



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 11

Public Hearings: Planning & Zoning Board (PZB): August 4, 2021  
Board of County Commissioners (BCC): September 7, 2021

Case No. and Project Name: RZ-20-36-2 McKinnon Groves Planned Unit Development (PUD)

Applicant: G L Summit Engineering, Inc., c/o Geoffrey L. Summitt

Owners: McKinnon Groves, LLLP, Dayne and Lisa Jones, and Preserve at Avalon, LLC

Requested Action: Rezone 357.10 acres from Rural Residential (R-2) and Agriculture (A) to Planned Unit Development (PUD) to facilitate the development a mixed-use development consisting of 660 dwelling units and 48 acres of non-residential uses within the Wellness Way Area Plan.

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

Case Manager: Michele Janiszewski, Chief Planner  
Tim McClendon, Director

PZB Recommendation:

### Subject Property Information

Size: 357.10 +/- gross acres

Location: South of Hartwood Marsh Road, north of West Phil C. Peters Road and along the Orange County boundary in south Lake County

Alternate Key No.: 1593182, 1594006, 1594022, 1593999, 1028400, 1028396, and 1028418

Future Land Use: Wellness Way 1

Current Zoning District: Rural Residential (R-2) and Agriculture (A)

Proposed Future Land Use: Planned Unit Development (PUD)

Flood Zone: "A" and "X"

Joint Planning Area / ISBA: Clermont JPA and Clermont ISBA

Overlay Districts: None

**Adjacent Property Land Use Table**

<b><u>Direction</u></b>	<b><u>Future Land Use</u></b>	<b><u>Zoning</u></b>	<b><u>Existing Use</u></b>	<b><u>Comments</u></b>
<b>North</b>	Green Swamp (GS) Ridge & GS Rural Conservation	PUD and A	Undeveloped	Vacant Residential and Non-Agriculture Acreage
<b>South</b>	Cagan Crossings and GS Rural Conservation	PUD and A	Mixed-Use Development and Undeveloped Acreage	Cagan Crossings and Green Swamp Run
<b>East</b>	GS Ridge	PUD, C-1, and C-2	Undeveloped, Commercial and Office Uses	Vacant Commercial and Residential Land, Restaurant, and Professional Services
<b>West</b>	GS Rural Conservation	A	Undeveloped	Non-Agriculture Acreage and Green Swamp Run

**Staff Analysis**

The subject property (Alternate Keys 1593182, 1593999, 1594006, 1028400, 1594022, 1028396 and 1028418) and is located south of Hartwood Marsh Road, north of West Phil C. Peters Road and along the Orange County boundary in south Lake County. The subject property is located with the Wellness Way 1 Future Land Use Category (FLUC).

The Applicant is seeking to develop the property consistent with the Wellness Way Goals, Objectives and Policies as established in Comprehensive Plan Goal I-8 Wellness Way Urban Service Area. Based on the capacity allocations established in Policy 1-8.2.1.1 Future land Use Categories Capacity Allocation, the property may be developed with a maximum of 661 dwelling units and set aside a minimum of 48 acres of non-residential development to achieve the established jobs to housing ratio of 1.75 / 1.00. The concept plan depicts a mixture of single-family detached and attached (up to 4) units; areas designated for age-restricted dwelling units; job hub tracts; road network which includes the realignment of Hartwood Marsh Road; and a perimeter trail system.

Comprehensive Plan Policy I-8.7.1 Master Planned Unit Developments (PUDs) requires PUDs within the WWUSA to contain a minimum of 1,000 acres unless approved by the Board of County Commissioners (BCC). The project received a waiver to the acreage requirement last year. In accordance with Section B of Policy 1-8.7.3 Master PUD Process, the Applicant conducted a community meeting on March 4, 2021.

**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 Goal I-8 Wellness Way Urban Service Area and its associated objectives and policies which were established to create a long-term master plan for the South Lake region which promotes significant economic development while encouraging fiscally efficient and well-balanced development patterns that minimize environmental impacts and leverage existing resources

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 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 consistent with the Economic Element and requires a non-residential component in order to achieve the desired jobs to housing ratio of 1.75 / 1.00.

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 the Clermont Joint Planning Area (JPA) and Interlocal Service Boundary Agreement (ISBA). The application was provided to the City of Clermont for comments.

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 shows 94 acres of Wellness Open Space and 35 acres of Green Space. The PUD allows active and passive recreation in conjunction with the residential component and proposes a perimeter trail system for use by the residents, adjacent neighbors, and the public. 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 consistent with the Transportation element because the PUD requires a trail and bicycle network to connect the residential and non-residential uses.

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 residential and non-residential development, consistent with Goal I-8 Wellness Way Urban Service Area.

- D. Whether there have been changed conditions that justify a rezoning;**  
The Wellness Way Area Plan was adopted in 2016 in anticipation of an increased population growth in south Lake County. The intent of the Wellness Way Area Plan is to create a long-term master plan for the South Lake region which promotes significant economic development while encouraging fiscally efficient and well-balanced development patterns that minimize environmental impacts and leverage existing resources. The Applicant seeks to utilize the Wellness Way standards to develop a mixed-use development.

- 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

The City of Clermont has indicated that central water and central sewage is available to the subject property.

Solid Waste

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

Transportation Concurrency

Lake County Public Works reviewed and approved the Traffic Impact Analysis provided by the Applicant.

Public Safety

Lake County Fire Rescue Station 90 / Clermont Fire Station 104 is located 8.9 miles from the subject property.

Schools

Lake County Schools reviewed the application and stated that the PUD is subject to school concurrency review and proportionate share mitigation may be required at time of review, as there is currently a deficit of high school capacity in the area.

- 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.

- 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 is situated in a Rural area and surrounded by predominately low density, residential lots and or undeveloped land. The properties to the north and a portion of the properties to the west are also included in the WWUSA but have not been developed under the adopted standards.

