

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING  
SCHEDULED TO CONVENE AT 7:00 P.M., MONDAY, MAY 2, 2016 IN THE E.L. PURYEAR  
BUILDING LOCATED AT 243 S. LAKE AVENUE, GROVELAND, FLORIDA**

MAYOR	TIM LOUCKS	tim.loucks@groveland-fl.gov
VICE-MAYOR	KAREN MCMICAN	karen.mcmican@groveland-fl.gov
COUNCIL MEMBER	MIKE RADZIK	mike.radzik@groveland-fl.gov
COUNCIL MEMBER	DINA SWEATT	dina.sweatt@groveland-fl.gov
COUNCIL MEMBER	JOHN GRIFFIN	john.griffin@groveland-fl.gov
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ.	
CITY MANAGER	REDMOND D. JONES, II	redmond.jones@groveland-fl.gov
ACTING CITY CLERK	LISA CORTESE	lisa.cortese@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**

**Call to Order**

**Opening Ceremonies**

- a. Pledge of Allegiance
- b. Invocation

**Roll Call**

**Guest Speaker, Presentations and Proclamations**

Audio Presentation by AST (Regarding Sound System in Puryear Building)

**Reports**

- a. Council Member Reports
- b. City Manager Report
- c. City Attorney Report
- d. Citizen Advisory Committee Member Reports

**Consent Agenda**

- Approval of City Council Meeting Minutes April 18, 2016
- Approval of City Council Workshop Minutes April 18, 2016

**Old Business**

1. Ordinance 2016-01-01: Density Clarification Cypress Lake Reserve (formerly known as Montevista Farms) Comprehensive Plan Amendment – Second Reading
2. Ordinance 2016-01-02: City of Groveland Comprehensive Plan Amendment – Open Space Requirement Cypress Lake Reserve (formerly known as Montevista Farms)– Second Reading

3. Ordinance 2016-01-03: City of Groveland Comprehensive Plan Amendment – Future Land Use Amendment Cypress Lake Reserve (formerly known as Montevista Farms) – Second Reading
4. Ordinance 2016-01-04: Cypress Lake Reserve (formerly known as Montevista Farms) Planned Unit Development – Second Reading
5. Ordinance 2016-03-08: Restrict Council from Taking Action on Matters Brought Forward During Public Comment – Second Reading
6. Ordinance 2016-04-09: Adopting Amendment to ISBA – Second Reading
7. Ordinance 2016-04-10: Defining a Consistent and Fair Lien Reduction Process – Second Reading
8. Ordinance 2016-04-11: Council Participation Via Video Conferencing - Second Reading

### **New Business**

9. Resolution 2016-05-11: Landscape Variance (Rockers Lockers)
10. Approve Rockers Lockers Lot 3-5 Site Plan
11. Approve RFP for Utility Rate Study
12. Approve RFP for Water, Sewer and Reclaimed Water Impact Fee Study
13. Resolution 2016-05-12: Setting Fee for Code Enforcement Lien Reduction or Waiver Request

### **Public Comments\***

### **Announcements**

### **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**  
**City Council Meeting**  
**Monday, April 18, 2016**

The Groveland City Council held a regularly scheduled meeting on Monday, April 18, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 7:15 pm with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik, Dina Sweatt, and John Griffin. City officials present were City Attorney Anita Geraci-Carver, City Manager Redmond Jones, Acting City Clerk Lisa Cortese and Sergeant-at-Arms Chief M. Smith Tennyson.

**OPENING CEREMONIES**

The meeting opened with the Pledge of Allegiance led by Council Member John Griffin. The invocation was given by Council Member Dina Sweatt.

**Guest Speaker, Presentations and Proclamations**

- Audio Presentations for Solutions for Sound Quality at the Puryear Building  
*Jim Durbin from Durbin Audio Designs Sales, answered questions from City Council.*
- Economic Development Report – Rodney Lucas
- Presentations of Certificate of Appreciation from the RAC to David Badillo and Margie Jones in Recognition of Years of Service
- Presentation of Certificate of Completion from the Institute for Elected Officials III: The Leadership Challenge to Council Members Mike Radzik and Dina Sweatt.
- Proclamation – Municipal Elections

**REPORTS**

**a. Council Members**

- Council Member Dina Sweatt attended the Business of the Month Photo Shoot ~ Firebase Tactical on April 7<sup>th</sup>. On April 6<sup>th</sup> Mrs. Sweatt attended the Goal Setting /Strategic Planning Session for the City of Groveland. On April 7<sup>th</sup> she attended the Southlake Task Force Meeting at the Clermont City Council Chambers. On April 14<sup>th</sup> she attended the Agenda Review meeting and on April 15<sup>th</sup> attended a close session meeting at the Lake David Center. On April 16<sup>th</sup> Mrs. Sweatt attended the Cypress Oaks Subdivision Grand Opening. Mrs. Sweatt announced that after ninety years the Groveland Women’s Club would be dissolved. The balance of the funds the club has will be donated to various groups in the community.
- Council Member Mike Radzik attended the Goal Setting/Strategic Planning Session on April 6<sup>th</sup>. He attended the Recreation Advisory Committee Meeting on April 12<sup>th</sup>. On April 13<sup>th</sup> Mr. Radzik and the City Manager met with Summit Construction regarding their interest in development on Sampey Road and the Cortese area, both located within the CRA and Mr. Radzik indicated he would report further at the CRA meeting. Mr. Radzik also attended the Cypress Oaks Subdivision Grand Opening on April 16<sup>th</sup>. On April 19<sup>th</sup> Mr. Radzik plans to tour the Niagara Bottling Plant.
- Vice-Mayor Karen McMican judged the yard of the month at Waterside Pointe Subdivision on April 12<sup>th</sup>. She attended the Goal Setting/Strategic Planning Session on April 6<sup>th</sup>. On April 15<sup>th</sup> she attended the Chamber of Commerce Breakfast in Clermont. Mrs. McMican

attended the Agenda Review meeting on April 14<sup>th</sup>, and a closed session meeting on April 15<sup>th</sup>. On April 16<sup>th</sup> she also attended the Cypress Oaks Subdivision Grand Opening.

- Mayor Tim Loucks attended a Southlake Regional Park Meeting which included an update and conceptual design presentation on April 18<sup>th</sup>. On April 16<sup>th</sup> he attended the Cypress Oaks Subdivision Grand Opening and also the Bras for The Cause Event and Fundraiser for Cancer Survivors.

**b. City Manager**

City Manager Redmond Jones gave his written report and updates.

Mr. Jones asked the City Council for direction regarding Blue Wake LLC and the request for the City to be a co-applicant for the environmental resource permit issued by DEP.

*Direction was given to Mr. Jones to work with Blue Lake LLC on a proposal and bring back to City Council for consideration.*

Mr. Jones asked the City Council for direction regarding a request to the Community Development Department to waive a fee for the cost of an open air permit for the Groveland Garden Club and if Council would like for staff to bring back an ordinance that includes *Consensus from City Council to waive the open air permit fee for the Groveland Garden Club. In addition, bring back an ordinance that includes general charitable activities if needed.*

**c. City Attorney**

**d. Citizen Advisory Committee**

Chairman George Rosario addressed the Council explaining that at the April 12<sup>th</sup> Committee meeting that several items were discussed. Mr. Rosario reported the Committee selected CFC as their preferred choice of soccer club. He also reported that the Committee voted in favor of using Sampey for a Sport Complex/Recreation use. Also he reported that a representative from Blue Wake LLC gave a presentation to the Committee and the Committee's recommendation is for them to come back to the City Council and Community Redevelopment Agency regarding an agreement with the City.

**CONSENT AGENDA**

**Approval of City Council Meeting Minutes 04-04-16**

*Council Member Dina Sweatt moved to approve; seconded by Vice-Mayor Karen McMican. The motion was approved with all members present voting aye.*

**Approval of Special Council Meeting Minutes 04-16-16**

*Council Member Mike Radzik moved to approve; seconded by Vice-Mayor Karen McMican. The motion was approved with all members present voting aye.*

## OLD BUSINESS

## NEW BUSINESS

**1. Resolution 2016-04-10: Temporary Suspension of the Base Charge for Reclaimed Water**

*Council Member Dina Sweatt moved to approve; seconded by Council Member John Griffin.*

*Finance Director, Gwen Walker stated for the record that as the city's financial advisor she recommends to the Council for the city to have a rate study and an impact fee study before suspending the \$10.50 base charge.*

*Council Member Mike Radzik asked that a notification letter be sent out to residents. The motion was approved with all members present voting aye.*

**2. Resolution 2016-04-09: Front Setback Variance Green Valley Townhomes**

*Council Member Dina Sweatt moved to approve; seconded by Vice-Mayor Karen McMican.*

*The motion was approved with all members present voting aye.*

**3. Ordinance 2016-04-10: Defining a Consistent and Fair Lien Reduction Process – First Reading**

*Council Member Mike Radzik moved to approve; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

**4. Engineering Proposal/Agreement for Force Main Design**

*Vice-Mayor Karen McMican moved to approve; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

**5. Reappoint George Rosario to the Recreation Advisory Committee**

*Vice-Mayor Karen McMican moved to approve; seconded by Council Member Dina Sweatt.*

*The motion was approved with all members present voting aye.*

## PUBLIC COMMENT

**ANNOUNCEMENTS**

**ADJOURNMENT**

*Mayor Tim Loucks adjourned the meeting at 9:25pm.*

Attest:



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Tim Loucks, Mayor

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Lisa Cortese, Acting City Clerk

***City of Groveland***  
**Workshop Minutes**  
**City Council**  
Monday, April 18, 2016

The Groveland City Council met in a regular meeting on Monday, April 18, 2016 in the E.L. Puryear Building located at 243 S. Lake Avenue. Mayor Tim Loucks called the meeting to order at 5:45pm with the following members present: Vice Mayor Karen McMican, Council Members Mike Radzik and Dina Sweatt. City officials present were: City Attorney Anita Geraci-Carver, City Manager Redmond Jones, Acting City Clerk Lisa Cortese, and Sergeant-at-Arms Chief M. Smith Tennyson. Board Member John Griffin was absent.

