



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): July 1, 2020  
Board of County Commissioners (BCC): July 21, 2020

Case No. and Project Name: RZ-20-15-2 Clermont Self-Storage Rezoning

Applicant: Bryan Potts

Requested Action: Rezone 5.36 +/- acres from Agriculture (A) and Rural Residential (R-1) to Planned Unit Development (PUD), to accommodate a mixed-use development office and light industrial uses, to include waiver request to the PUD minimum acreage requirement

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and Comprehensive Plan

Case Manager: Marellys Moreno, CRA Coordinator

PZB Recommendation:

### Subject Property Information

Size: 5.36 +/- net acres

Location: West of CR 455, and north of SR 50 in the Clermont area

Alternate Key No.: 2665718 and 2665734

Future Land Use: Regional Office

Current Zoning District: Agriculture (A) and Rural Residential (R-1)

Proposed Zoning District: Planned Unit Development (PUD)

Flood Zone: "A"

Joint Planning Area: Clermont JPA

Overlay Districts: Lake Apopka Basin Overlay District

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Regional Office	Heavy Industrial (HM)	Warehousing	Towing Service Company
South	Regional Office	Agriculture (A)	Vacant	Undeveloped
East	Regional Office	Planned Unit Development (PUD)	Vacant	Undeveloped
West	Regional Office	Heavy Industrial (HM)	Warehousing	Towing Service Company

### Staff Analysis

The rezoning application seeks to rezone 5.36 +/- acres of property from Agriculture (A) and Rural Residential (R-1) to Planned Unit Development (PUD), to accommodate a mixed-use development of office and light industrial uses to accommodate a self-storage facility. This application also requests a waiver to the PUD minimum acreage requirement pursuant to Land Development Regulations (LDR) Section 4.03.03.B. The subject property is generally located west of CR 455 and north of SR 50, in the Clermont area. The parcel is located within the Lake Apopka Basin Overlay District.

The subject property is designated as Regional Office in the Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-1.3.6, general office uses are allowed within the Regional Office Future Land Use Category. Additionally, Policy I-1.3.6, allows light industrial uses to those without off-site impacts and take place primarily within an enclosed building. Comprehensive Plan Policy 1-1.3.6 also requires that proposed structures follow design standards provided in the Land Development Regulations to ensure that office development is compatible with adjoining properties.

This application includes a request to the Board of County Commissioners (BCC) to consider a waiver to the minimum 10-acre PUD requirement per Land Development Regulations (LDR) Section 4.03.03.

#### **A. Whether the proposed rezoning is consistent with all elements of the Comprehensive Plan.**

The request is consistent with Comprehensive Plan Policy I-1.3.6 Regional Office Future Land Use Category, which allows office and light industrial uses. Comprehensive Plan Policy 1-1.3.6 also requires that proposed structures follow design standards provided in the Land Development Regulations to ensure that office development is compatible with adjoining properties.

The request is consistent with Comprehensive Plan Policy I-7.8.1, Requirements for Planned Unit Developments, which states that a PUD shall be accompanied by a conceptual plan.

#### **B. Whether the proposed rezoning is in conflict with any applicable provisions of the Code.**

The request is consistent with the purpose and intent PUD zoning district allowed by Land Development Regulations (LDR) Section 4.03.00, with the exception of the 10-acre minimum acreage requirement for PUD zoning. However, as previously stated, the Applicant requests that the Board waive the acreage requirement. The LDR specifies that PUDs are allowed in all land use classifications, such as the Regional Office future land use, and that PUD zoning is intended to allow a diversification of uses, structures and open space in a manner compatible with both the existing and proposed surrounding uses.

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

The proposed rezoning is consistent with the land uses permitted by the proposed zoning district and existing FLUC. The parcels adjacent to the subject property on the north, south, and west side are developed with heavy industrial and agricultural land uses. The parcels to the east of the subject property are zoned Planned Unit Development (PUD) by Ordinance 2019-63 to accommodate a mixed-use residential and commercial development.

#### **D. Whether there have been changed conditions that justify the rezoning.**

The Applicant wishes to develop self-storage buildings and included the following supporting statement: "the adjacent area is filling in with residential, creating a demand for self-storage."