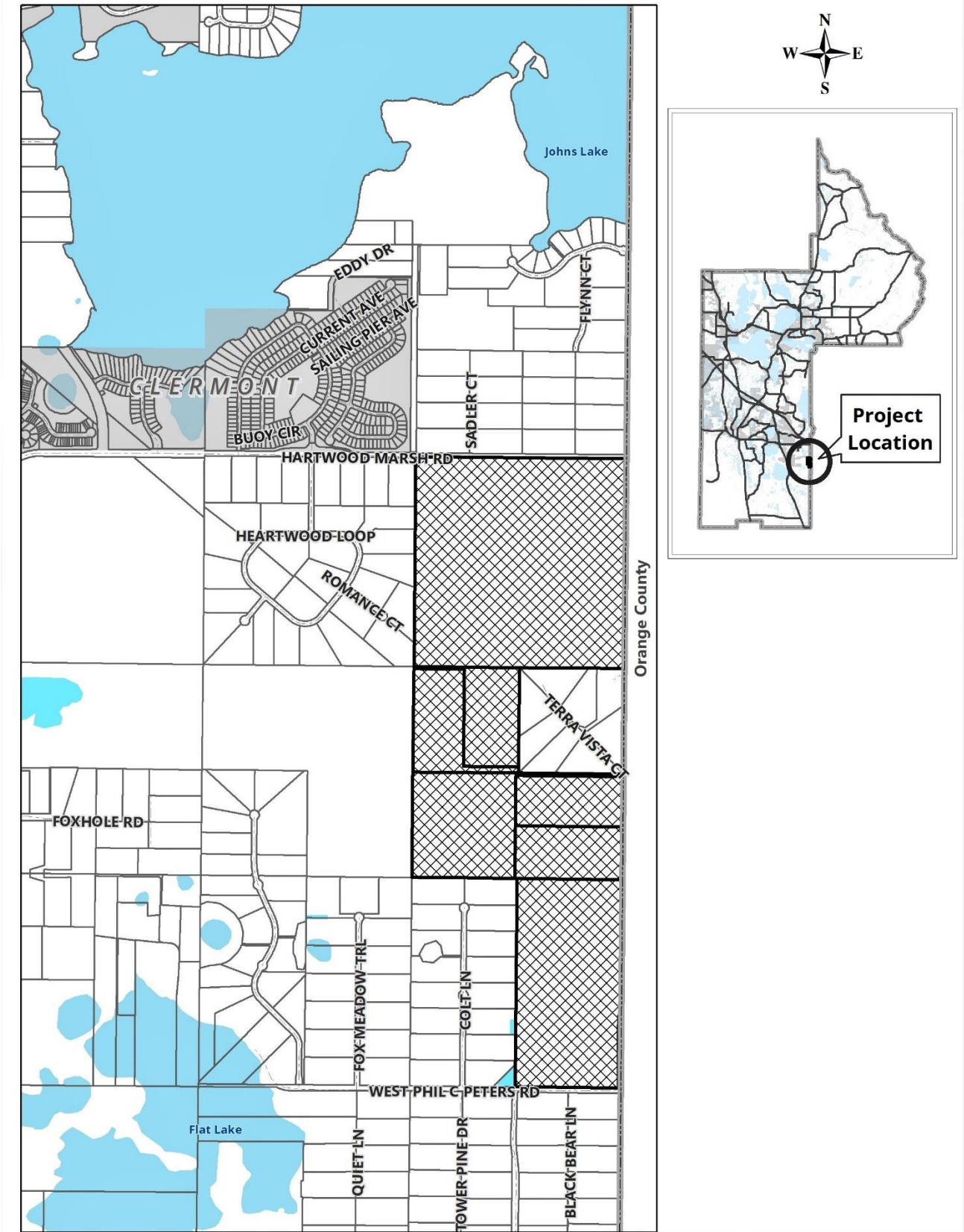
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.**

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.

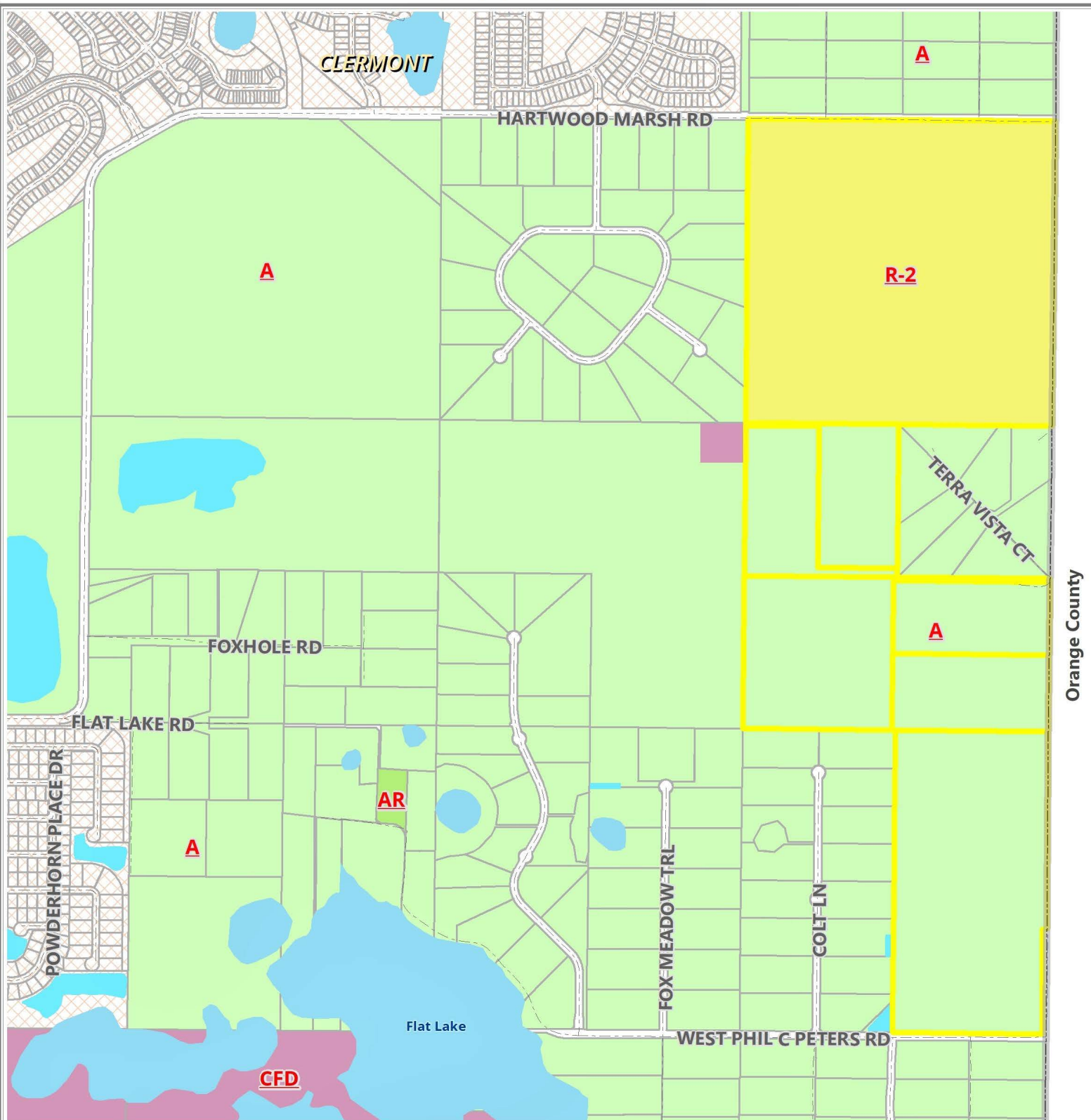
- J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