**AGENDA**

**1. Discussion: Building Department Fees**

*Acting Community Development Director/Economic Development Manager gave a Presentation to Council. The guest speaker that was scheduled to attend the meeting was unable to attend due to illness.*

**ADJOURNMENT**

*Chairman Tim Loucks adjourned the meeting at 6:50pm.*



Attest:

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Tim Loucks, Mayor

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Lisa Cortese, Acting City Clerk



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-01-01 – Cypress Lake Reserve Comprehensive Plan Amendment to Future Land Use Element Policy (2<sup>nd</sup> Hearing)

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

**PREPARED BY:** Ken Comia, City Planner

**DATE:** April 27, 2016

### **BACKGROUND:**

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Montevista 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 was presented a total of five action items at the Council Meeting on February 1, 2016. With Council's approval of the indemnification agreement, it holds 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. See below of a summary of the indemnification agreement and the ordinance submitted to the Department of Economic Opportunity, the State's Land Planning Agency.

### **1. Indemnification Agreement – Council approved**

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.

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

City Council approved the indemnification agreement and Ordinance 2015-01-01 was transmitted to the State of Florida.

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

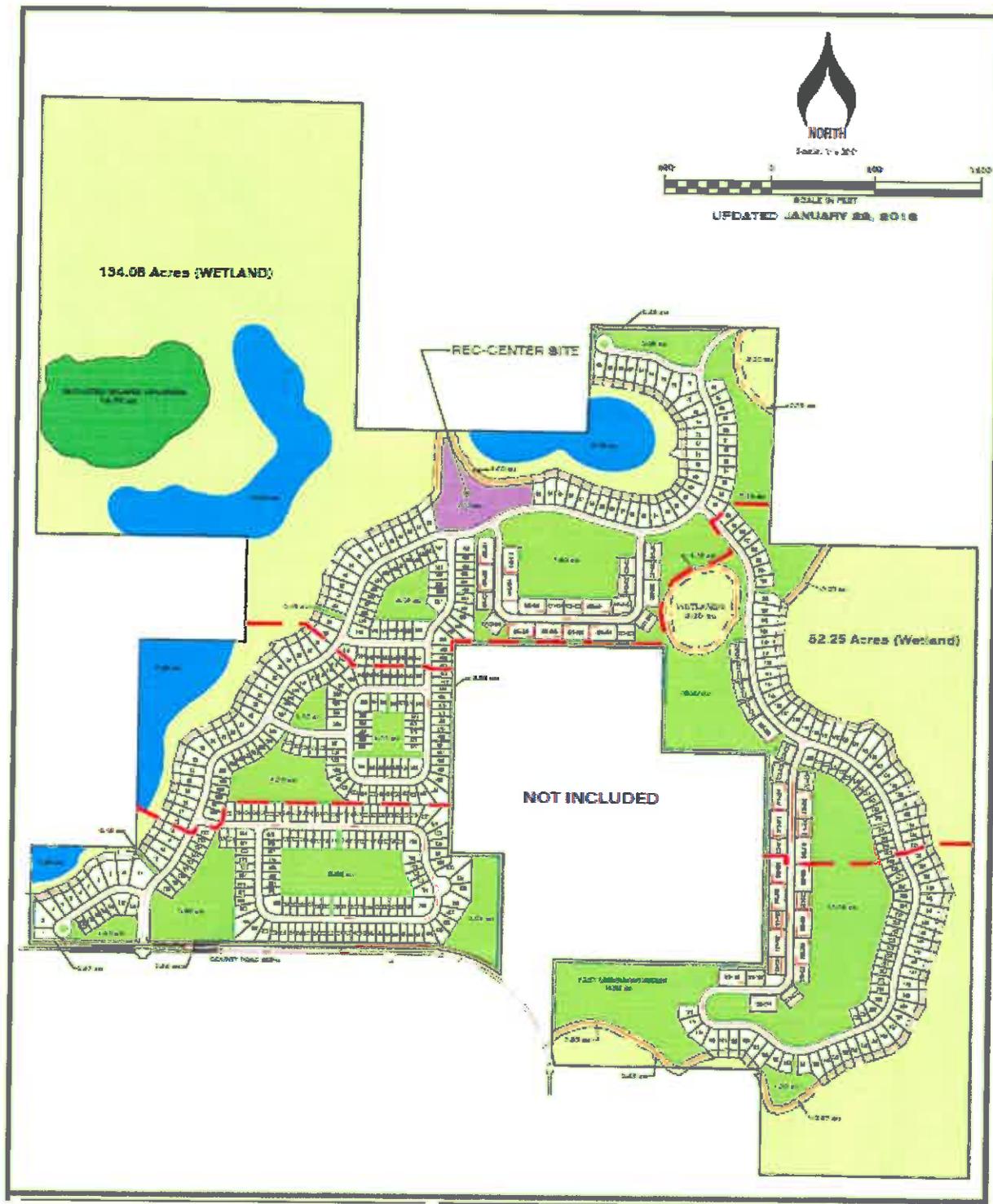
Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

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!"*



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On February 16, 2016, the City of Groveland transmitted to the State Planning Agency a Comprehensive Plan Amendment **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. Since then, the State has approved the transmitted version. Therefore, staff recommends the approval of this Ordinance.

<b>STAFF RECOMMENDATION:</b> Approve the motion
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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*"The city with @ future, watch us grow!"*

**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 and the Banyon Tract. 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:

\_\_\_\_\_  
City Clerk/Acting 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 CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-01-02 – Cypress Lake Reserve Comprehensive Plan Amendment to Conservation Element Policy

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

**PREPARED BY:** Ken Comia, City Planner

**DATE:** April 22, 2016

### **BACKGROUND:**

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Montevista 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
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The applicant is now requesting a site specific density of 2.8 units per acre.

In order to move this project forward staff was presented a total of five action items at the Council Meeting on February 1, 2016. With Council's approval of the indemnification agreement, it holds 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. See below of a summary of the indemnification agreement and the ordinance submitted to the Department of Economic Opportunity, the State's Land Planning Agency.

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City Council approved the indemnification agreement and Ordinance 2015-01-02 was transmitted to the State of Florida.

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.

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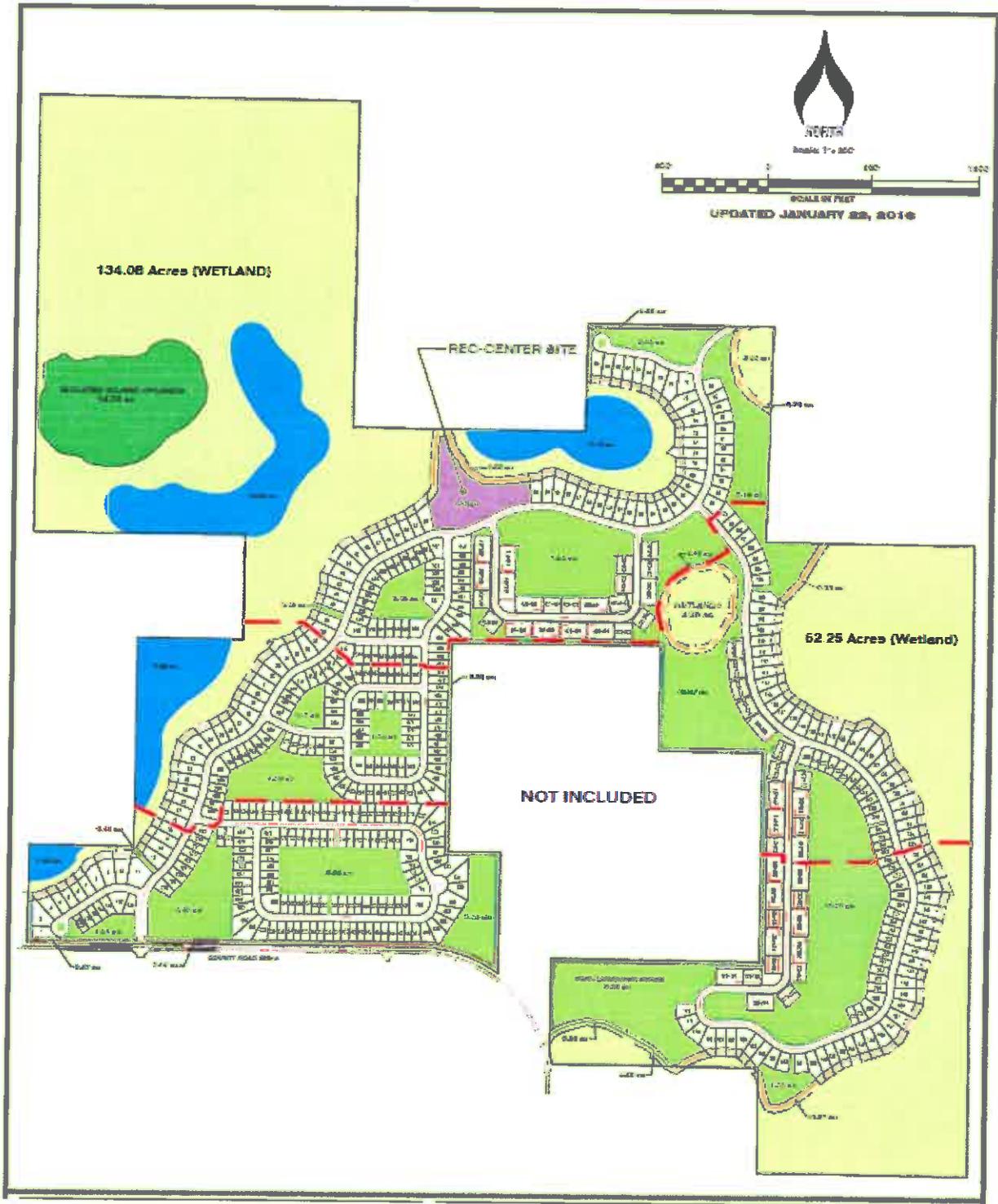
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<b>STAFF RECOMMENDATION:</b> Approve the motion
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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*"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:

