



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): August 5, 2020
Board of County Commissioners (BCC): August 25, 2020

Case No. and Project Name: RZ-20-20-1, Lake County Fleet Maintenance Facility (Fire Station) CFD Rezoning

Applicant: Tim McClendon, AICP, Director, Office of Planning and Zoning

Owner: Lake County Board of County Commissioners

Requested Action: Rezone from Planned Industrial (MP) to Community Facility District (CFD) to facilitate a fire station.

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

Case Manager: Heather N. Croney, Planner

PZB Recommendation:

Subject Property Information

Size: 22.8 +/- Gross Acres

Location: South of U.S. Highway 27, and west of Independence Boulevard, in the unincorporated Groveland area.

Alternate Key No.: 1390885

Future Land Use Category: Regional Office

Existing Zoning District: Planned Industrial (MP) by Ordinance #2001-86

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area/ISBA: Groveland Interlocal Service Boundary Agreement (ISBA)

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	City of Groveland / Regional Commercial	City of Groveland / Planned Commercial (CP)	Roadway	US Hwy 27, Adjoining a Large Commercial, Vacant Tract of Land with Wetlands
South	Urban Low	Planned Unit Development (PUD)	Lake	Church Lake
East	Industrial	PUD	Industrial	Vacant Industrial Tract, Tract E, Lake County Central Park Phase 1
West	Urban Low	PUD	Residential and Lake	Woodlands at Church Lake, Church Lake

- Summary of Analysis -

The subject undeveloped 22.8 +/- acres are currently zoned Planned Industrial (MP) by Ordinance #2001-86, and designated as Regional Office Future Land Use Category (FLUC). The subject parcel is generally located on the south side of U.S. Highway 27, west along Independence Boulevard, in the Groveland area; it lies within the City of Groveland Interlocal Service Boundary Agreement (ISBA).

The application seeks to amend Ordinance #2001-86, to rezone the subject parcel from MP to Community Facility District (CFD) to facilitate the development of a County fire station. The subject parcel is developed with a fleet maintenance facility building, and a radio communication maintenance building.

There is a settlement agreement, which is Case No. 06-CA-511, between Lake County and the adjacent property owner, Woodlands Church Lake, LLC.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

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

Rezoning this property from MP by Ordinance #2001-86 to CFD to facilitate a temporary fire station is consistent with all applicable provisions of the code.

The request and use are consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which establishes lands that benefit the public and general welfare.

The request for the proposed temporary fire station is consistent with LDR Section 3.01.02, *Classification of Uses*, which defines Public Safety Service as a benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. This includes but is not limited to law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup.

The request is consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows community facility uses within the CFD zoning district.

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

The proposed rezoning to CFD is consistent with all applicable elements of the Comprehensive Plan. The subject parcel is designated as Regional Office FLUC.

The rezoning is consistent with Comprehensive Plan Policy I-1.3.6, *Regional Office Future Land Use Category*, which allows public order and safety as a typical use. Lake County Fire Services provides public safety services to the residents and businesses of Lake County.

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

Infrastructure for public safety such as fire stations play an integral part in the quality of life within communities for the protection of the health, safety, or general welfare of the residents of Lake County, Florida. Fire stations are used for suppression and prevention of fires, response to medical emergencies or other disasters, and the handling of incidents involving hazardous materials. This rezoning is consistent with the FLUC, which allows public order and safety uses. Additionally, the rezoning is consistent with LDR Section 3.01.03, which allows community facility uses within the CFD zoning district.

Surround parcels under Lake County jurisdiction are zoned Planned Unit Development (PUD), Planned Commercial (CP); other surrounding properties are within the City of Groveland. The proposed rezoning to facilitate a temporary fire station is consistent with the existing adjoining parcels.

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

In 2019, a rezoning was approved at Alternate Key Numbers 1024617 and 3870955 within 1.5 miles of the subject property, which amended an existing Planned Unit Development (PUD) Ordinance #2019-75. Also in 2019, per Ordinance #2019-57, a FLUC amendment, FLU-19-01-1, was approved for Alternate Key Number 3366859 (approximately 4.5 miles from the subject

property) to amend the future land use designation from Rural Transition to Hansen FLUC, to facilitate the development of a single-family residence. There is no other evidence of recent rezoning within the area over the past 5-years to demonstrate a development trend to justify rezoning.

