



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): October 7, 2020
Board of County Commissioners (BCC): October 27, 2020

Case No. and Project Name: RZ-20-21-1, Pacific Ace PUD Amendment

Applicant: Shutts & Bowen, LLP

Owner: American Land Development of Central Florida, LLC

Requested Action: Amend PUD Ordinance #2019-22 to revise Section D, Architectural Standards; include Board of Adjustment (VAR-19-42-1) action; and include an additional condition as proposed by the Public Works Department.

Staff Determination: Staff has no objection to the PUD Ordinance amendment request.

Case Manager: Janie Barrón, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 380.31 +/- Acres

Location: East of US Highway 27, south of Holly Grove Boulevard, north of Golden Eagle Boulevard, in the South Lake area of unincorporated Lake County.

Alternate Key No.: 2561050, 1594880, 1412463, 1412374, 1412382, 1412366, and 1783321

Future Land Use Category: Urban Low Density

Existing Zoning District: Planned Unit Development (PUD) by Ordinance #2019-22

Proposed Zoning District: PUD

Joint Planning Area/ISBA: N/A

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low	Planned Unit Development (PUD)	Residential	Adjacent to Orange Tree subdivision
South	Urban Low	Planned Unit Development (PUD)	Residential	Adjacent to Citrus Highlands subdivision
East	Wellness Way 3	Planned Unit Development (PUD)	Vacant and Residential	Adjacent to Serenoa Village
West	Urban Low	Planned Unit Development (PUD)	Residential	Adjacent to US Highway 27

– Summary of Analysis –

The Applicant seeks to amend PUD Ordinance #2019-22 to eliminate Architectural Standard #5, which states that all roofs will have 18-inch eaves; add an additional Architectural Standard that all driveways shall be constructed of paver material; revise a portion of Architectural Standard #6 to eliminate three (3) elevations; and eliminate nine (9) variations of each floor plan. Additionally, staff has included the Board of Adjustment (VAR-19-42-1) action and included an additional ordinance condition as proposed by the Public Works Department.

- Analysis -

Land Development Regulations (LDR) Section 14.03.03 Standards for Review.

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

The proposed amendment does not conflict with the LDR. The requested amendment to PUD Ordinance #2019-22 seeks to eliminate Architectural Standard #5, which requires roofs with 18-inch eaves; include a specification that all driveways be constructed of paver material; reduce the number of residential elevations to three (3) elevations; and eliminate nine (9) variations of each floor plan.

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

The amendment does not conflict with the Comprehensive Plan as it does not contain residential design standards.

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

The amendment to PUD Ordinance #2019 would not conflict with the adjacent surrounding land uses as the subject parcels have current entitlements that allow the development of a residential subdivision with a maximum of 555 single-family dwelling units.

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

PUD Ordinance #2019-22 was approved by the Board of County Commissioners on March 26, 2020, to allow the subject parcels to be developed as a residential subdivision. The preliminary plat for Pacific Ace was approved on January 13, 2020, to allow the site to be developed as a 536-lot subdivision.

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;

Water and Sewer

No change.

Office of Public Safety

Lake County Fire Rescue Station #112 is located less than five (5) miles of the subject property at 16240 County Road 474, Clermont, and will provide life support should an emergency situation on the property demand this service. Fire protection water supply and emergency access will be addressed during the preliminary plat review process, should the rezoning request be approved by the Board.

Schools

No change.

Parks

No change.

Solid Waste

No change.

Transportation Concurrency

All access management shall be in accordance with the Comprehensive Plan and LDR, as amended.

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

Should the rezoning be approved, all sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended. An environmental survey shall be conducted in accordance with the LDRs, as amended. The EA shall identify the presence of natural resources and specify protection and necessary mitigation of any endangered or threatened wildlife, flora and/or fauna, to include those that are species of special concern.

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

There is no information within the application that specifies impacts on property values.

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

The proposed amendment to PUD Ordinance #2019-22 to modify the architectural standards is not anticipated to have any negative effects on the existing development pattern of the area. As previously stated, the subject parcels have current entitlements that allow the development of a residential subdivision with a maximum of 555 single-family dwelling units.