#### **E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, 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

The parcel will be serviced by central water and sewer. A utility agreement with the City of Clermont is required. Plans need to be submitted to the City of Clermont for review.

##### Parks and Recreation

The request is not anticipated to adversely impact park capacity or levels of service.

Fire

Lake County Fire Rescue Station #90 and City of Clermont Fire Station #3 are located less than three (3) miles from the subject property. Fire protection water supply and emergency access will be addressed during review of the development application, should the rezoning request be approved by the Board.

Schools

The request is not anticipated to adversely impact school capacity.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

Transportation

The Applicant will be required to complete a Tier 1 traffic exemption letter prior to site plan approval. This will be verified during the development review process and prior to commencement of construction.

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

The southwest corner of the property is located within a flood zone labeled as Zone "A". Information in flood hazard areas without base flood elevations is required.

Lake County GIS Aerials indicate the presence of wetlands. Upon development application submittal, a signed, sealed boundary survey delineating the jurisdictional wetland line and 2012 flood zones will be required; if no wetlands are present on the property, the survey must be so noted. As such, all sensitive resources will be addressed through the development review process with the submittal of an environmental assessment at the time of site plan submittal to assess the quality of environmental community and the quality of protection and mitigation that may be necessary.

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

The application does not contain any information regarding proposed development impact on property values.

**H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.**

The proposed non-residential use is surrounded by agriculture, heavy industrial, and PUD zoned properties for commercial and residential uses. The proposed rezoning would not disrupt the existing or orderly and logical development pattern of the area. Based on the surrounding Regional Office land uses, the proposed non-residential use is not expected to develop in a manner adverse to surrounding uses and the intended future uses of those adjacent properties.

