

PUBLIC NOTICE AND AGENDA OF THE GROVELAND LOCAL PLANNING AGENCY
MEETING SCHEDULED TO CONVENE AT **6:30** P.M., MONDAY, FEBRUARY 1, 2016, IN THE
PURYEAR BUILDING AT 243 SOUTH LAKE AVENUE.

CALL TO ORDER
ROLL CALL

MAYOR	TIM LOUCKS	tim.loucks@groveland-fl.gov
VICE-MAYOR	KAREN MCMICAN	karen.mcmican@groveland-fl.gov
COUNCILMEMBER	JOHN GRIFFIN	john.griffin@groveland-fl.gov
COUNCILMEMBER	DINA SWEATT	dina.sweatt@groveland-fl.gov
COUNCILMEMBER	MIKE RADZIK	mike.radzik@groveland-fl.gov
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ.	
CITY MANAGER	REDMOND JONES, II	redmond.jones@groveland-fl.gov
CITY CLERK	TERESA BEGLEY	teresa.begley@groveland-fl.gov
SERGEANT-AT-ARMS	CHIEF M. SMITH TENNYSON	melvin.tennyson@groveland-fl.gov

Please note: Most written communication to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

AGENDA

1. Approval of Meeting Minutes from December 21, 2015
2. Ordinance 2016-01-01: Montevista Farms Comprehensive Plan Amendment – Density Clarification
3. Ordinance 2016-01-02: City of Groveland Comprehensive Plan Amendment – Open Space Requirement
4. Ordinance 2016-01-03: City of Groveland Comprehensive Plan Amendment – Green Swamp Units Per Acre
5. Ordinance 2016-01-04: Montevista Farms Planned Unit Development
6. Ordinance 2016-01-05: Preserve at Sunrise Planned Unit Development
7. Resolution 2016-01-01: Variance to Residential Lot Size Requirements
8. Faith Neighborhood Site Plan Approval
9. Ordinance 2015-11-31: Trilogy Comprehensive Plan Amendment

Comments from the Public

Adjournment

Groveland Code of Ordinances Sec. 2-58 (f). Any person desiring to address the council shall first secure the permission of the presiding officer and shall give his name and address for the record. All remarks shall be addressed to the council as a body and not to any member thereof unless permission to do so is first granted by the presiding officer. Unless further time is granted by the presiding officer or the council, members of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a councilmember or city official except through the presiding officer. **If your address is exempt from public record you are**

not required to state it. In addition do not give out your Social Security Number, phone number, email address of any other information you do not want others to have access to as the meetings are recorded and those recordings are considered public record.

Pursuant to the provisions of Chap. 286, F.S., Sec. 286.0105, if a person decides to appeal any decision made by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based and is advised to make such arrangements at his or her own expense.

City of Groveland
Minutes
Local Planning Agency Meeting
Monday, December 21, 2015

The Groveland Local Planning Agency held a regular meeting on Monday, December 21, 2015 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 6:35pm with the following members present: Vice Mayor Karen McMican, Council Member Dina Sweatt, Council Member Mike Radzik and Council Member John Griffin. City officials present were City Attorney Anita Geraci-Carver, City Manager Redmond Jones, City Clerk Teresa Begley, and Chief M. Smith Tennyson.

AGENDA

1. Approval of LPA Minutes 12-07-2015

Council Member Sweatt moved to approve; seconded by Council Member Radzik. The motion was approved with all members present voting aye.

2. Final Plat – Green Valley Townhomes

Council Member Radzik moved forward to Council with the recommendation of approval; seconded by Vice Mayor McMican. The motion was approved with all members present voting aye.

3. Final Plat – Cypress Oaks

Council Member Sweatt moved forward to Council with the recommendation of approval; seconded by Council Member Radzik. The motion was approved with all members present voting aye.

Adjournment

Mayor Loucks adjourned the meeting at 6:40pm.

Attest:



Tim Loucks, Mayor

Teresa Begley, City Clerk



REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Ordinance 2016-01-01
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CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

PREPARED BY: Ryan Berger, Community Development Director

DATE: January 26, 2016

BACKGROUND:

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Motevista Road.

The total project is 486.53 acres as follows:

60% Open Space: 293.35

- Wetlands: 189.68
- Park Land: 9.28
- 50' Wetland Buffer: 6.08
- 20' Landscape Buffer: 5.81
- 50' R/W Green Area: 9.04
- Cul-de-Sac Green Area: 0.19
- Dedicated R/W CR565A: 0.69
- Open Space/Retention: 72.58

Park Facilities: 3.93

Navigable Waterways: 29.22

Residential: 160.03

The lots are as follows:

65' X 170': 172 Lots

50' X 120': 317 Lots

4 Plex: 26 for a total of 104 units

6 Plex: 26 for a total of 144 units

Total: 737 units.

"The city with a future, watch us grow!"

Project Overview:

In 1996 the City of Groveland entered into a mediation and stipulated settlement agreement related to the development densities of the green swamp. This agreement identified parcels of land that would be exempt from the 1 unit per 5 acers of density cap within the Green Swamp.

One of these parcels was the Cypress Lake Reserve f/k/a Montevista Farms (previously called Hearthstone and “Banyan’s tract”). The settlement agreement stated that this land would receive the Future Land Use designation determined through an administration hearing with the Department of Community Affairs (DOAH Docket NO. 04-003651GM).

The administrative hearing permitted 2 units per acre through a Future Land Use designation of Green Swamp Single Family Rural.

In October of 2015 the applicant came to the City requesting a Future Land Use change to Green Swamp Single Family Low Density. This change would have permitted 4 units per acre – double then permitted through the settlement agreement.

Because of the sensitivity related to densities within the green swamp and the past settlement agreement the applicant and the City worked together to reduce the density of the project by increasing some of the lot sizes from 50’ x 170’ to 65 x 170’ and increasing the open space from 53% to 60%.

The applicant is now requesting a site specific density of 2.8 units per acer.

In order to move this project forward staff is presenting a total of five action items. Together they will hold the City harmless to any potential damages related to settlement agreement, clarify Groveland’s comprehensive plan related to density requirements within the Green Swamp, change the way wetlands are counted towards open space, amend the future land use and designate the zoning.

1. Indemnification Agreement:

The City has expressed concern that an increase in the density in developing the Property may be challenged by parties to the Lake County Litigation and/or by the Department of Economic Opportunity. The City does not wish to expend public funds in the event litigation arises from any objections occurring as a result of approving an increased density. As a solution the applicant is willing to indemnify the City and hold the City harmless from any and all challenges which result should the City Council approve transmittal and/or adoption of the proposed comprehensive plan amendment or any variation thereof, arising out of the Lake County Litigation or DOAH Challenge, subject to the terms and conditions of this Agreement.

If City Council approves the indemnification agreement Ordinance 2015-01-03 may be transmitted to the State of Florida.

“The city with a future, watch us grow!”

2. **Ordinance 2016-01-01:** *Providing clarity within Groveland's Comprehensive Plan related to properties within the Green Swamp.*

Certain properties were identified through the settlement agreement to be developed at a higher density than 1 unit per 5 acres. This Comprehensive Plan amendment excludes these parcels from that requirement for clarity.

3. **Ordinance 2016-01-02:** *Increasing the amount of wetlands counted towards open space within the Green Swamp from 50% to 100%.*

The Cypress Reserve Plan as presented counts 100% of the wetlands towards the 60% open space requirement. Groveland's Comprehensive Plan only allows 50% of wetlands to be counted, however the State of Florida allows 100%. This Comprehensive Plan Amendment changes the City of Groveland regulations to match the State of Florida within the Green Swamp.

4. **Ordinance 2016-01-03:** *Increasing the density of the Cypress Lake Reserve project from the 2 units per acre permitted through the settlement agreement to 2.8 units per acre.*

This ordinance changes the Future Land Use designation from Green Swamp Single Family Rural and Conservation to Green Swamp Single Family Low Density and Conservation with a maximum density of 2.8 units per acre.

5. **Ordinance 2016-01-04:** *Designating the zoning through a Planned Unit Development.*

This ordinance designates the zoning of the project. The setbacks are as follows:

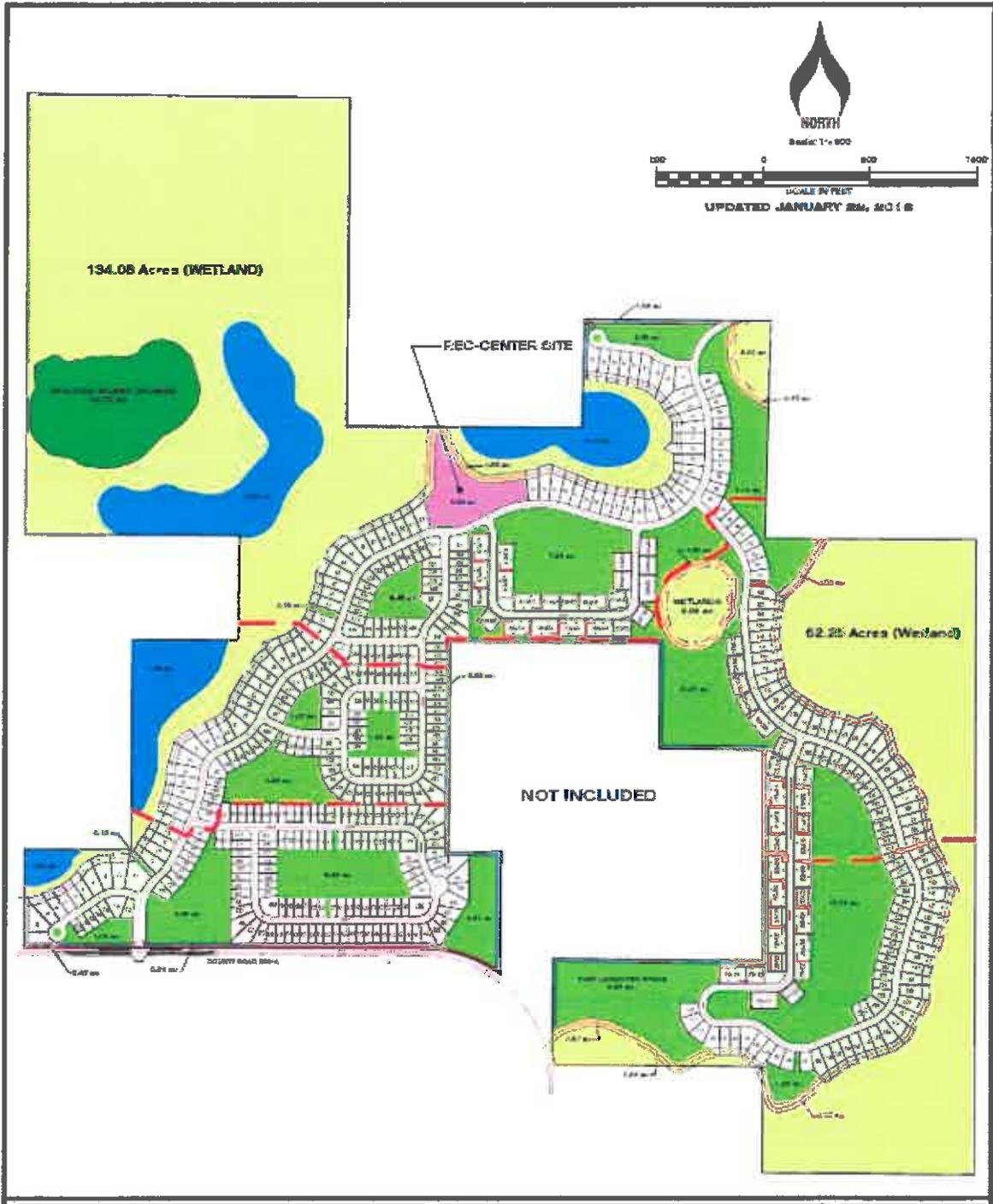
Single Family Detached & Townhome

Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

A range of side setbacks shall be provided in order to create diversity and flexibility. Corner lots shall have a street side setback of ten feet (10'). Minimum building separation between townhome building will be ten feet (10').