- 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

The subject parcels will be served by the City of Groveland, and in accordance with the Comprehensive Plan and LDR, as amended.

Parks and Recreation

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

Public Safety

City of Groveland Fire Department (GFD) Station #94 is located about four (4) miles from the subject property at 450 West Orange Street, in Groveland, and will provide advanced life support should an emergency situation on the property demand this service.

Solid Waste

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

Schools

The request is not anticipated to adversely impact schools levels of service.

Transportation Concurrency

The request is not anticipated to adversely impact the roadway standards Level of Service (LOS).

- 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 environmental resources will be addressed through the development review process. New development will be required to meet all criteria specified by the LDR and Comprehensive Plan.

- 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 rezoning would not disrupt the existing orderly and logical development pattern of the area. Should the rezoning be approved, the property use will be for a temporary fire station.

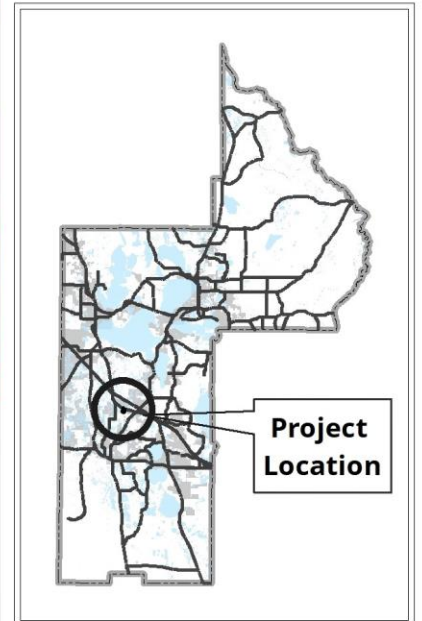
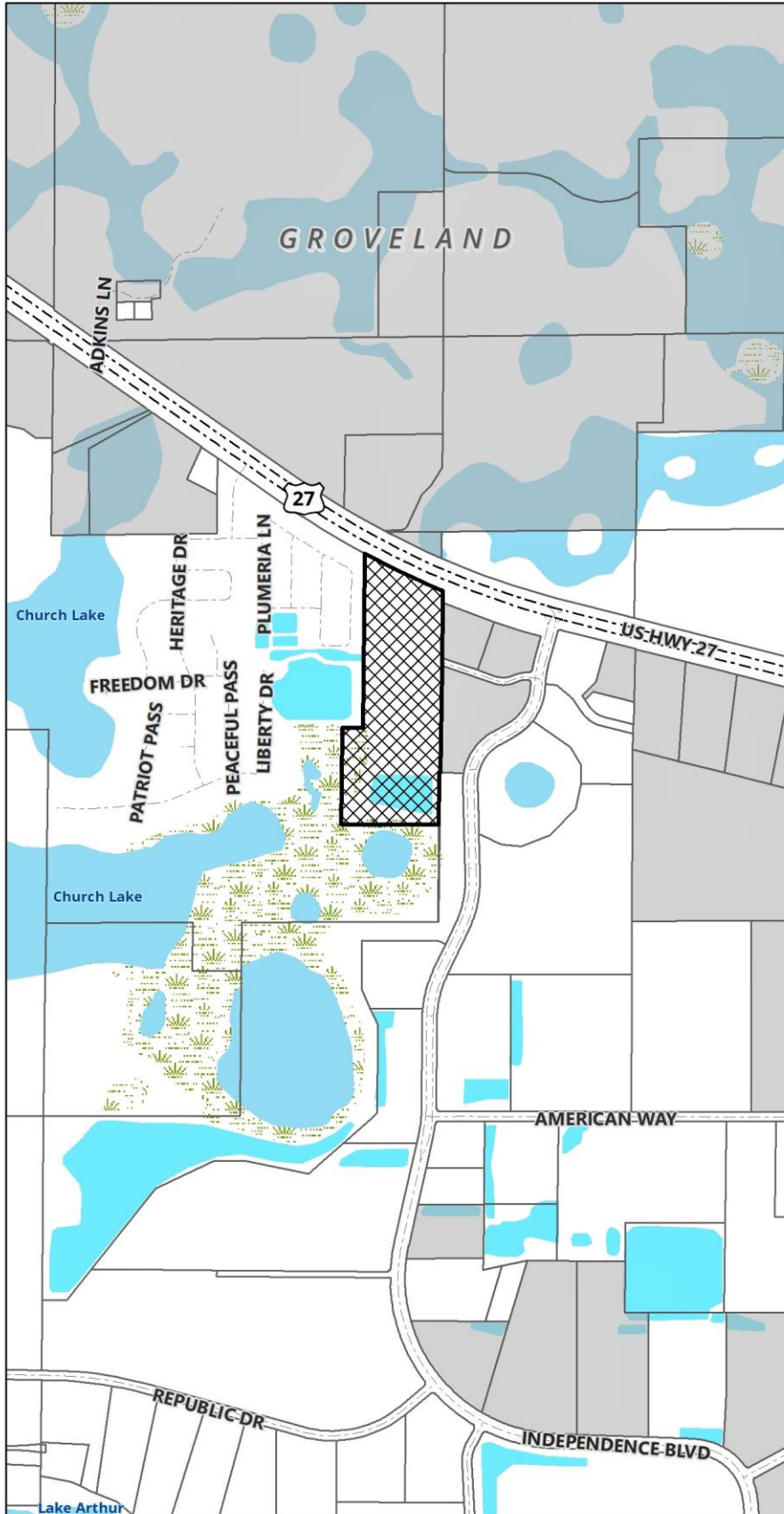
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

