



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearings: Planning & Zoning Board (PZB): June 3, 2020
Board of County Commissioners (BCC): June 16, 2020

Case No. and Project Name: RZ-20-09-1, Vista Vision Property / CRS Howey Project

Applicant: Jimmy D. Crawford, Esq.

Owner: Vista Vision, Inc.

Requested Action: Rescind and replace Planned Commercial (CP) zoning ordinance 2017-60 to increase the maximum structure size and request a waiver to Land Development Regulation (LDR) Section 9.10.02.B.1 to only require one entrance to the principle building due to the property's irregular shape.

Staff Determination: Staff finds the rezoning amendment to be consistent with the LDR and Comprehensive Plan.

Case Manager: Michele Janiszewski, Chief Planner

PZB Recommendation:

Subject Property Information

Size: 2.5 +/- acres

Location: The intersection of SR 19 and CR 455, between the City of Groveland and the Town of Howey-in-the-Hills

Alternate Key No.: 1302625

Future Land Use: Rural

Current Zoning District: Planned Commercial (CP) by Ordinance #2017-60

Flood Zones: "X"

Joint Planning Area/ ISBA: Groveland ISBA

Overlay Districts: Yalaha-Lake Apopka Rural Protection Area
Howey-Groveland Rural Support Intersection

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture (A)	Right-of-Way (ROW)	County Road 455
South	Rural	Agriculture (A)	Single Family Residence on Large Lot	None
East	Rural	Agriculture (A)	Single Family Residences on Large Lots, Undeveloped Land and ROW	County Road 455
West	Rural	Agriculture (A)	Improved Pasture, Single-Family Residences on Large Lot and ROW	State Road 19

Staff Analysis

The subject property is located at the intersection of State Road 19 and County Road 455 and within the Howey-Groveland Rural Support Intersection. The property is zoned Planned Commercial by Ordinance #2017-60 which allows the property to be developed with rural support uses, as defined in the Comprehensive Plan. Ordinance #2017-60 limited the maximum structure size to 5,000 square feet to be consistent with Comprehensive Plan Policy I-1.4.7.1 Rural Support Intersections.

On October 22, 2019, the Board of County Commissioners (the 'Board') adopted Ordinance #2019-56 which amended Comprehensive Plan Policy I-1.4.7.1 Rural Support Intersections, to increase the square footage of structures utilized for Rural Support Uses from 5,000 square feet to 10,000 square feet. As such, the Applicant wishes to rescind and replace Ordinance #2017-60 with a new Planned Commercial zoning ordinance to allow the property to be developed with rural support uses and to allow structures to be up to 10,000 square feet.

Standards for Review (LDR Section 14.03.03)

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

The application is consistent with the current development standards contained within the LDR. The Comprehensive Plan states that elements of compatibility for Rural Support Uses must be addressed in the LDR including but not limited to signage, hours of operation, lighting, building orientation, height, facade, architectural design, parking, landscaping, and buffering. Any future development of the site will need to adhere to the LDR in place at the time of approval.

The applicant is seeking a waiver from LDR Section 9.10.02.B.1, which states "principal buildings that face an arterial or collector road shall feature at least one (1) entrance on each facade that faces the arterial or collector road. A faux entrance may be used to satisfy this requirement." The property is situated between two arterial roads on a triangular piece of property between an arterial and collector road. Staff accepts the waiver request due to the irregular shape of the property.

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

The proposed rezoning is consistent with all elements of the Comprehensive Plan. Comprehensive Plan Policy I-1.4.7 Rural Support, states that Rural Support uses must be limited to designated Rural Support Intersections, Rural Support Corridors, and as an allowable use within the Rural Transition Future Land Use Category (FLUC). The subject property is part of the Rural FLUC and located within the Howey-Groveland Rural Support Intersection. The draft Ordinance allows a maximum structure size of 10,000 square feet which is consistent with Comprehensive Plan Policy I-1.4.7.1 Rural Support Intersections.

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

The application seeks approval to develop the property with a structure greater than 5,000 square feet to accommodate rural support uses. A development application for a major site plan has been submitted and proposes the construction of a 9,100 square foot building on the subject property which is allowed by Comprehensive Plan Policy I-1.4.7.1 Rural Support Intersections.