\_\_\_\_\_  
City Clerk/Acting 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 CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-01-03 – Cypress Lake Reserve Comprehensive Planning Amendment to Future Land Use Map (2<sup>nd</sup> Hearing)

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

**PREPARED BY:** Ken Comia, City Planner

**DATE:** April 27, 2016

### **BACKGROUND:**

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Montevista 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 was presented a total of five action items at the Council Meeting on February 1, 2016. With Council's approval of the indemnification agreement, it holds 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. See below of a summary of the indemnification agreement and the ordinance submitted to the Department of Economic Opportunity, the State's Land Planning Agency.

### **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.

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City Council approved the indemnification agreement and Ordinance 2015-01-03 was transmitted to the State of Florida.

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

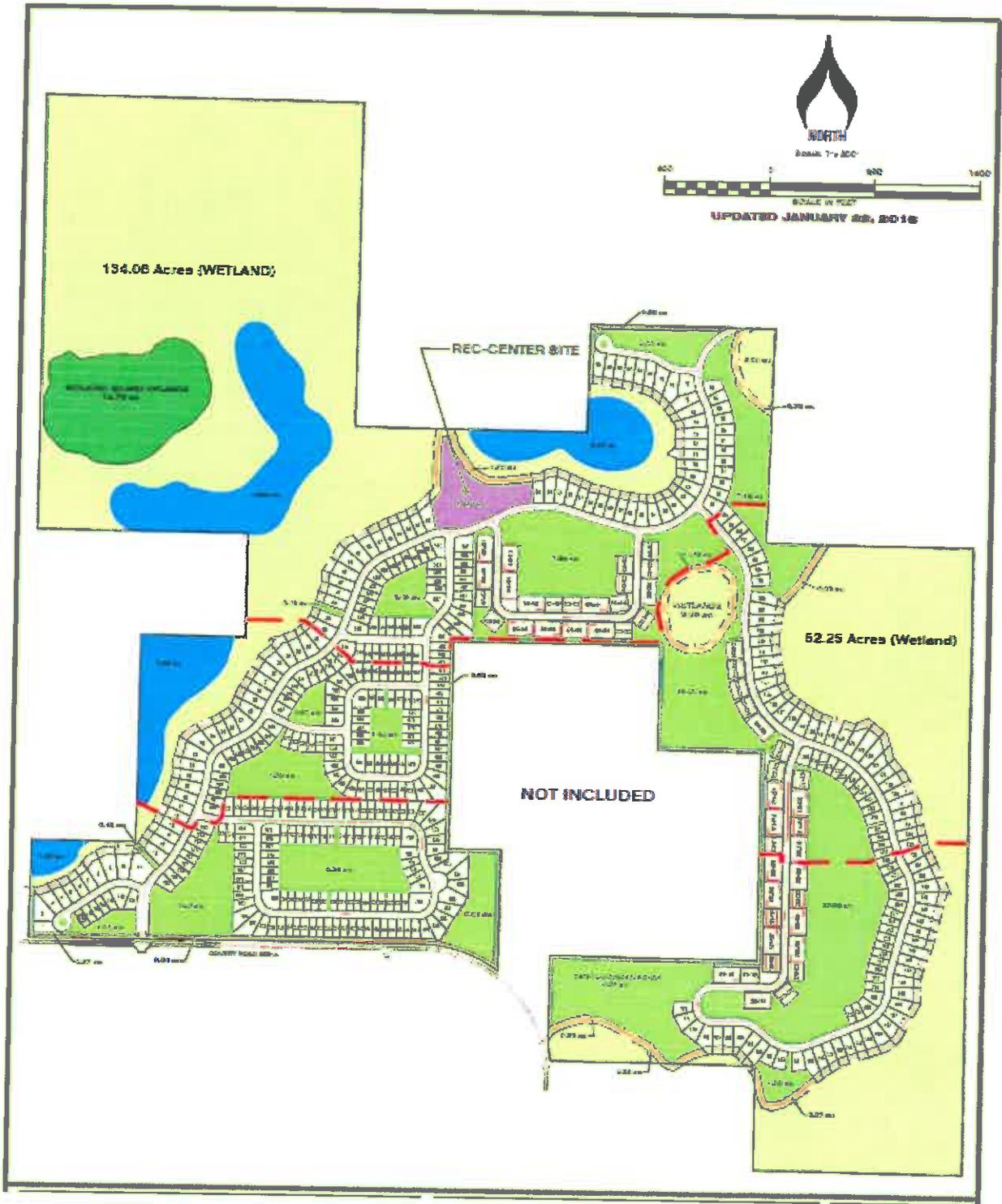
Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

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.

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

On February 16, 2016, the City of Groveland transmitted to the State Planning Agency a Comprehensive Plan Amendment **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. Since then, the State has approved the transmitted version. Therefore, staff recommends the approval of this Ordinance.

<b>STAFF RECOMMENDATION:</b> Approve the motion
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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*"The city with a future, watch us grow!"*

**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:

\_\_\_\_\_  
City Clerk/Acting 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		

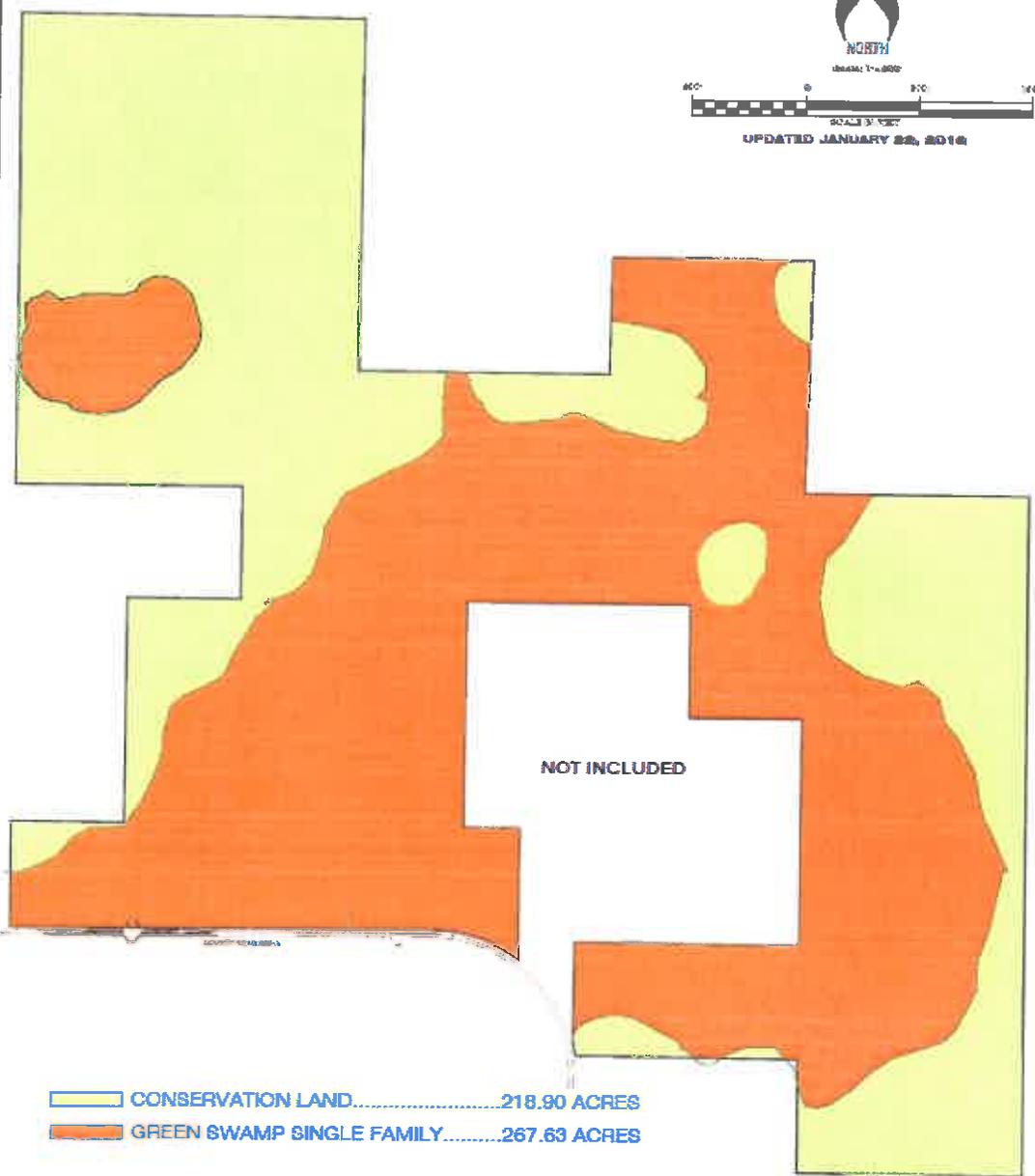
Exhibit A



Scale: 1"=200'