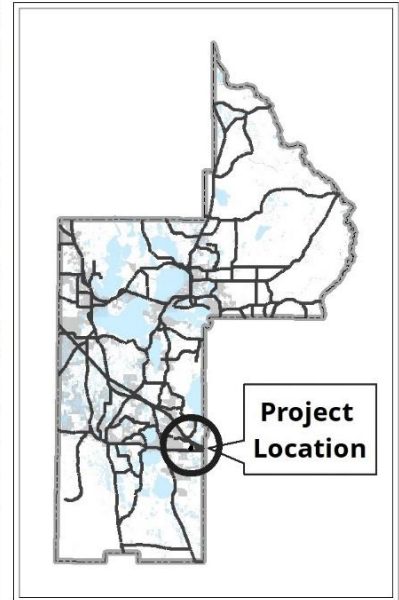
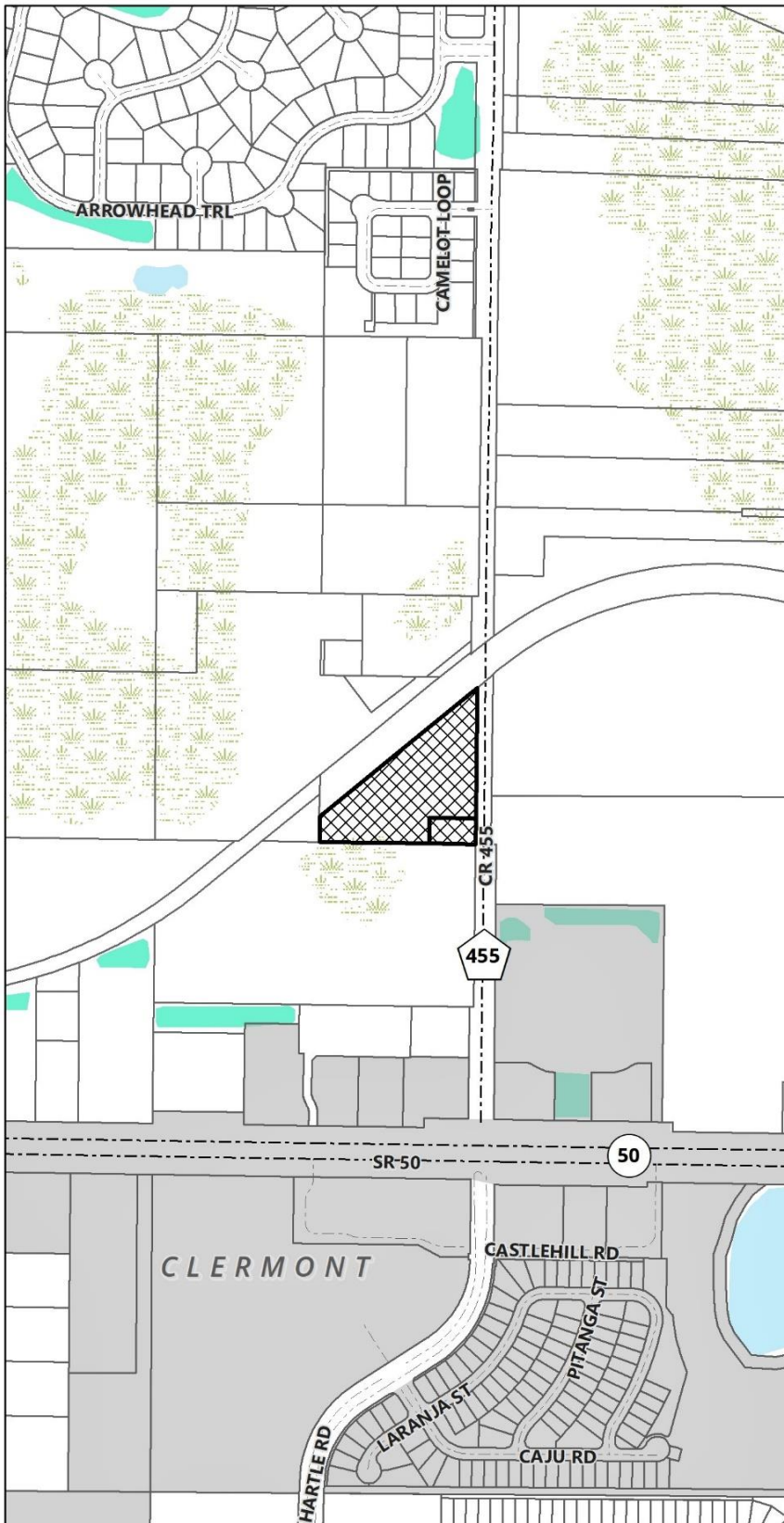
**I. Whether the proposed rezoning would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