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

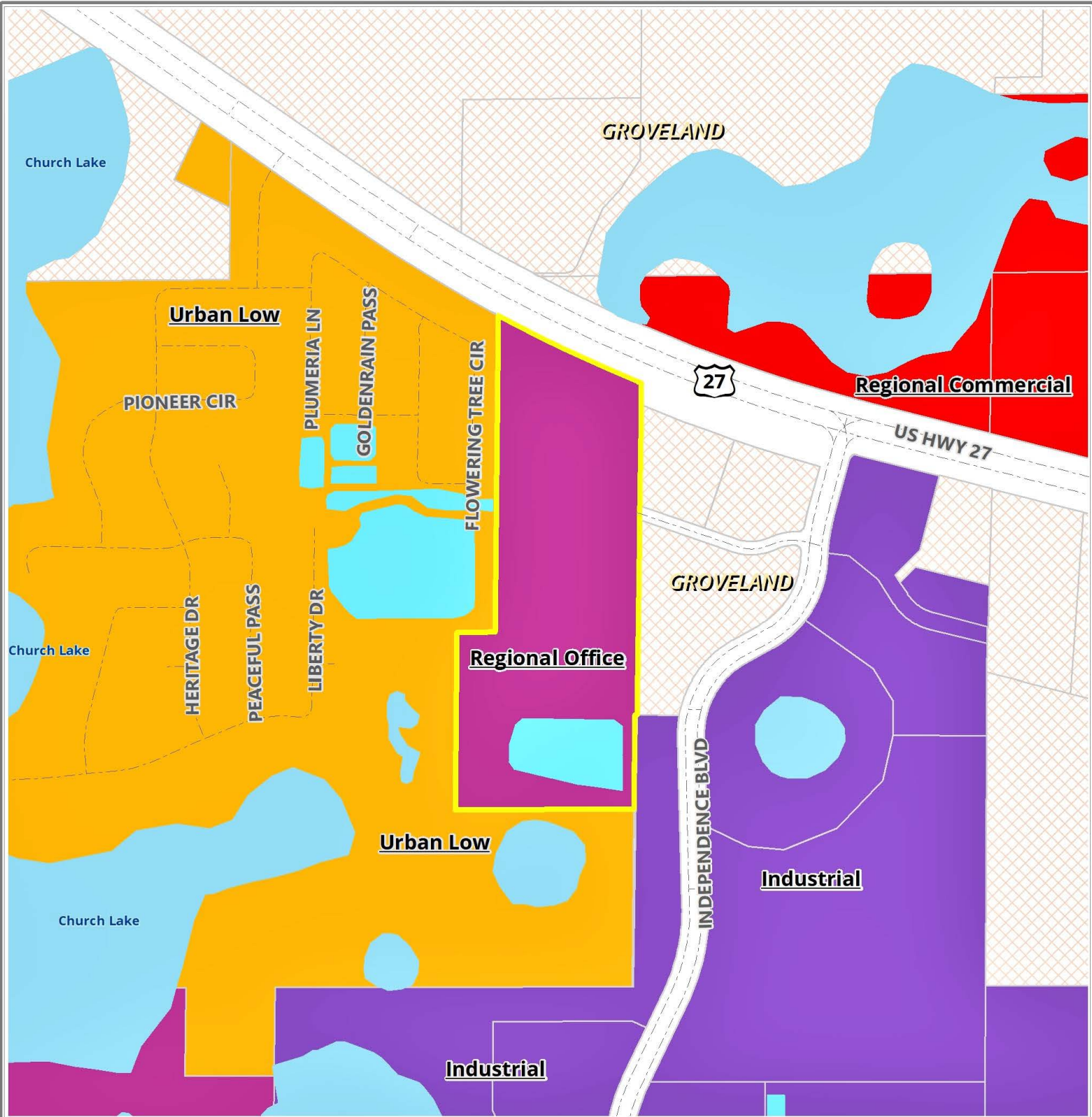
- J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

