



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 6

Public Hearings: Planning & Zoning Board (PZB): April 7, 2021
Board of County Commissioners (BCC): April 27, 2021

Case No. and Project Name: RZ-20-02-1, Rubin Groves Planned Unit Development (PUD)

Applicant: Jimmy D. Crawford, Esq.

Owner: Rubin Groves of Clermont, LLC

Requested Action: Rezone approximately 247.41 acres from Planned Unit Development (PUD) and Agriculture (A) to Planned Unit Development to accommodate a 1,200 dwelling unit development with associated commercial and recreational uses.

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: 247.41 +/- gross acres (wetlands are present on the subject property)

Location: West of U.S. Highway 27, South of County Road 474 in South Lake County.

Alternate Key No.: 1595240, 2510480, 1595207, and portions of 1071011, 1595169, and 3925069

Future Land Use: Green Swamp Ridge

Proposed Future Land Use: Green Swamp Rubin Groves [Separate Application, see FLU-20-01-1]

Current Zoning District: Planned Unit Development (PUD) by Ordinance 2019-38 and Agriculture (A)

Flood Zone: "A" and "X"

Joint Planning Area / ISBA: None

Overlay Districts: Green Swamp Area of Critical State Concern

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Green Swamp (GS) Ridge & GS Rural Conservation	PUD and A	Undeveloped	Vacant Residential and Non-Agriculture Acreage
South	Cagan Crossings and GS Rural Conservation	PUD and A	Mixed-Use Development and Undeveloped Acreage	Cagan Crossings and Green Swamp Run

East	GS Ridge	PUD, C-1, and C-2	Undeveloped, Commercial and Office Uses	Vacant Commercial and Residential Land, Restaurant, and Professional Services
West	GS Rural Conservation	A	Undeveloped	Non-Agriculture Acreage and Green Swamp Run

Staff Analysis

The subject property (Alternate Keys 1595240, 2510480, 1595207, and portions of 1071011, 1595169, and 3925069) contains approximately 247.41 acres with wetlands and a small lake. The subject property is located West of U.S. Highway 27, South of County Road 474 in South Lake County.

This application was submitted in conjunction with an application to amend the Future Land Use Map to establish a Planned Unit Development (PUD) Future Land Use Category on the subject property. The Future Land Use Map amendment was presented to the Planning and Zoning Board (PZB) on October 7, 2020 and the PZB recommended approval of the amendment on the consent agenda. The Board of County Commissioners (BCC) approved transmittal of the amendment to the Department of Economic Opportunity (DEO) on October 27, 2020. Both the Future Land Use Map amendment and rezoning applications will be presented to the BCC for approval on April 27, 2021.

The applications seek to establish a PUD on the subject property to allow a residential development, consisting of a mixture of residential dwelling units and residential resort units (for short-term occupancy), associated recreational facilities, passive park and limited commercial uses. The PUD application includes the entire Green Swamp Rubin Groves FLUC Category (consisting of 208.16 acres) and a tract of land designated as Green Swamp Rural Conservation FLUC (consisting of 39.35 acres). The tract of land designated as Green Swamp Rural Conservation FLUC will only be used as a passive park and the draft PUD ordinance specifically limits the use of that property to passive recreational uses only.

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.

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

The proposed amendment is consistent with all elements of the Comprehensive Plan.

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County’s natural and cultural resources; and direct compact development to established urban areas to prevent sprawl. The amendment is consistent with Comprehensive Plan Policy I-7.13.5, which states that a FLUM amendment resulting in an increase in residential density must be in the most appropriate location with respect to the efficient use of public facilities and services for this increase in density, and with respect to all other policies of this Comprehensive Plan. The subject property is situated in an area developed with single-family residences and commercial uses; central water and wastewater services are available; and the property has access via an easement to U.S. Highway 27.

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. The proposed development will not be issued a final development order by the County unless there is sufficient capacity of public facilities to meet the standards for levels of service for the existing population and for proposed development.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management and use of the County's natural resources. The subject property is located within the Green Swamp ACSC and the subject property contains wetlands. The application indicates that the wetland areas will remain protected and a provision was included in the proposed policy which states that the wetlands onsite will not be impacted. The application is not in conflict with the Conservation Element.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. The application is not in conflict with the Economic Element.

The purpose of the **Housing Element** is to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents. The application proposed a mixture of housing types to accommodate different segments of the populations which is consistent with the Housing Element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is not located within a Joint Planning Area nor within an area covered by an interlocal service boundary agreement. The application was provided to DEO to review and provide comments. DEO has not provided comments on this application.

The goal of the **Parks and Recreation Element** is to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meets the diverse needs of a growing community. The concept plan designated two (2) areas for parks and the proposed policy allows the development of recreation facilities in conjunction with the residential uses. As such, the application is consistent with the Parks and Recreation Element.