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

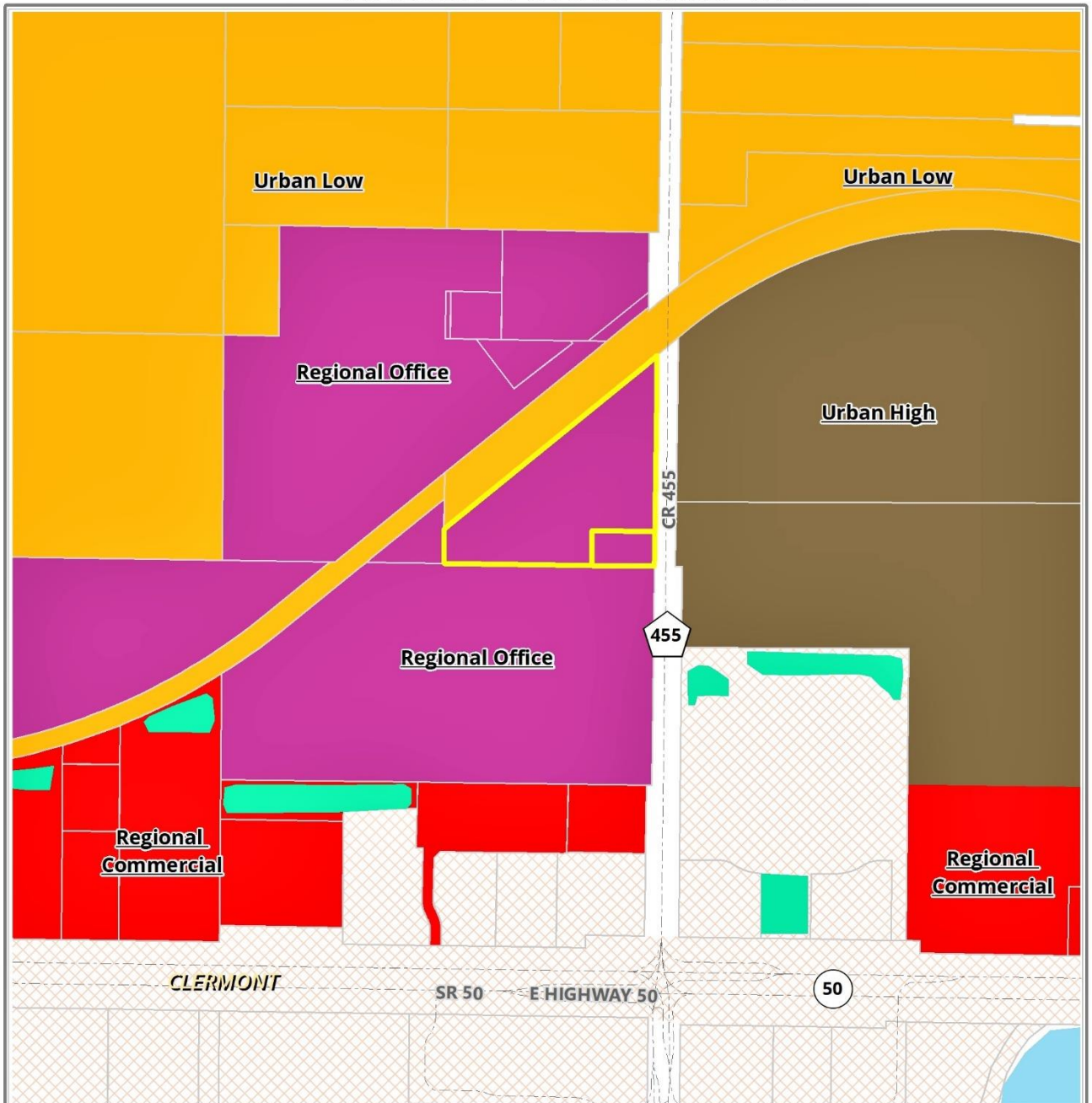
**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

This application includes a request to the Board of County Commissioners to consider a waiver to the minimum 10-acre PUD requirement. Staff must emphasize that approval of this rezoning is contingent upon Board approval of the requested waiver.