Not at this time.

### Map of Subject Property.



# CURRENT ZONING



Orange County

## Zoning Legend

A  AR  R-2  CFD

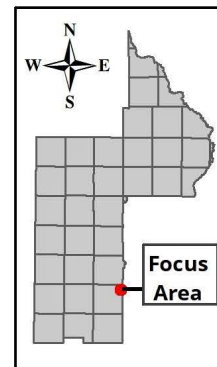
NAME: **MCKINNON GROVES PROPERTY**

CASE NUMBER: **RZ-20-36-2**

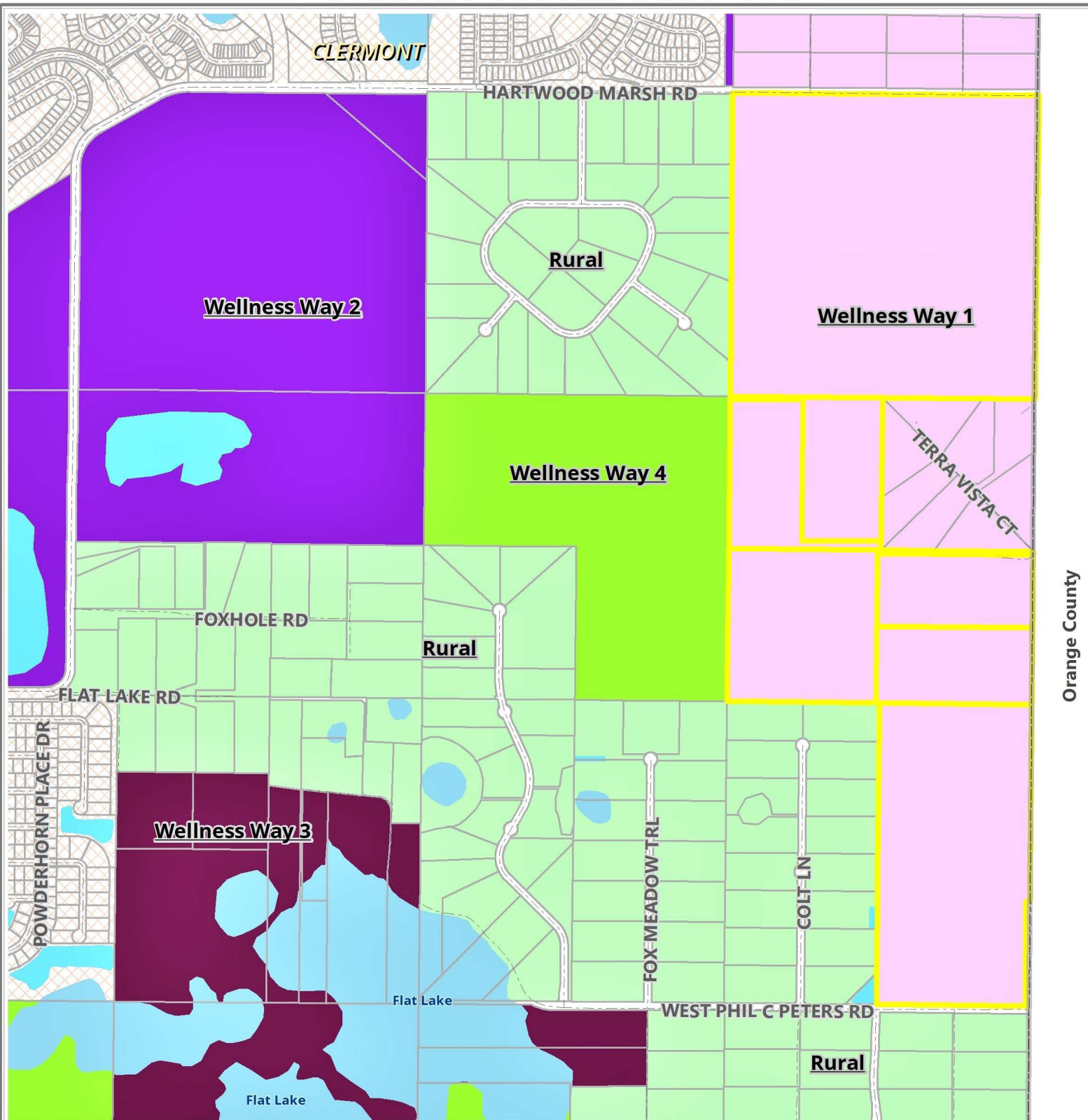
LOCATION (S-T-R): **01, 12-23-26**

REQUEST: **AGRICULTURE (A) & ESTATE RESIDENTIAL (R-2) TO  
PLANNED UNIT DEVELOPMENT (PUD)**

DISTRICT: **2**



**CURRENT FUTURE LAND USE**



**Future Land Use**

- Rural
- Wellness Way 1
- Wellness Way 2
- Wellness Way 3
- Wellness Way 4

**NAME: MCKINNON GROVES PROPERTY**

**DISTRICT: 2**

**CASE NUMBER: RZ-20-36-2**

**LOCATION (S-T-R): 01, 12-23-26**

**REQUEST: AGRICULTURE (A) & ESTATE RESIDENTIAL (R-2) TO PLANNED UNIT DEVELOPMENT (PUD)**



**ORDINANCE 2021 - XX**  
**McKinnon Groves PUD**  
**RZ-20-36-2**

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**, Geoffrey L. Summit, P.E. (the "Applicant") submitted a rezoning application on behalf of  
5 McKinnon Groves, LLLP, Dayne and Lisa Jones, and Preserve at Avalon, LLC (the "Owners"), to rezone property  
6 from R-2 and Agriculture (A) to Master Planned Unit Development District (MPUD) for a mixed use development  
7 within the Wellness Way Area Plan; and

8 **WHEREAS**, the subject property consists of approximately 357 +/- acres located south of Hartwood  
9 Marsh Road, north of West Phil C. Peters Road and along the Orange County boundary in south Lake County  
10 in Sections 1 & 12, Township 23 South, Range 26 East, known as Alternate Key Numbers 1593182, 1593999,  
11 1594006, 1028400, 1594022, 1028396 and 1028418, and more particularly described in Exhibit A; and

12 **WHEREAS**, the subject property is located within the Wellness Way Area Plan, as established in  
13 Ordinance No. 2016-01; and

14 **WHEREAS**, Ordinance 2016-01 was adopted by the Board of County Commissioners on the 5<sup>th</sup> day of  
15 January, 2016 and became effective the 26<sup>th</sup> day of December, 2017; and

16 **WHEREAS**, the property is located within the Wellness Way 1 Future Land Use Category as shown on  
17 the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

18 **WHEREAS**, the Lake County Zoning Board did on the 4<sup>th</sup> day of August 2021 review Petition RZ-20-36-  
19 2; after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance  
20 would be presented to the Board of County Commissioners of Lake County, Florida, on the 5<sup>th</sup> day of September  
21 2021; and

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

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

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

29 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to Planned  
30 Unit Development (PUD). The uses of the property shall be limited to those uses specified in this  
31 Ordinance and generally consistent with the Conceptual Plan attached hereto as Exhibit "B". To  
32 the extent there are conflicts between Exhibit "B" and this Ordinance, this Ordinance shall take  
33 precedence.  
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35 The subject property is located within the Wellness Way 1 FLUC and shall adhere to the  
36 development program provided below:



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Subject Property	Net Acreage	Max. Capacity (DU)	Job Generation	Non-Residential SF	Non-Residential Set Aside Acreage
	<i>Gross acreage - Water Bodies and wetlands</i>	<i>Net Acreage X 1.85</i>	<i>Dwelling Units X 1.75</i>	<i>Job generation X 450 SF/employee</i>	<i>(Non-residential SF / 43,560) X 0.25</i>
McKinnon Groves	180	332	582	261,800	24
Jones	98	181	318	142,919	13