None.

Map of Subject Property



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

- Industrial
- Regional Commercial
- Regional Office
- Urban Low

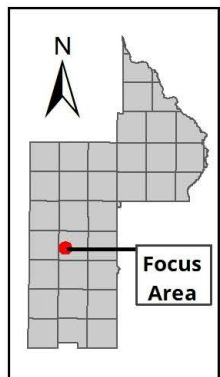
NAME: **LAKE COUNTY FLEET MAINTENANCE PROPERTY**

DISTRICT: **1**

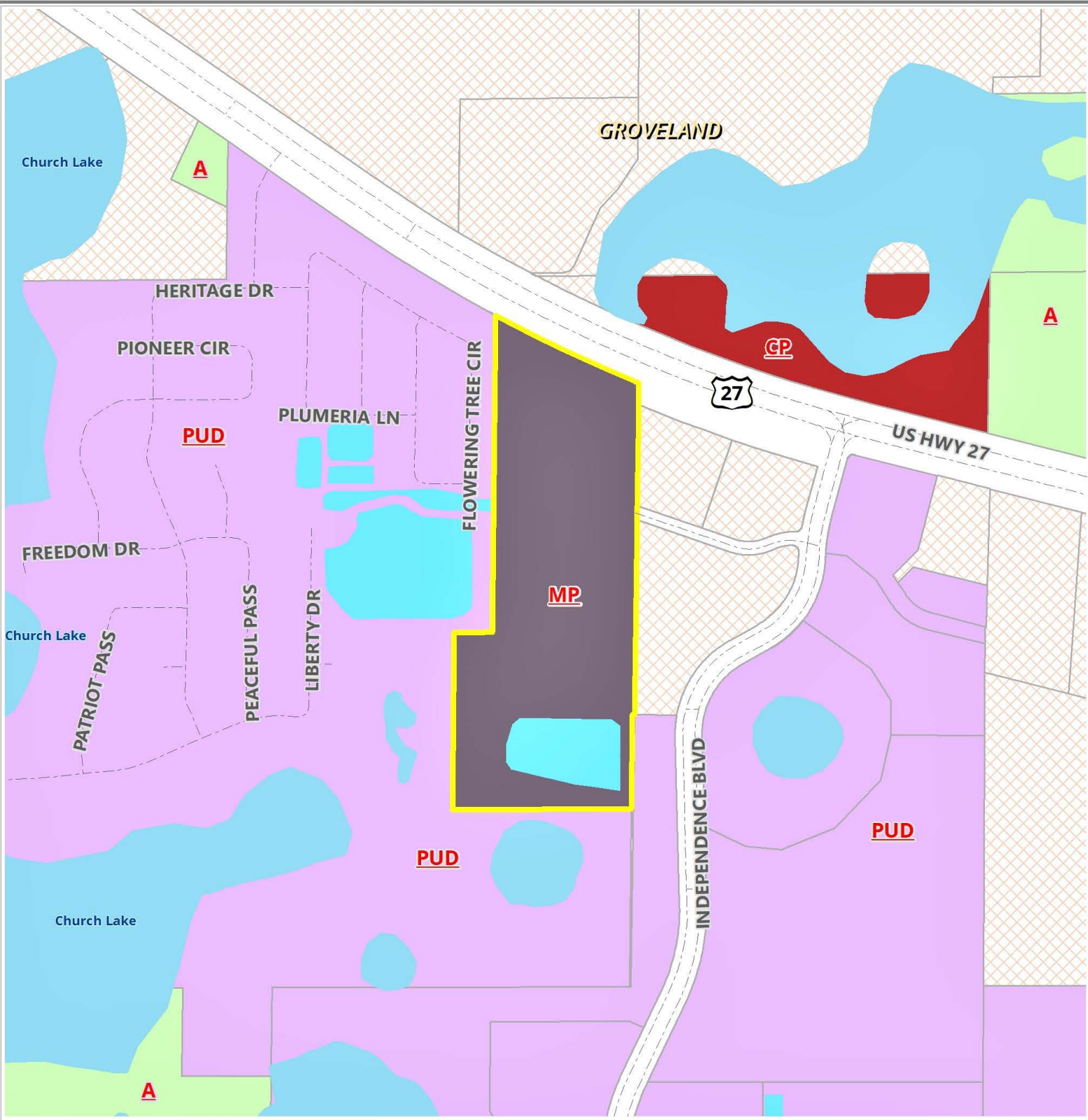
CASE NUMBER: **RZ-20-20-1**

LOCATION (S-T-R): **20-21-25**

REQUEST: **PLANNED INDUSTRIAL (MP) TO COMMUNITY FACILITY DISTRICT (CFD)**



CURRENT ZONING



ZONING LEGEND

A CP MP PUD

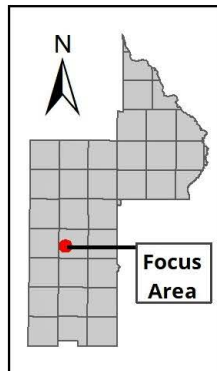
NAME: **LAKE COUNTY FLEET MAINTENANCE PROPERTY**

DISTRICT: **1**

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

LOCATION (S-T-R): **20-21-25**

REQUEST: **PLANNED INDUSTRIAL (MP) TO COMMUNITY FACILITY DISTRICT (CFD)**



ORDINANCE #2020-XX
Lake County Fleet Maintenance Facility (Fire Station) CFD Rezoning
Lake County Board of County Commissioners
RZ-20-20-1

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**, Tim McClendon, AICP, Planning Director, Office of Planning and Zoning, (the
4 “Applicant”), on behalf of Lake County Board of County Commissioners (LCBCC) (the “Owner”), submitted
5 an application to rezone property from Planned Industrial (MP) to Community Facility District (CFD) to
6 accommodate a fire station, public safety and other public uses; and

7 **WHEREAS**, the subject property consists of approximately 22.8 acres, is generally located south of
8 U.S. Highway 27, and west of Independence Boulevard, in the unincorporated Groveland area, in Section
9 20, Township 21 South, Range 25 East, is identified by an Alternate Key Number 1390885, and more
10 particularly described below:

11 **EXHIBIT “A” – LEGAL DESCRIPTION**

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

14 **WHEREAS**, the property will be rezoned to Community Facility District (CFD) in accordance with the
15 Lake County Zoning Regulations; and

16 **WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-20-20-1 on the 5th day
17 of August, 2020, after giving notice of a hearing for a change in the use of land, including a notice that the
18 petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 25th day of
19 August, 2020; and

20 **WHEREAS**, on the 2nd day of May, 2001, the Board of County Commissioners approved MP
21 Ordinance #2001-86 (Joan E. Wasmuth / Andre Blewend, RESIDEV, LLC), which rezoned the property from
22 Agriculture (A) to Planned Industrial (MP) to allow light industrial uses on the property; and

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

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

28 **WHEREAS**, the approval of this ordinance shall supersede and replace any and all previous zoning
29 ordinances on the properties, including Ordinance #2001-86; and

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

32 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to designate
33 the property described in Exhibit “A” of this Ordinance as Community Facility District (CFD)
34 zoning in accordance with this Ordinance. This Ordinance shall revoke, rescind and replace
35 Ordinance #2001-86.