### Subject Property



**CURRENT FUTURE LAND USE**



**FUTURE LAND USE LEGEND**

- Regional Commercial
- Regional Office
- Urban High
- Urban Low

**NAME: CLERMONT SELF STORAGE PROPERTY**

**DISTRICT: 2**

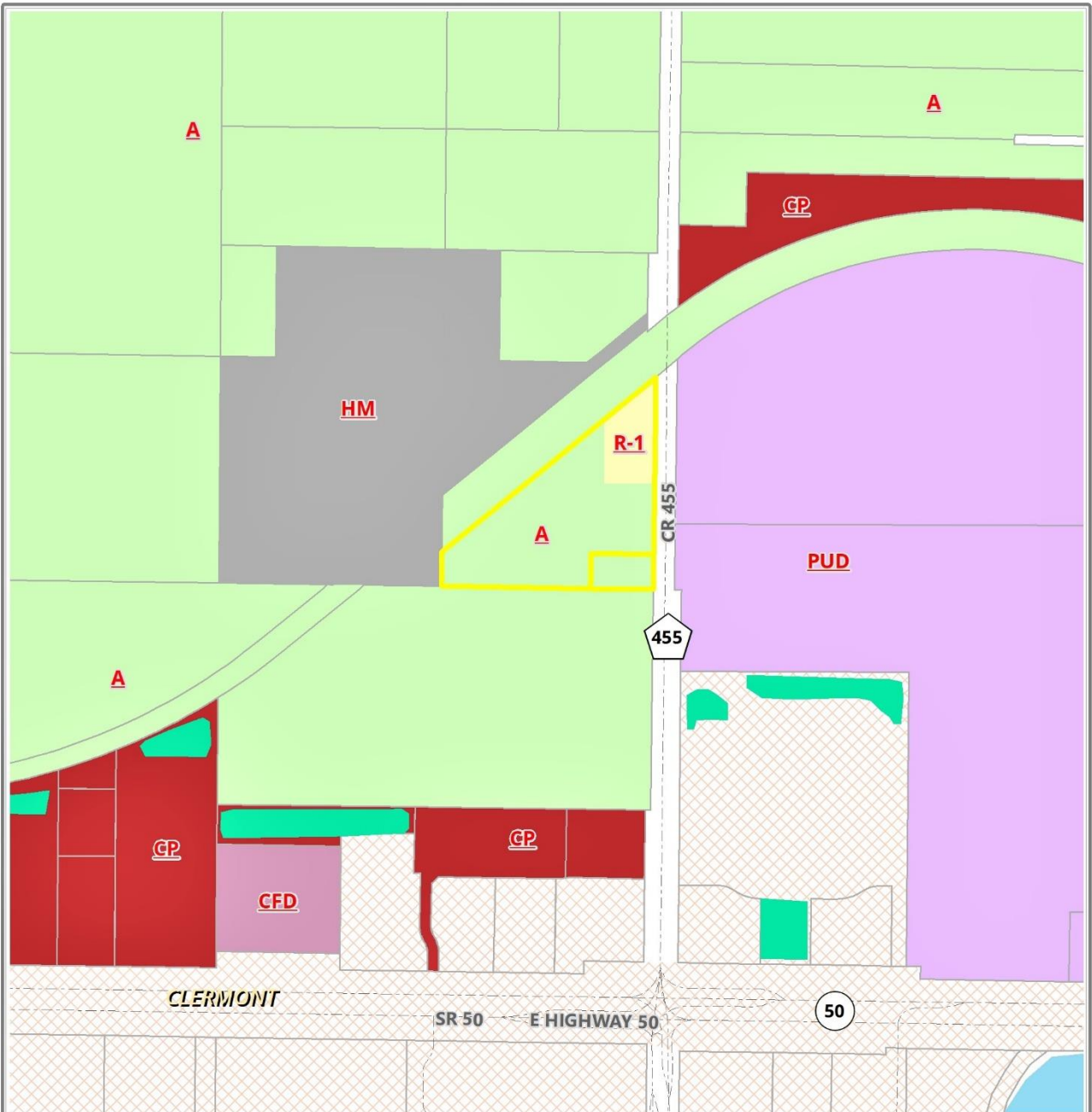
**CASE NUMBER: RZ-20-15-2**

**LOCATION (S-T-R): 23-22-26**

**REQUEST: AGRICULTURE (A) & RURAL RESIDENTIAL (R-1) TO  
 PLANNED UNIT DEVELOPMENT (PUD)**



CURRENT ZONING



**ZONING LEGEND**

A R-1 CP HM CFD PUD

**NAME: CLERMONT SELF STORAGE PROPERTY**  
**CASE NUMBER: RZ-20-15-2**  
**LOCATION (S-T-R): 23-22-26**  
**REQUEST: AGRICULTURE (A) & RURAL RESIDENTIAL (R-1) TO  
PLANNED UNIT DEVELOPMENT (PUD)**

**DISTRICT: 2**



**ORDINANCE #2020-XX**  
**Clermont Self-Storage Rezoning**  
**RZ-20-15-2**

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**, Bryan Potts, of Tannath Design, Inc. (the “Applicant”) submitted a rezoning application  
4 on behalf of Edward A. Bridges (the “Owner”), to rezone property from Agriculture (A) and Rural Residential  
5 (R-1) to Planned Unit Development (PUD) zoning district to accommodate a mixed-use office and light  
6 industrial development; and

7 **WHEREAS**, the subject property consists of 5.36 +/- gross acres and is located west of CR 455, and  
8 north of SR 50, in the Clermont area, within Section 23, Township 22 North, Range 26 East, having Alternate  
9 Key Number 2665718 and 2665734, and more particularly described below:

10 **LEGAL DESCRIPTION: EXHIBIT “A” – ATTACHED**

11 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-20-15-2 on 1st day of  
12 July 2020, after giving notice of the hearing on the petition for a change in zoning, including notice that the  
13 petition would be presented to the Board of County Commissioners of Lake County, Florida, on 21st day of  
14 July 2020; and

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

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

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

22 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to show the  
23 Planned Unit Development (PUD) in accordance with this Ordinance. All uses specified must be  
24 generally consistent with the Concept Plan as shown in Exhibit “B” of this Ordinance. To the  
25 extent where there are conflicts between the Concept Plan and this Ordinance, the Ordinance  
26 will take precedence.

27 **A. Waivers.** The minimum acreage requirement pursuant to Land Development Regulations  
28 (LDR) Section 4.03.03(B) is waived to allow a 5.36 acre zoning district.

29 **B. Land Uses.**

- 30 1. Light industrial use for self-storage facility.
- 31 2. Office use.

32 Accessory uses may be approved by the County Manager or designee. Any other use of the  
33 property will require approval of an amendment to this Ordinance by the Board of County  
34 Commissioners.

35 **C. Impervious Surface Ratio, Floor Area Ratio, Open Space, and Building Height.**

- 36 1. Impervious Surface Ratio (ISR): 0.75 (maximum, overall development).

- 1                   2. Floor Area Ratio (FAR): 3.0 (maximum).
- 2                   3. Open Space: 15% (minimum).
- 3                   4. Height: 75-feet (maximum)
- 4                   **D. Development Standards/Design Criteria.** Development shall adhere to commercial design
- 5                   standards in accordance with the Comprehensive Plan and LDR, as amended.
- 6                   **E. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- 7                   **F. Parking Requirements.** Off-street parking must be provided in accordance with the LDR,
- 8                   as amended.
- 9                   **G. Landscaping, Buffering, and Screening.** All new development must provide landscaping
- 10                   in accordance with the LDR, as amended.
- 11                   **H. Environmental Requirements.**
- 12                   1. An environmental assessment dated within six (6) months of the development
- 13                   application submittal will be required. The environmental assessment must specify the
- 14                   presence of vegetation, soils, and any threatened or endangered species that may exist
- 15                   on the site. Any State permitting or mitigation will be required before development can
- 16                   commence.
- 17                   2. Environmental resources shall be protected in accordance with the Comprehensive Plan
- 18                   and LDR, as amended.
- 19                   3. Open space shall be provided in accordance with the LDR, as amended.
- 20                   **I. Noise Compliance.** Development shall comply with noise protection provisions of the LDR,
- 21                   as amended.
- 22                   **J. Transportation Improvements.**
- 23                   1. Applicant will be required to complete a Tier 1 traffic exemption letter prior to site plan
- 24                   approval.
- 25                   2. All access management shall be in accordance with the Comprehensive Plan and LDR,
- 26                   as amended.
- 27                   **K. Utilities.** The development shall be serviced by central water and central sewer.
- 28                   **L. Stormwater Management.** The stormwater management system must be designed in
- 29                   accordance with all applicable Lake County and St. Johns River Water Management District
- 30                   requirements.
- 31                   **M. Floodplain Management.** The Owners will be responsible for any flood studies required for
- 32                   developing the site and to comply with Federal Emergency Management Agency (FEMA)
- 33                   regulations, the Comprehensive Plan, and the LDR. Any development within the floodplain
- 34                   as identified on the FEMA maps will require compensating storage.
- 35                   **N. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and consistent
- 36                   with Dark-Sky Principles.
- 37                   **O. Signage.** All signage must be in accordance with the LDR, as amended.



1           **P. Concurrency Management Requirements.** Any development must comply with the Lake  
2           County Concurrency Management System, as amended.