The goal of the **Transportation Element** is to prepare a plan that emphasizes more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenity. The application is not in conflict with the Transportation Element.

The purpose of the **Public Facilities Element** is to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refers to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public-school facilities. The proposed development will need to demonstrate that public facilities are available prior to receiving a final development order.

- C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses.**
The application seeks to develop the subject property with a mixture of single-family dwelling units and resort residential units with associated commercial and recreational uses. These uses are specifically named in the draft PUD ordinance and are consistent with the draft policy for the GS Rubin Groves FLUC.
- D. Whether there have been changed conditions that justify a rezoning;**
The Applicant seeks to develop the property at a higher density than the current zoning ordinance to accommodate a residential development consisting of single-family dwelling units and resort residential units.
- 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.**
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

Southlake Utilities has indicated that central water and central sewage is available to the subject property. The proposed PUD ordinance requires all development to connect to a potable water service and regional wastewater provider.

Solid Waste

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

Transportation Concurrency

Lake County Public Works reviewed the application and concluded that a Tier 2 Traffic Study will be required prior to final plat and/or site plan approval.

Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #112) is located less than 0.25 miles from the subject property.

Schools

Lake County Schools reviewed the application based on the development of 1,200 dwelling units. Based on this review, the schools that would be affected by the future land use designation change and their projected five-year capacity status are as follows: Sawgrass Bay Elementary at 102% capacity; Windy Hill Middle School at 127% capacity; and East Ridge High School at 109% capacity. The District is evaluating possible solutions to address the capacity needed at the high school level; the project has the potential to adversely impact the area schools. The Applicant will be responsible for obtaining school concurrency prior to final plat pursuant to LDR Section 5-A.00.00.

Those residential units developed as residential resort units will be treated as timeshare units and will not be subject to school concurrency or educational impact fees.

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

Any sensitive resources will be addressed through the development review process. New development will be required to meet all criteria contained within the Comprehensive Plan and LDR, as amended. The wetlands on the subject property will be protected through conservation easements.

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.

The subject property abuts vacant land but is situated in an area developed with commercial uses and residential development at an urban density.

North of County Road 474 are the Greater Groves and Westchester Subdivisions, which are developed at approximately 2.5 dwelling units and 3.2 dwelling units per gross acre, respectively. South of the subject property is the Cagan Crossings development which is permitted to be developed with a total of 3,892 dwelling units, 71 acres of civic and commercial uses, and 700,000 square feet of gross leasable commercial space. The Cagan Crossings development contains 486 gross acres, which accommodates a density of approximately eight (8) dwelling units per acre.

The eastern side of U.S. Highway 27 is developed with commercial uses, single-family dwelling units, and an apartment complex.

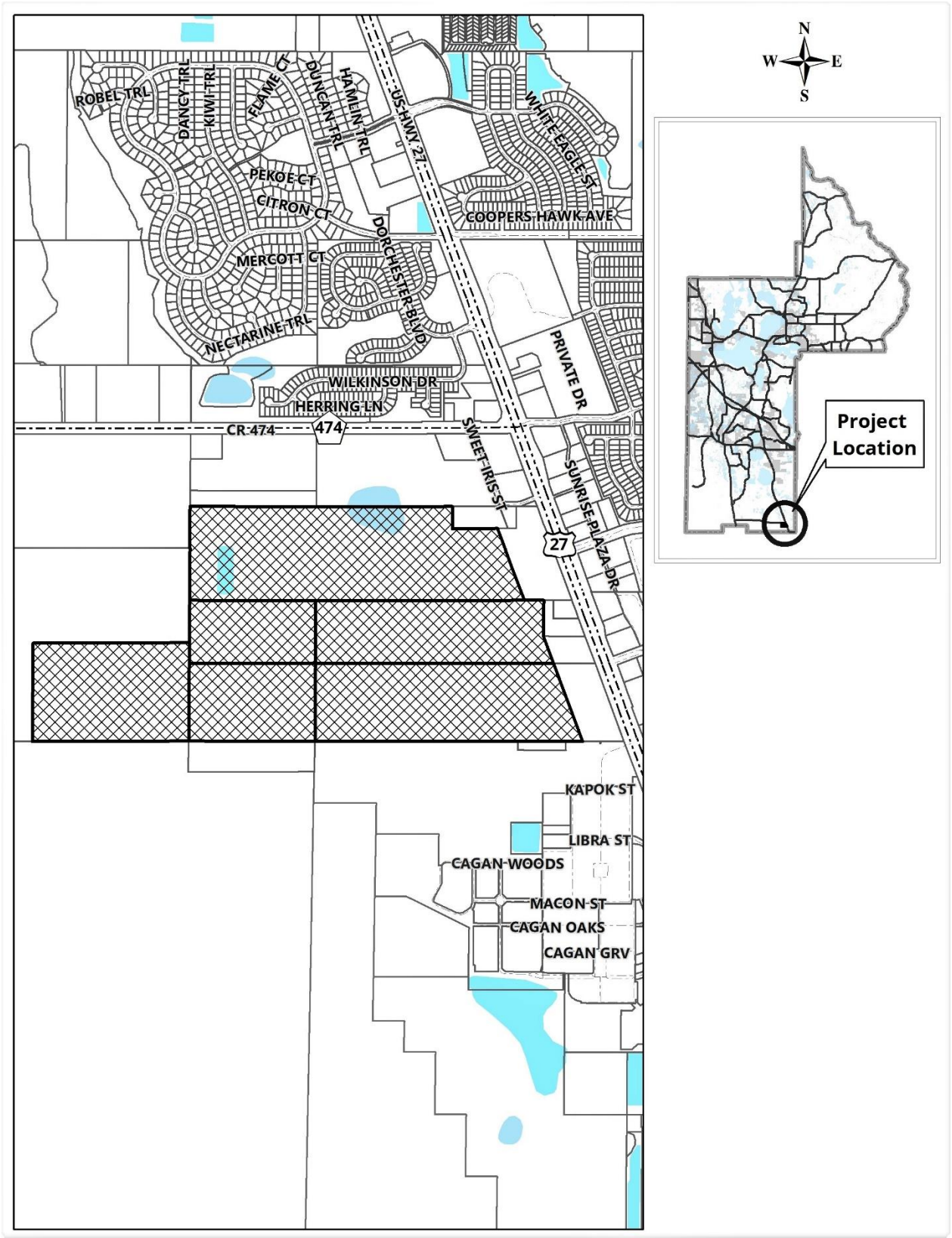
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