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

On October 22, 2019, the Board of County Commissioners (the 'Board') adopted Ordinance #2019-56 which amended Comprehensive Plan Policy I-1.4.7.1 Rural Support Intersections, to increase the square footage of structures developed for Rural Support Uses from 5,000 square feet to 10,000 square feet. As such, the application proposes to rescind and replace Ordinance #2017-60 with a new Planned Commercial zoning ordinance to allow the property to be developed with rural support uses structures up to 10,000 square feet in size.

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.

The proposed rezoning will not affect the existing level of services for schools or parks and recreation. The rezoning will not adversely impact the County's adopted levels of service for police, drainage, solid waste, and fire and emergency medical facilities. The property will be serviced by septic tanks and wells. Any future development of this property will require an analysis to demonstrate that the proposed development does not adversely impact the County's adopted levels of service.

Water and Sewage – The subject property is located within the Rural Future Land Use Series and is not required to connect to central water or central sewer. Any well and septic system will need to be permitted through the Department of Health.

Transportation – The rezoning amendment will not have a significant impact on the area's transportation system. Potential impacts on the transportation system will be assessed during site plan review.

Solid Waste – Lake County Solid Waste Division has indicated there is sufficient capacity to support this project.

Schools – The proposed rezoning ordinance will not contain any residential uses, as such, the application and proposed development plans will not have an impact on Lake County Schools.

Fire and Emergency Services - Lake County Fire Station #77, located at 13431 Ohio Street in Astatula, is located approximately 5.6 miles northeast of the subject property.

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

All new development will be required to meet all Comprehensive Plan Policies and LDRs, as amended, to protect the environmentally sensitive areas within the subject property.

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

There is no indication that the rezoning application will affect property values in the area.

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

Rural Support uses are intended to address the need for narrowly defined commercial and office uses that support the resident population of areas within the Rural Future Land Use Series. The immediate area is part of the Rural Future Land Use Category and the proposed rezoning will have no negative effects on the development pattern in the area.

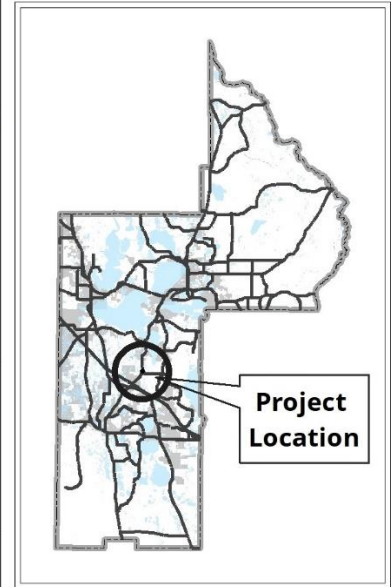
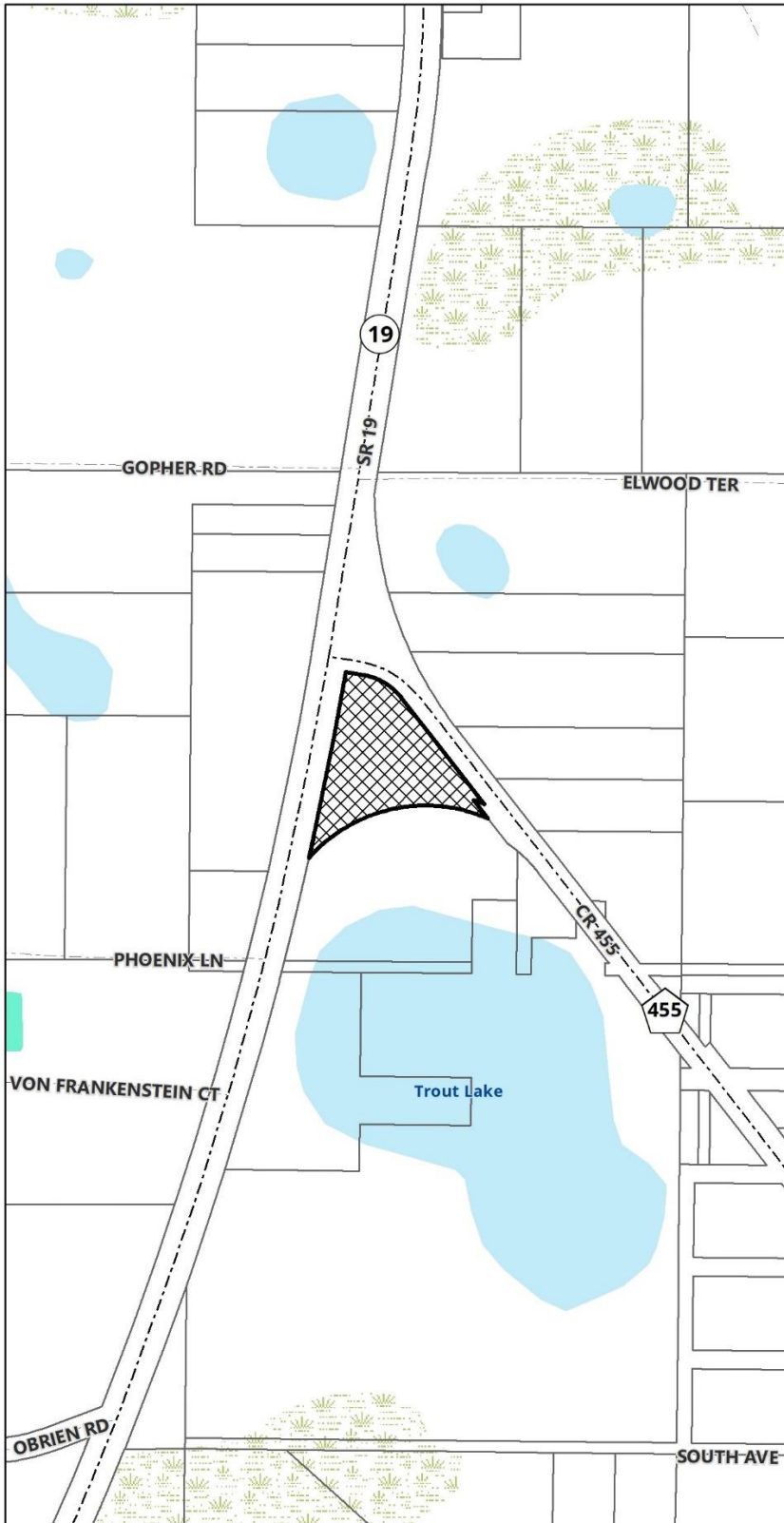
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