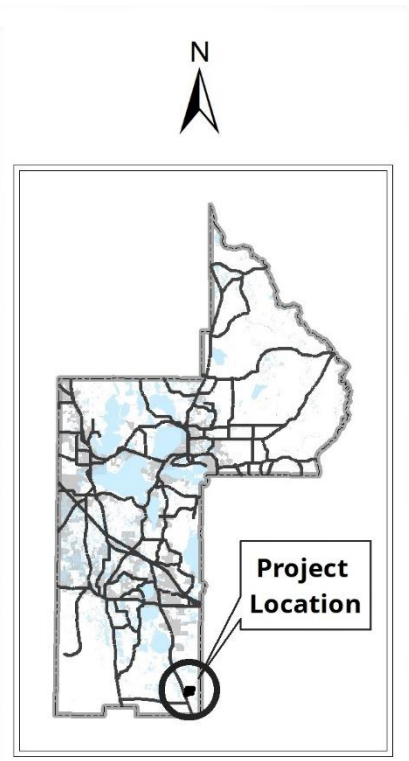
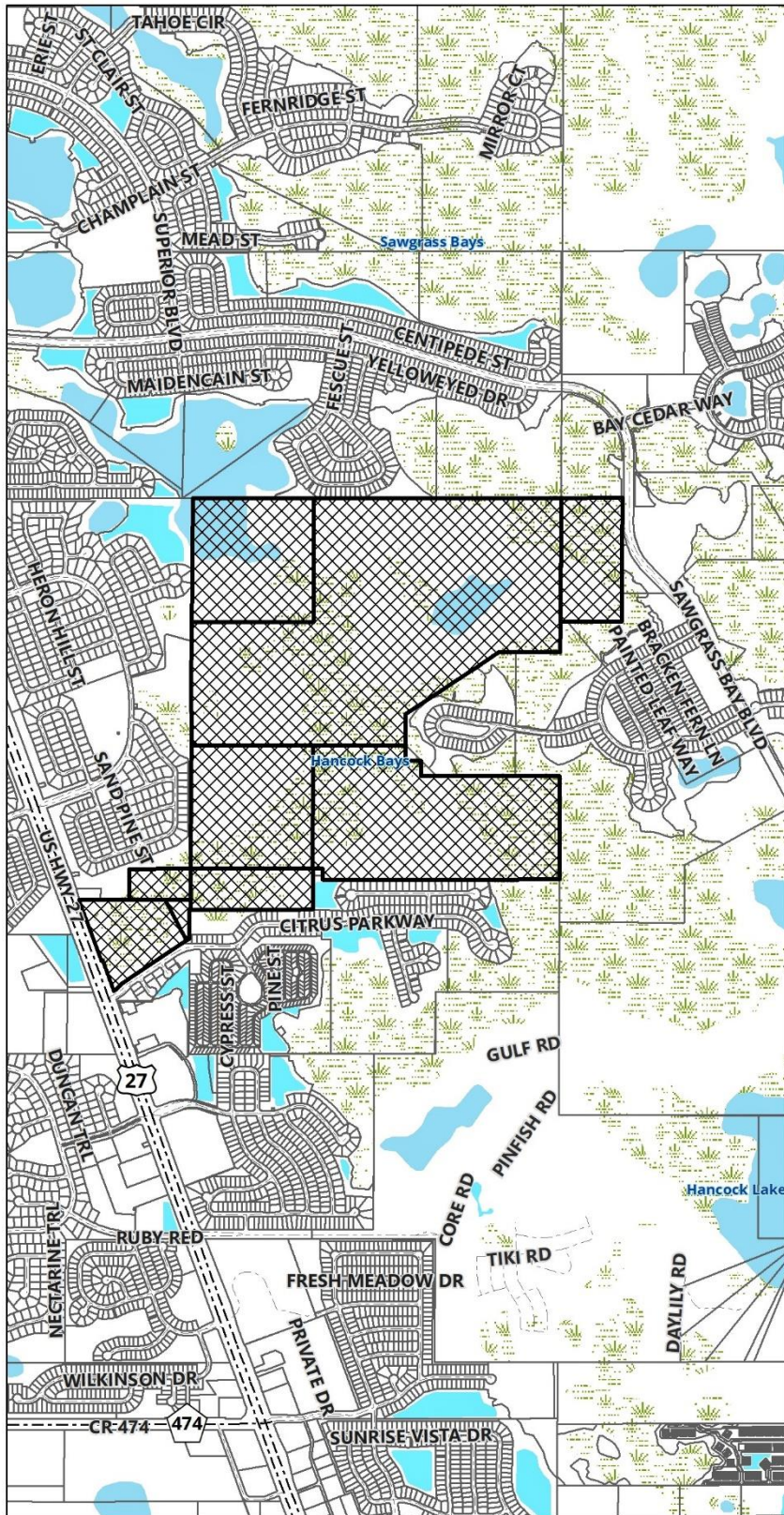
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The request is in harmony with the general intent of the Comprehensive Plan and LDR, as stated in Sections A through H above.