UPDATED JANUARY 22, 2015



- CONSERVATION LAND.....218.90 ACRES
- GREEN SWAMP SINGLE FAMILY.....267.63 ACRES

**BESH**  
ENGINEERING & SURVEYING, INC.  
500 Howe Street, Suite 200  
Tampa, Florida 33601  
www.besh.com  
Certificate of Authorization Number: 2729

**CYPRESS LAKE RESERVE**  
**LAND USE MAP**

DATE: JAN 2015
SHEET 1
JOB NO. 081564.0002



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-01-04 – Cypress Lake Reserve PUD Zoning (2<sup>nd</sup> Hearing)

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

**PREPARED BY:** Ken Comia, City Planner

**DATE:** April 27, 2016

### **BACKGROUND:**

The Cypress Lake Reserve project is a residential development with 737 units located near Max Hooks Road and Montevista 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 was presented a total of five action items at the Council Meeting on February 1, 2016. With Council’s approval of the indemnification agreement, it holds 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. See below of a summary of the indemnification agreement and the ordinance submitted to the Department of Economic Opportunity, the State’s Land Planning Agency.

### **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.

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

City Council approved the indemnification agreement and Ordinance 2015-01-04 was transmitted to the State of Florida.

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

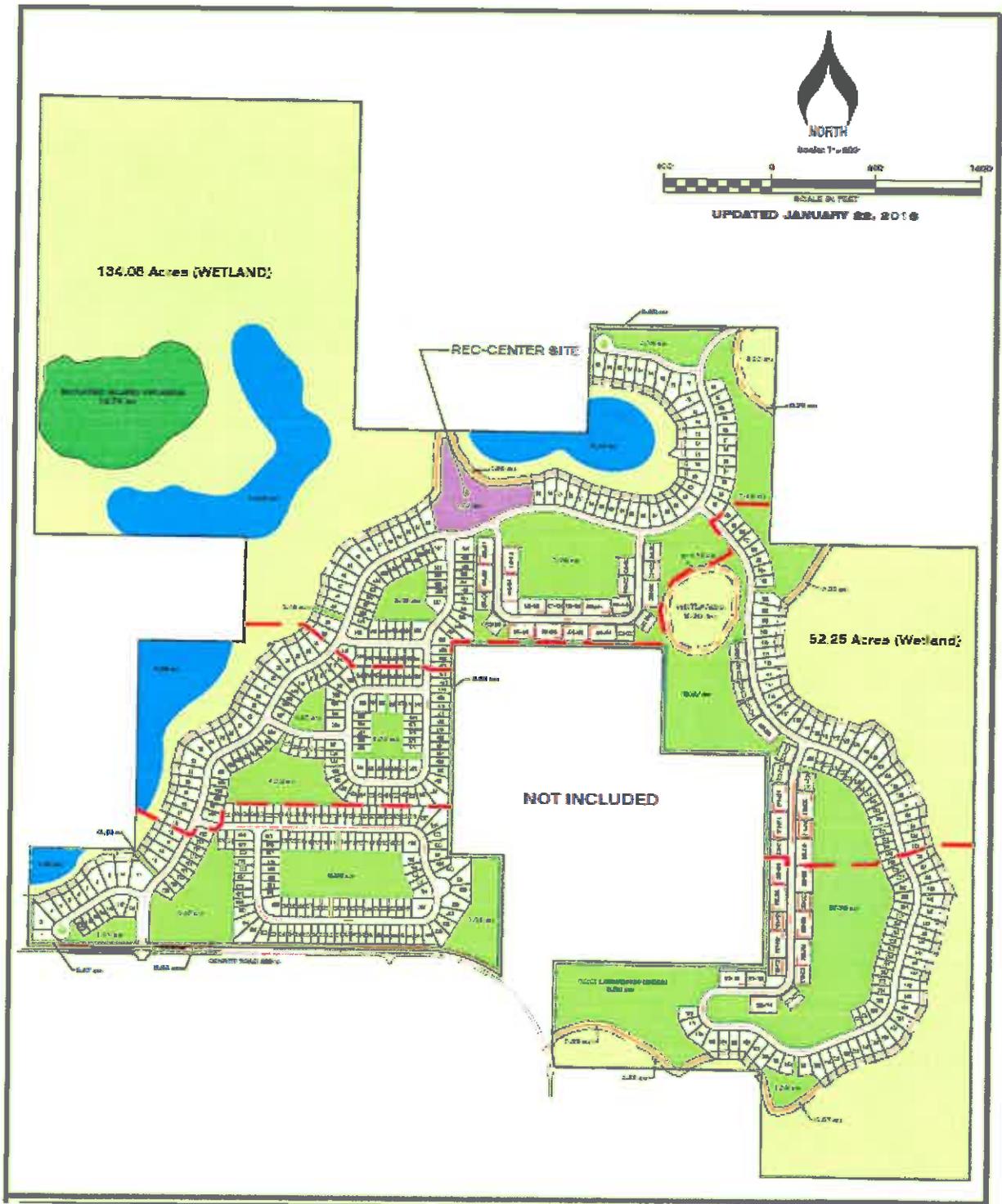
Front:	Fifteen feet (15')
Rear:	Ten feet (10')
Accessory Structure:	Five feet (5')
Side:	Five feet (5')

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.

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

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

**Single Family Detached & Townhomes**

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.

<b>STAFF RECOMMENDATION:</b> Approve the motion
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
------------------------

<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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**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:

\_\_\_\_\_  
City Clerk/Acting 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 CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 2, 2016
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<b>AGENDA ITEM:</b> Ordinance 2016-03-08 Restriction on Council Action – Second Reading
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<b>CITY GOAL:</b> Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
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<b>PREPARED BY:</b> Anita Geraci-Carver, City Attorney
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<b>DATE:</b> April 13, 2016
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**BACKGROUND:** Council indicated its desire to amend the City's Code to prohibit Council taking formal action on matters that arise from public comment, that arise from Council member reports and from announcements. Although Council recognizes that placing an item on an agenda is not always required for the Council to take formal action, the Council acknowledges that they be missing important information which would be helpful in making a decision, and that overall it is in the City's best interest to delay a decision until staff can research the matter and bring the information and a recommendation forward at a future meeting for Council consideration.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Ordinance 2016-03-08
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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**ORDINANCE 2016-03-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AMENDING SUBSECTION (E) IN SECTION 2-83 OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND TO RESTRICT COUNCIL FROM TAKING ACTION ON MATTERS BROUGHT FORWARD DURING PUBLIC COMMENT; ADDING SECTION 2-94 OF CHAPTER 2 OF THE CODE OF ORDINANCES TO RESTRICT COUNCIL FROM TAKING ACTION ON MATTERS BROUGHT FORWARD DURING COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council recognizes the importance of its' resident's participation in open meetings; and

**WHEREAS**, the City Council understands that its' residents desire to offer opinions and ideas, as well as to ask questions concerning City business; and

**WHEREAS**, the City Council also understands that they may also benefit from having additional information about matters raised by a council member during their report or during the announcement portion of the meeting before making a decision; and

**WHEREAS**, it is important for the City Council of the City of Groveland to have sufficient information presented before taking action on an item;

**WHEREAS**, it is beneficial for City staff and Council to have time to review information, before being asked to respond to requests, make decisions or provide comments, and

**WHEREAS**, Council recognizes that placing an item on an agenda is not always necessary to perform the business of the City, but that it is not in the City's best interest to make decisions on matters brought forward during public comment or during Councilmember reports or announcements because not all of the information to make a decision may be available, and staff may not have had time to sufficiently research matters of importance, and

**WHEREAS**, the City of Groveland wishes to restrict Council from taking action on matters brought forward during public comment.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA AS FOLLOWS:**

**Section 1: Recitals** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**Section 2: Agenda, when to be prepared.** That subsection 2-53(e) in Chapter 2 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

(e) General Public requests or comments. Requests by citizens or the public for

information or items that otherwise involve obtaining a response from the City Council, or that otherwise originate from the public shall be placed on an agenda only by following one of the two procedures described in subsection (e)(1) and (2) of this section:

1. Submit in writing to the City Manager a detailed description of the request, or item or topic. If the City Manager determines that the description is sufficient, the City Manager in its sole discretion may schedule the request, item or topic on an agenda. If the City Manager determines that the description is insufficient, or if sufficient, but determines that placement on an agenda is best decided by the City Council, the City Manager shall bring the written submittal to the City Council during the City Manager's report to obtain direction from Council as to placement on an agenda; or
2. Submit in writing or orally during public comment at a regular meeting for the purpose of City Council giving direction as to placement on an agenda. City Council shall not take immediate action on requests brought forward in this manner.