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

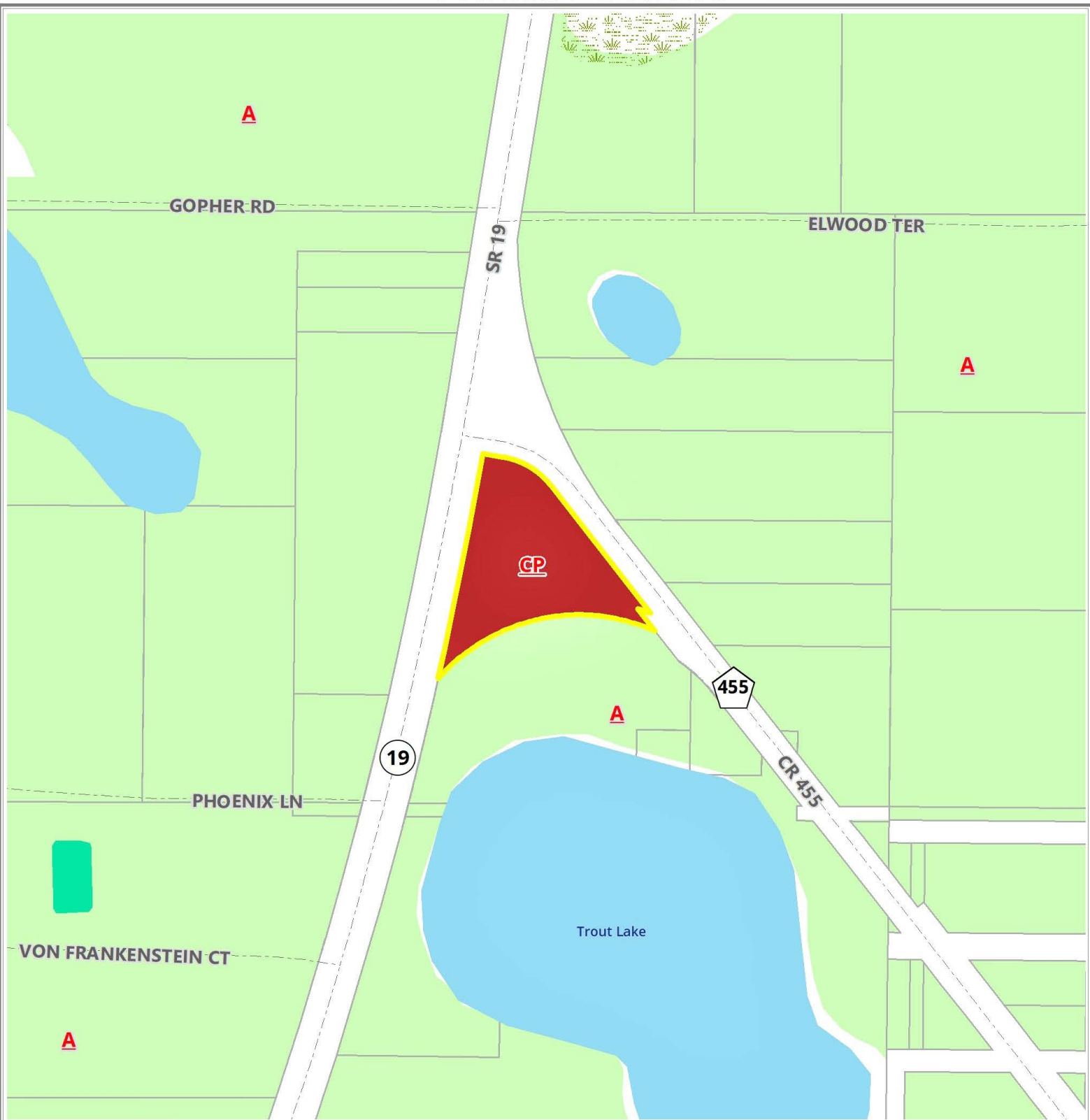
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