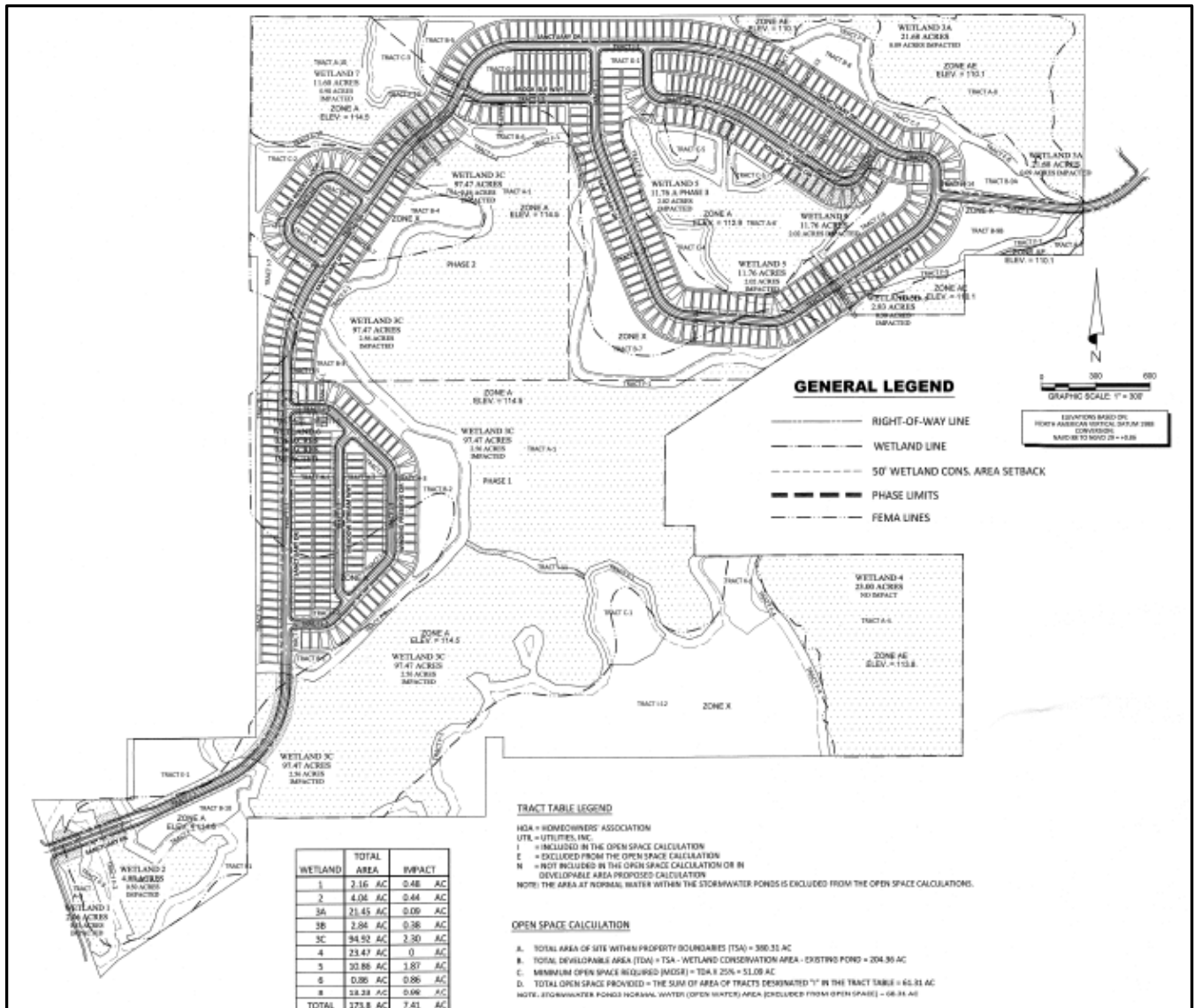
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

N/A.