The minimum dwelling size for a single family home is 1,300 square feet. Townhomes will have a minimum of 1,000 square feet.

The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.



"The city with a future, watch us grow!"

Ordinance 2016-01-01:

Certain properties were identified through the settlement agreement to be developed at a higher density than 1 unit per 5 acres. This Comprehensive Plan amendment excludes these parcels from that requirement for clarity.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

ORDINANCE 2016-01-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, BY AMENDING FUTURE LAND USE ELEMENT POLICY 1.3.7 OF THE CITY OF GROVELAND COMPREHENSIVE PLAN RELATING TO INTENSITY OF DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of Groveland, Florida adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended, and

WHEREAS, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below to clarify Land Use Element Policy 1.3.7 of the Comprehensive Plan; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Legislative Findings

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

Section 2. Future Land Use Element Policy 1.3.7

The following policy is amended:

No lands(a) either currently within Groveland City limit or later annexed and (b) within the Green Swamp of Critical State Concern shall be permitted, approved, rezoned,

or designated for residential development at a net density greater than or more intense than one (1) unit per (5) acres except for those tracts of land identified within Lake County CASE NO. 04-CA-2843 or DOAH Docket No. 04-003651. The Green Swamp Area of Critical State Concern is defined by Section 380.0551, Florida Statutes, and Fla. Admin. Code R. 28-26.003.

Section 3. Severability

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Direction to the City Manager

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

Section 5. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, the Department of Education, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

Section 7. Effective Date

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

TERESA BEGLEY
City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading _____

Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Ordinance 2016-01-02
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CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

PREPARED BY: Ryan Berger, Community Development Director

DATE: January 26, 2016

BACKGROUND:

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Motevista Road.

The total project is 486.53 acres as follows:

60% Open Space: 293.35

- Wetlands: 189.68
- Park Land: 9.28
- 50' Wetland Buffer: 6.08
- 20' Landscape Buffer: 5.81
- 50' R/W Green Area: 9.04
- Cul-de-Sac Green Area: 0.19
- Dedicated R/W CR565A: 0.69
- Open Space/Retention: 72.58

Park Facilities: 3.93

Navigable Waterways: 29.22

Residential: 160.03

The lots are as follows:

65' X 170': 172 Lots

50' X 120': 317 Lots

4 Plex: 26 for a total of 104 units

6 Plex: 26 for a total of 144 units

Total: 737 units.

"The city with a future, watch us grow!"

Project Overview:

In 1996 the City of Groveland entered into a mediation and stipulated settlement agreement related to the development densities of the green swamp. This agreement identified parcels of land that would be exempt from the 1 unit per 5 acres of density cap within the Green Swamp.

One of these parcels was the Cypress Lake Reserve f/k/a Montevista Farms (previously called Hearthstone and "Banyan's tract"). The settlement agreement stated that this land would receive the Future Land Use designation determined through an administration hearing with the Department of Community Affairs (DOAH Docket NO. 04-003651GM).

The administrative hearing permitted 2 units per acre through a Future Land Use designation of Green Swamp Single Family Rural.

In October of 2015 the applicant came to the City requesting a Future Land Use change to Green Swamp Single Family Low Density. This change would have permitted 4 units per acre – double then permitted through the settlement agreement.

Because of the sensitivity related to densities within the green swamp and the past settlement agreement the applicant and the City worked together to reduce the density of the project by increasing some of the lot sizes from 50' x 170' to 65 x 170' and increasing the open space from 53% to 60%.

The applicant is now requesting a site specific density of 2.8 units per acre.

In order to move this project forward staff is presenting a total of five action items. Together they will hold the City harmless to any potential damages related to settlement agreement, clarify Groveland's comprehensive plan related to density requirements within the Green Swamp, change the way wetlands are counted towards open space, amend the future land use and designate the zoning.

1. Indemnification Agreement:

The City has expressed concern that an increase in the density in developing the Property may be challenged by parties to the Lake County Litigation and/or by the Department of Economic Opportunity. The City does not wish to expend public funds in the event litigation arises from any objections occurring as a result of approving an increased density. As a solution the applicant is willing to indemnify the City and hold the City harmless from any and all challenges which result should the City Council approve transmittal and/or adoption of the proposed comprehensive plan amendment or any variation thereof, arising out of the Lake County Litigation or DOAH Challenge, subject to the terms and conditions of this Agreement.

If City Council approves the indemnification agreement Ordinance 2015-01-03 may be transmitted to the State of Florida.

"The city with @ future, watch us grow!"

2. **Ordinance 2016-01-01:** *Providing clarity within Groveland's Comprehensive Plan related to properties within the Green Swamp.*

Certain properties were identified through the settlement agreement to be developed at a higher density than 1 unit per 5 acres. This Comprehensive Plan amendment excludes these parcels from that requirement for clarity.

3. **Ordinance 2016-01-02:** *Increasing the amount of wetlands counted towards open space within the Green Swamp from 50% to 100%.*

The Cypress Reserve Plan as presented counts 100% of the wetlands towards the 60% open space requirement. Groveland's Comprehensive Plan only allows 50% of wetlands to be counted, however the State of Florida allows 100%. This Comprehensive Plan Amendment changes the City of Groveland regulations to match the State of Florida within the Green Swamp.

4. **Ordinance 2016-01-03:** *Increasing the density of the Cypress Lake Reserve project from the 2 units per acre permitted through the settlement agreement to 2.8 units per acre.*

This ordinance changes the Future Land Use designation from Green Swamp Single Family Rural and Conservation to Green Swamp Single Family Low Density and Conservation with a maximum density of 2.8 units per acre.

5. **Ordinance 2016-01-04:** *Designating the zoning through a Planned Unit Development.*

This ordinance designates the zoning of the project. The setbacks are as follows:

Single Family Detached & Townhome

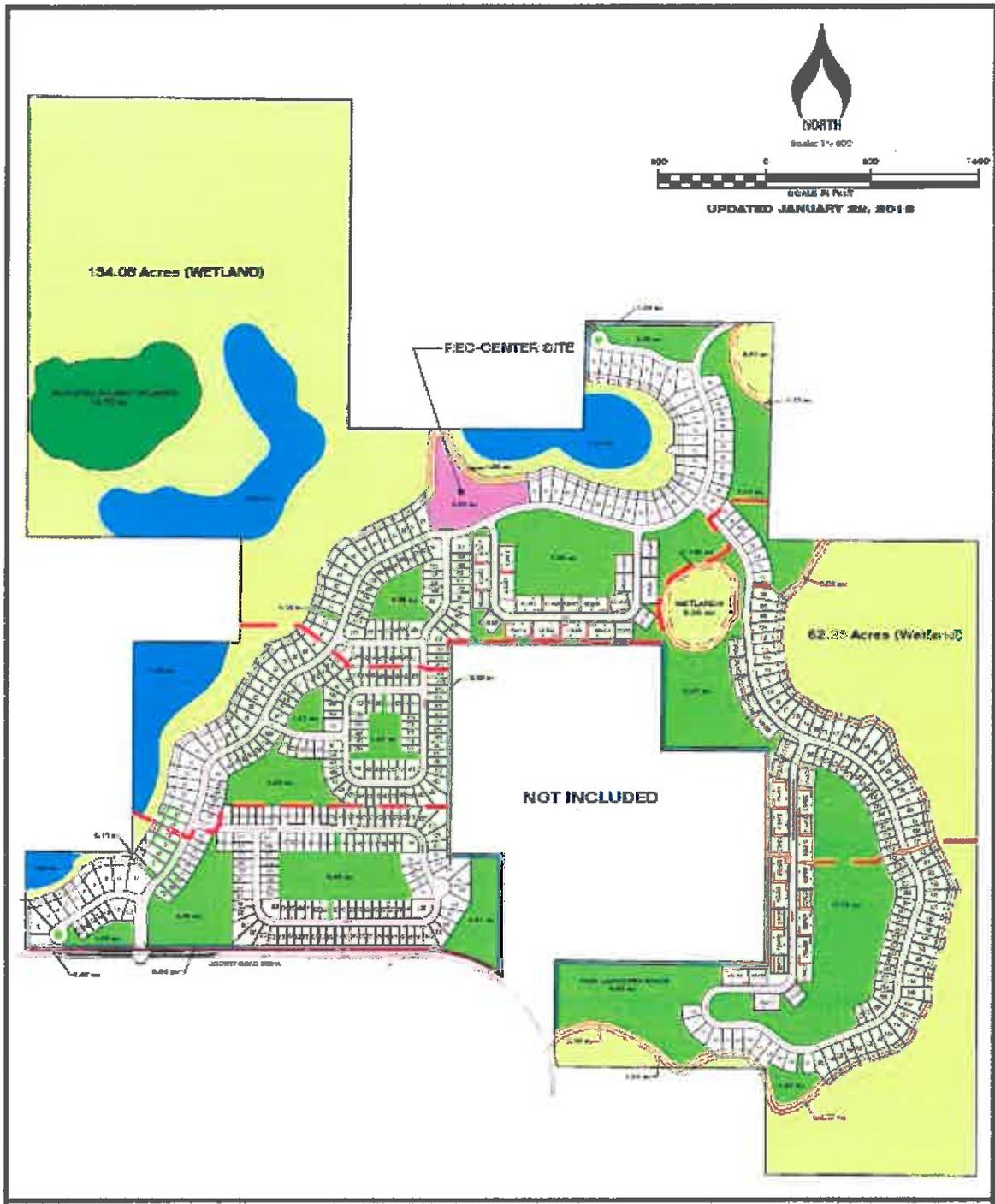
Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

A range of side setbacks shall be provided in order to create diversity and flexibility. Corner lots shall have a street side setback of ten feet (10'). Minimum building separation between townhome building will be ten feet (10').

The minimum dwelling size for a single family home is 1,300 square feet. Townhomes will have a minimum of 1,000 square feet.

The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.

"The city with a future, watch us grow!"



"The city with a future, watch us grow."

Ordinance 2016-01-02:

The Cypress Reserve Plan as presented counts 100% of the wetlands towards the 60% open space requirement. Groveland's Comprehensive Plan only allows 50% of wetlands to be counted, however the State of Florida allows 100%. This Comprehensive Plan Amendment changes the City of Groveland regulations to match the State of Florida within the Green Swamp.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

"The city with a future, watch us grow!"

ORDINANCE 2016-01-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, TO ALLOW IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN 100% OF OPEN SPACE REQUIREMENTS TO BE MET WITH WETLANDS; AMENDING CONSERVATION ELEMENT POLICY 1.16.1, RECREATION AND OPEN SPACE ELEMENT POLICY 1.5.2, AND NOTES TO TABLE 3 OF THE FUTURE LAND USE ELEMENT ALL OF THE CITY OF GROVELAND'S COMPREHENSIVE PLAN; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of Groveland, Florida adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended, and

WHEREAS, the request for this comprehensive plan amendment is initiated by an owner of real property located in the Green Swamp Area of Critical State Concern, Montevista Farms, LLC, and the request is to allow, development located in the Green Swamp Area of Critical State Concern, to meet 100% of its open space requirements with wetlands; and

WHEREAS, the City of Groveland has considered the request and desires to amend the definition of open space as provided in the following polices contained in the City of Groveland's Comprehensive Plan: Conservation Element Policy 1.16.1, Recreation and Open Space Element Policy 1.5.2, and Notes to Table 3 of the Future Land Use Element; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

WHEREAS, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Legislative Findings

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

Section 2. Conservation Element Policy 1.16.1

Policy 1.16.1 is amended to read:

Open Space is figured on the Gross Land Area. Up to 50% of the open space requirement may be met with wetlands, except in the Green Swamp Area of Critical State Concern where 100% of the open space requirement may be met with wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public recreational components of developments. The majority of the open space shall be permeable; however, up to 10% maybe impervious (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10 percent.

Section 3. Recreation and Open Space Element Policy 1.5.2

Policy 1.5.2 is amended to read:

Open Space Definitions. The City hereby adopts the following definition for open space.