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.

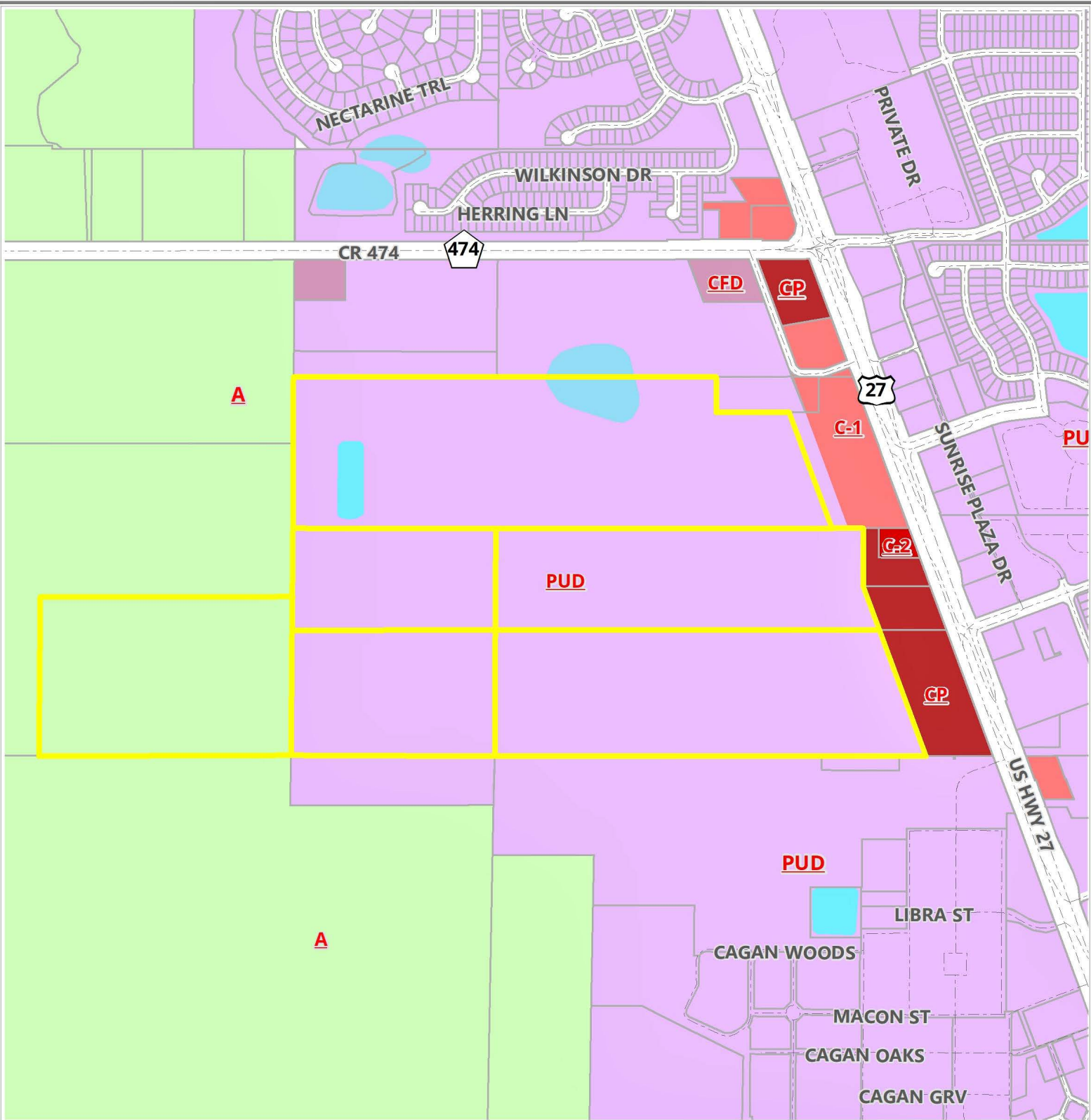
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