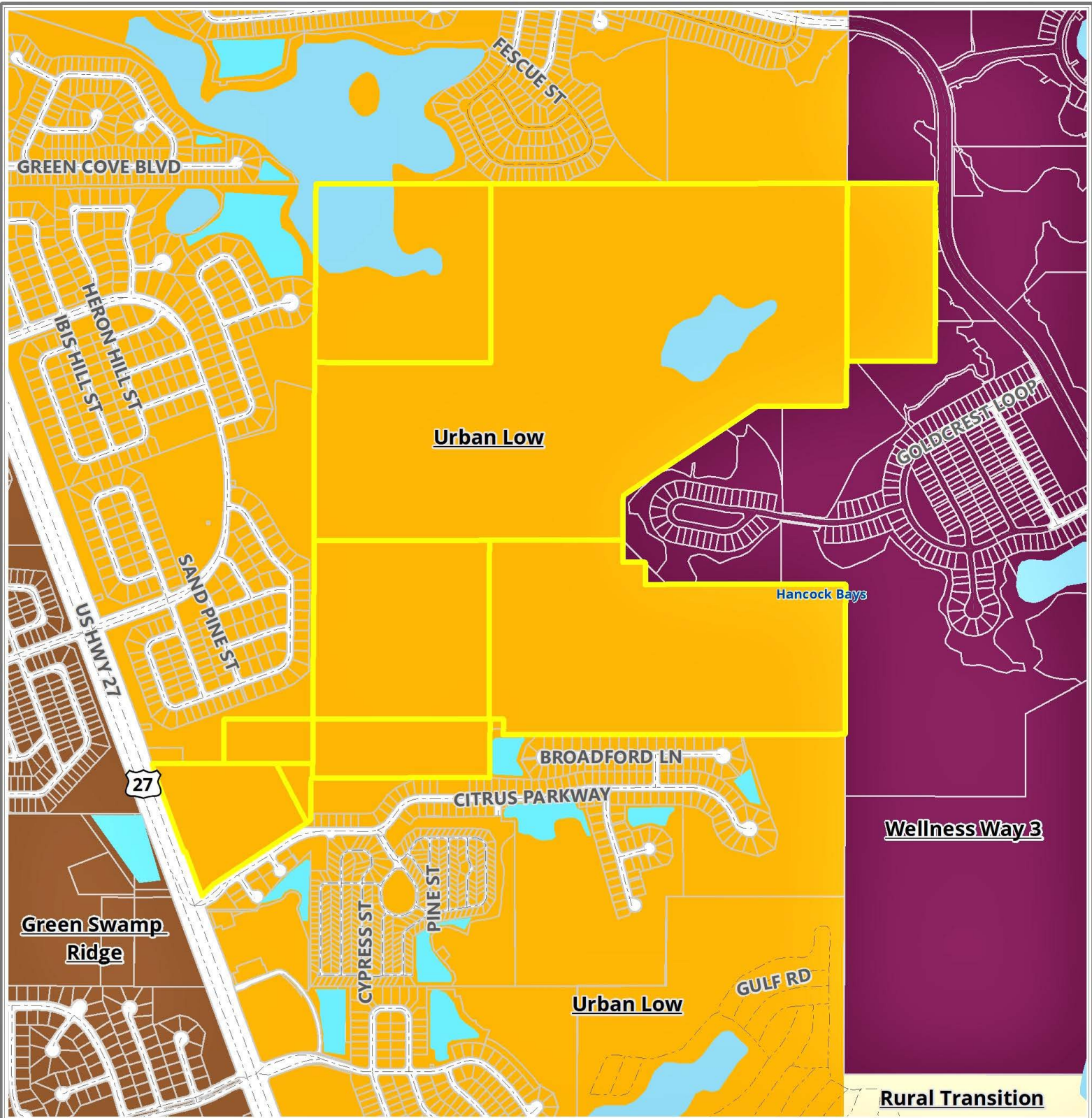
Map of Subject Property



Attachment "A" — Concept Plan



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

- Urban Low
- Rural Transition
- Green Swamp Ridge
- Wellness Way 3

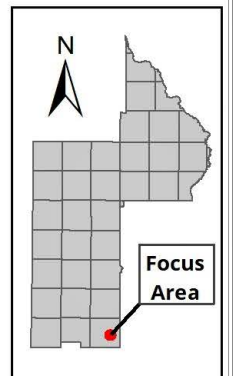
NAME: PACIFIC ACE PUD PROPERTY

DISTRICT: 1

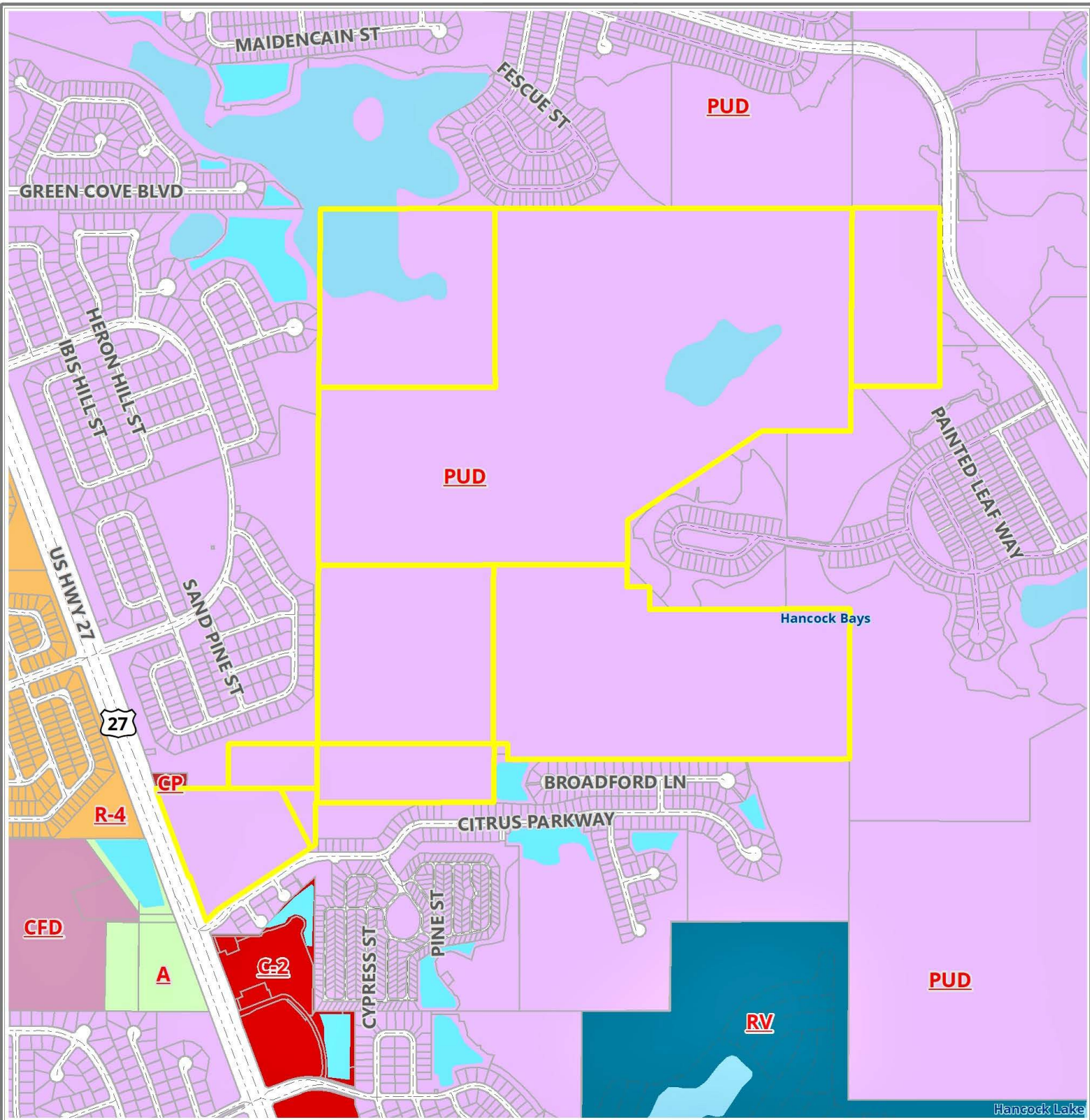
CASE NUMBER: RZ-20-21-1

LOCATION (S-T-R): 13, 14, 23-24-26

REQUEST: AMEND PLANNED UNIT DEVELOPMENT (PUD)



CURRENT ZONING



ZONING LEGEND

A R-4 RV C-2 CP CFD PUD

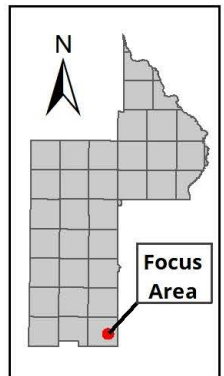
NAME: **PACIFIC ACE PUD PROPERTY**

DISTRICT: **1**

CASE NUMBER: **RZ-20-21-1**

LOCATION (S-T-R): **13, 14, 23-24-26**

REQUEST: **AMEND PLANNED UNIT DEVELOPMENT (PUD)**



ORDINANCE #2020-XX
Pacific Ace PUD Amendment
RZ-20-21-1

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**, Shutts & Bowen, LLP (the “Applicant”) submitted a rezoning application on behalf
4 of American Land Development of Central Florida, LLC (the “Owner”), to amend PUD Ordinance #2019-
5 22 to revise Section D, Architectural Standards, to eliminate Architectural Standard #5, which states that
6 all roofs will have 18-inch eaves, add an additional Architectural Standard that all driveways shall be
7 constructed of paver material, revise a portion of Architectural Standard #6 to eliminate three (3)
8 elevations, and eliminate nine (9) variations of each floor plan; include Board of Adjustment (VAR-19-
9 42-1) action; and included an additional ordinance condition as proposed by the Public Works
10 Department; and

11 **WHEREAS**, the subject property consists of approximately 380.31 +/- acres located east of US
12 Highway 27, south of Holly Grove Boulevard and north of Golden Eagle Boulevard in the South Lake