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A. Land Uses.

- 1. Uses of the site described in Exhibit “A” attached to this Ordinance shall be allowed the following:
 - a. Fleet Maintenance Buildings
 - b. Fire Station
 - c. Public Safety and support uses
 - d. Institutional and support uses
 - e. Any CFD/County function

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

- B. Setbacks.** Setbacks will be in accordance with the Land Development Regulations (LDR), as amended.
- C. Transportation Improvements.** Transportation Improvements will be in accordance with the LDR, as amended.
- D. Lighting.** Exterior lighting will be in accordance with the LDR, as amended and consistent with Dark-Sky Principles.
- E. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening will be in accordance with the LDR, as amended.
- F. Open Space, Impervious Surface Ratio, and Building Height.** Open space, impervious surface ratio, and building height will be in accordance with the Comprehensive Plan, and LDR, as amended.
- G. Parking Requirements.** Off-street parking will be provided in accordance with the LDR, as amended.
- H. Noise Protection Standards.** Noise protection will be provided in accordance with the LDR, as amended.
- I. Commercial Design Standards.** Development of the parcel will be in accordance with the LDR, as amended.
- J. Environmental Requirements.**

- 1. An environmental assessment will be required of the development application to identify the presence of vegetation, soils, threatened and endangered species that may exist on the site. Any State permitting or mitigation will be required before development can commence.
- 2. Environmental resources shall be protected in accordance with the Comprehensive Plan and LDR, as amended.
- 3. Open space shall be provided in accordance with the Comprehensive Plan, as amended.

1 **K. Stormwater Management.** The stormwater management system shall be designed in
2 accordance with all applicable Lake County and St. Johns River Water Management
3 (SJRWMD) requirements, as amended.

4 **L. Floodplain Management.** The Developer will be responsible for any flood studies required
5 for developing the site and to comply with Federal Emergency Management Agency (FEMA)
6 regulations, the Comprehensive Plan, and LDR, as amended. Any development within the
7 floodplain as identified on the FEMA maps will require compensating storage.

8 **M. Utilities.** The development shall be served with central potable water and central sewer, in
9 accordance with the Comprehensive Plan and LDR, as amended.

10 **N. Signage.** All signage must be in accordance with the LDR, as amended.

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

13 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall
14 submit applications for and receive necessary final development order approvals as provided in
15 the Lake County Comprehensive Plan and Land Development Regulations, as amended. The
16 applications for final development orders must meet all submittal requirements and comply with
17 all County codes and ordinances, as amended.

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

21 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
22 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
23 125.66, 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

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Exhibit "A" – Legal Description

Parcel 1:

The Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 20, Township 21 South, Range 25 East of the Tallahassee Meridian, Lake County, Florida.

AND

The Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 20, Township 21 South, Range 25 East of Tallahassee Meridian, Lake County, Florida.

LESS AND EXCEPT the following:

From the Southeast corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 20, run thence West along the South line of said Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$, 546.30 feet to the Point of Beginning; run thence N 00°44'00" E to the South right of way line of State Road No. 27; thence Northwesterly along said right of way line to the West line of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of said Section 20; thence Southerly to the Southwest corner of Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of said Section 20; thence East 780.20 feet more or less to the Point of Beginning.

AND LESS AND EXCEPT the following:

That part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 20, Township 21 South, Range 25 East, Lake County, Florida, lying North of the Northerly line of the right of way of U.S. Highway No. 27.

ALSO LESS right of way for U.S. Highway No. 27. All lying and being in Lake County, Florida.

Parcel 2:

A non-exclusive easement for ingress and egress as set forth and granted by Lake County, Florida to Bernard Kaplan and Deena Kaplan Biewend as Trustees of the Kaplan Biewend Trust dated September 29, 2000, by Easement recorded March 4, 2002, in Official Records Book 2078, Page 1959, Public Records of Lake County, Florida, over the following described property, to wit:

The Southerly 60.00 feet of Lot 1, LAKE COUNTY CENTRAL PARK PHASE I, according to the plat thereof, as recorded in Plat Book 35, Pages 1 through 5, Public Records of Lake County, Florida.

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