Open Space: Open space is figured on the Gross Land Area. Up to 50% of the open space requirement may be met with wetlands, except in the Green Swamp Area of Critical State Concern where 100% of the open space requirement may be met with wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public recreational components of developments. The majority of the open space shall be permeable; however, up to 10% maybe impervious (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10%.

Section 4. Future Land Use Element

The paragraph entitled "Notes" under Table 3: Permitted Maximum Density/Intensity Within Land Use Categories, in Chapter 1, Future Land Use Element, is amended to read:

Notes: Open Space: Open space is figured on the Gross Land Area. Up to 50% of the open space requirement may be met with wetlands, except in the Green Swamp Area of Critical State Concern where 100% of the open space requirement may be met with

wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public recreational components of developments. The majority of the open space shall be permeable; however, up to 10% maybe impervious (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10%.

Densities would be determined by the Net Land Area. The Net Land Area is figured by taking the Gross Land Area (total property) less any lakes or water bodies).

Section 4. Severability

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

Section 5. Direction to the City Manager

The City Manager is hereby authorized to amend the comprehensive plan as indicated herein.

Section 6. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, the Department of Education, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

Section 8. Effective Date

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

TERESA BEGLEY
City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading _____
Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Ordinance 2016-01-03
--

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

PREPARED BY: Ryan Berger, Community Development Director

DATE: January 26, 2016

BACKGROUND:

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Motevista Road.

The total project is 486.53 acres as follows:

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- Wetlands: 189.68
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Total: 737 units.

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Project Overview:

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One of these parcels was the Cypress Lake Reserve f/k/a Montevista Farms (previously called Hearthstone and "Banyan's tract"). The settlement agreement stated that this land would receive the Future Land Use designation determined through an administration hearing with the Department of Community Affairs (DOAH Docket NO. 04-003651GM).

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In October of 2015 the applicant came to the City requesting a Future Land Use change to Green Swamp Single Family Low Density. This change would have permitted 4 units per acre – double then permitted through the settlement agreement.

Because of the sensitivity related to densities within the green swamp and the past settlement agreement the applicant and the City worked together to reduce the density of the project by increasing some of the lot sizes from 50' x 170' to 65 x 170' and increasing the open space from 53% to 60%.

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In order to move this project forward staff is presenting a total of five action items. Together they will hold the City harmless to any potential damages related to settlement agreement, clarify Groveland's comprehensive plan related to density requirements within the Green Swamp, change the way wetlands are counted towards open space, amend the future land use and designate the zoning.

1. Indemnification Agreement:

The City has expressed concern that an increase in the density in developing the Property may be challenged by parties to the Lake County Litigation and/or by the Department of Economic Opportunity. The City does not wish to expend public funds in the event litigation arises from any objections occurring as a result of approving an increased density. As a solution the applicant is willing to indemnify the City and hold the City harmless from any and all challenges which result should the City Council approve transmittal and/or adoption of the proposed comprehensive plan amendment or any variation thereof, arising out of the Lake County Litigation or DOAH Challenge, subject to the terms and conditions of this Agreement.

If City Council approves the indemnification agreement Ordinance 2015-01-03 may be transmitted to the State of Florida.

"The city with a future, watch us grow!"

2. **Ordinance 2016-01-01: Providing clarity within Groveland's Comprehensive Plan related to properties within the Green Swamp.**

Certain properties were identified through the settlement agreement to be developed at a higher density than 1 unit per 5 acres. This Comprehensive Plan amendment excludes these parcels from that requirement for clarity.

3. **Ordinance 2016-01-02: Increasing the amount of wetlands counted towards open space within the Green Swamp from 50% to 100%.**

The Cypress Reserve Plan as presented counts 100% of the wetlands towards the 60% open space requirement. Groveland's Comprehensive Plan only allows 50% of wetlands to be counted, however the State of Florida allows 100%. This Comprehensive Plan Amendment changes the City of Groveland regulations to match the State of Florida within the Green Swamp.

4. **Ordinance 2016-01-03: Increasing the density of the Cypress Lake Reserve project from the 2 units per acre permitted through the settlement agreement to 2.8 units per acre.**

This ordinance changes the Future Land Use designation from Green Swamp Single Family Rural and Conservation to Green Swamp Single Family Low Density and Conservation with a maximum density of 2.8 units per acre.

5. **Ordinance 2016-01-04: Designating the zoning through a Planned Unit Development.**

This ordinance designates the zoning of the project. The setbacks are as follows:

Single Family Detached & Townhome

Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

A range of side setbacks shall be provided in order to create diversity and flexibility. Corner lots shall have a street side setback of ten feet (10'). Minimum building separation between townhome building will be ten feet (10').

The minimum dwelling size for a single family home is 1,300 square feet. Townhomes will have a minimum of 1,000 square feet.

The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.

Ordinance 2016-01-03:

This ordinance changes the Future Land Use designation from Green Swamp Single Family Rural and Conservation to Green Swamp Single Family Low Density and Conservation with a maximum density of 2.8 units per acer.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

ORDINANCE 2016-01-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY RURAL AND CONSERVATION TO CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY LOW DENSITY AND CONSERVATION ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of Groveland, Florida adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended, and

WHEREAS, the request for this large scale plan amendment is initiated by the owner, Montevista Farms, LLC; and

WHEREAS, the owner desires to use the property for residential development; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

WHEREAS, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Legislative Findings

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

Section 2. Comprehensive Plan Amendment

A. The Property is legally described as:

The East 1/2 of the Northwest 1/4 of the Northwest 1/4, Section 28, Township 22 South, Range 25 East, Lake County, Florida, AND

The West 1/2 of the Southwest 1/4 of Section 27, Township 22 South, Range 25 East, Lake County, Florida, AND

Tract 23 less the West 150 feet thereof, tracts 24 – 28, 36-41, 44, 45, 51-53, and the West 1/2 of Tract 59, lying North of C.R. S-565-A, and Tracts 60-63, lying North of C.R. S-565-A, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 28, Township 22 South, Range 25 East, AND

The West 1/2 of Tract 6 which lies East and North of C.R. 565-A, Tract 7 lying East of C.R. S-565-A and Tract 8, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 33, Township 22 South, Range 25 East, all lying in Lake County Florida, AND

Tracts 19, 20, 29, and 30, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 28, Township 22 South, Range 25 East, together with the East 1/2 of the Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 Section 28, Township 22 South, Range 25 East, Lake County, Florida, AND

The Northwest 1/4 of the Northwest 1/4 of Section 34, Township 22 South, Range 25 East, encompassing Tracts 1, 2, 15 and 16, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10 -11, Public Records of Lake County, Florida, lying in Section 34, Township 22 South, Range 25 East, together with the West 1/2 of the Southwest 1/4 of Section 27, Township 22 South, Range 25 East, AND

Tract 46, GROVELAND FARMS, in Section 28, Township 22 South, Range 25 East, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida.

B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the hereafter described real property (the "Property"), on the City of Groveland Future Land Use Map from Green Swamp Single Family Rural and Conservation and designating the Property on the Future Land Use Map to:

GREEN SWAMP SINGLE FAMILY LOW DENSITY: 267.63 acres more particularly depicted and described in **Exhibit A** hereto which shall be developed at a maximum density of 2.8 units per acre.

CONSERVATION: 218.9 acres more particularly depicted and described in **Exhibit A** hereto.

Section 3. Severability

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Direction to the City Manager

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

Section 5. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, the Department of Education, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

Section 7. Effective Date

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

TERESA BEGLEY
City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

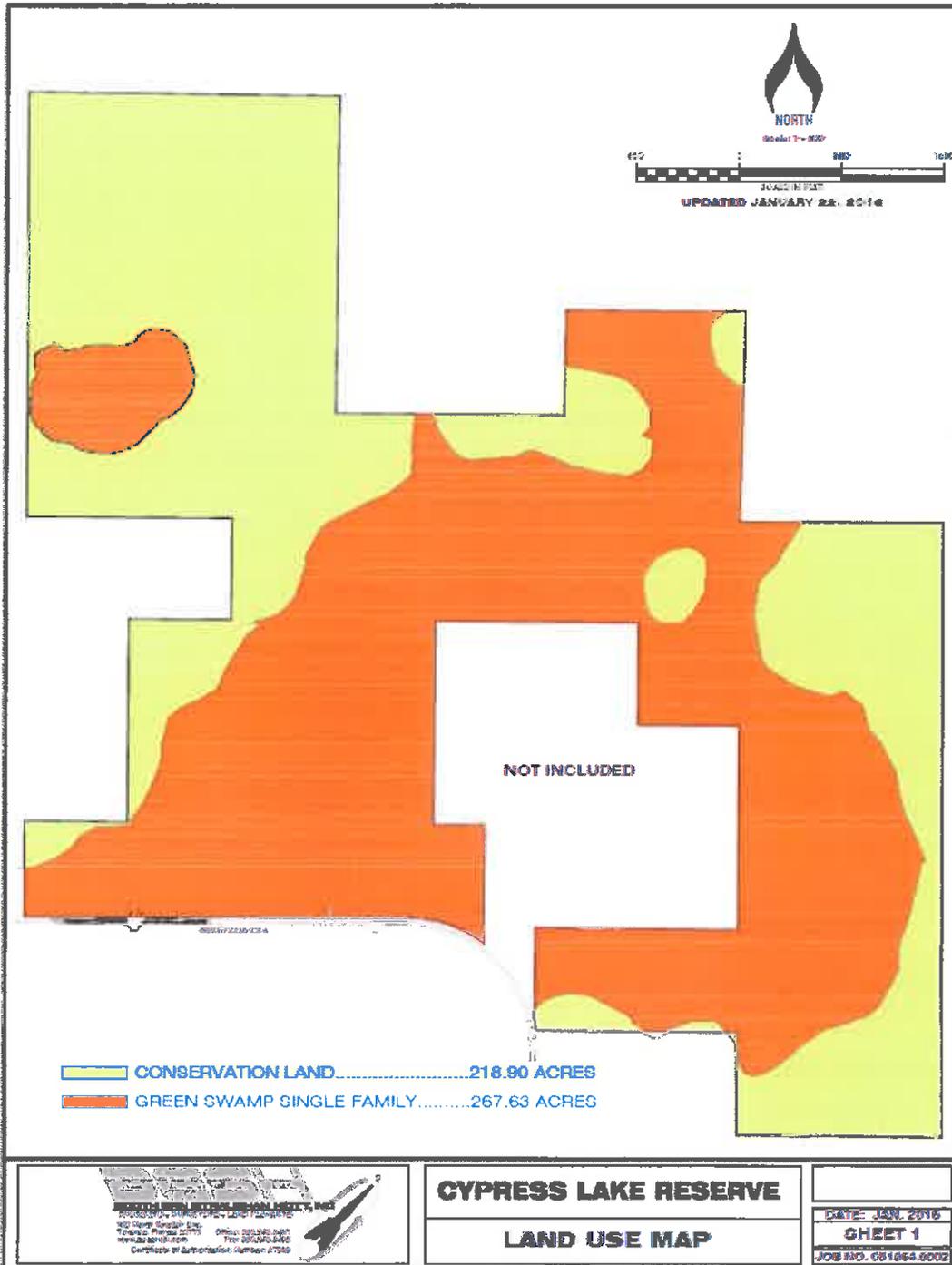
First Reading _____

Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

Exhibit A





REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Ordinance 2016-01-04
--

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

PREPARED BY: Ryan Berger, Community Development Director

DATE: January 26, 2016

BACKGROUND:

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Motevista Road.

The total project is 486.53 acres as follows:

60% Open Space: 293.35

- Wetlands: 189.68
- Park Land: 9.28
- 50' Wetland Buffer: 6.08
- 20' Landscape Buffer: 5.81
- 50' R/W Green Area: 9.04
- Cul-de-Sac Green Area: 0.19
- Dedicated R/W CR565A: 0.69
- Open Space/Retention: 72.58

Park Facilities: 3.93

Navigable Waterways: 29.22

Residential: 160.03

The lots are as follows:

65' X 170': 172 Lots

50' X 120': 317 Lots

4 Plex: 26 for a total of 104 units

6 Plex: 26 for a total of 144 units

Total: 737 units.