13 County area, in Section 13, 14, and 23, Township 24 South, Range 26 East, identified by Alternate Key
14 Numbers 2561050, 1594880, 1412463, 1412374, 1412382, 1412366, and 1783321, and more
15 particularly described in Exhibit “A”; and

16 **WHEREAS**, the property is located within the Urban Low Density Future Land Use Category;
17 and

18 **WHEREAS**, on the 27th day of February 1996, the Board of County Commissioners (BCC)
19 approved Ordinance #1996-17 to allow 376 +/- acres to be rezoned Agriculture (A) to Planned Unit
20 Development (PUD) to facilitate the development of 653 single-family dwelling units; and

21 **WHEREAS**, on the 26th day of March 2019, the Board of County Commissioners (BCC)
22 approved Ordinance #2019-22 to replace Ordinance #1996-17 with a new ordinance for 555 single-
23 family dwelling units, and new ordinance conditions consistent with the 2030 Comprehensive Plan; and

24 **WHEREAS**, the Lake County Planning and Zoning Board did review Petition RZ-20-21-1 on the
25 7th day of October 2020, after giving notice of the hearing on the petition for change in zoning, including
26 notice that the petition would be presented to Board of County Commissioners of Lake County, Florida,
27 on the 27th day of October 2020; and

28 **WHEREAS**, the Board of County Commissioners reviewed the petition, the recommendations of
29 the Lake County Planning and Zoning Board, and any comments, favorable or unfavorable, from the
30 public and surrounding property owners at a Public Hearing duly advertised; and

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

33 **WHEREAS**, the approval of this ordinance shall supersede and replace any, and all previous
34 zoning ordinances on the subject properties, including Ordinance #1996-17 and Ordinance #2019-22.