Not at this time.

Map of Subject Property.



CURRENT ZONING



ZONING LEGEND

A C-1 C-2 CP CFD PUD

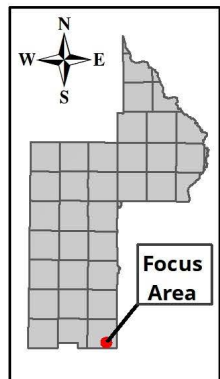
NAME: **RUBIN GROVES PROPERTY**

DISTRICT: **1**

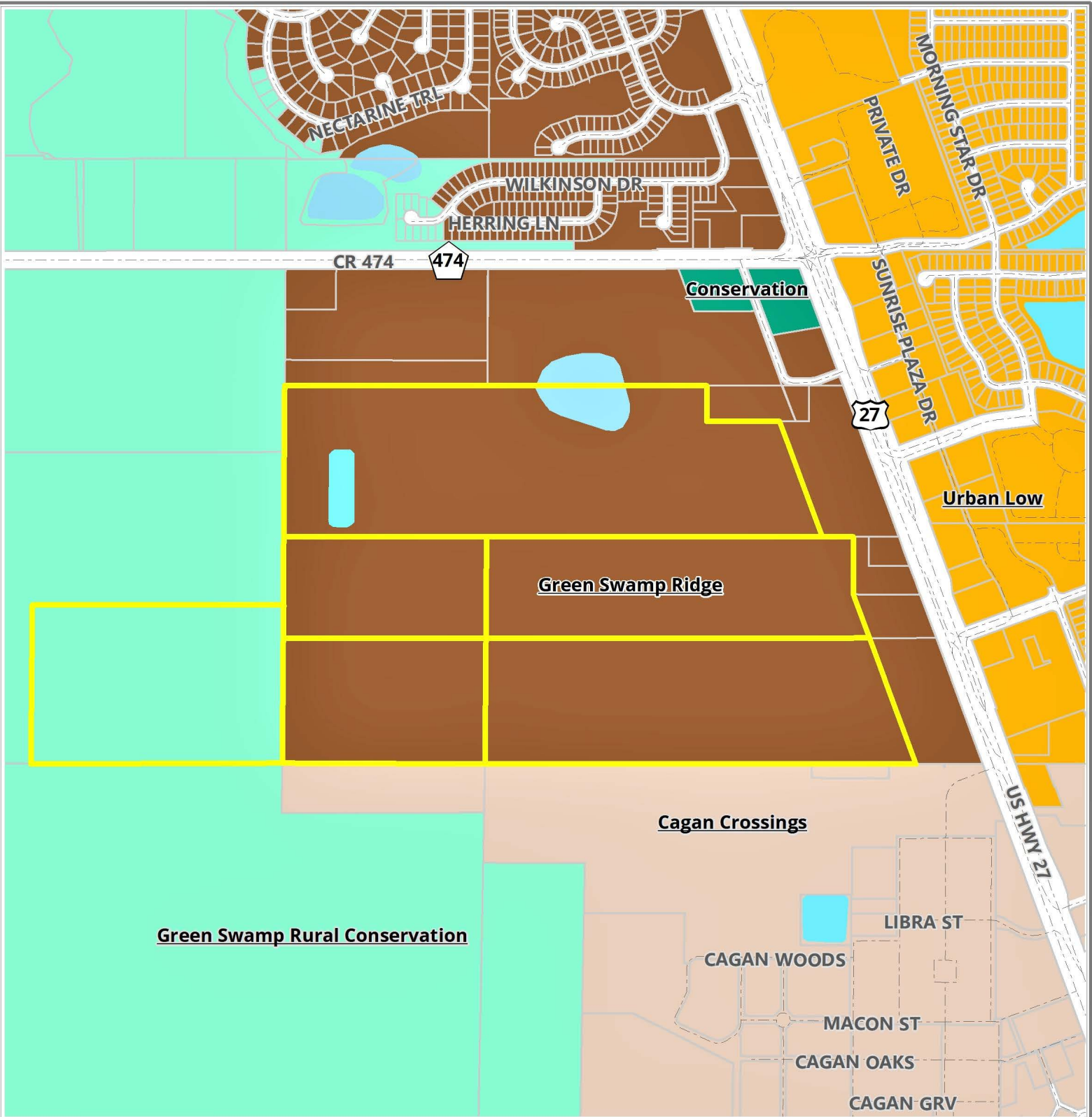
CASE NUMBER: **RZ-20-02-1**

LOCATION (S-T-R): **26, 27-24-26**

REQUEST: **AMEND PLANNED UNIT DEVELOPMENT (PUD) ADD RESORT RESIDENTIAL USES & REZONE AGRICULTURE (A) TO PLANNED UNIT DEVELOPMENT (PUD)**



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

- Cagan Crossings
- Conservation
- Green Swamp Rural Conservation
- Urban Low
- Green Swamp Ridge

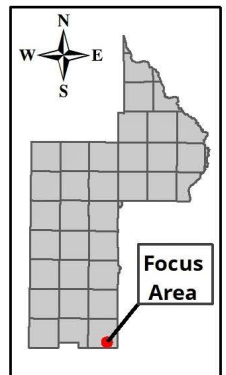
NAME: RUBIN GROVES PROPERTY

DISTRICT: 1

CASE NUMBER: RZ-20-02-1

LOCATION (S-T-R): 26, 27-24-26

REQUEST: AMEND PLANNED UNIT DEVELOPMENT (PUD) ADD RESORT RESIDENTIAL USES & REZONE AGRICULTURE (A) TO PLANNED UNIT DEVELOPMENT (PUD)



ORDINANCE 2021 - XX
Rubin Groves Planned Unit Development
RZ-20-02-1

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

3
4 WHEREAS, Jimmy Crawford, Esq., (the “Applicant”) submitted a rezoning application and a large-scale
5 future land use map amendment application on behalf of Rubin Groves of Clermont, LLC, (the “Owner”), to
6 amend the Future Land Use Map from Green Swamp Ridge to Green Swamp Rubin Groves on 208 acres, and
7 rezone approximately 248 acres from Planned Unit Development (PUD) and Agriculture (A) to Planned Unit
8 Development District (PUD) for a mixed-use development consisting of dwelling units, resort units, associated
9 recreational uses, and limited commercial; and

10 WHEREAS, the subject property consists of approximately 248 +/- acres located West of U.S. Highway
11 27, South of County Road 474 in South Lake County in Sections 26 & 27, Township 24 South, Range 26 East,
12 known as Alternate Key Numbers 1595240, 2510480, 1595207, and portions of 1071011, 1595169, and
13 3925069, and more particularly described in Exhibit A; and

14 WHEREAS, the property is located within the Green Swamp Rubin Groves and Green Swamp Rural
15 Conservation Future Land Use Categories as shown on the Lake County Comprehensive Plan Future Land Use