"The city with a future, watch us grow!"

Project Overview:

In 1996 the City of Groveland entered into a mediation and stipulated settlement agreement related to the development densities of the green swamp. This agreement identified parcels of land that would be exempt from the 1 unit per 5 acres of density cap within the Green Swamp.

One of these parcels was the Cypress Lake Reserve f/k/a Montevista Farms (previously called Hearthstone and "Banyan's tract"). The settlement agreement stated that this land would receive the Future Land Use designation determined through an administration hearing with the Department of Community Affairs (DOAH Docket NO. 04-003651GM).

The administrative hearing permitted 2 units per acre through a Future Land Use designation of Green Swamp Single Family Rural.

In October of 2015 the applicant came to the City requesting a Future Land Use change to Green Swamp Single Family Low Density. This change would have permitted 4 units per acre – double then permitted through the settlement agreement.

Because of the sensitivity related to densities within the green swamp and the past settlement agreement the applicant and the City worked together to reduce the density of the project by increasing some of the lot sizes from 50' x 170' to 65 x 170' and increasing the open space from 53% to 60%.

The applicant is now requesting a site specific density of 2.8 units per acre.

In order to move this project forward staff is presenting a total of five action items. Together they will hold the City harmless to any potential damages related to settlement agreement, clarify Groveland's comprehensive plan related to density requirements within the Green Swamp, change the way wetlands are counted towards open space, amend the future land use and designate the zoning.

1. Indemnification Agreement:

The City has expressed concern that an increase in the density in developing the Property may be challenged by parties to the Lake County Litigation and/or by the Department of Economic Opportunity. The City does not wish to expend public funds in the event litigation arises from any objections occurring as a result of approving an increased density. As a solution the applicant is willing to indemnify the City and hold the City harmless from any and all challenges which result should the City Council approve transmittal and/or adoption of the proposed comprehensive plan amendment or any variation thereof, arising out of the Lake County Litigation or DOAH Challenge, subject to the terms and conditions of this Agreement.

If City Council approves the indemnification agreement Ordinance 2015-01-03 may be transmitted to the State of Florida.

"The city with a future, watch us grow!"

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Certain properties were identified through the settlement agreement to be developed at a higher density than 1 unit per 5 acres. This Comprehensive Plan amendment excludes these parcels from that requirement for clarity.

3. **Ordinance 2016-01-02: Increasing the amount of wetlands counted towards open space within the Green Swamp from 50% to 100%.**

The Cypress Reserve Plan as presented counts 100% of the wetlands towards the 60% open space requirement. Groveland's Comprehensive Plan only allows 50% of wetlands to be counted, however the State of Florida allows 100%. This Comprehensive Plan Amendment changes the City of Groveland regulations to match the State of Florida within the Green Swamp.

4. **Ordinance 2016-01-03: Increasing the density of the Cypress Lake Reserve project from the 2 units per acre permitted through the settlement agreement to 2.8 units per acre.**

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5. **Ordinance 2016-01-04: Designating the zoning through a Planned Unit Development.**

This ordinance designates the zoning of the project. The setbacks are as follows:

Single Family Detached & Townhome

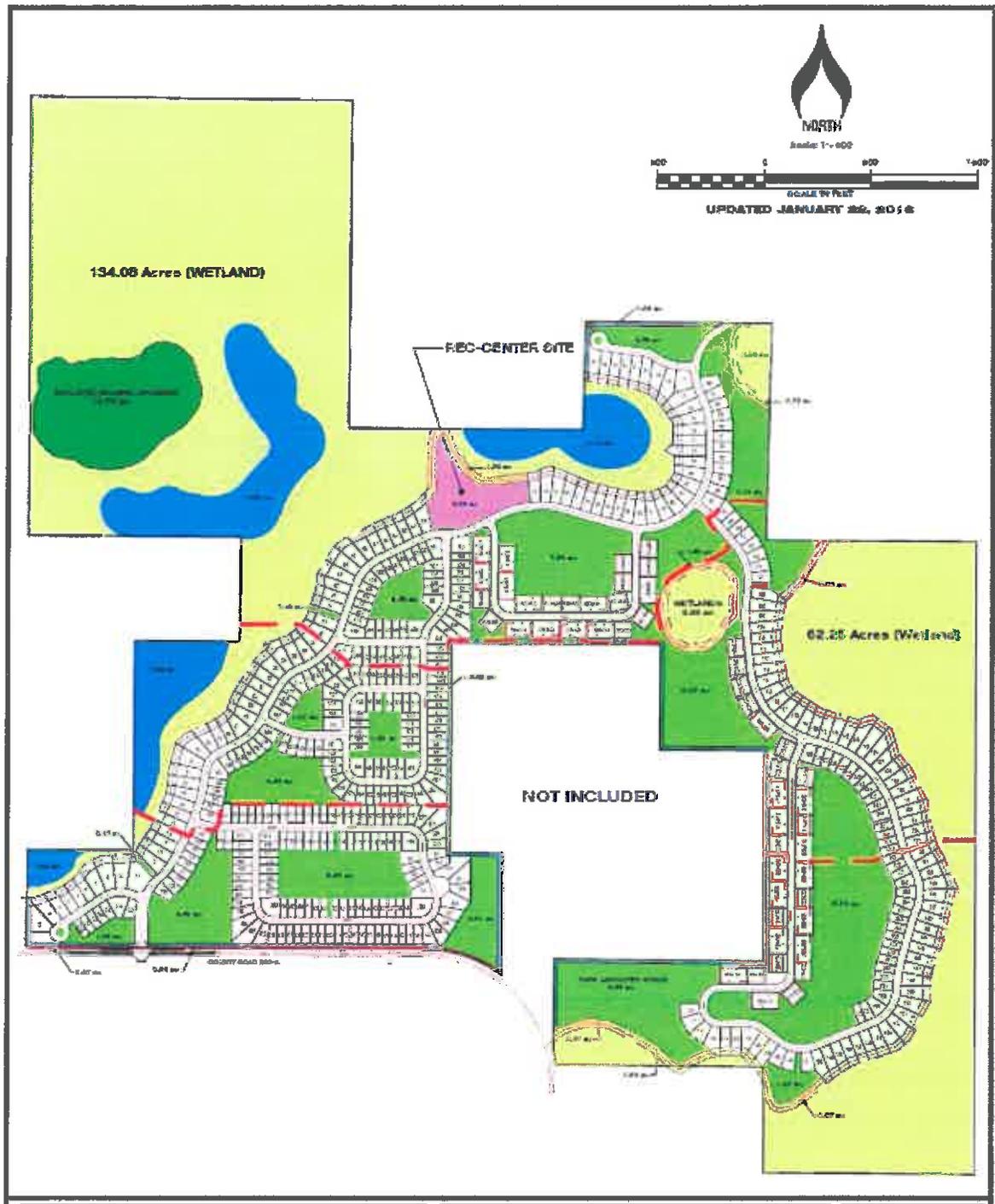
Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

A range of side setbacks shall be provided in order to create diversity and flexibility. Corner lots shall have a street side setback of ten feet (10'). Minimum building separation between townhome building will be ten feet (10').

The minimum dwelling size for a single family home is 1,300 square feet. Townhomes will have a minimum of 1,000 square feet.

The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.

"The city with a future, watch us grow!"



"The city with a future, watch us grow!"

Ordinance 2016-01-04:

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Side: Five feet (5')

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The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

"The city with a future, watch us grow!"

ORDINANCE 2016-01-04

AMENDMENT TO AND REENACTMENT OF ORDINANCE 2006-08-74, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, ASSIGNING A ZONING DESIGNATION OF PUD CITY OF GROVELAND FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF GROVELAND, FLORIDA; OWNED BY MONTEVISTA FARMS, LLC; PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property was zoned as a Planned Unit Development in Ordinance 2006-08-74 but Plat or Construction plans were never submitted and therefore the Planned Unit Development Zoning Ordinance expired; and

WHEREAS, Montevista Farms, LLC seeks to reenact and amend Ordinance 2006-08-74, in order to develop the land as a residential subdivision;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Groveland, Florida, as follows:

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Groveland, Florida, shall hereafter be designated as PUD, as defined in the Groveland Land Use and Development Ordinances (the "City Land Ordinances").

LEGAL DESCRIPTION:

The East 1/2 of the Northwest 1/4 of the Northwest 1/4, Section 28, Township 22 South, Range 25 East, Lake County, Florida, AND

The West 1/2 of the Southwest 1/4 of Section 27, Township 22 South, Range 25 East, Lake County, Florida, AND

Tract 23 less the West 150 feet thereof, tracts 24 – 28, 36-41, 44, 45, 51-53, and the West 1/2 of Tract 59, lying North of C.R. S-565-A, and Tracts 60-63, lying North of C.R. S-565-A, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 28, Township 22 South, Range 25 East, AND

The West 1/2 of Tract 6 which lies East and North of C.R. 656-A, Tract 7 lying East of C.R. S-565-A and Tract 8, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 33, Township 22 South, Range 25 East, all lying in Lake County Florida, AND

Tracts 19, 20, 29, and 30, GROVELAND FARMS, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 28, Township 22 South, Range 25 East, together with the East 1/2 of the Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4 Section 28, Township 22 South, Range 25 East, Lake County, Florida, AND

The Northwest 1/4 of the Northwest 1/4 of Section 34, Township 22 South, Range 25 East, encompassing Tracts 1, 2, 15 and 16, GROVELAND FARMS, according to the plat thereof, as

recorded in Plat Book 2, Pages 10 -11, Public Records of Lake County, Florida, lying in Section 34, Township 22 South, Range 25 East, together with the West 1/2 of the Southwest 1/4 of Section 27, Township 22 South, Range 25 East, AND

Tract 46, GROVELAND FARMS, in Section 28, Township 22 South, Range 25 East, according to the plat thereof, as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida.

Section 2: Zoning Classification.

That the property being so designated as PUD is subject to the following terms and conditions:

General

Development shall be governed by the contents of this document and applicable sections of the City Land Ordinances and all other applicable rules, regulations and ordinances of the City.

Where in conflict, the terms of this document shall take precedence over the City Land Ordinances, and all other applicable rules, regulations and ordinances of the City.

Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the City Land Ordinances.

Purpose

The purpose of this PUD is to:

1. Create an attractive and high quality environment which is compatible with the scale and character of the local environment;
2. Develop a residential area that is safe, comfortable and attractive to pedestrians;
3. Create a community with direct visual and physical access to open land, with amenities in the form of community open space, and with a strong community identity;
4. Provide a network of open space, some of which may be utilized by the residents to access the natural environment through a system of walking and biking trails, thereby creating a healthy community;
5. Provide for a diversity and flexibility of lot sizes and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the City's population diversity may be maintained; and
6. Provide for a green community through provision of sanitary sewer, reduction in amount of pervious surfaces and opportunities for nature-based recreation.

Land Uses

The Concept Plan for this development is attached hereto as Exhibit "A" and is an integral part of this PUD document. Elements in the development must include residential uses (single-family detached and townhome dwelling units are permitted), recreation, wetlands and navigable waterways. The approximate acreage devoted to each land use shall be as follows:

Total Project: 486.53

60% Open Space: 293.35

- Wetlands: 189.68
- Park Land: 9.28
- 50' Wetland Buffer: 6.08

- 20' Landscape Buffer: 5.81
- 50' R/W Green Area: 9.04
- Cul-de-Sac Green Area: 0.19
- Dedicated R/W CR565A: 0.69
- Open Space/Retention: 72.58

Park Facilities: 3.93

Navigable Waterways: 29.22

Residential: 160.03

Note(s):

- Residential and open space acreage will be determined through field verification of wetlands, topography and a 100-year flood study;
- Non-substantial deviations from the acreages shall be allowed, provided there is no further increase in density; and
- Residential type and use, including the number and mix of lots, may be amended at Preliminary Subdivision Plan, so long as the proposed development includes only permitted residential units (single-family detached and townhome dwelling units) and the overall density does not exceed 2.8 dwelling units per acre.