3           **Q. Development Review and Approval.**

- 4           1. Prior to the issuance of any permits, the Applicant shall be required to submit a site plan,  
5           consistent with Exhibit "B" - Concept Plan for review and approval in accordance with  
6           the Comprehensive Plan and LDR, as amended.
- 7           2. PUD Expiration: Physical development shall commence within three (3) years from the  
8           date of this Ordinance approval. Failure to commence construction within three (3) years  
9           of approval shall cause the revocation of this ordinance, in accordance with the  
10          Comprehensive Plan or LDR. Prior to expiration of the three-year time frame, the Board  
11          of County Commissioners may grant, via a Public Hearing, one (1) extension of the time  
12          frame for a maximum of two (2) years upon a showing that reasonable efforts have been  
13          made towards securing the required approvals and commencement of work.

14   **Section 2. Conditions.**

- 15          **A.** After establishment of the facilities as provided in this Ordinance, the property may only be  
16          used for the purposes identified in this Ordinance. Any other proposed use must be  
17          specifically authorized by the Lake County Board of County Commissioners.
- 18          **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,  
19          move, convert, or demolish any building structure, add other uses, or alter the land in any  
20          manner within the boundaries of the above described land without first obtaining the  
21          necessary approvals in accordance with the Lake County Code, as amended, and obtaining  
22          the permits required from the other appropriate governmental agencies.
- 23          **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the  
24          land, and the terms, conditions, and provisions of this Ordinance will be binding upon the  
25          present Owners and any successor, and will be subject to each and every condition set out  
26          in this Ordinance.
- 27          **D.** The transfer of ownership or lease of any or all of the property described in this Ordinance  
28          must include in the transfer or lease agreement, a provision that the purchaser or lessee is  
29          made good and aware of the conditions established by this Ordinance and agrees to be  
30          bound by these conditions. The purchaser or lessee may request a change from the existing  
31          plans and conditions by following the procedures contained in the Land Development  
32          Regulations, as amended.
- 33          **E.** Construction and operation of the proposed use must comply with the regulations of this  
34          and other governmental permitting agencies.
- 35          **F.** The Lake County Code Enforcement Special Master will have authority to enforce the terms  
36          and conditions set forth in this Ordinance and to recommend that the ordinance be revoked.

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

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

1 Florida Statutes.

2 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**

3 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

4 **FILED** with the Secretary of State \_\_\_\_\_, 2020.

5 **EFFECTIVE** \_\_\_\_\_, 2020.

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**BOARD OF COUNTY COMMISSIONERS**

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**LAKE COUNTY, FLORIDA**

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**LESLIE CAMPIONE, CHAIRMAN**

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13 **ATTEST:**

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

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21 **APPROVED AS TO FORM AND LEGALITY:**

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\_\_\_\_\_  
**MELANIE MARSH, COUNTY ATTORNEY**