16 Map (FLUM); and

17 WHEREAS, the Board of County Commissioners of Lake County, Florida, on the 26th day of February
18 2013, approved a Mixed-Use PUD under Ordinance #2013-8; and

19 WHEREAS, the Board of County Commissioners of Lake County, Florida, on the 28th day of January
20 2014, approved a PUD amendment under Ordinance #2014-7; and

21 WHEREAS, the Board of County Commissioners of Lake County, Florida, on the 30th day of July 2019,
22 approved a PUD amendment under Ordinance 2019-38; and

23 WHEREAS, the adoption of this new ordinance shall supersede and replace Ordinance #2019-38; and

24 WHEREAS, the Lake County Zoning Board did on the 7th day of April 2021 review Petition RZ-20-02-1;
25 after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance
26 would be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of April
27 2021; and

28 WHEREAS, this application was presented to the Board of County Commissioners of Lake County,
29 Florida, concurrently with the current application to amend the Future Land Use Map (FLUM) to change the
30 Future Land Use Category on approximately 208 acres from Green Swamp Ridge to Green Swamp Rubin
31 Groves Future Land Use Category (FLUC), a newly proposed FLUC, and amend associated Comprehensive
32 Plan Policies to incorporate the Green Swamp Rubin Groves FLUC; and

33 WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the
34 Lake County Zoning Board, and any comments, favorable or unfavorable, from the public and surrounding
35 property owners at a Public Hearing duly advertised; and

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

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

5 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to Planned
6 Unit Development (PUD). The uses of the property shall be limited to those uses specified in this
7 Ordinance and generally consistent with the Conceptual Plan attached hereto as Exhibit "B". To
8 the extent there are conflicts between Exhibit "B" and this Ordinance, this Ordinance shall take
9 precedence.

