Plan.

**F. Protection of Water Resources:**

1. The minimum distance between the bottom of the mined area and the top of the Floridan Aquifer Confining Unit, if present, shall be sufficient to protect the Florida Aquifer system and shall be subject to approval by the County. The final elevation shall be at even grade as specified in the approved reclamation plan.
2. The peat mining operation shall be completely self-contained and shall retain any waste materials or water generated by the process on site. The operation shall not utilize any surface water from lakes or ponds that are not entirely contained on the property, except as specifically approved in the Operation Plan.
3. Discharges of water or liquid wastes into waters of the County or State are prohibited unless the County and jurisdictional agency has granted a variance or other approval to specifically allow the discharge. This shall not prevent discharges into water systems that are self-contained on the mine property as approved in the Operating Permit.
4. The Permittee shall reimburse the County for any costs for its consultant hydrogeologist to review studies to ensure compliance with these requirements.
5. Wetland impacts must be properly permitted by the jurisdictional authority prior to commencement of mining activity and operations.

**G. Protection of Karst Features:**

1. A hydrology study shall be submitted with the Operating Plan that identifies any karst features within the property.
2. Karst features shall be avoided and protected from peat mining or any development activity, and any future development of the property shall comply with the requirements of the Lake County Comprehensive Plan and Land Development Regulations, as amended.
3. Karst features shall be maintained in their natural function, integrity and structure.
4. Impervious development shall be set back from the boundary of karst features a minimum of 100 feet. The setback shall consist of a buffer that retains all natural vegetation within the setback area.

**H. Archeological Artifacts:** If any archeological artifacts are encountered during the peat mine operation, the mining activities shall cease; and notification will be made to the County Manager, or designee and the Florida Department of State, Division of Historical Resources.

**I. Vegetation, Landscaping and Buffering:** A Reclamation/Re-vegetation Plan shall be provided consistent with the Mining Reclamation provisions specified in the LDR requirements, as amended. A tree removal application and appropriate fee shall be submitted prior to removing any trees pursuant to the Lake County Land Development Regulations, as amended.



1           **J. Transportation:** A Commercial Driveway Permit shall be required to be submitted with the  
2 Mining Operating Permit Application.

- 3           1. Mining plans shall show the driveway design and the vegetation that will be removed or  
4           that is to remain.
- 5           2. Advisory signs reading "Trucks Entering Highway" shall be installed on Eastbound CR 44A,  
6           Southbound (Westbound) CR 44A, and Westbound on CR 450A.
- 7           3. The driveway connection to CR 450A shall have a 50 feet radii for ingress and 35 feet  
8           minimum or such larger size as required by Lake County Public Works for egress. The  
9           driveway shall have a culvert pipe with a minimum size of 15-inches and the swales on both  
10          sides of the driveway shall be re-graded.
- 11          4. Trucks shall drive west on CR 450A to reach SR 19 when leaving the site. Access  
12          management shall be in accordance with the LDR, as amended.
- 13          5. A maximum of twenty-five (25) trucks loaded with peat may leave the site per day.

14           **K. Financial Responsibility:**

- 15          1. Before final approval of the Operation Permit and Reclamation Plan, the Permittee/Owner  
16          must file with the County, a compliance and reclamation guarantee to ensure that the site  
17          is operated and reclaimed in conformance with the Lake County Code and the approved  
18          Operation and Reclamation Plans. Acceptable forms of the guarantee include cash,  
19          certificates of deposit, irrevocable letters of credit, or surety bonds. In all cases, the form of  
20          the guarantee shall be subject to approval by the County Attorney.
- 21          2. The total cost of reclamation shall be estimated by the Permittee's consultant and reviewed  
22          by the County. The estimated amount shall be established by calculations and judgments  
23          based on acceptable industry standards and procedures. The final amount of the guarantee  
24          shall be set by the Board of County Commissioners not less than one hundred and ten  
25          percent (110%) of the estimated cost of reclamation, based upon the phase that is being  
26          permitted.
- 27          3. The reclamation guarantee shall not be released by the County until the final reclamation  
28          on all areas subject to this approval has been approved.
- 29          4. If reclamation under the approved Reclamation Plan has not been successful after the end  
30          of two (2) years, at the option of the County, a new Reclamation Plan shall be required of  
31          and carried out by the applicant/property owner, or the reclamation guarantee shall be  
32          forfeited and the site reclaimed by the County using the guarantee to fund it. Additionally,  
33          if the site has been abandoned by the Permittee, the reclamation guarantee may be  
34          declared forfeited by the Board and the site reclaimed by the County using the guarantee  
35          to fund it. The site shall be considered abandoned if mining activity has taken place for a  
36          period of six (6) months, or if reclamation has not been instituted as required under this  
37          ordinance.