Not at this time.

Map of Subject Property.



CURRENT ZONING



ZONING LEGEND

A CP

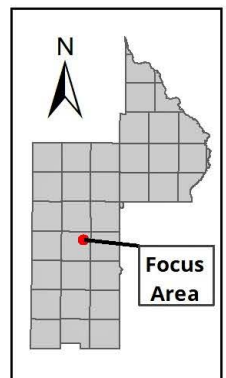
NAME: **VISTA VISION - CRC HOWEY PROPERTY**

DISTRICT: **1**

CASE NUMBER: **RZ-20-09-1**

LOCATION (S-T-R): **11-21-25**

REQUEST: **AMEND PLANNED COMMERCIAL DISTRICT (CP) USES**



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

 Rural

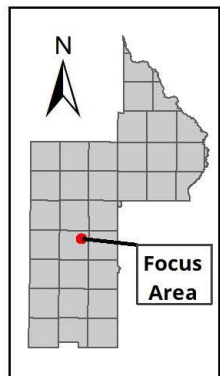
NAME: VISTA VISION - CRC HOWEY PROPERTY

CASE NUMBER: RZ-20-09-1

LOCATION (S-T-R): 11-21-25

REQUEST: AMEND PLANNED COMMERCIAL DISTRICT (CP) USES

DISTRICT: 1



**Ordinance 2020 - XX
Vista Vision Property
RZ-20-09-1**

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

4 **WHEREAS**, Jimmy D. Crawford, Esq. (the “Applicant”), on behalf of Vista Vision, Inc., a Florida
5 Corporation (the “Owner”) has made a request to amend Planned Commercial (CP) zoning ordinance 2017-
6 60 to increase the maximum structure size and request a waiver to Land Development Regulation (LDR)
7 Section 9.10.02.B.1 to only require one entrance with a new ordinance, on approximately 2.5 +/- acres; and

8 **WHEREAS**, the subject property consists of 2.5 +/- acres and is south of the intersection of SR 19
9 and CR 44, between the City of Groveland and the Town of Howey-in-the-Hills, in Section 11, Township 21
10 South, Range 25 East, and is more particularly described in Exhibit A; and

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

13 **WHEREAS**, the subject property is included in its entirety within the Howey-Groveland Rural Support
14 Intersection as defined in the Comprehensive Plan in accordance with Ordinance Number 2017-58; and

15 **WHEREAS**, the subject property is zoned Planned Commercial by Ordinance Number 2017-60; and

16 **WHEREAS**, the approval of this ordinance shall supersede and replace CP Ordinance 2017-60

17 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-20-09-1 on June 3,
18 2020, after giving notice of the hearing on the petition for a change in zoning, including notice that the petition
19 would be presented to the Board of County Commissioners of Lake County, Florida, on June 16, 2020; and

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

23 **WHEREAS**, upon review, certain terms pertaining to the development of the above described
24 property have been duly approved.