10
11 **A. Permitted Land Uses.**

12 1. Residential Dwelling Units. Single-family residential and Multi-Family Residential
13 (consisting of townhomes or condominiums, for individual ownership only) at a density
14 of up to four (4) dwelling units (du) to the net acre.

15 2. Residential Resort Units. Residential Resort Units shall be defined as single-family
16 homes, duplexes, townhouses, and/or condominiums which shall not allow permanent
17 residences, and shall be individually owned, and are solely used for short-term rentals.

18 Residential Resort Units shall not count toward the four (4) dwelling units per net acre
19 density limitation; however, in no event shall the Residential Dwelling Units and Resort
20 Residential Units combined be more than 1,200 units or more than six (6) dwelling units
21 per net acre (for example, if 600 Residential Dwelling Units are constructed, only 600
22 Residential Resort Units may be constructed, as long as the combination of units does
23 not exceed six (6) dwelling units per net acre).

24 If more than 100 units of Residential Resort Units are constructed, an amenity center
25 at least three (3) acres in size must be constructed for the use of Residential Resort
26 Units, consisting at a minimum of a clubhouse, swimming pool, and outdoor recreation
27 area.

28 3. Commercial Uses. Commercial activities, not to exceed 65,000 square feet of gross
29 leasable floor area, associated with the above uses to include:

- 30 a. General and Convivence Retail;
- 31 b. Personal Care Services;
- 32 c. Commercial Recreation;
- 33 d. Bar or Tavern;
- 34 e. Banking Services;

- 1 f. General and Fast-Food Restaurants (excluding drive-thru facilities); and
- 2 4. Passive Park. The western open space tract, as shown on the Concept Plan in
- 3 Attachment B, shall only be developed as a passive park with amenities such as
- 4 benches, pile supported walkways, water dependent structures, etc.
- 5 5. Water and Sewer facility and associated structures.
- 6 6. Recreational Facilities for the Residential Dwelling Units and Resort Units to include,
- 7 but not be limited to, clubhouse, pool, spa, gym facility, tennis courts.
- 8 7. Accessory uses directly associated with the above uses may be approved by the
- 9 County Manager or designee. Any other use of the site not specified above shall require
- 10 approval of an amendment to this Ordinance by the Board of County Commissioners.

11 **B. Development Conditions.**

- 12 1. The Commercial Uses shall be designed in a one- or two-story village setting and shall
- 13 provide pedestrian access to the residential resort units via sidewalks or trails.
- 14 2. Development in Most Effective Recharge Areas (Type "A" Hydrologic Soil Group) must
- 15 retain the first three inches (3") of runoff.
- 16 3. Building Height for all structures is limited to forty (40) feet.
- 17 4. The development (defined as that portion of the PUD which is designated Rubin
- 18 Groves FLUC) shall not exceed 0.45 impervious surface ratio.
- 19 5. Open Space requirements shall be consistent with the Comprehensive Plan, as
- 20 amended.

21 **C. Setbacks & Development Standards.** The development standards shall be as follows:

- 22
- 23 1. Single Family Detached Units (Dwelling and Resort) shall adhere to the following
- 24 standards:

Front Setback	15 feet from property line
Attached, Front Loaded Garage Setback	25 feet from property line
Secondary Front Setback	15 feet from property line
Side Setback	5 feet from the property line
Rear Setback	10 feet from the property line
Accessory Structure Setback (including pools, porches, and screen enclosures)	5 feet from the property line
ISR for Individual Lots	0.80 if the developer demonstrates that the overall development will not exceed 0.45
Minimum Lot Width	30 Feet

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2. Single Family Attached (Dwelling and Resort) Units (Duplexes and Townhomes) shall adhere to the following standards:

Front Setback	15 feet from property line
Attached, Front Loaded Garage Setback	25 feet from property line
Secondary Front Setback	15 feet from the property line
Side Setback	5 feet from the property line / 0 feet with common wall
Rear Setback	10 feet from the property line
Attached Accessory Structure Setback (Pools, Screen Enclosures, Decks)	5 feet from the property line / 0 feet from the common wall property line
Detached Accessory Structure Setback	5 feet from property line, including common wall property line
ISR for Individual Lots	0.80 if the developer demonstrates that the overall development will not exceed 0.45

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3. Commercial Development shall adhere to the following standards:

Floor Area Ratio (FAR)	0.25
Size	A maximum of 65,000 square feet of gross leasable floor area.
Front Setback	50 feet from the right-of-way of U.S. Highway 27, and 25 feet from the right-of-way of any local/internal road or easement.