Setbacks

The following setbacks shall be applied:

Single Family Detached & Townhome

Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

A range of side setbacks shall be provided in order to create diversity and flexibility. Corner lots shall have a street side setback of ten feet (10'). Minimum building separation between townhome building will be ten feet (10').

Lot Size

A range of lot sizes shall be provided in order to create variety and offer opportunity for different income households.

Single-family residential detached unit lot sizes will include, but are not limited to fifty feet (50') x one hundred twenty feet (120') and sixty-five feet (65') x one hundred seventy feet (170'). The minimum lot size for a single-family detached residential unit will be six thousand (6,000) square feet.

Townhome unit lot sizes will include, but are not limited to twenty feet (20') x eighty feet (80') and twenty feet (20') x ninety feet (90'). The minimum lot size for a townhome residential unit will be sixteen hundred (1,600) square feet.

Dwelling Size

The minimum dwelling size for single-family detached units shall be thirteen hundred (1,300) square feet and for townhome units shall be one thousand (1,000) square feet, calculated as heated/air conditioned space under roof, exclusive of garage, carports and porches.

The maximum number of home sites should provide views of and access to adjoining open space.

Lot Width and Depth

In accordance with the principle of providing diversity in the development a variety of lot widths shall be permitted. In order to achieve this diversity and flexibility, the development shall contain no less than two different lot widths for single-family residential units, which shall be interspersed throughout the subdivision.

The single family residential unit minimum lot width will be in the range of fifty feet (50') to one hundred twenty (120) feet, with the minimum lot width at building line of fifty feet (50') and a minimum street frontage of twenty feet (20'). The single family residential unit minimum lot depth will be one hundred twenty feet (120').

Townhome units will have a minimum lot width of twenty feet (20') and a minimum lot depth of eighty feet (80').

Lot Coverage

Single family residential lots shall have a maximum lot coverage of seventy percent (70%) to include principal dwelling, all paved areas and swimming pools.

Impervious Surface Area

Townhome lots shall have a maximum Impervious Surface Area of 0.85.

Height of Structures

No residential structure shall exceed 2½ stories or thirty-five feet (35') in height.

The Owner or developer shall adopt deed restrictions which prohibit manufactured or otherwise prefabricated homes.

Building Design

The following principles seek to promote a high quality development that will create a sense of place and community through the development of the site.

- A diversity of housing styles, shapes and materials will be encouraged, in order to create variety in the streetscape;
- The different housing types shall be integrated architecturally, in order to give the development a harmonious appearance;
- The creation of visual richness should be considered when choosing materials and details. Local characteristics are encouraged;
- Side entrances for garages are encouraged;
- A variety of roof heights, pitches and materials are encouraged; and
- Landscaping should be incorporated into the overall design, as a means of linking the development areas with the open spaces.

Building Diversity

A variety of architectural details or model types shall be provided so as to avoid a monotonous appearance. The floor plans and elevations submitted will display both an innovative design and sufficient additional amenities to ensure a high quality development. Design principals demonstrated in the plans submitted will include a diversity of elevations and architectural features, such as front porches, shutters, stone accents, a variety of color schemes, and a minimum 5:12 pitch roof. Identical or similar buildings may not be repeated more frequently than every fourth house along the same side of any street, opposite or diagonally opposite in a residential floor plan.

Recreation and Open Space

The proposed development is designed to provide for at least 60% open space. A total of 9.28 acres of park land is provided. A minimum of 3.93 acres shall be provided for a recreation area in the subdivision in the approximate location indicated on the Concept Plan. Pursuant to Comprehensive Plan Policy 1.3.4, all recreation provided in the development will be restricted to low impact or passive recreation, limited to impervious surface coverage of ten percent (10%) of the lot. In addition to the recreation area, open space will be provided in the development site, which shall include: preserved wetlands, project buffer areas, upland habitat areas, recreation areas, drainage areas, landscaped areas, community parks, and grass verges in the right-of-way in the development. All passive recreational uses not prohibited in the City Land Ordinances are allowed.

Waterfront and Wetlands Buffer Requirement

No development shall be allowed in jurisdictional wetlands or floodplain on the property. A minimum upland buffer of fifty feet (50') shall be maintained by the Homeowner's Association or developer. This upland buffer is in addition to and shall not form part of any front, side or rear yard setback. No development except passive recreation, as defined in Policy 5-1.6.3 of the Comprehensive Plan, shall be permitted in wetland/lake areas.

Open Space Dedication

All open space shall be dedicated to the Homeowner's Association(s) established by the developer in perpetuity, running with the land and maintained by the same.

Phasing

The development may be constructed in phases. Each phase shall be developed in conformance with this ordinance and no individual phase may exceed the densities or intensities projected in the Concept Plan.

PUBLIC FACILITIES

Potable Water and Wastewater

The development shall be connected to the City's water, sewer and reclaimed water systems, prior to any Certificate of Occupancy being issued for any structure (except temporary construction uses) on the development. Expansion of the City's water, sewer and reclaimed water systems shall be negotiated by separate Utility Agreement(s) between the City and the Owner or developer. Such Utility Agreement(s) may include prepayment of impact fees to aid expansion of facilities, reimbursement of offsite costs paid by the Owner or developer by impact fee credits and/or cash reimbursement at the time of interconnection, if any, and the installation of reuse lines for irrigation of lots.

Solid Waste

Solid Waste collection shall be pursuant to City regulations, as amended.

Drainage

The maintenance of the drainage system shall be the responsibility of the Homeowner's Association(s).

Transportation

There shall be appropriate points of ingress and egress for the Development, subject to local government approval. These shall be in the approximate locations shown on the Concept Plan. All portions of the development should be accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development should provide appropriate pedestrian amenities.

Street and Sidewalks

The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to adjacent residential/community areas. Minor streets shall have a fifty foot (50') right-of-way with a minimum twenty-four foot (24') pavement and curb width. A minimum of a four foot (4') sidewalk shall be constructed on both sides of the roadway(s). Streets shall be laid out to promote pedestrian circulation and ease of access to the community areas.

Such trees shall comply with the City Land Ordinances for trees in the right-of-way. However, the types of street trees designated by the City will not be trees which will compromise the infrastructure of the development.

Landscaping Requirements

Lighting

Decorative street lighting shall be installed at every intersection, at the end of each cul-de-sac and at intervals of three hundred feet (300'), or as approved by the City Staff. Street lighting shall be installed by the Owner or developer and maintained by the Homeowner's Association(s). All lighting shall be directional, shielded lighting designed to minimize light pollution.

Utilities

All utilities shall be underground.

Signage

All signage on the Property shall be ground signage and shall comply with the City Land Ordinances.

Maintenance of Common Areas

Maintenance of all common areas in the residential component of the development shall be the responsibility of the Homeowner's Association(s) formed to govern such subdivision.

Amendments

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the City Council and Department of Economic Opportunity, in accordance with the legal procedures to amend zoning ordinances.

Expiration of PUD

Actual construction consistent with this PUD – Residential approvals (including construction plan approval) must begin within the Property within 3 years of the Effective Date of this ordinance without a lapse of construction. If actual construction fails to begin

as required herein or construction commences but lapses for a period of 8 consecutive months or longer, or for a period of twelve non-consecutive months collectively within a period of 18 months, this PUD and any approvals including construction plans shall be considered expired and of no further force or effect. Any vesting which may be claimed thereby shall be void. The applicant may request the City for a twelve month extension prior to expiration.

Actual construction must begin in the development in seven (7) years of construction plan approval. If actual construction has not begun in the timeframe above any vesting which may be claimed thereby shall be void. The applicant may request a twelve (12) month extension prior to expiration. Lapse of said site development for a period of twelve (12) months shall constitute a termination of construction.

Section 3: Consistent with Comprehensive Plan

The zoning classification is consistent with the Comprehensive Plan of the City of Groveland, Florida.

Section 4: Official Zoning Map

That the City Manager, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Groveland, Florida, to include said designation.

Section 5: Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Council.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this ____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

ATTEST:

Teresa Begley, City Clerk

Approved as to Form:

Anita Geraci-Carver
City Attorney



REQUEST FOR LAND PLANNING AGENCY CONSIDERATION

MEETING DATE:	February 1, 2016
AGENDA ITEM:	Ordinance 2016-01-05 Preserve at Sunrise PUD
CITY GOAL:	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
PREPARED BY:	Ryan Berger, Community Development Director
DATE:	January 26, 2016

BACKGROUND:

The Preserve at Sunrise Project is a residential development with 455 units located near Villa City Road and Irving Bend Drive.

The total project is 340 acres as follows:

Residential:	91 +/- acres
Park Land:	4.0 +/- acres
Park Facilities:	4.16 +/- acres
Dry Retention/Landscape buffers	15.53 +/- acres
Wetlands and Lakes	226 +/- acres

The following setbacks shall be applied to single family dwelling units.

Front:	20 feet 15 feet if dwelling has covered front porch
Rear:	10 feet except 5 feet for pool and pool deck
Side:	5 feet, except 10 feet for corner lots at street side

There is no minimum lot size however all single family residents will have a minimum square footage of 1,200 square feet.

The developer has not varied from the front porch or recessed garage requirements. Groveland's building diversity requirements are also maintained.

10% of the homes will be sold at or below \$260,000. This is considered affordable based on a \$1,263 monthly payment.

"The city with a future, watch us grow!"

STAFF RECOMMENDATION: Approve the Motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

"The city with a future, watch us grow!"

ORDINANCE 2016-01-05

AMENDED AND RESTATED PUD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING ORDINANCE 2005-08-37A, THE PUD FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF GROVELAND, FLORIDA; OWNED BY PULTE GROUP, LLC, AND LOCATED AT CR 565, GROVELAND, LAKE COUNTY, FLORIDA, PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Groveland, Florida, as follows:

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the City of Groveland, Florida, shall hereafter be designated as PUD as defined in the Groveland Land Development Regulations.

LEGAL DESCRIPTION:

Northeast $\frac{1}{4}$, less canal, East $\frac{1}{2}$ of Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ lying east of County Road 565, beginning at the Northwest corner of the Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$, running South 200.3 feet, East 198.6 feet, South 92 feet, West 198.6 feet, South 69.7 feet, East 1320 feet, North 362 feet, West 1320 feet to the Point of Beginning, lying in Section 12, Township 22, Range 24, Lake County, Florida; AND That part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, also known as Tract 63 GROVELAND FARMS, according to the Plat thereof recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida, lying East of CR 565 in Section 1, Township 22 South, Range 24 East, Lake County, Florida; AND The South $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, AND the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ all lying in Section 1, Township 22 South, Range 24 East, Lake County, Florida.

Section 2: Zoning Classification.

That the property being so designated as PUD is subject to the following terms and conditions;

General

Development of this Project shall be governed by the contents of this document and applicable sections of the City of Groveland Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Where in conflict, the terms of this document shall take precedence over the City of Groveland Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the City.

Unless otherwise notes, the definition of all terms shall be the same as the definitions set forth in the City of Groveland Land Development Regulations.

Purpose

The purpose of this PUD is to:

1. Create an attractive and high quality environment which is compatible with the scale and character of the local environment; and
2. Develop a residential area that is safe, comfortable and attractive to pedestrians.
3. Create a community with direct visual and physical access to open land, with amenities in the form of community open space, and with a strong community identity;
4. Provide a network of open space;
5. Provide for a diversity of lot sizes and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the City's population diversity may be maintained;

Land Uses

The Conceptual Development Plan for the Project is attached hereto as **Exhibit A** and is an integral part of this PUD document. Elements in the Conceptual Development Plan include single-family detached homes and recreation. The approximate acreage devoted to each land use shall be as follows:

Residential:	91 +/- acres
Park Land:	4.0 +/- acres
Park Facilities:	4.16 +/- acres
Dry Retention/Landscape buffers	15.53 +/- acres
Wetlands and Lakes*	226 +/- acres

*Up to 50% of the required Open space may be wetlands and/or lakes.