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

27 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to rescind
28 Ordinance 2017-60 and rezone the property Planned Commercial (CP) in accordance with this
29 Ordinance.

30 **A. Permitted Land Uses.**

31 1. Rural Support Uses to include professional offices, personal services, convenience retail,
32 agricultural-related retail sales of goods and services, banks, bars or taverns, automotive
33 service stations, medical services, general restaurants, recreation commercial, churches,
34 community residential homes, family day care or family residential homes, utilities, and
35 communication towers.

36 2. No single structure may exceed ten thousand (10,000) square feet.

- 1 3. Accessory uses directly associated with the above uses may be approved by the County
2 Manager or designee. Any other use of the site not specified above will require approval of an
3 amendment to this Ordinance by the Board of County Commissioners.
- 4 **B. Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height.** Open Space,
5 Impervious Surface Ratio, Floor Area Ratio, and Building Height must be in accordance with the
6 Comprehensive Plan and theLDR, as amended.
- 7 **C. Setbacks.** Any new buildings or structures must adhere to the setbacks as established in theLDR,
8 as amended.
- 9 **D. Parking Requirements.** Off-street parking must be provided in accordance with theLDR, as
10 amended.
- 11 **E. Landscaping, Buffering, and Screening.** All new development must provide landscaping in
12 accordance with theLDR, as amended.
- 13
- 14 **F. Environmental Requirements.** Prior to any future development, current environmental assessment
15 must be submitted to identify potential negative impacts to wetlands, habitat, wildlife corridors, flora,
16 and fauna.
- 17 **G. Noise:** Compliance must be in accordance with theLDR, as amended.
- 18 **H. Commercial Design Standards.** All future development must demonstrate compliance with the
19 commercial design standards established in theLDR, as amended.
- 20 **I. Transportation Improvements.**
- 21 1. All access management must be in accordance with the Comprehensive Plan andLDR, as
22 amended.
- 23 2. A left turn lane on SR 19 at the intersection of CR 455 may be required. Further analysis will be
24 conducted during the site plan review. If requirements for such improvements are triggered by
25 the development, the Owner is responsible for design, permitting through the Florida Department
26 of Transportation, and construction of the turn lanes improvements.
- 27 3. Additional right-of-way may be required along County Road 455, per theLDR, as amended.
- 28 **J. Utilities.** Utilities are to be provided in accordance with the Comprehensive Plan andLDR, as
29 amended.
- 30 **K. Stormwater and Floodplain Management.**
- 31 1. The stormwater management system are to be designed in accordance with all applicable Lake
32 County and St. Johns River Water Management District requirements.
- 33 2. The developer shall be responsible for any flood studies required for developing the site and will
34 comply with Federal Emergency Management Agency (FEMA), Comprehensive Plan and LDR,
35 as amended. Any development within the floodplain as identified on the FEMA maps will required
36 compensating storage.

1 **L. Lighting.** Exterior lighting must be in accordance with theLDR, as amended, and consistent with
2 Dark-Sky Principles.

3 **M. Signage.** All signage must be in accordance with theLDR, as amended.

4 **N. Concurrency Management Requirements.** Any development must comply with the Lake County
5 Concurrency Management System, as amended.

6 **O. Development Review and Approval.** Prior to the issuance of any permits, the Owners must submit
7 a site plan application for review and approval in accordance with the Comprehensive Plan and
8 theLDR, as amended.

9 **P. Waivers.** Section 9.10.02.B.1, LDR, requires principal buildings that face an arterial or collector road
10 to feature at least one (1) entrance on each facade that faces the arterial or collector road. Due to
11 the location an irregular shape of the property, this requirement is waived; one entrance to the
12 principle building is sufficient.