Notwithstanding the foregoing, nothing in this sub-section (e) requires that an item be placed on any agenda, or placed on the next scheduled agenda unless directed by City Council or at the discretion of the City Manager. However, nothing shall prevent the issue being raised during public comment at a regular meeting.

**Section 3: No action.** The Code of Ordinances, City of Groveland, Florida, is hereby amended by adding a section, to be numbered 2-94 in Chapter 2, which said section reads as follows:

**Sec. 2-94.—No action.** City Council shall not take immediate action on requests or matters brought forward during Council reports or announcements.

**Section 4: Severability** If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable shall be severed here from and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**Section 5: Conflict** All ordinances or parts of ordinances, resolutions or parts of resolutions, which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinances, in which case those ordinances so affected shall be hereby repealed in their entirety.

**Section 6: Codification** It is the intent of the City Council of the City of Groveland that

the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or reletter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

**Section 7: Effective Date**

This Ordinance shall become effective in accordance with law upon final adoption by the City Council of the City of Groveland.

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, FL

ATTEST:

\_\_\_\_\_  
City Clerk/Acting 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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-04-09 Adopting Amendment to ISBA

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** April 27, 2016

**BACKGROUND:** In 2013 the City of Groveland, City of Clermont, Town of Howey-in the Hills, City of Leesburg, City of Mascotte, City of Minneola, and Lake County, entered into an Interlocal Service Boundary Agreement (“ISBA”). The ISBA included lists of properties (B-1 and B-2) that could be annexed immediately, and properties that could be annexed once a fire services agreement was adopted. Finally, the ISBA allowed annexation of properties outside of B-1 and B-2, provided that the County gave written consent and the City demonstrated a direct link between the annexation and job creation or other economic activity other than residential construction. The City thereafter entered into a separate, twenty year agreement with Lake County for provision of automatic aid to one another for fire and emergency services.

Last year a property owner proposed annexing into the City, however, it was prohibited by the ISBA as the property was not specifically listed in B-1 and B-2 and would not have met the economic development criteria. There was language to support annexation in the City’s fire services agreement with Lake County. One City Attorney raised the issue that the fire services agreement was not approved by all the ISBA parties, and that to allow the ISBA needed to be amended.

The City requested an amendment. The Amendment expands the City’s annexation abilities under the Agreement, and permits Groveland to annex lands noncontiguous to its boundaries, with the consent of the property owner(s), and provided that City meets one of two conditions regarding the provision of central water and/or sewer service to the annexing property. The two conditions are:

1. The property is presently being served water and/or sewer. OR
2. At the same time as annexation, the City and property owner enter into an utility agreement requiring connection to either the City’s water or sewer utility system, or both if required by the City’s comprehensive plan. The utility agreement must also provide that if connection is only to one utility (water or sewer) at the time

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of development, the property must connect to the remaining utility when available.

The Amendment also incorporates the Fire Services Agreement into the ISBA, as opposed to a separate document.

City Staff has reviewed the language and is in agreement with the revisions, and inclusion of the Fire Services Agreement into the ISBA.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Amendment to ISBA
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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**ORDINANCE 2016-04-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, ADOPTING AMENDMENT TO INTERLOCAL SERVICE BOUNDARY AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, in 2013 the City of Groveland, City of Clermont, Town of Howey-in the Hills, City of Leesburg, City of Mascotte, City of Minneola, and Lake County, entered into an Interlocal Service Boundary Agreement (“ISBA”) pursuant to §171.203, *Florida Statutes*; and

**WHEREAS**, subsequent to the parties entering into the ISBA Groveland entered into a separate, twenty year agreement with Lake County for provision of automatic aid to one another for fire and emergency services; and

**WHEREAS**, accordingly, Cities and County wish to amend the Agreement as to Groveland, in order to expand Groveland’s annexation abilities under the Agreement, and permit Groveland to annex lands noncontiguous to its boundaries, with the consent of the property owner(s), and provided that Groveland meets one of two conditions regarding the provision of central water and/or sewer service to the annexing property

**WHEREAS**, Florida municipalities possess Municipal Home Rule Powers pursuant to Article VIII, Section 2(b) of the Florida Constitution and Section 166.021, *Florida Statutes*; and

**WHEREAS**, the City Council of the City of Groveland finds that the benefits of intergovernmental communications and coordination will accrue to all parties of the ISBA; and

**WHEREAS**, the City Council of the City of Groveland has determined that the best interests of its citizens would be served by adopting the Amendment to ISBA; and

**WHEREAS**, the City may enter into the Amendment to ISBA pursuant to the authority of Article VIII of the Florida Constitution and Chapters 163.3177, 166.021 and 171.203, *Florida Statutes* (2016).

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

**SECTION ONE: Recitals** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**SECTION TWO:** The City Council hereby adopts the Amendment to Interlocal Service Boundary Agreement between the City of Groveland, City of Clermont, Town of Howey-

in the Hills, City of Leesburg, City of Mascotte, City of Minneola, and Lake County attached hereto and incorporated herein as **Exhibit "A"** which shall be kept on file in the office of the City Clerk.

**SECTION THREE: Effective Date.** This Ordinance shall take effect immediately upon final adoption by the City Council of the City of Groveland, Florida subject to approval by all parties to the Agreement.

PASSED AND DULY ADOPTED by the City of Groveland, Lake County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Attest:



\_\_\_\_\_  
Tim Loucks, Mayor

\_\_\_\_\_  
City Clerk/Acting 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 CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-04-09 Adopting Amendment to ISBA

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** April 27, 2016

**BACKGROUND:** In 2013 the City of Groveland, City of Clermont, Town of Howey-in the Hills, City of Leesburg, City of Mascotte, City of Minneola, and Lake County, entered into an Interlocal Service Boundary Agreement (“ISBA”). The ISBA included lists of properties (B-1 and B-2) that could be annexed immediately, and properties that could be annexed once a fire services agreement was adopted. Finally, the ISBA allowed annexation of properties outside of B-1 and B-2, provided that the County gave written consent and the City demonstrated a direct link between the annexation and job creation or other economic activity other than residential construction. The City thereafter entered into a separate, twenty year agreement with Lake County for provision of automatic aid to one another for fire and emergency services.

Last year a property owner proposed annexing into the City, however, it was prohibited by the ISBA as the property was not specifically listed in B-1 and B-2 and would not have met the economic development criteria. There was language to support annexation in the City’s fire services agreement with Lake County. One City Attorney raised the issue that the fire services agreement was not approved by all the ISBA parties, and that to allow the ISBA needed to be amended.

The City requested an amendment. The Amendment expands the City’s annexation abilities under the Agreement, and permits Groveland to annex lands noncontiguous to its boundaries, with the consent of the property owner(s), and provided that City meets one of two conditions regarding the provision of central water and/or sewer service to the annexing property. The two conditions are:

1. The property is presently being served water and/or sewer. OR
2. At the same time as annexation, the City and property owner enter into an utility agreement requiring connection to either the City’s water or sewer utility system, or both if required by the City’s comprehensive plan. The utility agreement must also provide that if connection is only to one utility (water or sewer) at the time

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of development, the property must connect to the remaining utility when available.

The Amendment also incorporates the Fire Services Agreement into the ISBA, as opposed to a separate document.

City Staff has reviewed the language and is in agreement with the revisions, and inclusion of the Fire Services Agreement into the ISBA.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Amendment to ISBA
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 2, 2016
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<b>AGENDA ITEM:</b> Ordinance 2016-04-10 – Defining a consistent and fair lien reduction process (2 <sup>nd</sup> Hearing)
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<b>CITY GOAL:</b> Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
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<b>PREPARED BY:</b> Ken Comia, City Planner / City Manager's Office
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<b>DATE:</b> April 22, 2016
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### BACKGROUND:

The City has been providing general guidance and handling lien reduction requests. Most of the liens are related to code enforcement violation fines and since many of those fines are accrued daily, until the violation is corrected, the amounts can become substantial.

As lien reduction and forgiveness requests have increased during the past year, Council expressed a desire to establish a standard process to deal with these complex issues.

The process includes:

- 1) A written application to the City requesting a reduction or forgiveness of a fine or penalty plus a non-refundable \$300 fee to reimburse the City for its administrative costs.
- 2) The City will determine recommendations based on factors such as, gravity of violations, the time it took violation to come into compliance, accrued amount code enforcement fines, etc.
- 3) The City will place application for satisfaction or release of lien upon agenda of the regularly scheduled Council meeting.
- 4) Council will take action based solely upon application, recommendation of City staff, and applicant's testimony.
- 5) The City Council may reduce the amount of the lien, waive the full amount of the lien or continue the lien in its full amount.
- 6) When a lien is satisfied as a result of full or reduced payment, or waiver, as ordered by Council, the City will record the satisfaction/release of lien in the Public Records of Lake County, and provide a copy to the property owner.