38           **L. Reports:**

- 39          1. An Annual Progress Report shall be submitted by February 1st of each year consistent with  
40          the Mining provisions specified in the LDR, as amended. Failure to file the required annual  
41          progress report shall be grounds for suspension of the Operating Plan. An extension of time

- 1 for filing may be granted by the County upon request and for good cause shown.
- 2 2. Provide the County a copy of all monitoring reports associated with any federal, state, or
- 3 local permit.
- 4 **M. Inspections:** County staff, upon notification to the Applicant, shall have access to the project
- 5 site to inspect and observe permitted activities in order to determine compliance with the terms
- 6 of this ordinance.

7 **Section 3.** Additional conditions of this permit shall mean:

- 8 A. In the event of any breach in any of the terms or conditions of this permit or any default or failure
- 9 of the Permittee or his successor to: Fulfill development in substantial accordance with the
- 10 conceptual plan as submitted to the Planning & Zoning Board and the Board of County
- 11 Commissioners; comply with the codes of the governmental agencies having lawful and
- 12 appropriate jurisdiction thereon; or comply with any of the terms of the MCUP; or this MCUP is
- 13 found to become a nuisance or safety hazard, the permit may be revoked after due Public
- 14 Hearing before the Planning & Zoning Board and the Board of County Commissioners, or may
- 15 be rescinded upon annexation to a municipal jurisdiction.
- 16 B. This Permit shall inure to the benefit of, and shall constitute a covenant running with the land;
- 17 and the purpose, terms, and conditions contained herein shall be binding upon the Permittee,
- 18 the Property Owner, and any successor in interest thereto.
- 19 C. Action by the Lake County Code Enforcement Special Master. The Lake County Code
- 20 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
- 21 in this ordinance and to recommend that the ordinance be revoked.
- 22 D. If the mining activities commence within three (3) years of the date that the Board grants mining
- 23 conditional use permit approval, the MCUP shall remain valid and in force as long as the
- 24 operator shall abide by this ordinance, the operating permit and the LDR requirements. Should
- 25 mining activities not commence within three (3) years, the mining site plan approval shall expire.
- 26 The applicant may request an extension of MCUP approval, in writing, prior to the expiration of
- 27 the MCUP approval. The applicant's request shall go to the Lake County Board of County
- 28 Commissioners for review and approval.

29 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to

30 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance

31 with Section 125.66, Florida Statutes.

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36 *{Remainder of page intentionally left blank}*

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

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3 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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5 FILED with the Secretary of State \_\_\_\_\_, 2018.

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7 EFFECTIVE \_\_\_\_\_, 2018.

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

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\_\_\_\_\_  
**TIMOTHY I. SULLIVAN, Chairman**

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12 **ATTEST:**

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**NEIL KELLY, Clerk of the  
Board of County Commissioners  
Lake County, Florida**

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17 **APPROVED AS TO FORM AND LEGALITY**

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**MELANIE MARSH, County Attorney**

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EXHIBIT "A" – LEGAL DESCRIPTION

*Pine Meadows - Mining Area*  
*Section 29, Township 18 South, Range 27 East*  
*Lake County, Florida*

**Pine Meadows – Mining Area: As Written by SurvTech Solutions**

A parcel of land lying and being in Section 29, Township 18 South, Range 27 East, Lake County, Florida, being more particularly described as follows:

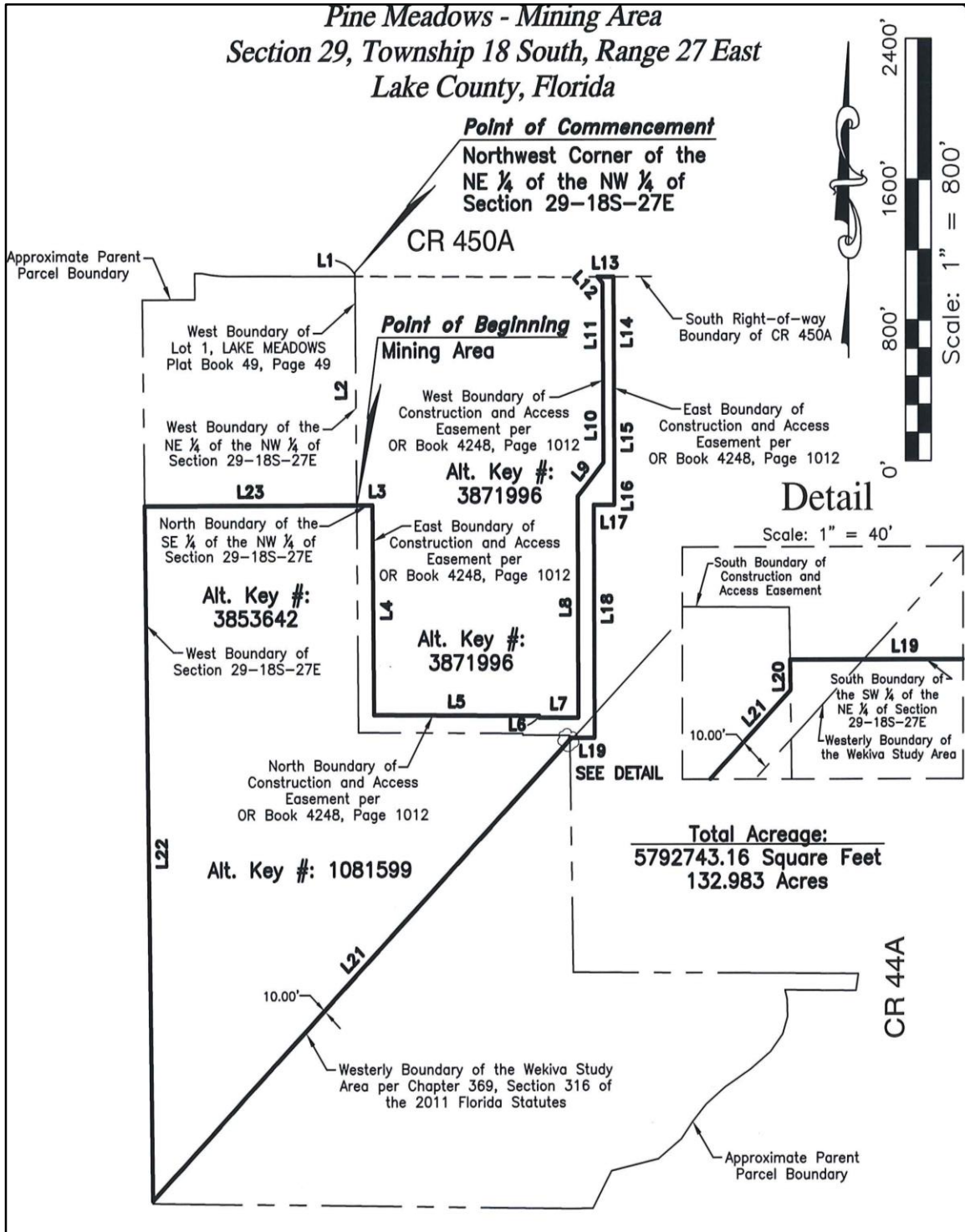
COMMENCE at the Northwest corner of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 18 South, Range 27 East, thence coincident with the West Boundary of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 29, S 00°25'23" E a distance of 22.06 feet to the Northwest corner of Lot 1, LAKE MEADOWS, as recorded in Plat Book 49, Page 49 of the Public Records of Lake County, Florida; thence continue coincident with said West Boundary and coincident with the West Boundary of said Lot 1 and the Southerly extension thereof, S 00°25'23" E a distance of 1304.38 feet to the Northwest corner of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 29, said point also being the POINT OF BEGINNING; thence departing said West Boundary, coincident with the North Boundary of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 29, also being coincident with the North Boundary of a Construction and Access Easement as recorded in Official Records Book 4248, Page 1012 of the Public Records of Lake County, Florida, N 89°54'12" E a distance of 100.00 feet to a point coincident with the East Boundary of said Easement; thence departing said North Boundary, coincident with said East Boundary, S 00°25'23" E a distance of 1194.39 feet to a point coincident with the North Boundary of said Easement; thence departing said East Boundary, coincident with said North Boundary for the following three (3) courses: 1.) S 89°41'32" E a distance of 1032.68 feet; 2.) thence S 00°18'28" W a distance of 9.68 feet; 3.) thence S 89°41'33" E a distance of 247.57 feet to a point coincident with the West Boundary of said Easement; thence departing said North Boundary, coincident with said West Boundary for the following five (5) courses: 1.) N 00°07'33" W a distance of 1258.91 feet; 2.) thence N 39°59'35" E a distance of 249.58 feet; 3.) thence N 00°09'53" W a distance of 426.88 feet; 4.) thence N 00°09'58" W a distance of 595.42 feet; 5.) thence N 42°10'36" W a distance of 48.07 feet to a point coincident with the South Right-of-way Boundary of County Road 450A; thence departing said West Boundary, coincident with said South Right-of-way Boundary, N 89°48'45" E a distance of 100.00 feet to a point coincident with the East Boundary of said Easement; thence departing said South Right-of-way Boundary, coincident with said East Boundary for the following five (5) courses: 1.) S 00°09'56" E a distance of 631.17 feet; 2.) thence S 00°08'48" E a distance of 563.84 feet; 3.) thence S 00°08'32" E a distance of 101.98 feet; 4.) thence S 89°56'39" W a distance of 128.38 feet; 5.) thence S 00°07'33" E a distance of 1325.89 feet to a point coincident with the South Boundary of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 29; thence departing said East Boundary, coincident with said South Boundary, S 89°59'49" W a distance of 153.44 feet; thence departing said South Boundary, S 00°51'19" E a distance of 8.72 feet to a point coincident with a line 10.00 feet Northwesterly of and parallel to the Westerly Boundary of the Wekiva Study Area per Chapter 369, Section 316 of the 2011 Florida Statutes; thence coincident with said parallel line, S 44°54'34" W a distance of 3704.97 feet to a point coincident with the West Boundary of said Section 29; thence departing said parallel line, coincident with said West Boundary, N 00°43'36" W a distance of 3956.13 feet to a point coincident with the North Boundary of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 29; thence departing said West Boundary, coincident with said North Boundary, N 89°54'12" E a distance of 1329.68 feet to the POINT OF BEGINNING.