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

1 **Section 1.** **Terms:** The County Manager or designee shall amend the Lake County Zoning Map to
 2 Planned Unit Development (PUD) for the property described in Exhibit "A". The uses of
 3 the property will be limited to those uses specified in this Ordinance and generally
 4 consistent with the Conceptual Plan attached as Exhibit "B". To the extent there are
 5 conflicts between Exhibit "B" and this Ordinance, this Ordinance will take precedence.
 6 Ordinance #1996-17 and Ordinance #2019-22 are hereby revoked and replaced with
 7 this Ordinance.

8 **A. Permitted Land Uses.**

- 9 1. A maximum of 555 single family residences may be developed on the subject
 10 property.
- 11 2. Community amenity center/recreational area.
- 12 3. Accessory uses directly associated with the above uses may be approved by the
 13 County Manager or designee.
- 14 4. Any other use of the site not specified above will require approval of an
 15 amendment to this Ordinance by the Board of County Commissioners.

16 **B. Open Space, Impervious Surface Ratio, and Building Height.**

- 17 1. A minimum of twenty-five percent (25%) of the subject property acreage must
 18 be designated as open space as defined in the Comprehensive Plan, as
 19 amended.
- 20 2. The maximum Impervious Surface Ratio (ISR) for the entire subdivision is sixty
 21 percent (60%) consistent with the Comprehensive Plan, as amended.
- 22 3. The maximum building height will be forty (40) feet.
- 23 4. All other development standards must be in accordance with the Comprehensive
 24 Plan and LDR, as amended.

25 **C. Setbacks.** The minimum setback for residential development will be as follows:

Development Type	Single-Family Residence
Front	Twenty (20) feet
Corner Yard	Fifteen (15) feet
Side	Five (5) feet
Rear	Ten (10) feet

- 26 1. All setbacks detailed in the chart above must be measured from the property
 27 line/right-of-way.
- 28 2. Garages must be setback at least twenty-five (25) feet from the front property
 29 line/right-of-way.

3. With the exception of water dependent structures, all structures must be setback a minimum of fifty (50) feet from the jurisdictional wetland line.
4. Any setback not specified must be in accordance with the LDR, as amended.

D. Architectural Standards

1. 25% of 50' and 60' wide lots will have recessed garages or front porches.
2. Garage doors to have features such as trim and windows.
3. Limit 3-car garage homes to no more than 25% of all homes constructed.
4. No front facades shall have less than two (2) windows.
5. ~~All roofs will have 18" eaves.~~
6. Each floor plan shall have ~~three (3) elevations with~~ three (3) different siding accent options (i.e., shutters/banding, stone and hardie board, metal roofs on porches) ~~creating nine (9) different variations of each floor plan.~~
7. To add variety, the same house elevation will not be repeated next door or directly across the street from each other.
8. All driveways will be constructed using pavers.

E. Parking Requirements. Off-street parking must be provided in accordance with the LDR, as amended.

F. Landscaping, Buffering, and Screening. All new development must provide landscaping, buffering, and screening in accordance with the LDR, as amended.

1. The Board of Adjustments (BOA) approved a variance request (VAR-19-42-1) to allow the removal of nine (9) heritage trees with a cumulative total of 445-inches to facilitate the development of a single-family subdivision with the following conditions:
 - a. The subject nine (9) heritage trees may only be removed from their current location if they are relocated within the boundaries of the planned unit development; and
 - b. The landscape plan must indicate the location of the relocated heritage trees.

G. Environmental Requirements.

1. An environmental survey shall be conducted in accordance with the LDR, as amended, to address natural vegetative communities, wildlife corridors, and designated species prior to submittal of any development application. The environmental survey must identify protected habitat, wildlife corridors, flora and fauna.
2. All wetlands within the property must be placed into a conservation easement that will run in favor of, and be enforceable by, a homeowners' association, a public agency acceptable to Lake County, or Lake County, at Lake County's

1 discretion. The conservation easement must require that all wetlands and
2 wetland buffers be maintained in their natural and unaltered state. Any such
3 easement must allow access to water dependent structures such as docks and
4 walkways.

5 3. Upland buffers adjacent to wetlands must be included within the conservation
6 easement.

7 **H. Noise.** Noise compliance must be in accordance with the LDR, as amended.

8 **I. Transportation.**

9 1. All access management will be in accordance with the Comprehensive Plan and
10 LDR, as amended.

11 2. Access from US Highway 27 will require review and permitting from Florida
12 Department of Transportation.