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D. Landscaping Requirements.

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1. Landscaping and screening shall be in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.
2. Landscape buffers, fences or walls, shall not be required between commercial or mixed (residential/commercial) uses within this planned unit development except to visually screen parking, loading or storage areas.
3. Best Management Practices for native landscaping and “right plant-right place” landscaping techniques shall be used for the landscape design to minimize the use of chemicals, pesticides, and water for irrigation. Invasive and exotic plant species are prohibited.
4. A fifty (50) foot wide buffer shall be along the western perimeter property line, adjacent to agricultural land areas and any agriculture zoned properties. The buffer will be assessed during the review of the required preliminary plat and/or site plan and may consist of existing non-invasive vegetation or Florida Friendly vegetation.

1 **E. Transportation.**

- 2 1. All access management shall be in accordance with the Comprehensive Plan and LDR,
3 as amended and Florida Department of Transportation (FDOT).
- 4 2. Sidewalks will be required per the LDR, as amended.
- 5 3. A Traffic Impact Analysis update must be provided with each phase and as required
6 for FDOT permitting requirements.

7 **F. Environmental.**

- 8 1. An environmental survey shall be conducted in accordance with the LDR, as amended,
9 to address natural vegetative communities, wildlife corridors, and designated species
10 prior to submittal of any development application.
- 11 2. The existing open bodies of water and wetland areas on the subject property shall not
12 be mitigated and shall be placed in a conservation easement. The conservation
13 easement shall allow water dependent structures within the wetlands.
- 14 3. All development shall maintain a fifty (50) foot upland buffer around the wetlands which
15 shall be included in the conservation easement. Uses within the upland buffer are
16 limited to passive recreation activities, limited stormwater facilities, water dependent
17 structures, activities which slow or eliminate soil erosion problems, and wildlife
18 monitoring stations.
- 19 4. All portions of water dependent structures which will be immersed in or touch wetlands
20 and/or surface waters shall be constructed from materials that will not degrade water
21 quality of the wetland and/or surface water, such as, but not limited to non-treated wood
22 and concrete.

23 **G. Stormwater Management.**

- 24 1. The stormwater management system shall be designed in accordance with all
25 applicable Lake County and St. Johns River Water Management District (SJRWMD)
26 requirements; as amended. Additional requirements for the stormwater management
27 facilities shall be constructed utilizing the latest biodiversity design techniques and Best
28 Management Practices (BMPs), such as but not limited to, bio-filtration, bio-swales,
29 rain gardens, and bio-retention.
- 30 2. The developer shall be responsible for any flood studies required for developing the
31 site and comply with FEMA, Comprehensive Plan and LDR, as amended. Any
32 development within the floodplain as identified on the FEMA maps will require
33 compensating storage.

34 **H. Signage.** All signs shall be consistent with the LDR, as amended.

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I. Utilities.

1. Central water and sewer shall be provided to the development prior to construction plan and/or site plan approval. A copy of the utility service agreement shall be provided to the County.
2. The Developer or Property Owner shall demonstrate that all access ways are designed to accommodate solid waste collection vehicles to Lake County standards, as amended.

J. Mass Grading for Site Development.

1. The mass grading for the development shall not remove any dirt, sand or soil, since the 200% required retention allowable threshold has been accounted for in the previous phase of development which consisted of mass grading.
2. All grading for the site development shall be in accordance with the Comprehensive Plan and LDR, as amended.

K. Concurrency Management Review and Impact Fees. Concurrency shall be met prior to the issuance of any development order, consistent with the LDR, as amended.

1. Resort Residential Units, which are deed restricted to short term occupancy, shall be considered a commercial use and shall not be subject to school concurrency.
2. Residential Dwelling units shall be subject to school concurrency and all other applicable impact fees.

L. Development Review and Approval.

1. Prior to the issuance of any permits, the Owners will be required to submit a preliminary plat, construction plans, and final plat generally consistent with EXHIBIT B - Conceptual Plan for review and approval in accordance with the Comprehensive Plan and LDR, as amended.
2. A proposed amendment to an approved PUD land use designation that increases the approved intensities or densities of the PUD without a corresponding decrease in another portion of the PUD and resulting in greater off-site impacts shall require an amendment to the Comprehensive Plan.

M. PUD Expiration. Physical development shall commence within three (3) years from the date of this Ordinance approval. Failure to commence construction within three (3) years of approval shall cause the revocation of this ordinance, in accordance with the Comprehensive Plan or superseding documents amended. Prior to expiration of the three-year time frame, the Board of County Commissioners may grant, via a Public Hearing, one (1) extension of the time frame for a maximum of two (2) years upon a showing that reasonable efforts have been made towards securing the required approvals and commencement of work.