Avalon LLC	79	147	257	115,530	11
<b>Totals</b>	<b>357</b>	<b>661</b>	<b>1,156</b>	<b>520,250</b>	<b>48</b>

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**A. Permitted Uses.**

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1. Residential Uses. The property may be developed with a maximum of 660 dwelling units to include a mixture of single-family detached and single-family attached (two to four units in one structure) dwelling units.

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a. Age-restricted units may be developed within the PUD.

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b. Accessory uses to the residential development are permitted and may include community pool, clubhouse, or recreation areas.

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c. Accessory dwelling units developed on residential lots shall not be credited towards the total number of dwelling units permitted within the development.

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d. The residential uses shall be developed at a minimum of three (3) and maximum of twenty (20) dwelling units per net acre.

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e. Single-family detached dwelling units shall have the garages accessed by alley only on lots less than forty (40) feet wide. This requirement shall not apply to single-family attached units.

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2. Non-Residential Development. A minimum of 48 acres of non-residential development shall be set aside to be developed with the following uses on the areas shown as job hub/centers on the Concept Plan, Exhibit B:

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a. Commercial: retail, wholesale, eating and drinking, brewing, processing, packing, outdoor storage/display, and distribution of products are permitted when associated with and are incidental to permitted agriculture, agribusiness, plant nurseries, and Community Center Recreation facilities identified on the Conception Plan.

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b. Office/Personal Services: Office, when associated with the permitted agriculture, agri-business, plant nurseries, and Community Center Recreation facilities identified on the Master Plan.

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- 1 c. Public/institutional: Parks, civic uses, public safety, hospitals, educational  
 2 facilities, transportation facilities, utilities, and similar uses.
- 3 d. Childcare, family care, outpatient clinic when located within or associated  
 4 with a Community Center Recreation facility.
- 5 e. Agriculture Uses: Agriculture, agri-business, plant nurseries, and similar  
 6 uses are permitted in designated job hub/center areas on the Master Plan.  
 7 Community Center Recreation areas are also considered job hub/center  
 8 areas within this MPUD and may include a riding stable and/or academy  
 9 facility and similar uses that support recreational and wellness activities.  
 10 Family farming in residential areas may be a permitted use as allowed by  
 11 Lake County regulations.
- 12 f. Interim Agriculture Uses. If an area is designated on the Master Plan for  
 13 Residential use, Agriculture uses are permitted within those areas until such  
 14 time as that phase is developed.

**B. Development Conditions.**

- 16 1. The overall development shall not exceed 60% Impervious Surface Ration (ISR).
- 17 2. A minimum of three (3) housing types shall be provided, generally consistent with  
 18 Exhibit C.
- 19 3. Non-residential uses shall be made accessibly by the residential development via a  
 20 mixed-use trail or sidewalks.