13 **Section 2. Conditions.**

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

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

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

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

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

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

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

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Section 5. Effective Date. This Ordinance will become effective as provided by law.

ENACTED this _____ day of _____, 2020.

FILED with the Secretary of State _____, 2020.

EFFECTIVE _____, 2020.

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

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY

MELANIE MARSH, COUNTY ATTORNEY

Attachment A. Legal Description.

TRACT OF LAND IN NW ¼ OF SE ¼ BETWEEN SOUTHERLY RIGHT OF WAY OF STATE ROAD 455 EASTERLY RIGHT OF WAY OF STATE ROAD 19 AND NORTHERLY RIGHT OF WAY OF ROAD CONNECTING STATE ROAD 455 AND STATE ROAD 19, ALL IN SECTION 11, TOWNSHIP 21, RANGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA

LESS AND EXCEPT:

A PORTION OF A TRACT OF LAND IN THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LYING BETWEEN THE SOUTHERLY RIGHT-OF-WAY OF C-455, THE EASTERLY RIGHT-OF-WAY OF S.R. 19, AND THE NORTHERLY RIGHT-OF WAY OF A ROAD CONNECTING C-455 AND S.R. 19; SAID TRACT OF LAND ALSO BEING SHOWN ON A REVISED PLAT, BEING PART OF PARKDALE, A SUBDIVISION RECORDED IN PLAT BOOK 10, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; SAID PORTION BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF THE RIGHT-OF-WAY OF C-455 (HOWEY-CLERMONT HIGHWAY) AND THE EASTERLY LINE OF THE RIGHT-OF-WAY OF S.R. 19 (HOWEY-GROVELAND HIGHWAY) AS SHOWN ON SAID REVISED PLAT OF PARKDALE, THENCE RUN SOUTH 09°10'11" WEST, ALONG SAID EASTERLY LINE OF RIGHT-OF-WAY (BASIS OF BEARINGS IS GRID NORTH, FLORID EAST ZONE), 282.58 FEET; TO THE POINT OF BEGINNING; THENCE SOUTH 80°10'57" EAST A DISTANCE OF 40.24 FEET TO A POINT ON THE CUSP OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 40.24 FEET AND A RADIAL BEARING OF SOUTH 09°49'03" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE, HAVING A CENTRAL ANGLE OF 91°30'15", AN ARC DISTANCE OF 64.27 FEET TO A POINT OF TANGENCY ON THE SAID EASTERLY RIGHT-OF-WAY OF SR-19; THENCE NORTH 90°10'11" EAST ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 39.41 FEET TO THE POINT OF BEGINNING. CONTAINING 0.0082 ACRES, MORE OR LESS.