1 **N. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific references
2 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
3 Comprehensive Plan, and the LDR shall include any future amendments to the Statutes, Code,
4 Plans, and/or Regulations.

5 **Section 2. Conditions** as altered and amended which pertain to the above tract of land shall mean:

6 **A.** After establishment of the facilities as provided herein, the property shall only be used for the
7 purposes named in this Ordinance. Any other proposed use must be specifically authorized by
8 the Board of County Commissioners.

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

14 **C.** This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
15 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
16 Owners and any successors, and shall be subject to each and every condition herein set out.

17 **D.** Construction and operation of the proposed use shall always comply with the regulations of this
18 and other governmental permitting agencies.

19 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance shall
20 be included in the transfer or lease agreement, a provision that the purchaser or lessee is made
21 good and aware of the conditions established by this Ordinance and agrees to be bound by
22 these conditions. The purchaser or lessee may request a change from the existing plans and
23 conditions by following procedures contained in the LDR, as amended.

24 **F.** The Lake County Code Enforcement Special Master shall have authority to enforce the terms
25 and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

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

29 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of this
30 Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66,
31 Florida Statutes.
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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 _____, 2021.

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5 FILED with the Secretary of State _____, 2021.

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7 EFFECTIVE _____, 2021.

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

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15 **Sean M. Parks, Chairman**

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18 **ATTEST:**

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21 _____
22 **Gary J. Cooney, Clerk of the**
23 **Board of County Commissioners**
24 **Lake County, Florida**

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28 **APPROVED AS TO FORM AND LEGALITY**

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32 **Melanie Marsh, County Attorney**

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EXHIBIT A. Legal Description.

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A parcel of land lying in a portion of Sections 26 & 27, Township 24 South, Range 26 East, Lake County, Florida.

Being more particularly described as follows:

Beginning at the Southwest corner of Section 26, Township 24 South, Range 26 East, Lake County, Florida, being a 2" Iron Pipe no Identification (certified corner record #084069), thence run N89°58'15"E, along the South line of said Section 26, a distance of 2,647.22 feet to the South 1/4 corner of said Section 26; thence run S89°59'05"E, along the South line of said Section 26, a distance of 177.46 feet; thence run N20°17'36"W, a distance of 1,183.03 feet; thence run N00°01'11"W, a distance of 375.33 feet; thence run N89°58'15"E, a distance of 241.51 feet; thence run S89°58'42"E, a distance of 58.69 feet to a point on the Westerly right of way line of U.S. Highway No. 27; thence run N20°16'43"W, along said Westerly right of way line, a distance of 5.26 feet; thence run S89°58'44"W, a distance of 56.84 feet; thence run S89°57'34"W, a distance of 382.00 feet; thence run N20°16'43"W, a distance of 808.69 feet; thence run S89°59'36"W, a distance of 548.54 feet; thence run N00°00'06"E, a distance of 234.00 feet; thence run S89°57'06"W, a distance of 1,431.18 feet to a point on the East line of Section 27, Township 24 South, Range 26 East, Lake County, Florida; thence run N89°56'33"W, a distance of 1,330.24 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 27; thence run S00°20'14"W, along said West line and Southerly extension thereof, a distance of 2,480.38 feet to a point on the South line of said Section 27; thence run S89°51'33"E, along said South line, a distance of 1,331.06 feet to the POINT OF BEGINNING.

Containing 9,067,659.08 square feet or 208.16 acres, more or less.

Together with a 57.0' Access Easement for Ingress and Egress as recorded in Official Records Book 1986, Page 2117 of the Public Records of Lake County, Florida.

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4
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Together with:

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Parcel of Land in section 27, Township 24 S, Range 26 E in Lake County , Florida

9 Commence at the N.E. corner of the S. W. 1/4 of the S.W.1/4 of the N.W. 1/4 of Section
10 27, Township 24 South, Range 26 East in Lake County Florida, thence South 89° 59'
11 23" East for a distance of 933.95 feet; thence run South 0° 14' 30" East for a distance
12 of 1,262.69 Feet; thence run South 0° 06' 22" East for a distance of 1,002.50 feet;
13 thence run North 89° 54' 15" East for a distance of 726.13 feet to the Point of
14 Beginning; thence continue South 89° 39' 54" East for a distance of 1,650.35 feet;
15 thence run South 0° 13' 09" West for a distance of 1,037.85 feet; thence North 89° 52'
16 46" West for a distance of 1,647.27 feet; thence North 0° 09' 53" East for a distance of
17 1,041.19 feet to the Point of Beginning. Said Parcel containing 39.35 acres more or
18 less.

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EXHIBIT B. Concept Plan.



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