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

- 22 1. Single Family Detached Units shall adhere to the following standards:

Front Setback – Local Street	20 feet from property line or right-of-way, whichever is greater
Setback from an external Collector Road	50 feet from the right-of-way
Front Porch Setback	12 feet from the property line or right-of-way, whichever is greater
Attached, Front Loaded Garage Setback	25 from property line
Secondary Front Setback	15 feet from property line
Side Setback	5 feet from the property line
Rear Setback	15 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 0.60

Minimum Lot Width	32 Feet
Maximum Building Height	40 Feet or 3 stories
Driveway Setback	5 Feet from the property line

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

Front Setback	20 feet from property line or right-of-way, whichever is greater
Attached, Front Loaded Garage Setback	25 feet from property line
Secondary Front Setback	15 feet from the property line
Front Porch Setback	12 feet from the property line or right-of-way, whichever is greater
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 all property lines, including common wall property line
ISR for Individual Lots	0.80 if the developer demonstrates that the overall development will not exceed 0.60
Minimum Lot Width	22 Feet
Maximum Building Height	40 Feet or 3 stories
Driveways	5 Feet from the property line unless utilizing a shared driveway in conjunction with an approved lot grading plan.

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3. Commercial Development shall adhere to the following standards:

Floor Area Ratio (FAR)	Minimum: 0.25 Maximum: 2.00
Front Setback	25 feet from the right-of-way, internal road or easement.
Side Setback	5 feet from the property line
Rear Setback	15 feet from the property line

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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.

- 1                   2. Perimeter Buffers are designated on the PUD Master Plan and may vary in width based  
2                   on location. Perimeter buffers shall consist of canopy and understory trees and plants  
3                   utilizing Florida Friendly Right Plant Right Place materials from the IFAS list.  
4                   Exotic/invasive species shall be removed. Existing vegetation located along the  
5                   perimeter of the PUD may be used to count towards the minimum perimeter  
6                   landscaping requirement.
- 7                   3. The perimeter buffer designated on the PUD Master Plan landscaping shall be a heavily  
8                   vegetated visual buffer of canopy and understory plants. Permeable storm water areas  
9                   when enhanced as amenities using native vegetation are permitted within the buffer.  
10                  Within the perimeter buffer a meandering community trail with a natural surface suitable  
11                  for walking, running, horse back riding, and bicycling may be located and maintained.  
12                  The perimeter buffer and trail area shall include canopy and understory plants to  
13                  enhance the visual buffering while providing a comfortable and safe environment for  
14                  recreational users of the trail, and adjoining properties within the MPUD. Motor vehicles  
15                  are prohibited within the perimeter buffer except for planting and maintenance of  
16                  vegetation, removal of exotic/invasive species, construction, maintenance, and for fire  
17                  and safety operations.
- 18                  4. Residents within the MPUD adjoining any trail may access the trail directly through a  
19                  private gate within the resident's fence. Access to the Perimeter Trail System is  
20                  permitted from the adjoining rural residential areas through a private gate owned by  
21                  the adjoining rural residential owner.
- 22                  5. During the review of the development application for Preliminary Plat and landscape  
23                  plan approval, the existing vegetation will be evaluated to determine consistency with  
24                  the perimeter landscape requirements in accordance with the Land Development  
25                  Regulations, as amended.
- 26                  6. Existing trees located within the 150' wide landscaped buffer along the western,  
27                  southern and eastern perimeters of AK 1028418 will not be removed, except for dead,  
28                  exotic/invasive, or diseased trees.
- 29                  7. Existing citrus trees located within the 150' wide landscaped buffer along the southern  
30                  perimeter of AK 1594022 will not be removed, except for dead, exotic/invasive, or  
31                  diseased trees, or as necessary to re-establish producing trees. Dead, exotic/invasive,  
32                  or diseased trees may be replaced with citrus trees or Florida native landscaping.
- 33                  8. Existing trees located within the 150' wide landscaped buffer along the eastern  
34                  perimeter of AK 1593999 will not be removed, except for dead, exotic/invasive, or  
35                  diseased trees.
- 36                  9. Existing citrus trees located within the 150' wide landscaped buffer along the eastern  
37                  perimeter of AK 1593182 will not be removed, except for dead, exotic/invasive, or  
38                  diseased trees, or as necessary to re-establish producing trees. Dead, exotic/invasive,  
39                  or diseased trees may be replaced with citrus trees or Florida native landscaping.
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1                   **E. Open Space.**

2                   1. Open Space. Open Space will include 20% of net buildable acres as Wellness Space  
3                   and 10% of net buildable acres as Green Space as provided below.

4                   a. Wellness Space. Wellness Space Includes land area open to public and  
5                   private access including gathering places, such as parks, pedestrian and  
6                   bicycle/pedestrian ways or trails, recreation fields and grounds, piazzas,  
7                   plazas and urban squares, and permeable storm water areas if enhanced  
8                   amenities using native vegetation area. The provision of Wellness Space  
9                   shall be provided as aggregate of the total MPUD not on an individual  
10                  neighborhood or development tract basis. Wellness Space is limited 10%  
11                  impervious surface ratio.

12                  b. Green Space. Green Space includes areas designated for such purposed  
13                  as flood control, water management, or restoration of vegetative  
14                  communities and wildlife habitat, conservation, passive recreation, and  
15                  maintenance buffers from adjacent rural residential areas. Green Space  
16                  should be maintained in such a way to encourage the proliferation of native  
17                  flora and fauna and use of the community trail network. Walking, running,  
18                  bicycling, horseback riding, flora and fauna observation, and Trail  
19                  construction/maintenance and similar activities are permitted on the  
20                  community trail network within the Green Space areas. Motorized vehicles  
21                  are not permitted except for construction, maintenance, or emergency use  
22                  on the community trail network and maintenance of the community buffer.  
23                  Green Space also includes permeable storm water areas if enhanced  
24                  amenities using native vegetation area. The provision of Green Space shall  
25                  be provided as aggregate of the total MPUD not on an individual  
26                  neighborhood or development tract basis.

27                   **F. Recreation and Wellness Corridor.**

28                   1. The property shall be developed with a Wellness Corridor to connect communities, the  
29                   Town Center, Job Hubs, neighborhoods and destinations together in a series of  
30                   integrated trail and pedestrian facilities.