Residential

The residential development shall be comprised of single family detached homes and shall not exceed 460 units.

Setbacks

The following setbacks shall be applied to single family dwelling units.

- Front: 20 feet
 15 feet if dwelling has covered front porch
- Rear: 10 feet except 5 feet for pool and pool deck
- Side: 5 feet, except 10 feet for corner lots at street side

Lot Size

A range of lot sizes shall be provided in order to create variety and offer opportunity for different income households. There is no minimum lot size.

Dwelling Size

The minimum dwelling size for all single family residences shall be 1,200 square feet of heated/air conditioned space under roof exclusive of garage, carports and porches.

Lot Width

In accordance with the principle of providing diversity within the development a variety of lot widths shall be permitted in the range of 50-100 feet. The minimum lot width at building line shall be 40 feet with a minimum street frontage of 20 feet.

Lot Coverage

Lots shall have a maximum lot coverage of 70% to include principal dwelling, all paved areas and swimming pools.

Height of Structures

No residential structure shall exceed 2½ stories or 35 feet in height.

The Owner/Developer shall adopt deed restrictions which prohibit manufactured or otherwise prefabricated homes.

Building Design

Building design will be in accordance with the Chapter XVIII: Architectural Requirements of the City's Land Development Regulations. The following principles seek to promote a high quality development that will create a sense of place and community through the development of the site.

- A diversity of housing styles, shapes and materials will be encouraged in order to create variety in the streetscape.
- The different housing types shall be integrated architecturally in order to give the development a harmonious appearance.
- The creation of visual richness should be considered when choosing materials and details. Local characteristics are encouraged.
- Side entrances for garages are encouraged.
- A variety of roof heights, pitches and materials will be encouraged.
- Landscaping should be incorporated into the overall design as a means of linking the development areas with the open spaces.
- In an effort to avoid monotony, the same home plan and elevation will not be duplicated directly across the street or on either side of a particular plan and elevation.

Affordable Housing Requirement

Per the City's Affordable Housing Requirement, 10% of the homes sold in the community will be sold at or below \$260,000. This price is based on a median household income of \$58,300 (per HUD statistics). This number was derived through assuming property taxes of \$175 per month, insurance of \$100 per month and HOA fees of \$65 per

month, this leaves \$1,263 monthly for principal and interest. Assuming a 30 year, 4% fixed rate loan, a \$1,263 monthly payment qualifies a buyer for up to a maximum \$260,000 house. In order to ensure continuous affordability, the maximum affordable price will not be able to appreciate more than 5% compounded per year from the effective date of the PUD. The 10% of the homes in the neighborhood that are designated to remain affordable will not be able to exceed this maximum price. The price appreciation cap will be in effect for 99 years. This affordable housing requirement will supercede and/or replace any other affordable housing provisions or agreements that have been entered into which affect or run with the property.

Recreation and Open Space

A minimum of 4.16 acres shall be provided for recreation facilities in the approximate locations indicated on the Conceptual Development Plan. The recreation area shall provide a variety of facilities ranging from active play areas to informal park areas.

In addition to the recreation areas, open space will be provided within the development site. This open space shall include, but not be limited to project buffer areas, drainage areas, retention areas and landscaped areas. While the onsite wetlands and lakes will be preserved, a maximum of 50% of the open space may be met with wetland preservation.

Waterfront and Wetlands Buffer Requirement

No development shall be allowed within jurisdictional wetlands on the property. A minimum upland buffer of 25 feet shall be maintained. No development except passive recreation, as defined in Policy 5.6.3 of the Comprehensive Plan, and lake access and maintenance authorized by the St. Johns River Water Management District, shall be permitted in wetland/lake areas.

Boat Docks

A single lane boat ramp and communal dock shall be allowed for use by all residents of the PUD. Residents may permit private individual docks in the future.

Phasing

The Project may be constructed in phases. Each phase shall be developed in conformance with this ordinance and consistent with the Conceptual Development Plan.

Public Facilities

Potable Water and Wastewater

The Project shall be connected to the City Potable Water system and the City Sanitary Sewer system, prior to any Certificate of Occupancy being issued for any structure (except temporary construction uses) on the Project. Irrigation of common areas within the Project may be connected to an on-site irrigation well or wells. Re-use lines shall be installed for irrigation of lots.

Solid Waste

Solid Waste collection shall be pursuant to City regulations, as amended.

Drainage

The maintenance of the drainage system shall be the responsibility of the Homeowners Association(s).

Transportation

There shall be a minimum of two (2) ingress and egress points for the Project. These shall be in the approximate locations shown on the Conceptual Development Plan. Connection shall be provided to proposed developments which lie to the north and south of the site in the approximate locations indicated on the Conceptual Development Plan. All two-way streets shall have a fifty foot (50') right-of-way with a minimum 24 foot pavement and curb width. Provision shall be made for underground utilities. One-way streets shall have a forty foot (40') right-of-way with a minimum 14 foot pavement.

All portions of the development should be accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development should provide appropriate pedestrian amenities.

Street and Sidewalks

The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to recreation facilities and adjacent residential community areas. A minimum of a five foot (5') sidewalk shall be constructed along both sides of all streets. All streets shall be constructed to the City of Groveland standards.

Streets shall be interconnected as far as practicable, employing cul-de-sacs only where essential. Where cul-de-sacs are deemed to be unavoidable, continuous pedestrian circulation shall be provided for by connecting sidewalks that link the end of the cul-de-sac with the next street (or open space). A typical street layout is illustrated at **Exhibit A**.

Shade trees shall be planted within the right-of-way of all streets. Such trees shall be planted with root barriers so as not to interfere with utility lines and comply with the City's Landscape Regulations for trees in the right-of-way.

Landscaping Requirements

A variance from Sec. 133-137(a)(4) and from Sec. 117-21(16) is granted, in part. Owner shall locate and map all protected trees 6" or above in diameter at breast height or 54" above grade. Owner is not required to locate, map or protect trees less than 6" in diameter at breast height or 54" above grade, whether on the protected list or not. Protected trees of 6" or above in diameter at breast height or 54" above grade must be preserved unless within the area required for access, infrastructure, building footprint or within a five-foot offset of the footprint for the residence. If after such removal the lot will not contain a minimum of four trees of any type or types listed in Sec. 133-38, then owner shall be required to plant a substitute tree (to bring the total number of protected trees per lot to 4

or an equal number of protected trees as removed whichever is greater) of the types listed in Sec. 133-38 on the lot or within the common areas. The owner will be required to replace removed protected trees inch-for-inch of removed tree diameter at breast height and tree for tree. If the planting will take place on the lot, then such planting is to be performed prior to issuance of a certificate of occupancy. If the planting will take place within the common areas, then such planting is to be performed prior to the city issuing a certificate of completion for the subdivision or city accepting the conveyance of infrastructure improvements and real property, whichever occurs last; however, if neither can be accomplished for a reason acceptable to city, owner shall post a bond in an amount acceptable to city and for a duration acceptable to city until such trees are planted and viable. No lot may have less than 2 protected trees.

Lighting

Decorative street lighting shall be installed at every intersection, at the end of each cul-de-sac and at intervals of 300 feet, or as approved by the City Staff. Street lighting shall be installed by the Owner/Developer.

Utilities

All utilities shall be underground.

Signage

All signage on the Property shall be ground signage and shall comply with the City Land Development Regulations.

Maintenance of Common Areas

Maintenance of all common areas within the residential component of the Project shall be the responsibility of the Homeowner's Association(s) formed to govern such subdivision.

Impact Fees

The Owner/Developer acknowledges that the City of Groveland has impact fees for water, wastewater, fire, police and recreation, and that the Project shall be subject to such impact fees.

Amendments

Any substantial deviation from the PUD Conceptual Development Plan, or deviation from the terms of this Ordinance, shall be approved by the City Council in accordance with the legal procedures to amend zoning ordinances.

Expiration of PUD

Actual construction consistent with this PUD – Residential approvals (including construction plan approval) must commence on the Property within 3 years of the Effective Date of this ordinance without a lapse of construction. Construction shall include infrastructure and groundwork, as well as home building. If actual construction fails to begin as required herein or construction commences but lapses for a period of 8 consecutive months or longer, or for a period of twelve non-consecutive months

collectively within a period of 18 months, this PUD and any approvals including construction plans shall be considered expired and of no further force or effect. Any vesting which may be claimed thereby shall be void. The applicant may request the City for a twelve month extension prior to expiration.

Section 3: Consistent with Comprehensive Plan.

That the zoning classification is consistent with the Comprehensive Plan of the City of Groveland, Florida

Section 4: Official Zoning Map.

That the City Manager, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Groveland, Florida, to include said designation.

Section 5: Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Council.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this ____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

ATTEST:

Teresa Begley
City Clerk

Approved as to Form:

Anita Geraci-Carver
City Attorney

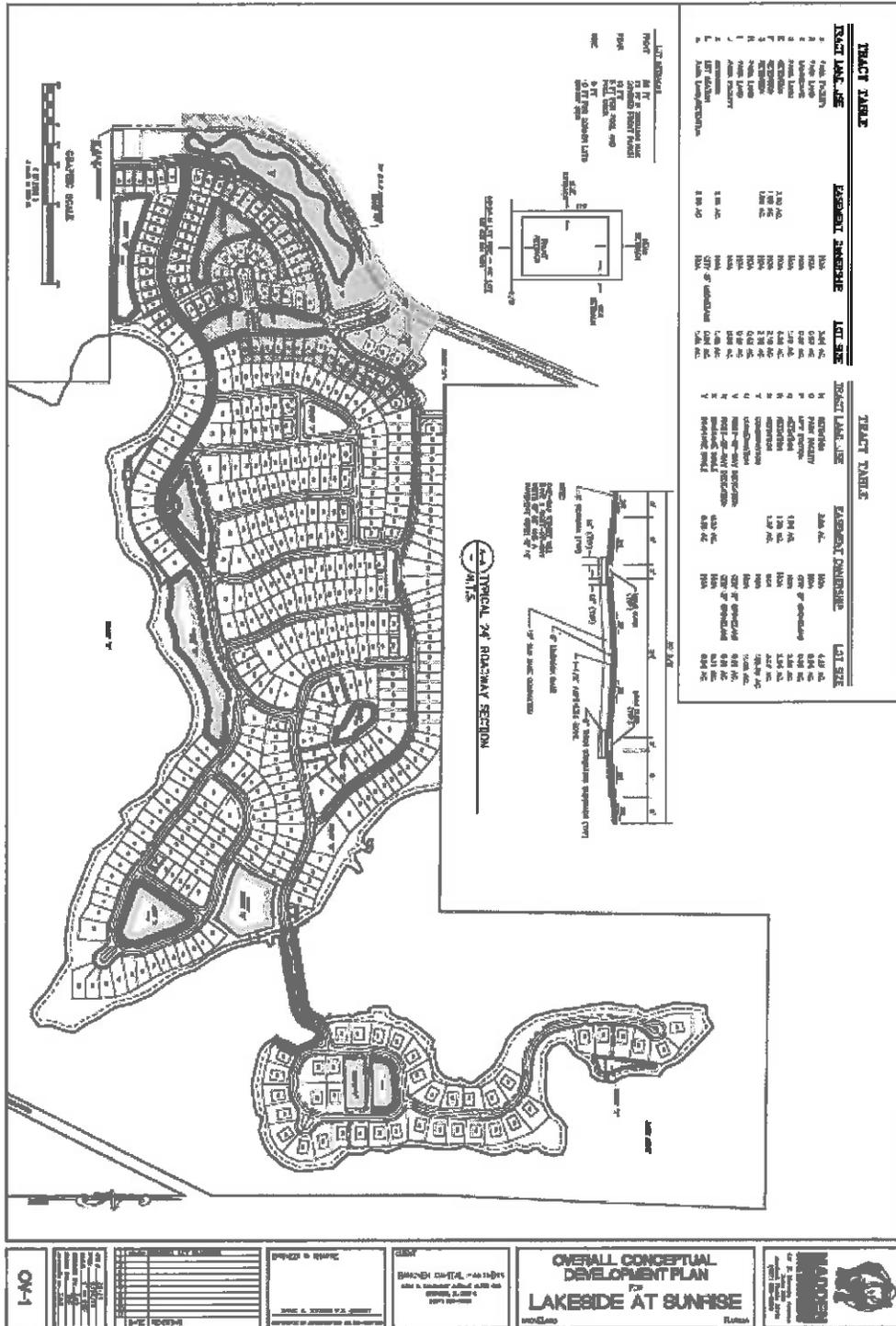
Passed First Reading _____

Passed Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Tim Loucks		
John Griffin		
Mike Radzik		
Dina Sweatt		
Karen McMican		

Exhibit A





REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Resolution 2016-01-01

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

PREPARED BY: Ryan Berger, Community Development Director

DATE: January 22, 2016

BACKGROUND:

Location: 615 S. Lake Avenue

Current Zoning: R-1A

The owner is requesting a variance to the Land Development Regulations in order to construct new residences on smaller lots and with reduced setbacks then what is permitted by code. The zoning district requires a 12,000 SF lot and the owner is requesting a variance to reduce the lot size requirement with the smallest lot at 6,664 SF (Alternate Key 1521602).