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**STAFF RECOMMENDATION:** Approve the motion

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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**ORDINANCE 2016-04-10**

**AN ORDINANCE OF' THE CITY OF GROVELAND, FLORIDA RELATING TO CODE ENFORCEMENT LIENS; PROVIDING THAT THE CITY MANAGER IS AUTHORIZED TO EXECUTE AND RECORD A SATISFACTION OF LIEN UPON CERTAIN CONDITIONS BEING MET; PROVIDING THAT THE CITY MANAGER SHALL CONSIDER ANY APPLICATIONS FOR REDUCTION OR WAIVER OF CODE ENFORCEMENT FINES AND PENALTIES WHEN ORDERS IMPOSING SUCH FINES OR PENALTIES HAVE BEEN RECORDED IN THE PUBLIC RECORDS AND MAKE RECOMMENDATION TO THE CITY COUNCIL; PROVIDING CRITERIA FOR THE CITY MANAGER OR DESIGNEE, AND THE CITY COUNCIL TO FOLLOW WHEN CONSIDERING APPLICATIONS FOR REDUCTION OR WAIVER OF LIENS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 162.09(3), Florida Statutes, provides that code enforcement liens run in favor of the local governing body, and the local governing body may execute a satisfaction or release of any code enforcement lien; and

**WHEREAS**, Section 162.09(2)(c), Florida Statutes, provides that the code enforcement board may reduce a code enforcement fine before the order imposing such lien has been recorded; and

**WHEREAS**, Attorney General Opinion 02-62 and Attorney General Opinion 99-03 opine that code enforcement boards are not authorized to reduce fines when code enforcement orders have been recorded in the public records, and that the local governing body is vested with the authority to reduce or satisfy liens after such liens have been recorded; and

**WHEREAS**, Attorney General Opinion 99-03 opines that a City Council may delegate its authority to execute satisfactions or release of code enforcement liens so long as such delegation does not result in a complete divestiture of such liens by the City Council to a private party and City Council would continue to be responsible for making a determination that the lien has been paid and issuing a satisfaction or a release; and

**WHEREAS**, pursuant to Section 166.021, Florida Statutes, the City of Groveland through its home rule powers may exercise any power for municipal purposes except those expressly prohibited by law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:**

**SECTION 1. APPLICATION FOR SATISFACTION OR RELEASE OF CODE ENFORCEMENT LIENS.** The Code of Ordinances of the City of Groveland, Florida is amended by adding an article to be numbered V, which article shall read as follows:

**ARTICLE V. – SATISFACTION OR RELEASE OF CODE ENFORCEMENT LIENS**

**Sec. 18-101. – Application.** Where a certified copy of an order imposing a fine or fine plus costs has been recorded in the public records and therefore has become a lien against the real or personal property owned by the violator, such owner may apply for a satisfaction or release of such lien as follows:

(a) Upon full payment by the owner of the lien imposed in accordance with this chapter, the City Manager is hereby authorized to execute and record in the public records a satisfaction or release of lien.

(b) Upon request for a reduction or forgiveness of a lien imposed in accordance with this chapter for properties in which all violations have been brought into compliance as confirmed by the City Manager or designee, the owner shall submit a written application to the City plus an application fee adopted by resolution of the city council.

- (1) The application shall include the following:
  - a. A copy of the order imposing a lien upon the property;
  - b. The code enforcement case number;
  - c. The date upon which the subject property was brought into compliance with the requirements of the City Code;
  - d. The factual basis upon which the owner believes the application for reduction or forgiveness of the lien should be granted;
  - e. The specific terms upon which the owner believes a satisfaction or release of lien should be granted;
  - f. The reasons, if any, compliance was not accomplished by the owner prior to the order imposing fine or fine plus costs being recorded; and
  - g. The amount of the reduction sought by the owner.

(2) The application shall be executed under oath and sworn to in the presence of a notary public and delivered to the City Manager, or designee.

(c) Upon request for a reduction or forgiveness of a lien imposed in accordance with this chapter for properties in which all violations have not been brought into compliance as confirmed by the City Manager or designee, the owner shall submit a written application to the City plus an application fee adopted by resolution of the city council.

(1) The application shall include the following:

- a. A copy of the order imposing a lien upon the property;
- b. The code enforcement case number;
- c. Proof of site control;
- d. Proof of clear title for all non-City liens and defects on the property;
- e. Proof of all property taxes current;
- f. A description of the proposed project or use of the property;
- g. An explanation of the possible future land use changes or rezoning required for the proposed project and a timeframe in which these applications will be received by the City;
- h. The date upon which the owner will bring the subject property into compliance with the requirements of the City Code;
- i. The amount of the reduction in lien sought by the owner; and
- j. Estimated cost of the project or use of the property, and business plan.

(2) The application shall be executed under oath and sworn to in the presence of a notary public and delivered to the City Manager or designee.

(d) The application fee shall reimburse the City for its administrative costs associated with handling the application, recording the order imposing a

penalty or fine and the requested satisfaction or release of lien. The application fee is non-refundable, without regard to the final disposition of the application for satisfaction or release of lien.

**Sec. 18-102. – Property in compliance.** The City Manager or designee, in determining a recommendation to be presented to city council, shall consider the following factors for properties in which all violations have been brought into compliance as confirmed by the City Manager or designee:

- (a) The gravity of the violation(s);
- (b) The time it took for the owner to bring the property into compliance;
- (c) The accrued amount of the lien, as compared to the market value of the property;
- (d) Any previous code violation(s) of owner;
- (e) The proposed use of the property; and
- (f) List of all other properties owned by the owner in Lake County, Florida.

**Sec. 18-103. – Property not in compliance.** The City Manager or designee, in determining a recommendation to be presented to city council, shall consider the following factors for properties in which all violations have not been brought into compliance as confirmed by the City Manager or designee:

- (a) The gravity of the violation(s);
- (b) The time it will take the owner to bring the property into compliance;
- (c) The accrued amount of the code enforcement fine or fine plus costs, as compared to the market value of the property;
- (d) Any previous code violation(s) of the owner;
- (e) Consideration for the proposed use of the property;
- (f) List of all other properties owned by the owner in Lake County, Florida; and
- (g) Proof that 10% of the amount reduced or waived has been or will be invested into the property. This investment may include labor, materials, and purchase price, if purchased subsequent to fine or fine plus costs being imposed.

**Sec. 18-104. – Placement on council agenda.** The City Manager or designee shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled City Council meeting. The owner or owner’s representative shall have an opportunity to address the City Council at the Council meeting, as to the factors warranting reduction or waiver of lien. The City Council, in considering the application for satisfaction or release of lien, may take action based solely upon the sworn application, recommendation of the City Manager or designee, the factors set forth in this article considered by the City Manager or designee in formulating a recommendation, and the presentation by owner or owner’s representative at the council meeting.

**Sec. 18-105. – Action by council.** The City Council may reduce the amount of the lien, waive the full amount of the lien, or continue the lien in its full amount. The City Council may enter into an agreement with the property owner which includes Council’s decision and any conditions relating to Council’s decision.

**Sec. 18-106. – Release or satisfaction of lien.** When a lien is satisfied as a result of payment of the lien in full, payment of the reduced lien, or waiver as ordered by the City Council, and all the conditions of any agreement entered into with the property owner, the City shall record a satisfaction or release of lien in the Public Records of Lake County, Florida and provide a copy to the owner.

#### **SECTION 2. 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 3. Conflict.**

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

#### **SECTION 4. Codification.**

It is the intent of the City Council of the City of Groveland that the provisions of this ordinance shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or reletter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

#### **SECTION 5. 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:

\_\_\_\_\_  
City Clerk/Acting 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		



## REQUEST FOR CITY COUNCIL CONSIDERATION

**MEETING DATE:** May 2, 2016

**AGENDA ITEM:** Ordinance 2016-04-11 Council participation via videoconferencing

**CITY GOAL:** Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.

**PREPARED BY:** Anita Geraci-Carver, City Attorney

**DATE:** April 27, 2016

**BACKGROUND:** At Council's March 21, 2016 Workshop directed an ordinance be drafted to allow Council members to participate in public meetings via Skype in limited circumstances. As was discussed the Florida Attorney General opinions support a determination that serious medical conditions are an extraordinary circumstance that would allow a council member to attend a public meeting by telephone conference or video conferencing system when a quorum is reached by those physically present at the meeting. One opinion indicates that scheduling conflicts of a council member is left to the board's determination as to whether it is an extraordinary circumstance.

Council indicated attendance at a funeral for an immediate family member is an extraordinary circumstance. Council indicated an extraordinary circumstance also exists for the illness of a council member's spouse or child. Council also indicated that due to the meeting schedule for council members at their various meetings, vacation scheduling is very difficult, and while a council member may be excused by the Council for the absence, there was a desire to allow the council member to participate even though not physically present. Council felt that if advanced notice was provided, then it would be considered an extraordinary circumstance for which video conferencing will be allowed.

The ordinance addresses Council's direction as stated above, and further includes Council's desire to pay up to \$180 per meeting towards the cost of medical transportation and medical personnel's attendance at a meeting with a council member. This would occur when a council member is ill and physically able to attend the meeting with this type of assistance. If the Council member is unable to physically attend, then it is an extraordinary circumstance and attendance could be by teleconferencing.