Containing an area of 5792743.16 square feet, 132.983 acres, more or less.

2

1

### EXHIBIT "B" – CONCEPTUAL PLAN



2

## PINE MEADOWS PEAT MINE TIER 1 TRAFFIC ANALYSIS

The purpose of this evaluation is to provide a traffic analysis for the Pine Meadows Peat Mine. The project site accesses on CR-450A in unincorporated Lake County.

### TRIP GENERATION RATES

The number of vehicle trips that will originate from, or are destined to, a development is dependent upon the type and amount of land uses contained within that development. Trip rates are typically provided from the ITE publication, Trip Generation, 9<sup>th</sup> Edition. However, there is no Land Use Code (LUC) for mining operations. Therefore, trip generation needs to be estimated from the operation schedule of the mine.

### TRIP GENERATION - PROPOSED

The mine will be limited to a maximum 25 trucks per day. The operating time is limited to 7:30 AM to 4:30 PM (9 hours). Assuming an equal distribution of haul trucks during the operating period, there should be 6 truck trips (3 In and 3 Out) during the PM peak hour. Employee traffic during the PM peak hour is estimated at 2 outbound trips. The following table shows the estimated trips for the mine.

CONDITION	PM PEAK HOUR		
	Vol.	In	Out
Proposed	8	3	5

### TRIP ASSIGNMENT

The proposed project will result in 3 inbound trips and 5 outbound trips in the PM peak hour period. The assignment of these trips is graphically represented on the attached exhibit.

### ROAD CAPACITY

The project accesses CR-450A. The PM Peak Hour/Peak Direction capacity is 612 trips. The 2017 PM Pk Hr/Pk Dir volume is 72 trips westbound, with a v/c of 0.12. The project will add 5 trips, making the new volume 77 trips westbound and a v/c of 0.13.

Digitally signed by Donald A. Griffey

'Date: 2017.12.27 10:55:13 -05'00

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Donald A. Griffey, P.E., Reg #36799  
FL Certificate of Authorization #8082

**PM PEAK HOUR PROJECT TRIP DISTRIBUTION**