This variance request is being reconsidered as no development occurred on this parcel since approved Resolution 2006-09-19 outlined what was permissible at the time. And due to no construction occurring on the parcel, the resolution expired. The applicant seeks to reenact the approved resolution in order to develop this last parcel as a single family home.

The applicant has requested the setbacks be reduced as was approved in the previous resolution:

R-1A Zoning requires:

Front 35 feet
Side 12.5 feet
Rear 25 feet

Setbacks, as approved in Res. 2006-09-19, and requested:

Front 20 feet
Side 10 feet
Rear 20 feet

"The city with a future, watch us grow!"



STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

"The city with a future, watch us grow!"

RESOLUTION 2016-01-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, GRANTING A VARIANCE TO THE CITY OF GROVELAND'S RESIDENTIAL LOT SIZE REQUIREMENT AND SETBACK REQUIREMENT ON THE HEREIN DESCRIBED PROPERTY LOCATED AT 615 S. LAKE AVENUE, CITY OF GROVELAND, FLORIDA, OWNED BY WENDY A. AMIDON-HESSBERG; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Wendy A. Amidon-Hessberg, has petitioned for a variance from certain provisions of the City of Groveland Code of Ordinance, for property located at 615 S. Lake Avenue in the City of Groveland, Florida;

WHEREAS, such property consists of 6,664 square feet (alternate key 1521602) and is further described in the legal description below

Commence at the East corner of Lot 4, Block 109, Groveland (formerly Taylorville), according to the plat thereof, recorded in Plat Book 2, Pages 7 and 8, Public Records of Lake County, Florida; thence run South 43 degrees 34 minutes 44 seconds West along the Southeasterly line of said Lot 4 for a distance of 74.98 feet; thence run North 46 degrees 39 minutes 41 seconds West for a distance of 110.53 feet to the Point of Beginning; thence run South 43 degrees 34 minutes 44 seconds West for a distance of 74.98 feet to the Southwesterly line of Lot 3, said Block 109; thence run North 46 degrees 39 minutes 41 seconds West along the Southwesterly line of Lots 2 and 3, said Block 109 distance of 69.32 feet; thence run North 45 degrees 47 minutes 51 seconds West along the Southwesterly line of Lot 1, said Block 109, for a distance of 8.13 feet to the Northwesterly line of said Lot 1, Block 109; thence run North 26 degrees 16 minutes 19 seconds East along said Northwesterly line of Lot 1, Block 109, for a distance of 78.30 feet; thence run South 46 degrees 39 minutes 41 seconds East for a distance of 100.74 feet to the Point of Beginning.

WHEREAS, applicant desires to request a variance from the City of Groveland's minimum residential lot size requirement and residential setback requirement; and

WHEREAS, to accommodate a reduction in the minimum residential lot size requirement and residential setback requirement a variance from the requirements contained in the City of Groveland Land Development Regulations, Appendix A, Article IV Section 4.10 is required; and

WHEREAS, this Resolution was properly advertised once in a newspaper of general circulation in Lake County, Florida, no less than 10 days prior to Council's consideration of this Resolution and property owners within 150 feet of the subject site were timely provided written notice delivered by U.S. Mail, Bulk Certificate of Mailing; and

WHEREAS, the City Council of the City of Groveland has considered the petition in accordance with the standards for granting variances contained in Section 8.03, City of Groveland Code of Ordinances

NOW THEREFORE, be it resolved by the City Council of the City of Groveland, Florida, as follows:

Section 1 The petition for variance filed by Wendy A. Amidon-Hessberg, and located at 612 S. Lake Avenue in the City of Groveland, Florida, more particularly described as:

Commence at the East corner of Lot 4, Block 109, Groveland (formerly Taylorville), according to the plat thereof, recorded in Plat Book 2, Pages 7 and 8, Public Records of Lake County, Florida; thence run South 43 degrees 34 minutes 44 seconds West along the Southeasterly line of said Lot 4 for a distance of 74.98 feet; thence run North 46 degrees 39 minutes 41 seconds West for a distance of 110.53 feet to the Point of Beginning; thence run South 43 degrees 34 minutes 44 seconds West for a distance of 74.98 feet to the Southwesterly line of Lot 3, said Block 109; thence run North 46 degrees 39 minutes 41 seconds West along the Southwesterly line of Lots 2 and 3, said Block 109 distance of 69.32 feet; thence run North 45 degrees 47 minutes 51 seconds West along the Southwesterly line of Lot 1, said Block 109, for a distance of 8.13 feet to the Northwesterly line of said Lot 1, Block 109; thence run North 26 degrees 16 minutes 19 seconds East along said Northwesterly line of Lot 1, Block 109, for a distance of 78.30 feet; thence run South 46 degrees 39 minutes 41 seconds East for a distance of 100.74 feet to the Point of Beginning.

is granted as follows:

1. Variance to the City of Groveland's minimum residential lot size requirement from twelve thousand (12,000) square feet to six thousand six hundred sixty-four (6,664) square feet for no other purpose
2. Variance to the City of Groveland's minimum residential street side setback requirement from minimum residential side setback requirement from 12.5 feet to 10 feet will be allowed; and variance to the minimum residential front setback requirement from 35 feet to 20 feet will be allowed; and variance to the minimum residential rear setback requirement from 25 feet to 20 feet will be allowed on the above described property and for no other purpose.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2016.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

TERESA BEGLEY
City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading _____
Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

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FAITH NEIGHBORHOOD CENTER

LAKE COUNTY, FLORIDA

JOB NO.	1002
DATE	December 2015
SCALE	SEE GRAPHIC
DRAWN BY	ACH
REVISIONS	
1	GEN. REV. 10/15
2	
3	
4	
5	
6	
7	
8	
9	
10	
PROJECT TITLE	
COVER SHEET	
SHEET NO.	
SHEET 1	

**SITE CONSTRUCTION PLANS
FOR
FAITH NEIGHBORHOOD CENTER
FACILITY TO SERVE THE NEEDY
CITY OF GROVELAND
DECEMBER 2015**

DESCRIPTION	SHEET
COVER SHEET	1
PERMITS	2
MASTER PLAN	3
DRAINAGE PLAN	4
UTILITY PLAN	5
LANDSCAPE/IRRIGATION PLAN	6
SITE DETAILS	7
LANDSCAPE DETAILS	8
CITY STANDARD DETAILS	9
CITY STANDARD DETAILS	10

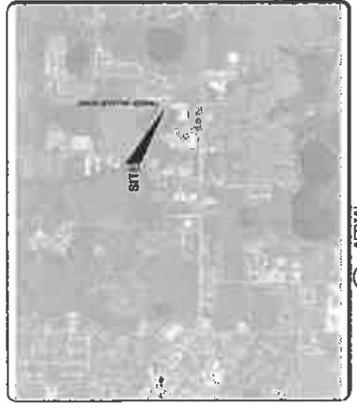
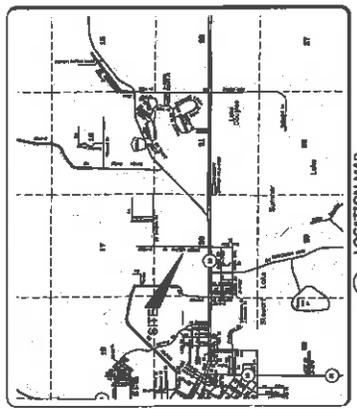
AGENT FOR OWNER
BOB MOORE
 RP MOORE GENERAL CONTRACTOR, LLC
 814 CHERRY LANE ROAD
 GROVELAND, FL 34438
 407-468-4730
 rpmoore1@ml.com

PERMIT OWNER
**FEED AND INSTRUCT THE HUNGRY
NEIGHBORHOOD CENTER, INC.**
 1625 W. 30. GARDEN LANE
 GROVELAND, FL 34438
 407-468-4730
 407-468-4730

CIVIL ENGINEER
ARTHUR C. NIX, P.E.
MONTERVERDE ENGINEERING, INC.
 P.O. BOX 280118
 AVENUE OF AMSTERDAM
 GROVELAND, FLORIDA 34438
 407-468-4730
 anix@monverde.net

SURVEYOR
JEFF RHODEN, PSM
 301 E. MINNESOTA AVE
 GROVELAND, FL 34438
 407-468-4730
 J.RHODEN@AOL.COM

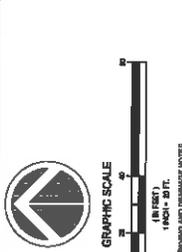
GEOTECHNICAL ENGINEER
T. Scott Gavin, P.E.
 GAVIN GEOTECHNICAL AND ENVIRONMENTAL, LLC
 1625 W. 30. GARDEN LANE
 GROVELAND, FL 34438
 ts.gavin@gavinsge.com