**STAFF RECOMMENDATION:** Motion to Approve Ordinance

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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**ORDINANCE 2016-04-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AMENDING DIVISION 2 IN CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND TO ADD PROVISIONS ALLOWING COUNCIL MEMBERS TO APPEAR AT PUBLIC MEETINGS BY VIDEO TELE-CONFERENCING IN LIMITED CIRCUMSTANCES AND TO PROVIDE TRANSPORTATION AND OTHER REQUIRED CARE NOT TO EXCEED \$180.00 PER MEETING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council recognizes the importance of Council members, elected by the residents of the City of Groveland, to participate and attend public meetings held by the City Council; and

**WHEREAS**, there are instances where a Council member is unable to attend public meetings due to illness, illness of an immediate family member, funeral for an immediate family member, and vacation, and Council wishes to allow in those circumstances for a Council member to be able to participate and attend via video tele-conferencing; and

**WHEREAS**, the City Council understands there are limitations in allowing Council members to participate in public meetings and it is Council's intent in adopting this ordinance to adhere to current Florida law; and

**WHEREAS**, the City Council also desires to pay a limited amount for a council member to have transportation to and from a public meeting in certain circumstances and to pay a limited amount to provide the council member with health care during the meeting, if required due to health considerations; and

**WHEREAS**, the City Council of the City of Groveland finds the enactment of this ordinance serves a public purpose.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA AS FOLLOWS:**

**Section 1: Recitals** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**Section 2: Attendance by Council members.** The Code of Ordinances of the City of Groveland, is hereby amended by adding a section, to be numbered 2-94, which said section reads as follows:

**Sec. 2-94. - Attendance by Council members.**

- (a) Where a council member is unable to physically be present at a regular or special council meeting, city council workshop, or CRA meeting, due to extraordinary circumstances and when a quorum of the city council or CRA

board members are physically present at the meeting, the council member may participate in the meeting by video teleconferencing provided by the City.

- a. Extraordinary circumstances for the purpose of this section shall mean illness of the council member, illness of the council member's spouse, or illness of the council member's child. It shall also mean death of a spouse, child, parent, son-in-law, daughter-in-law, or grandchild.
- b. Extraordinary circumstances shall also mean vacation of a council member when advanced notice is provided to Council or the CRA Board during a public meeting. If advanced notice is not provided during a public meeting, then a majority of Council or CRA Board physically present at the meeting must make a finding that an unannounced vacation is an extraordinary circumstance. If such a finding is made, then it shall be considered extraordinary circumstances. If such a finding is not made, then it shall not be considered extraordinary circumstances.

- (b) Where a council member is able to physically be present at a regular or special council meeting, city council workshop, or CRA meeting, but due to illness of the council member, transportation to and from the meeting requires special needs, such as medical transport, and/or requires medical staff to attend the meeting with the council member, the City shall pay up to \$180.00 per meeting towards the expense of such transport and medical staff attendance.

**Section 3: Severability** If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable shall be severed here from and the remainder of this ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

**Section 4: Conflict** All ordinances or parts of ordinances, resolutions or parts of resolutions, which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinances, in which case those ordinances so affected shall be hereby repealed in their entirety.

**Section 5: Codification** It is the intent of the City Council of the City of Groveland that the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or reletter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

**Section 6: Effective Date**

This Ordinance shall become effective immediately upon final adoption by the City Council of the City of Groveland.

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, FL

ATTEST:

\_\_\_\_\_  
City Clerk/Acting 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
John Griffin		
Tim Loucks		
Karen McMican		
Mike Radzik		
Dina Sweatt		

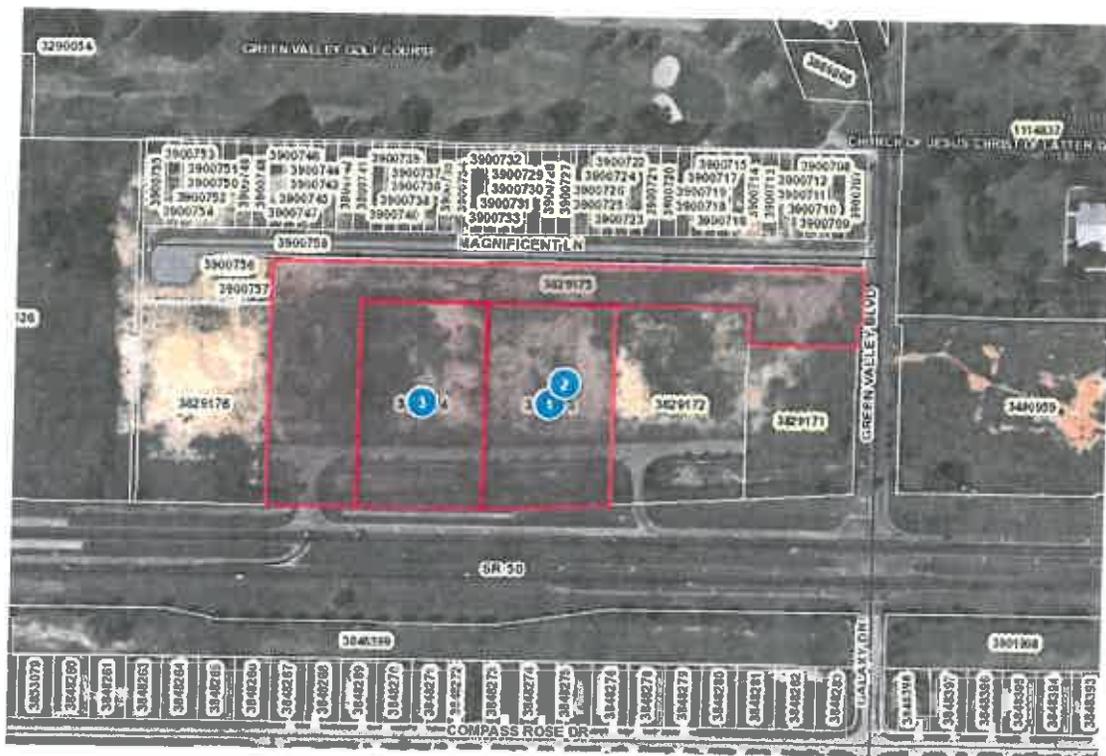


## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	May 2, 2016
<b>AGENDA ITEM:</b>	Resolution 2016-05-11 – Variance to Landscaping and Architectural Details – Rockers Lockers
<b>CITY GOAL:</b>	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
<b>PREPARED BY:</b>	Ken Comia, City Planner
<b>DATE:</b>	April 27, 2016

### BACKGROUND:

The Rocker Family Trust owns three parcels on State Road 50. The parcels are highlighted:



The Rocker Family Trust submitted a site plan of a storage rental facility which has been reviewed and will be forth coming to the LPA and City Council in the near future. However, during the site plan process the applicant has requested variances from the landscaping code and from the code regulating architectural details for exterior elevations. These variances as listed on their application are identified below:

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## Landscaping

When Council approved the preliminary plat for the project, it contained a landscape buffer of 10-foot on the north and west property boundaries, rather than 15' landscape buffer B as required in Sec. 133-67. The applicant is aggregating Lots 3, 4 and 5, therefore the perimeter of the three lots collectively is the focus. Landscape buffer B requires:

Either:

- (1) 15' buffer consisting of 4 canopy trees, 3 ornamental trees, 2 foot high hedge, six-foot wall or fence and 20% of landscape ground cover other than turf; or
- (2) 20' buffer consisting of 3 canopy trees, 2 foot high hedge, 15% of landscape ground cover other than turf.

Sec. 133-67(1) provides that if no buffer exists on the adjoining property, buffering is required. It further provides that for commercial parcels within a master-planned commercial center or mixed use PUD, the applicant may use the buffer installed on adjacent parcels within the same development if the buffers were required by a development order approved by the city.

The applicant is also requesting a variance from Sec. 133-99 which requires:

- (1)f. Canopy trees shall be planted an average of 50-foot centers around the total perimeter of the parking lot.
- (2) Buildings shall have landscaping areas planted with trees, shrubs and ground covers, other than sod, around the building.
- (8) 3 canopy trees for every 150 linear feet of retention pond bank shall be required. A minimum of 3 canopy trees shall be required at retention ponds.

Sec. 133-6 in the landscaping code states that "Council may waive or reduce a portion of the required landscaping and/or buffering requirements under any one of the following conditions:

- (1) The strict application of one or several of these requirements would create a nonconforming use.
- (2) When, because of the particular physical surroundings, shape or topographical condition of a property, strict compliance would cause an unreasonable hardship on the property.

The applicant has stated the following justifications:

- a. Preliminary plat has a 10' wide rear buffer (north and west sides). Lots 3, 4 and 5 are being combined. The west buffer has storm pipes preventing trees from being planted, but mostly blocked by Lot 6.
- b. Perimeter landscaping required around the buildings are not suitable for the self-storage units, particularly on access sides. Shrubs are most appropriate for the small internal buffers.

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- c. Applicant states it did not create difference in the PUD plans and written documents, and weren't aware of them until receiving the City's comments during site plan review. The PUD plan set up the internal and external landscape and setback requirements applicant was trying to adhere to.
- d. Lot 5 is an unusual layout and the nature of self-storage facilities.
- e. Site specific landscaping fits well with the design of the project.
- f. Existing and proposed landscaping blocks a lot of the view from the adjacent roads. Adjacent lots 6, 2 and 1 block additional views and landscaping between them would not provide benefit as it wouldn't be seen.
- g. The project is improving the area with additional landscaping and upkeep of a property that has not been maintained for over 10 years.

Additional justifications can be found in the attached correspondence from J. Brian Denham, P.E. (**March 4, 2016 letter**).

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# Denham

## Engineering, LLC

March 4, 2016

Mr. Ken Comia  
Planner  
City of Groveland  
156 S. Lake Ave.  
Groveland, FL 34736

**PLAN NAME: Rockers Lockers – Green Valley Lots 3-5  
Site Plan Review**  
**PLAN NUMBER: Application No. 2015-86**

Dear Mr. Comia,

The following is our response to the city comments dated 2-16-16.