31                   2. The Wellness Corridor shall include the Trunk and Neighborhood Trails depicted in  
32                   Figure 3.4 titled 'Wellness Ridgeway Network Framework Map' within the Wellness  
33                   Way Community Design Guidelines and Standards.

34                   a. Trunk Trail

35                   1. The Trunk Trail shall be generally located along the northern property  
36                   boundary.

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1 d. Multi-use paths and trails.

2 6. The Wellness Corridor, trail, and bicycle network shall be accessible to the public.

3 **G. Design Guidelines.** Residential and Non-residential development shall be generally consistent  
4 with the Wellness Way Community Design Guidelines and Standards, prepared by Levy  
5 Consultants and dated September 21, 2020. Should there be a conflict between the Wellness  
6 Way Community Design Guidelines and Standards and this Ordinance, this Ordinance shall  
7 take precedence.

8 **H. Transportation.**

9 1. All access management shall be in accordance with the Comprehensive Plan and Land  
10 Development Regulations, as amended.

11 2. The development shall incorporate a traffic management plan which will include traffic  
12 calming throughout the development.

13 3. Additional right-of-way for Hartwood Marsh Road shall be required in accordance with  
14 the Land Development Regulations, as amended. Hartwood Marsh Road may be  
15 realigned along the development's northern boundary in a manner consistent with the  
16 Master Plan attached as Exhibit "B".

17 4. Paved shoulders shall be required to be added to Hartwood Marsh Rd that will need to  
18 begin at the end of the existing paved shoulder in front of Lakeview Preserve and  
19 extend to the county line with Orange County. The existing road that is not part of the  
20 realignment area will be required to be resurfaced as directed by the Department of  
21 Public Works.

22 5. There shall be no road or public access connection to West Phil C Peters Rd., Terra  
23 Vista Ct., Spyglass Hill Road, Dangler Road, and Lookout Hill Rd, except as provided  
24 in Section I. of this Ordinance.

25 6. Sidewalks and Trails will be required per Land Development Regulations and the  
26 Wellness Way Design Standards, as amended. Should there be a conflict between  
27 those standards and this Ordinance, this Ordinance shall take precedence.

28 7. The development will be required to design, and construction the South Lake - Citrus  
29 Ridge Trail from the developments western corner with Hartwood Marsh to the county  
30 line with Orange County.

31 8. The development will need to meet the Florida Greenbook, County, and the Wellness  
32 Way Design Standards, as amended.

33 9. Future road maintenance will be funded through the use of a municipal service taxing  
34 unit (MSTU) or municipal service benefit unit (MSBU) as authorized under Section  
35 125.01(1)(q), Florida Statutes. Before or concurrent with any final plat or site plan

1 approval, the Owner shall provide any documentation required by the County to impose  
2 an MSTU or MSBU, at the County's discretion, on the platted or commercial lots.  
3 Additionally, the Owner acknowledges and agrees that the MSTU or MSBU shall be  
4 collected as a non-ad valorem assessment using the uniform method of collection set  
5 forth under Section 197.3632, Florida Statutes.

6 **I. Access.** The primary Access for this MPUD for all residential uses shall be Hartwood Marsh  
7 Road. No road, street, or motor vehicle access shall be permitted from the Property to adjacent  
8 rural residential area roads in Lake County or unincorporated Orange County, except to and  
9 from Flynn Court, Sadler Court, and Lookout Hill Road. Lookout Hill Road access shall be solely  
10 for the purpose of access for the business located in Tract JB-2. The power transmission line  
11 easement rights of access shall not be affected by or subject to the Access limitations set forth  
12 in this PUD.

13 **J. Connectivity.** The intersection density shall have minimum of 80 intersections per square mile  
14 inclusive of community trails, bicycle/pedestrian paths/sidewalk crossings, and streets.

15 **K. Environmental.** An environmental survey shall be conducted in accordance with the LDR, as  
16 amended, to address natural vegetative communities, wildlife corridors, and designated  
17 species prior to submittal of any development application.

18 **L. Stormwater and Floodplain Management.**

- 19 1. The stormwater management system shall be designed in accordance with all  
20 applicable Lake County and St. Johns River Water Management District (SJRWMD)  
21 requirements, as amended.
- 22 2. The developer shall be responsible for any flood studies required for developing the  
23 site and comply with FEMA, Comprehensive Plan and Land Development Regulations,  
24 as amended. Any development within the floodplain as identified on the FEMA maps  
25 will required compensating storage.

26 **M. Signage.** All signs shall be consistent with the LDR, as amended.

27 **N. Lighting.**

- 28 1. All development will adhere to Dark-Sky Principles and Sec. 3.09.00 – Lighting 33  
29 Standards, Lake County Land Development Regulations, as amended. In situations  
30 where Lighting Standards conflict with Dark-Sky Principles, Dark-Sky Principles shall  
31 have precedence.
- 32 2. All streetlighting must meet FDOT street lighting standards, dark sky, and warm white  
33 glow correlated color temperature (CCT) not to exceed 3000k.
- 34 3. All streetlighting shall be owned and maintained by the CDD or HOA.

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**O. Utilities.**

- 1. The proposed development shall connect to central water and sewer from the City of Clermont. A copy of the utility service agreement shall be provided to the County.
- 2. Reclaimed water shall be used for landscape irrigation, if available.
- 3. All roadways, including arterials, collector and local streets, shall provide conduit to deliver fiber to each household and business.

**P. Special Events.** Special events, including community events, are intended to promote inviting, vibrant, creative, and entertaining community gatherings within the Property. Community/Special Events such as, but not limited to, arts and craft festivals, community walks/running events, charity events, music fests, food and wine festivals, movies in the park, dog days, car shows and sponsorship events, yoga in the park, weddings, special food truck events, farmers markets, and similar events. These uses are permitted on common areas, Job Hub Tracts, and trails, as appropriate.