13 3. The access to Sawgrass Bay Boulevard must be constructed prior to the 174th
14 lot, and with phase three of the development.

15 **J. Stormwater Management.**

16 1. The stormwater management system shall be designed in accordance with all
17 applicable Lake County and St. Johns River Water Management District
18 (SJRWMD) requirements, as amended.

19 2. The developer shall be responsible for any flood studies required for developing
20 the site and comply with FEMA, Comprehensive Plan and LDR, as amended.
21 Any development within the floodplain as identified on the FEMA maps will
22 require compensating storage.

23 **K. Utilities.** The development will be serviced by central water and sewer systems, in
24 accordance with the Comprehensive Plan and LDR, as amended.

25 **L. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and
26 consistent with Dark-Sky Principles.

27 **M. Signage.** All signage must be in accordance with the LDR, as amended.

28 **N. Schools.** School Concurrency shall be met before final plat approval in accordance
29 with the Comprehensive Plan and LDR, as amended.

30 **O. Concurrency Management Requirements.** Any development must comply with the
31 Lake County Concurrency Management System, as amended.

32 **P. Development Review and Approval.** Prior to the issuance of any permits, the
33 Owner shall submit a preliminary plat, construction plans, and final plat generally
34 consistent with the Conceptual Plan attached as Exhibit "B" for review and approval
35 in accordance with the Comprehensive Plan and LDR, as amended.

36 **Q. PUD Expiration.** Physical development shall commence within three (3) years from
37 the date of this Ordinance approval. Failure to commence construction within three
38 (3) years of approval shall cause the revocation of this ordinance, in accordance with

1 the Comprehensive Plan or superseding documents amended. Prior to expiration of
2 the three-year time frame, the Board of County Commissioners may grant, via a
3 Public Hearing, one (1) extension of the time frame for a maximum of two (2) years
4 upon a showing that reasonable efforts have been made towards securing the
5 required approvals and commencement of work.

6 **R. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific
7 references in this Ordinance to the Florida Statutes, Florida Administrative Code,
8 Lake County Comprehensive Plan, and LDR and Development Regulations shall
9 include any future amendments to the Statutes, Code, Plans, and/or LDR.

10 **Section 2. Conditions.**

11 **A.** After establishment of the facilities as provided in this Ordinance, the property
12 identified in this Ordinance may only be used for the purposes identified in this
13 Ordinance. Any other proposed use must be specifically authorized by the Board of
14 County Commissioners.

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

21 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with
22 the land and the terms, conditions, and provisions of this Ordinance, and will be
23 binding upon the present Owner and any successor, and will be subject to each and
24 every condition in this Ordinance.

25 **D.** The transfer of ownership or lease of any or all of the property described in this
26 Ordinance must include in the transfer or lease agreement, a provision that the
27 purchaser or lessee is made good and aware of the conditions established by this
28 Ordinance and agrees to be bound by these conditions. The purchaser or lessee
29 may request a change from the existing plans and conditions by following procedures
30 contained in the LDR, as amended.

31 **E.** Lake County Code Enforcement Special Master will have authority to enforce the
32 terms and conditions set forth in this Ordinance and to recommend that the
33 Ordinance be revoked.

34 **Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be
35 invalid or unconstitutional by any court of competent jurisdiction, the holding will in no
36 way affect the validity of the remaining portions of this Ordinance.

37 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of
38 this Ordinance to the Secretary of State for the State of Florida in accordance with
39 Section 125.66, Florida Statutes.

1 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**
2 **ENACTED** this _____ day of _____, 2020.
3 **FILED** with the Secretary of State _____, 2020.
4 **EFFECTIVE** _____, 2020.

5
6 **BOARD OF COUNTY COMMISSIONERS**
7 **LAKE COUNTY, FLORIDA**

8 _____
9 **LESLIE CAMPIONE, CHAIRMAN**

10 **ATTEST:**

11
12
13 _____
14 **GARY J. COONEY, CLERK OF THE**
15 **BOARD OF COUNTY COMMISSIONERS**
16 **LAKE COUNTY, FLORIDA**

17
18 **APPROVED AS TO FORM AND LEGALITY:**

19
20
21 _____
22 **MELANIE MARSH, COUNTY ATTORNEY**

Exhibit "A" — Legal Description

The land referred to herein below is situated in the County of Lake, State of Florida, and described as follows:

PARCEL 1:

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 13, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 2:

The North 1/2 of the Southeast 1/4 of Section 14, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 3:

The Southeast 1/4 of the Southwest 1/4 of Section 14, Township 24 South, Range 26 East, Lake County, Florida, LESS the 50 foot road right-of-way existing along the West side thereof.

PARCEL 4:

The South 1/2 of the Southeast 1/4 of Section 14, Township 24 south, Range 26 East, Lake County, Florida, LESS AND EXCEPT the following described tract or parcel of land:

Begin at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4; thence run Westerly to the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 14; thence run Southwesterly to the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4; thence run Southerly to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4; thence run Easterly along the South Section line of said Section 14 to the Southeast corner thereof; thence run Northerly along the East line of said Section to the Point of Beginning.