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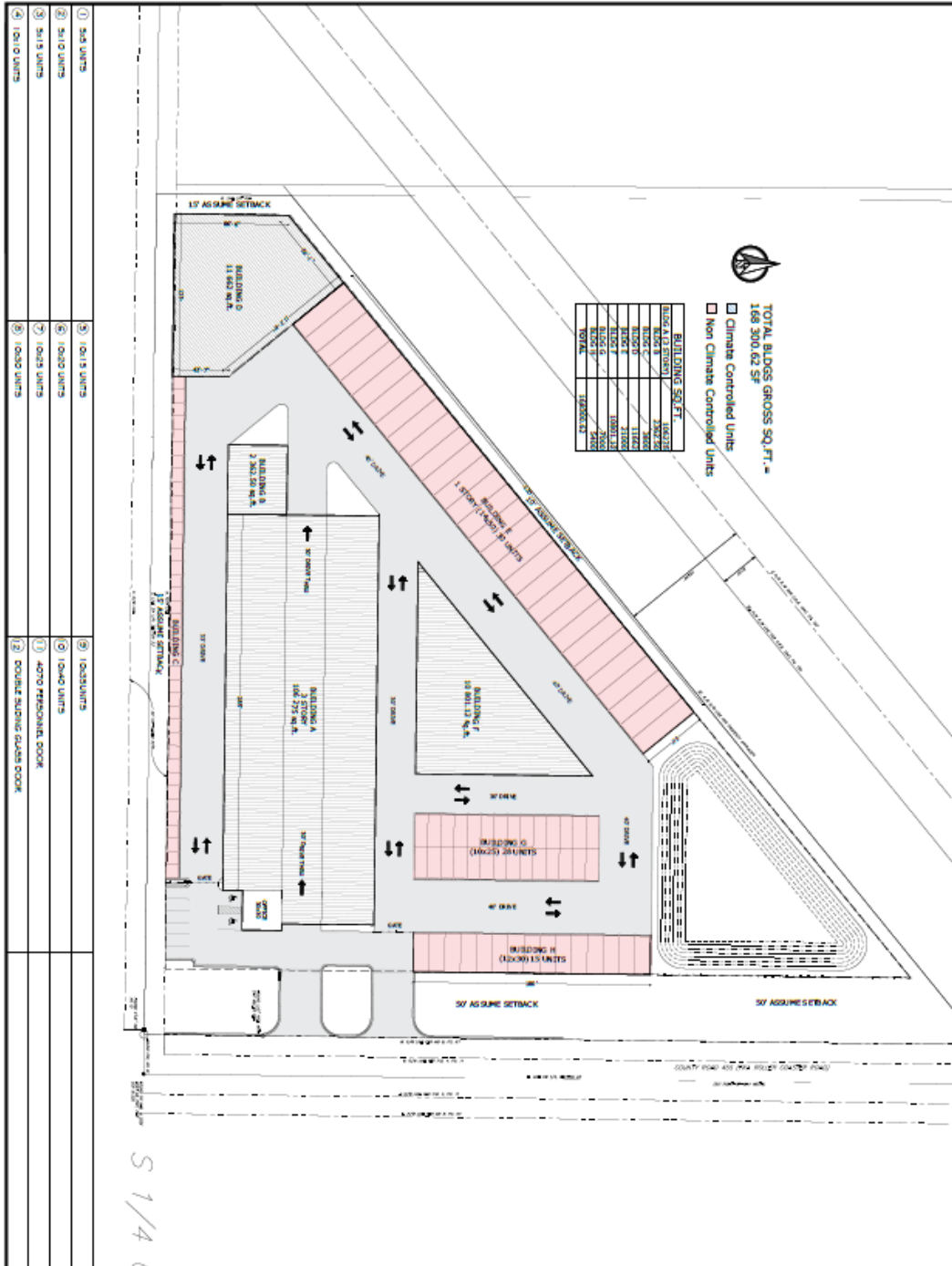
## **Exhibit “A” – Legal Description**

All that part of Tract 60 in Section 23, Township 22 South, Range 26 East, lying South and East of Atlantic Coast Line Railroad according to the Map of Lake Highlands, recorded in Plat Book 3, Page 24, Public Records of Lake County, Florida, LESS; The South 90 Feet of the East 207 feet thereof, OTHERWISE DESCRIBED AS: Begin 90 feet North of Southeast corner of Tract 60-A, in Section 23, Township 22 South, Range 26 East, according to the Plat of Lake Highlands recorded in Plat Book 4, Page 11, Public Records of Lake County, Florida, run thence West 207 feet, South 90 feet, West to Southwest corner of Tract, North to Railroad, Northeasterly along Railroad to point North of Point of Beginning, South to Point of Beginning, SUBJECT to right-of-way of the Atlantic Coast Line Railroad,

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# Exhibit "B" – Concept Plan



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**FOR APPROVAL ONLY:**  
 DATE: 11/11/20  
 BY: [Signature]

**Job Information:**  
**JOB NAME:** STORAGE UNITS SR 455  
**CLERMONT, FL**  
**JOB NUMBER:** 1249-20-FL-R-1

**Client:**  
 ZIEHLER GROUP, LLC  
 350 E. Crown Point Rd.  
 Suite 1080  
 Winter Garden, FL 34787  
 Phone: (407)347-9814

**Contractor:**  
 RAPID BUILDING SOLUTIONS  
 350 E. Crown Point Rd.  
 Suite 1080  
 Winter Garden, FL 34787  
 Phone: (407)347-9814