- 1. No single event shall be more than 3 consecutive days without County Manager or designee approval.
- 2. Special events are permitted to operate between 6:00 am and 12:00 midnight (including setup and takedown) on a year-round basis; except that three (3) special events per year are permitted to operate between 6:00 am and 1:30 am (including setup and takedown).
- 3. Outdoor music, loudspeakers, etc. are permitted at special events between 10:00 am and 7:00 pm Sundays – Thursdays, and until 11:00 pm on Fridays and Saturdays.
- 4. Special events shall be permitted for an unlimited number of events.
- 5. Special events shall obtain a special event site plan from the Office of Planning & Zoning as described in the LDR, as amended.
- 6. Applicants may be required to obtain a special event permit as set forth in article V, if one (1) or more of the following criteria apply:
  - a. The event is intended to, or likely to, attract more than five hundred (500) people;
  - b. The event requires the temporary closure of any collector or arterial public roadway;
  - c. The event involves the use of pyrotechnics; or
  - d. The event exceeds the maximum allowed number of patrons within an establishment.

- 1                   **Q. Concurrency Management Review and Impact Fees.** Concurrency shall be met prior to the  
2                   issuance of any development order, consistent with the LDR, as amended.
- 3                   **R. Density Changes.** When reasonably practicable, density changes in neighborhoods shall  
4                   occur at mid-block locations, rather than along streets, so that buildings faceting each other are  
5                   compatible and transitions between uses are gradual. Portions of neighborhoods that are  
6                   proposed to be developed with the highest densities should generally be located closest to a  
7                   center or a neighborhood parks, square, or green.
- 8                   **S. Gated Community.** The development may be gated in its entirety or in part. Roads and  
9                   thoroughfares located within any gated portion of the development shall be a private road as  
10                  defined in the Lake County Land Development Regulations, as amended. However, access  
11                  shall be provided between all areas within the MPUD via network of interconnected sidewalks,  
12                  and trails to encourage pedestrian, bicycle, and recreational use.
- 13                  **T. Community Development District.** Nothing precludes consideration for the establishment of  
14                  a community development district upon receipt of a petition and compliance with the public  
15                  hearing process and requirements in accordance with Chapter 190, Florida Statutes (2020).  
16                  Further, any of the requirements hereunder may be financed by a community development  
17                  district, pursuant to Section 190.012(1)(g), (h), Florida Statutes.
- 18                  **U. Buildout Date.** Buildout of the development shall be no later than 2040.
- 19                  **V. Development Review and Approval.**
- 20                                1. Prior to the issuance of any permits, the Owners will be required to submit a preliminary  
21                                plat, construction plans, and final plat generally consistent with EXHIBIT B - Conceptual  
22                                Plan and/or site plan for review and approval in accordance with the Comprehensive  
23                                Plan and LDR, as amended.
- 24                                2. In the review of development plans, if it is determined by the review staff that a  
25                                development standard has not been included in this Ordinance, or there is ambiguity  
26                                in a PUD standard, the applicant shall request an interpretation of the development  
27                                standard from the County Manager or his designee. The interpretation may take two  
28                                forms: an agreed upon standard by the County Manager or designee, or a referral to  
29                                the most applicable section of the then current code. The interpretation shall be binding  
30                                on the applicant. If the applicant does not agree with the interpretation, the applicant  
31                                may appeal the decision to the Board of County Commissioners.
- 32                                3. Physical development shall commence within three (3) years from the date of this  
33                                Ordinance approval. Failure to commence construction within three (3) years of  
34                                approval shall cause the revocation of this ordinance, in accordance with the  
35                                Comprehensive Plan or superseding documents amended. Prior to expiration of the  
36                                three-year time frame, the Board of County Commissioners may grant, via a Public  
37                                Hearing, one (1) extension of the time frame for a maximum of two (2) years upon a  
38                                showing that reasonable efforts have been made towards securing the required



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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14 \_\_\_\_\_  
15 **Sean M. Parks, Chairman**  
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19 **ATTEST:**  
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23 **Gary J. Cooney, Clerk of the**  
24 **Board of County Commissioners**  
25 **Lake County, Florida**  
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29 **APPROVED AS TO FORM AND LEGALITY**  
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32 \_\_\_\_\_  
33 **Melanie Marsh, County Attorney**

**EXHIBIT A. Legal Description (3 Pages).**

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Parcel 1:                    Alternate Key No.        1028418  
The Southeast One Quarter (SE 1/4) of Section 12, Township 23 South, Range 26 East, all lying and being in Lake County, Florida, LESS AND EXCEPT all that portion of that certain plat of Avalon Hills recorded in Plat Book 57, Pages 42, 43 and 44, Public Records of Lake County, Florida, and Less and Except road right-of-way.

OR BK 4810, PG 1926

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Parcel 2:                    Alternate Key No.        1593182  
The North 1/2 of the Southeast 1/4 of Section 1, Township 23 South, Range 26 East; Lake County, Florida. Less the North 25 feet for right of way by virtue of the Quit-Claim Deed recorded in Deed Book 345, Page 45, Public Records of Lake County, Florida.

**AND**

The South 1/2 of the Southeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida.

OR BK 3397, PG 1895

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Parcel 3:                    Alternate Key No. 1028396  
**THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LESS THE NORTH 30 FEET THEREOF, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.**

OR BK 1639, PG 787

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Parcel 4:                    Alternate Key No. 1028400  
The South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 26 East, Public Records of Lake County, Florida, and

The East 30 feet of the South 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 26 East, Public Records of Lake County, Florida.

OR BK 5010, PG 1069

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1 Parcel 5: Alternate Key No. 1594022

2 The SW 1/4 of the NE 1/4 of Section 12, Township 23 South, Range 26 East, Lake  
County, Florida,

AND: A 30 foot wide strip of land over the North 30 feet of the North 1/2 of the SE 1/4 of  
the NE 1/4 of Section 12, Township 23 South, Range 26 East, lying in Lake County,  
Florida.

LESS AND EXCEPT: A 30 foot wide strip of land over the East 30 feet of the SW 1/4 of  
the NE 1/4 of Section 12, Township 23 South, Range 26 East, Lake County, Florida.