PARCEL 5:

North 116.94 feet of the South 1/2 of the Northeast 1/4, LESS the West 100 feet thereof; the South 3/4 of the Northeast 1/4 of the Northeast 1/4; the West 3/4 of the Northwest 1/4 of the Northeast 1/4; the South 3/4 of the East 1/4 of the Northwest 1/4 of the Northeast 1/4; the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, all in Section 23, Township 24 South, Range 26 East of the Tallahassee Meridian.

PARCEL 6:

Northeast 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida, LESS the 50 foot road right-of-way existing along the West side thereof.

PARCEL 7:

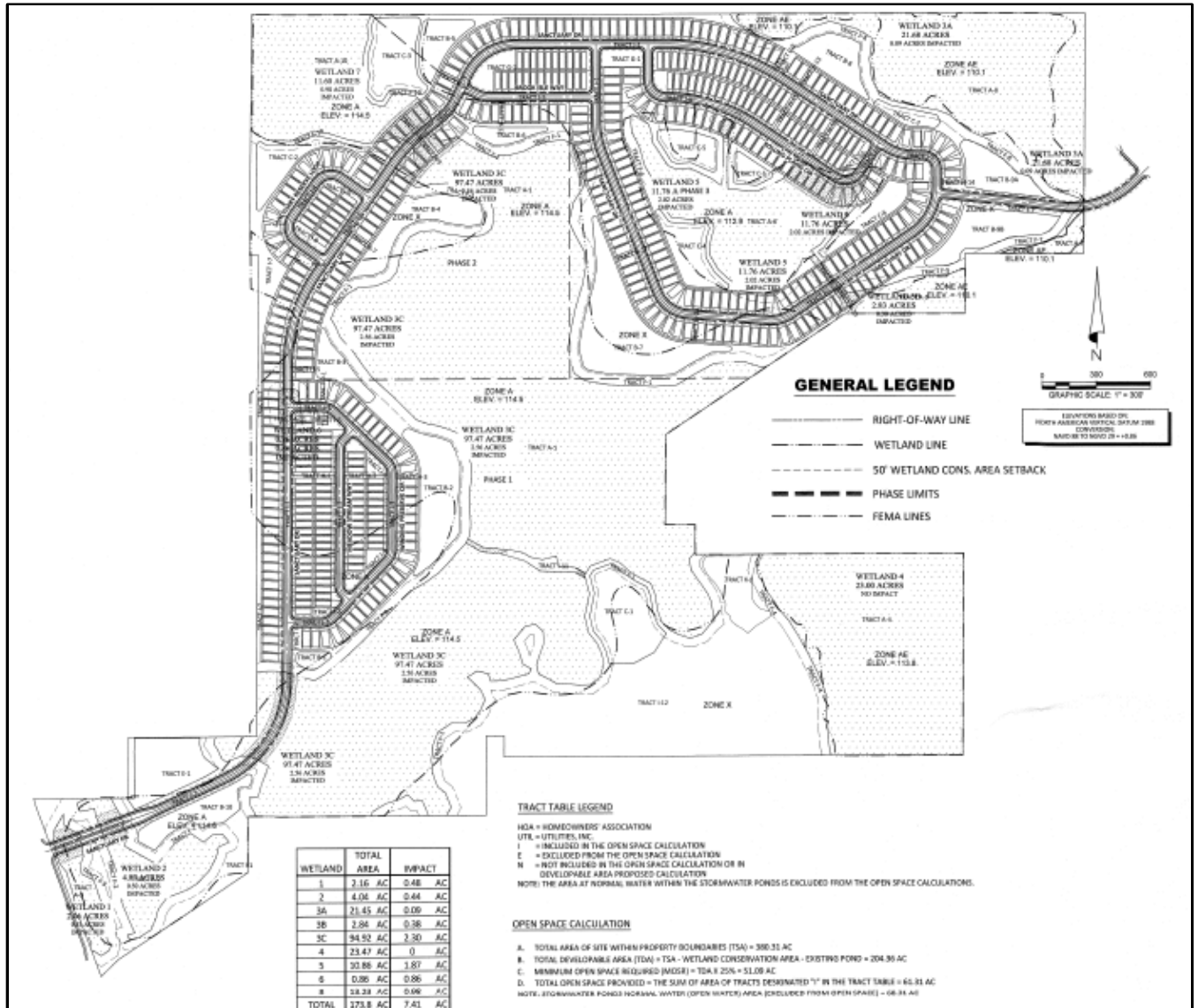
The North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 8:

The South 3/4 of the Southwest 1/4 of the Northwest 1/4 of Section 23, Township 24 South, Range 26 East, Lake County, Florida, lying East of the East boundary of the U.S. Highway #27 right-of-way and

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Exhibit "B" – Conceptual Plan



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