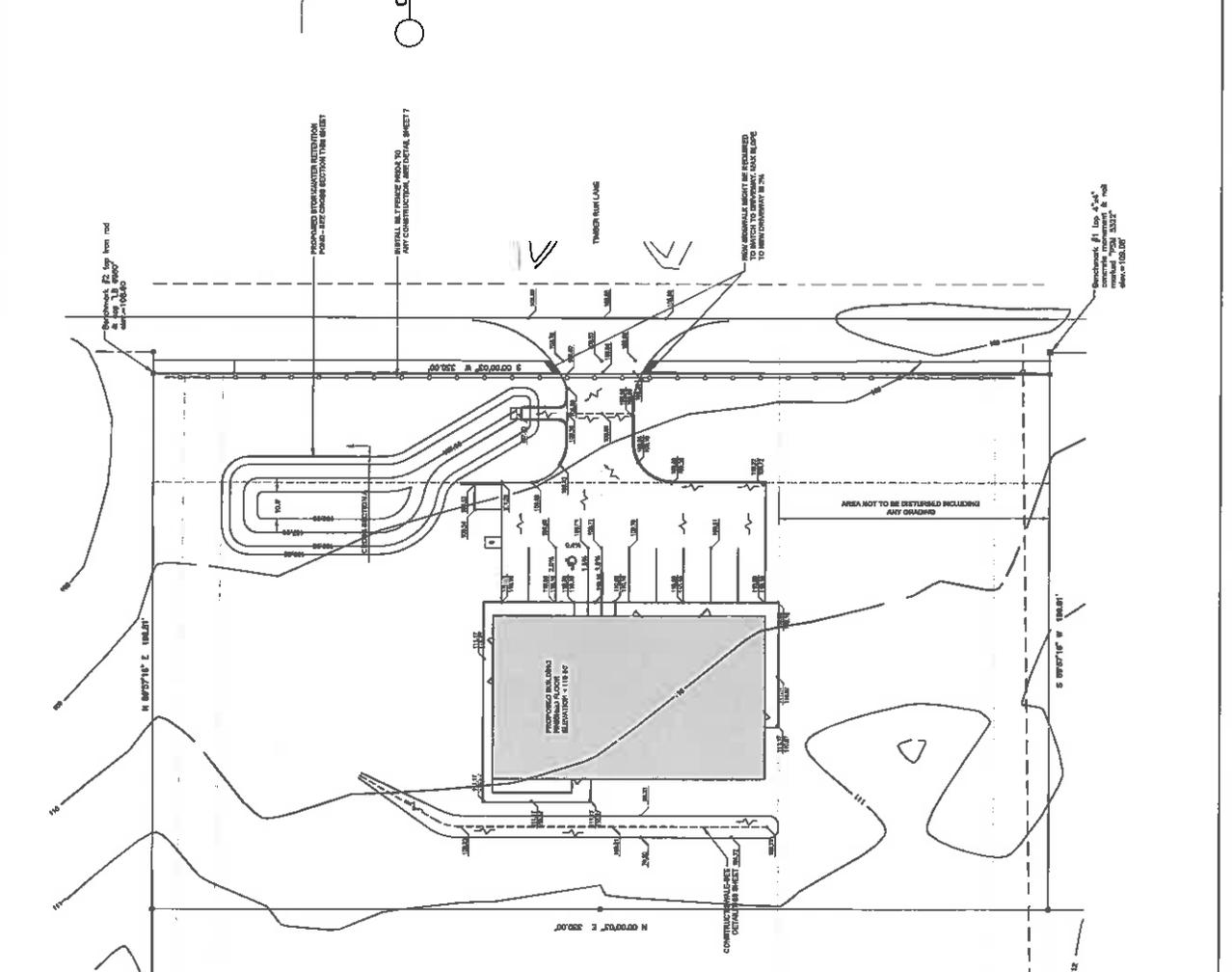
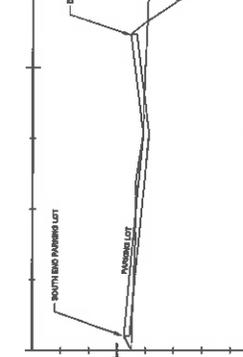
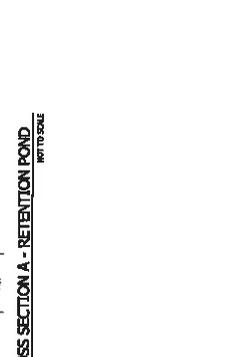
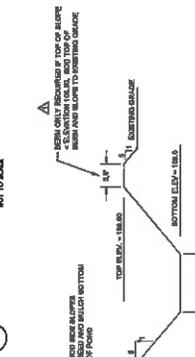
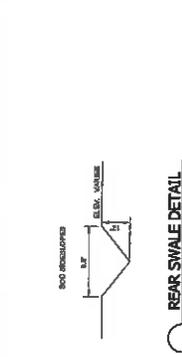
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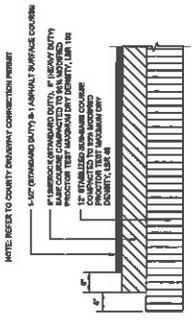
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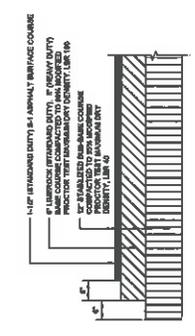
- PERMITS AND DAMAGE NOTES**
1. PERMITS AND DAMAGE NOTES SHALL BE PLACED AS SHOWN IN THE PLAN FOR THE CITY OF GROVELAND.
 2. ALL LOCATIONS WITHIN 100 FEET OF THE THOUSAND THOUSAND SHALL BE RETELED WITHIN 24 HOURS.
 3. THE CONTRACTOR SHALL IMPROVE THAT PROPER SOIL DRAINAGE PER CITY OF GROVELAND REQUIREMENTS.
 4. THE CITY OF GROVELAND SHALL BE NOTIFIED AND COORDINATED WITH THE PROPOSED AND GRADING DRAINAGE PLAN TO PREPARE AN APPROVED PLAN. DURING THE PRODUCTION OF WORK, NOTIFY THE CITY OF GROVELAND IMMEDIATELY BY PHONE OR AT ANY OTHER TIME TO IDENTIFY WORK MATERIALS.
 5. THE CONTRACTOR SHALL MEET THE CITY OF GROVELAND REQUIREMENTS AND PREPARATION WITHIN ALL APPLICABLE ADJACENT PROPERTY TO ANY ADJACENT.
 6. COMPACT ALL UTILITIES WITHIN BLANKETS TO 90% OF THE UNCOMPACTED MAXIMUM DENSITY WITHIN OTHER PANS TO 90%.
 7. DAMAGE STRUCTURE.
 8. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 9. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 10. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 11. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 12. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 13. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
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 15. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 16. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 17. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 18. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 19. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.
 20. ALL DAMAGE STRUCTURE SHALL BE REPAIRED TO ORIGINAL CONDITION WITHIN 30 DAYS OF THE DATE OF DAMAGE.



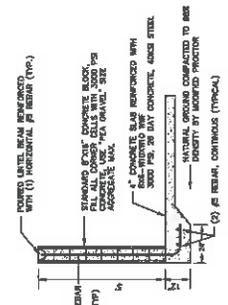
JOB NO.	1155
DATE	December 2015
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DRAWN BY	ADP
REVISIONS	
1	GEN. REVISIONS
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SHEET TITLE	SITE DETAILS
SHEET NO.	SHEET 7



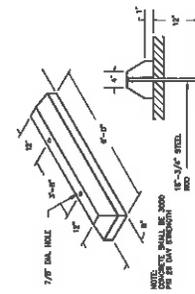
ASPHALT PAVEMENT DETAIL - TIMBER VILLAGE ROAD R/W
 NOT TO SCALE



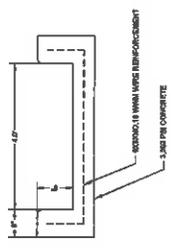
ASPHALT PAVEMENT DETAIL - PARKING LOT (NOT IN R/W)
 NOT TO SCALE



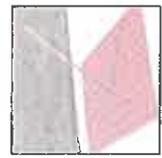
SCREEN WALL - DUMPSTER PAD
 NOT TO SCALE



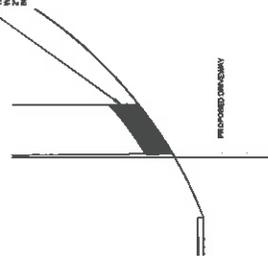
CONCRETE WHEEL STOP
 NOT TO SCALE



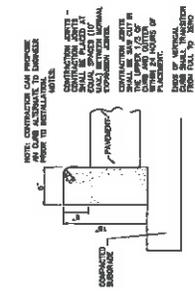
CONCRETE FLUME CROSS SECTION
 NOT TO SCALE



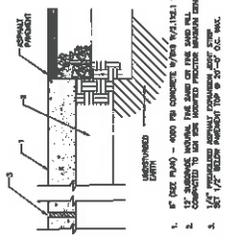
USE THE 1/2\"/>



ADA DETECTABLE WARNING MAT
 NOT TO SCALE



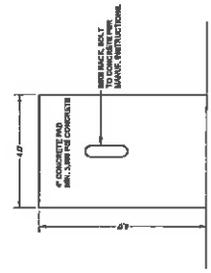
TYPE D' CURB DETAIL
 NOT TO SCALE



CONCRETE PAVEMENT DETAIL (ALTERNATIVE TO ASPHALT PAVEMENT)
 NOT TO SCALE



PAINT DUMPSTER BLOCKS AND NOT FOR RAILWAY CAPACITY CALCULATIONS



BICYCLE PARKING STALL
 NOT TO SCALE

NOTE: CONCRETE CURB HEIGHTS ARE TO BE DETERMINED BY THE CONTRACTOR. ALL CURB HEIGHTS SHALL BE PLACED AT 1/4\"/>

1. GENERAL: ALL CONCRETE SHALL BE 4000 PSI STRENGTH CONCRETE. ALL CONCRETE SHALL BE PLACED IN 4\"/>

USE THE 1/2\"/>



REQUEST FOR LPA CONSIDERATION

MEETING DATE: February 1, 2016

AGENDA ITEM: Ordinance 2015-11-31
--

CITY GOAL: Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
--

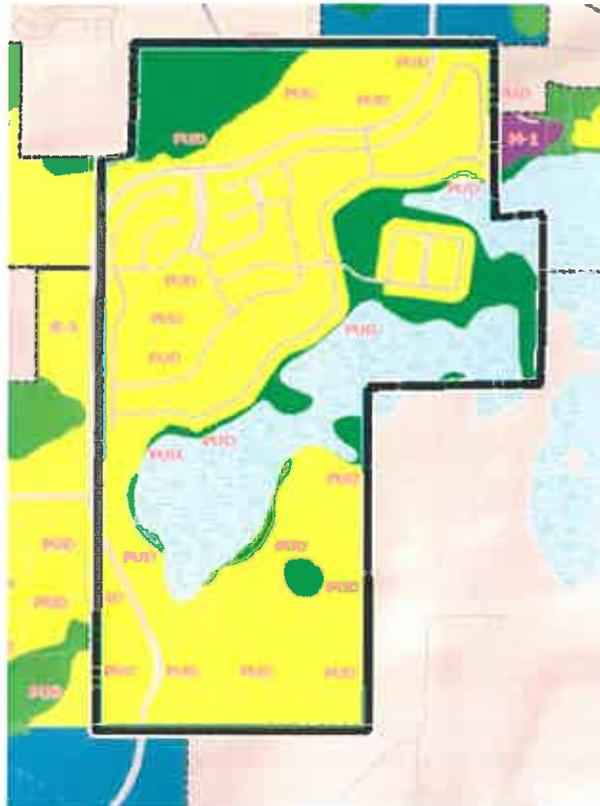
PREPARED BY: Ryan Berger, Community Development Director

DATE: February 1, 2016

BACKGROUND:

On November 16th, 2015 the City of Groveland Transmitted a Comprehensive Plan Amendment changing the Future Land Use designation of Trilogy from Mixed Use to Single Family Medium Density.

The State has responded to the amendment requesting that the current Future Land Use of Conservation also be included for clarity since those lands are within the Trilogy concept plan. This Ordinance has made the suggested change. The map below identifies those areas in green.



"The city with a future, watch us grow!"

STAFF RECOMMENDATION: Approve the motion

REVIEWED BY CITY MANAGER:

COUNCIL ACTION:

MOTION BY:

SECOND BY:

ORDINANCE 2015-11-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM MIXED USE AND CONSERVATION TO SINGLE FAMILY MEDIUM DENSITY AND CONSERVATION ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

WHEREAS, the City of Groveland, Florida adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended, and

WHEREAS, the request for this large scale plan amendment is initiated by the applicant, Shea Homes Active Adult, LLC; and

WHEREAS, the owner and applicant desire to construct single family residences; and

WHEREAS, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

WHEREAS, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

WHEREAS, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:

Section 1. Legislative Findings.

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

Section 2. Comprehensive Plan Amendment

A. The Property is legally described in **Exhibit A** attached hereto.

The Property consists of 733 +/- acres.

B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the hereafter described real property (the "Property"), on the City of Groveland Future Land Use Map from City of Groveland Mixed Use and Conservation and designating the Property on the Future Land Use Map to:

Single Family Medium Density Residential and Conservation as hereafter specified.

SINGLE FAMILY MEDIUM DENSITY: 563 acres more particularly described as The Property less and except the properties depicted and described in **Exhibit A** hereto.

CONSERVATION: 170 acres more particularly depicted and described in **Exhibit A**.

Section 3. Severability

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Direction to the City Manager.

The City Manager is hereby authorized to amend the comprehensive plan and future land-use map as indicated herein.

Section 5. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Transmittal

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Florida.

Section 7. Effective Date

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2015.

HONORABLE TIM LOUCKS, MAYOR
City of Groveland, Florida

Attest:

TERESA BEGLEY
City Clerk



Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading _____

Second Reading _____

Council Member _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

	YEA	NAY
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

EXHIBIT "A"