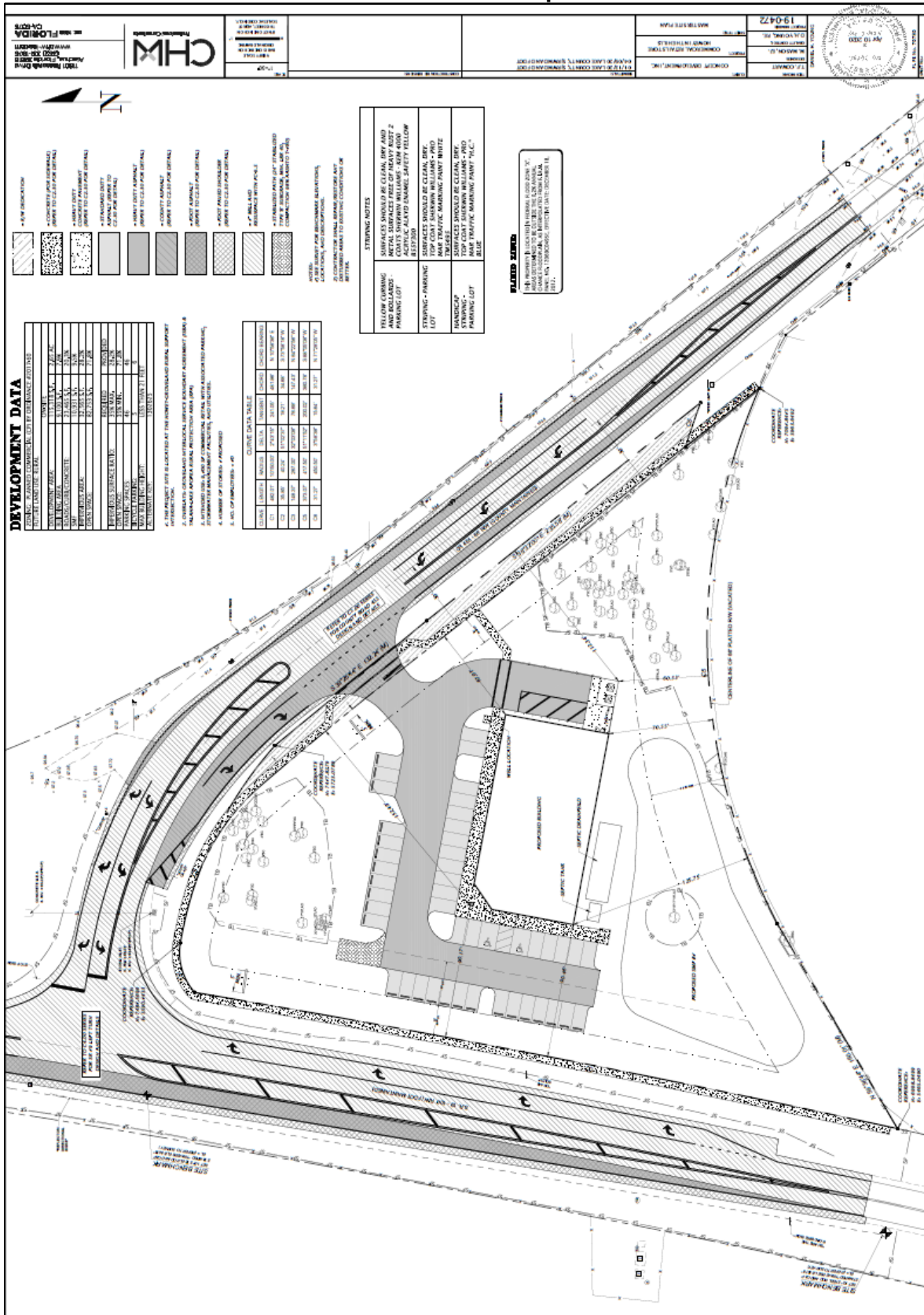
LESS AND EXCEPT:

A PORTION OF A TRACT OF LAND IN THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LYING BETWEEN THE SOUTHERLY RIGHT-OF-WAY OF C-455, THE EASTERLY RIGHT-OF-WAY OF S.R.19, AND THE NORTHERLY RIGHT-OF WAY OF A ROAD CONNECTING C-455 AND S.R. 19; SAID TRACT OF LAND ALSO BEING SHOWN ON A REVISED PLAT, BEING PART OF PARKDALE, A SUBDIVISION RECORDED IN PLAT BOOK 10, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; SAID PORTION BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF THE RIGHT-OF-WAY OF C-455 (HOWEY-CLERMONT HIGHWAY) AND THE EASTERLY LINE OF THE RIGHT-OF-WAY OF S.R. 19 (HOWEY-GROVELAND HIGHWAY) AS SHOWN ON SAID REVISED PLAT OF PARKDALE, AND RUN SOUTH 09°10'11" WEST, ALONG SAID EASTERLY LINE OF RIGHT-OF-WAY (BASIS OF BEARINGS IS GRID NORTH, FLORID EAST ZONE), 282.58 FEET; THENCE DEPARTING SAID LINE OF RIGHT-OF-WAY, RUN SOUTH 80°10'57" EAST, 40.24 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 267.00 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE, HAVING A CENTRAL ANGLE OF 32°09'02", AN ARC DISTANCE OF 149.82 FEET TO A POINT ON THE AFORESAID SOUTHWESTERLY LINE OF RIGHT-OF-WAY OF C-455, SAID POINT BEING ON A CUSP OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1211.92 FEET AND A RADIAL BEARING OF SOUTH 61°08'04" WEST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A CENTRAL ANGLE OF 17°42'04" AND ALONG SAID LINE OF RIGHT-OF-WAY, AN ARC DISTANCE OF 374.41 FEET TO THE POINT OF BEGINNING. CONTAINING 0.46 ACRE, MORE OR LESS.

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Attachment B. Concept Plan.



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