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5 OR BK 2609, PG 1259

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8 Parcel 6: Alternate Key No. 1594006

9 A parcel of land being a portion of the Northwest 1/4 of the Northeast 1/4 of Section  
12, Township 23 South, Range 26 East, Lake County, Florida, being more  
particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Section 12; thence  
run South 00°36'42" West along the west line of said Northeast 1/4 for a distance of  
25.00 feet to the POINT OF BEGINNING; thence South 89°35'26" East along a line  
25.00 feet South of and parallel to the North line of said northeast 1/4 of a distance  
of 632.12 feet; thence South 00°34'59" West for a distance of 1221.76 feet; thence  
South 89°31'05" East along a line 75.00 feet North of and parallel to the South line  
of said Northwest 1/4 of the Northeast 1/4 for a distance of 656.27 feet; thence South  
00°33'15" West along the East line of said Northwest 1/4 of the Northeast 1/4 for a  
distance of 75.00 feet; thence North 59°31'05" West along the South line of said  
Northwest 1/4 of the Northeast 1/4 for a distance of 1319.07 feet; thence North  
00°36' 42" East along the West line of said Northeast 1/4 for a distance of 1295.96  
feet to the POINT OF BEGINNING.

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12 OR BK 2705, PG 1217

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Parcel 7: Alternate Key No. 1593999

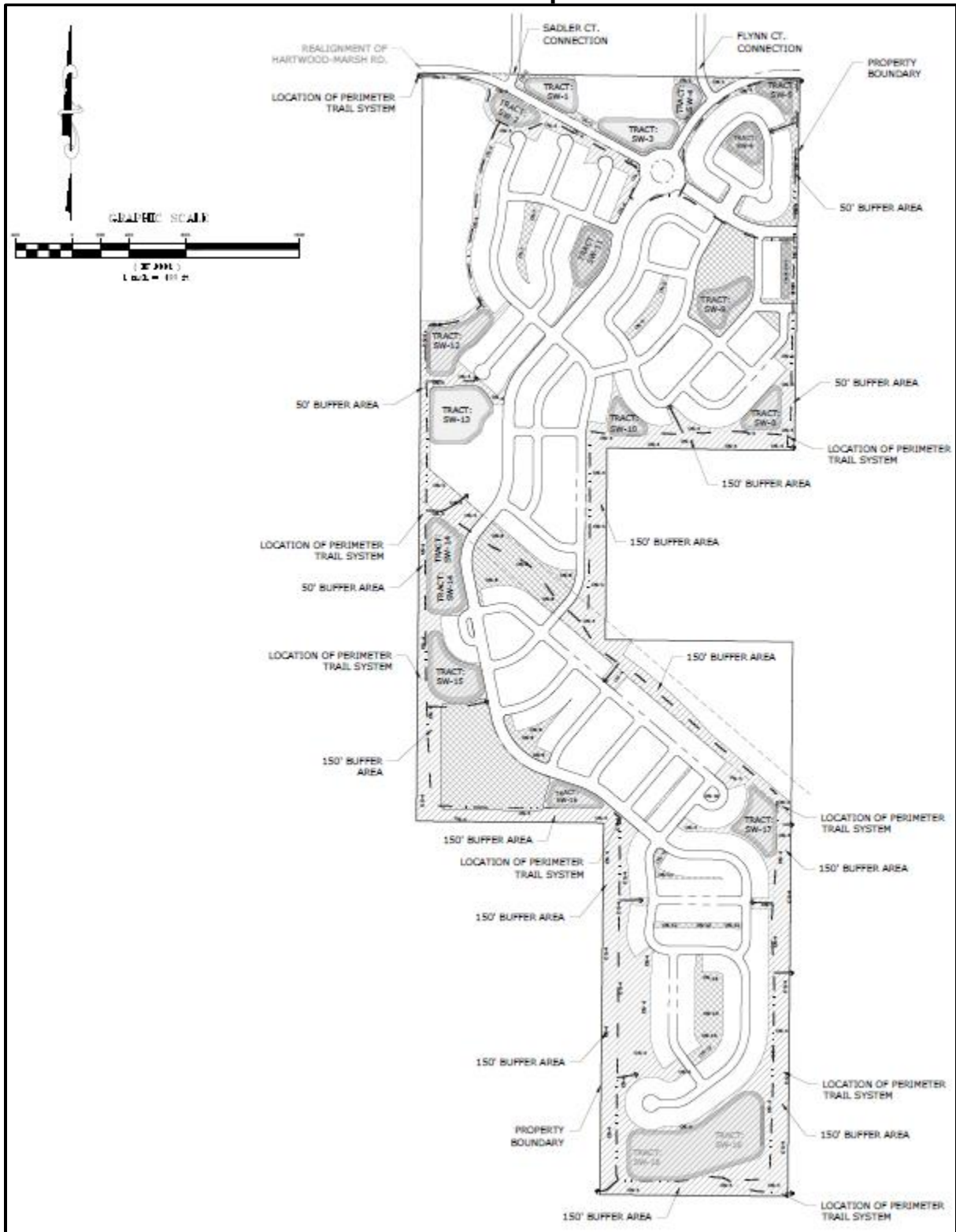
**A parcel of land being a portion of the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 23 South, Range 26 East, Lake County, Florida, being more particularly described as follows:**

**Begin at the Northwest corner of the Northeast 1/4 of said Section 12; thence run South 89° 35'26" East along the North line of said Northeast 1/4 for a distance of 1317.76 feet; thence South 00° 33'16" West along the East line of said Northwest 1/4 of the Northeast 1/4 for a distance of 1247.62 feet; thence North 89° 31'05" West along a line 75.00 feet North of and parallel to the South line of said Northwest 1/4 of the Northeast 1/4 for a distance of 686.27 feet; thence North 00° 34'59" East, for a distance of 1221.76 feet; thence North 89° 35'26" West along a line 25.00 feet South of and parallel to the North line of said Northeast 1/4 for a distance of 632.12 feet; thence North 00° 36'42" East along the West line of said Northeast 1/4 for a distance of 25.00 feet to the Point of Beginning.**

OR BK 3397, PG 1895

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### EXHIBIT B. Concept Plan.



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# EXHIBIT C. Residential Design Examples (2 Pages).

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