### City Attorney

1. Please advise whether or not Building 7 encroaches on 10' Distribution Easement recorded in O.R. Book 3722, Page 1900, Public Records of Lake County, Florida.  
**Response: Buildings have been revised accordingly. This was information that came up on the new January 9 survey and it was not known to be an issue. We appreciate you pointing this out. See revised plans.**
2. If not already on file, please have Owner/Agent affidavits submitted and signed on behalf of Vacation Finance, LLC and B&J Finance, LLC, as the title opinion reflects them as owners.  
**Response: There's no place for a company name on the city affidavit, so we are submitting the sunbiz prints showing Billy Rocker owns the companies.**
3. **THIS COMMENT WAS NOT ADDRESSED:** The setbacks set forth in the approved PUD are: Front: 35 feet, Rear: 10 feet, Side 25 feet. The site plan does not meet these setback requirements. Any adjustment requires an amendment to the PUD ordinance, and/or the applicant can aggregate lots into one parcel which removes the setback requirements between applicant's lots, but not between adjacent lots. In either circumstance, utility easements cannot be disregarded. It appears Bldg. 7 encroaches within a drainage/ingress egress easement.  
**Response: see revised plans. Building 7 has been revised to avoid the easement. We request the lots be aggregated so we may accomplish the layout shown on the plans.**
4. The following are visible from SR 50, other public right of way, and may be visible from adjoining properties' public space: Building 2 - West Elevation, Building 8 – East Elevation, Building 11 -North Elevation, Building 13- South Elevation. Therefore, each must meet the

architectural details provided in Sec. 153-106 and Sec. 153-35(c)(20). Not all architectural details and requirements provided for in Sec. 135-35(c)(19) are met.

**Response: owner would like to request approval from the city council for this item.**

**Building 2 West will be blocked by our landscaping and the development on lot 6.**

**Building 8 East will be blocked by our landscaping and the development on lot 2.**

**Building 11 is internal to the site and has the retention area and landscaping to block view. Building 13 South will be blocked by our landscaping and the development on lot 1.**

5. Trash receptacles should be required. Sec. 153-35(c)(40). Sec. 137-114. "Sec. 153-35(c)(40). Site furnishings including, but not limited to, benches, bicycle racks, trash receptacles and shopping cart corrals shall be compatible with the architectural design of the principal structure and, if located within a planned development, consistent with a uniform program established for all properties within said development." Sec. 137-114: "Site furnishings including, but not limited to, benches, bicycle racks, trash receptacles and shopping cart corrals shall be compatible with the architectural design of the principal structure and, if located within a planned development, consistent with a uniform program established for all properties within said development."

**Response: Owner's experience indicates benches, bicycle racks, trash receptacles and shopping cart corrals are not necessary.**

6. Compliance with landscaping buffers and landscaping requirements are not met. Any adjustments to buffers and requirements require a waiver approved by City Council. See Sec. 133-99 and 133-67. Although Council approved adjusted setbacks in the preliminary site plan (which should be amended in the PUD as well), the City Landscape Code requires Council to specifically grant variances. No mention was made of landscaping variances. This requires formal action by Council in the form of a resolution.

**Response: We request variances necessary to accomplish that shown on the plans. The landscape architect has provided a detailed explanation of our position. We request to proceed simultaneously where staff should make the order on the agenda to be (1) variance from landscape code followed by (2) site plan approval.**

**The following is the response by the Landscape Architect:**

**133-67 (b)**

The western property line requires a Buffer type 'B' that can either be 15' wide or 20' wide. We have approved a 10' width buffer and a drainage pipe is centered on the 10' width. So in our opinion nothing but shrubs can be planned for this buffer.

**133-67 (b)**

The northern property line requires a Buffer type 'B' that can either be 15' wide or 20' wide. We have an approved 10' width and have been requested to improve the facade of the buildings above and beyond for appearance reasons. We believe then a fence should not be required, covering up the improvements. Canopy trees were shown at 32' o.c. and ornamental trees at 32' on center. And, a 2' hgt. hedge was provided that covers 20% of the area/width.

**133-67 (b)**

Along the southern boundary lines requires a Buffer type 'B' that already exists and is between the frontage road and the SR50 ROW line. We have noted such on the plans and felt that the existing buffer satisfies the intent of the buffer requirement. This was understood from previous meetings with Brian Denham, you and the City.

Along the eastern boundary lines requires a Buffer type 'B' that can either be 15' wide or 20' wide. For the first 147' going north to south the same buffer as the northern property line was provided, having Canopy tree's at 32' o.c. This as well as the northern buffer is identical to that approved earlier on plans provided on 2007. Ornamental trees at 32' on center, a 2' hgt. hedge that covers 20% of the area/width. The actual buffer width was 29' and building walls and fence gates provide enclosure.

**133-99(1)f. Parking lot perimeter trees and spacing**

Trees are requires at avg. 50 LF around perimeter of parking lot with a maximum spacing of 150' and must be from 8' to 30' from the edge of pavement. South of the parking lot the trees cannot be provided. There is no land available that is not in an easement.

**133-99 (2) Building Perimeter Landscaping**

Since the function of the buildings are to provide storage and require continuous vehicular access, nearly all building perimeters are paved and cannot be landscaped. Those facing the right-of-way were provided buffers according to the above descriptions.

**133-99(8) Retention Pond Landscaping**

Retention ponds are required to be provided with on tree every 150 LF of bank (top of bank) and within 40' of the top pf bank. We did not see any land available that was not a part of the northern property line buffer that was outside the maintenance berm to plant trees, and the underground piping within the pond indicated planting them in the pond would not be feasible.

We have been though the code and had discussions with our team on previous approvals and feel this satisfies the intent of the landscape code.

We appreciate the city's diligent assistance on our project and will be happy to answer any questions or provide any additional information as required.

Sincerely,



J. Brian Denham, P.E., President  
Denham Engineering, LLC



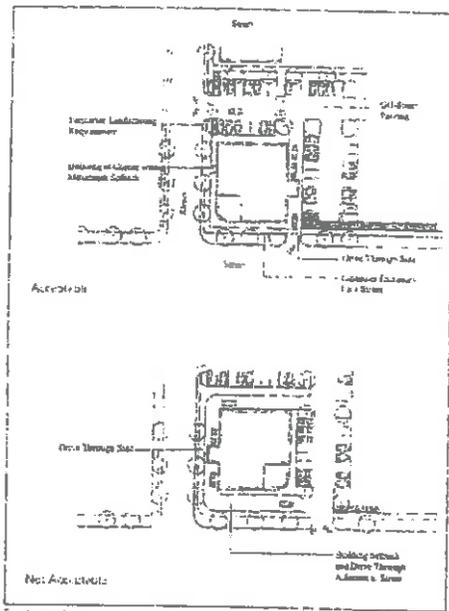
Sec. 137-106: **See attached Sec. 137-106 for full details.** Subsection (a)(1) requires structures on corner lots, through lots or by the nature of site design layout which are clearly visible from rights-of-way and public areas of adjoining properties shall be designed with full architectural treatment on all visible sides. Subsection (c) includes that color, shape, architectural banding, pattern change, material, and form change, etc. shall be used to break up large areas of blank wall space visible from any right of way or parking area. Blank areas shall not exceed 20 feet in horizontal direction, nor 10 feet in vertical direction. Subsection (e) requires real or false windows be provided on all elevations visible to motorists or pedestrians.

**Sec. 137-106. - Orientation and design.**

(a) Generally.

- (1) Structures which are situated on corner lots, through lots or by the nature of the site layout are clearly visible from rights-of-way and public areas of adjoining properties shall be designed with full architectural treatment on all visible sides. Such treatment shall include roof design, wall materials, and door and window openings as applicable. Any facade facing a public right-of-way shall have either:
  - a. The main customer entrance with associated entry features; or
  - b. Windows along 50 percent of the horizontal length of that facade.
- (2) Automobile repair, servicing or other establishments requiring large bay doors must position the building so that those doors do not face the adjacent right-of-way. Likewise, drive-through windows may not be located on the side of a building facing a right-of-way.
- (3) Drive through windows facing a right-of-way must have a landscaping buffer of five feet between the stacking lane and the parking lot. Walkable access from the right-of-way to the establishment entrance is also required.
- (4) For industrial properties that adjoin other industrial properties, only the front facade shall be required to follow the regulations in this division. Where industrial properties adjoin nonindustrial properties, the regulations in this division shall apply.

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Site layout for drive through uses should place building's drive through away from pedestrian area.

### Site Layout—Drive-Through Uses

- (b) **Facade.** Facades should be designed to reduce the scale and uniform appearance of the building and provide visual interest. No wall/elevation should run continuously for more than 100 feet without providing a change or variation in the roof line or building facade. Retail storefront design, relief features and decorative treatments should complement adjacent storefronts and relate to the detailing of the entire building or block.

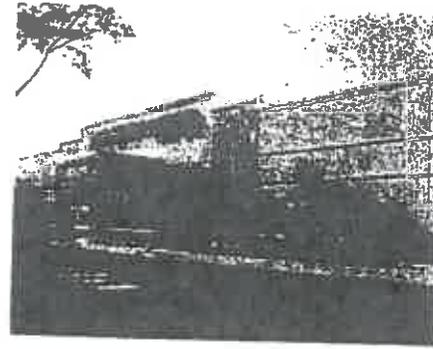
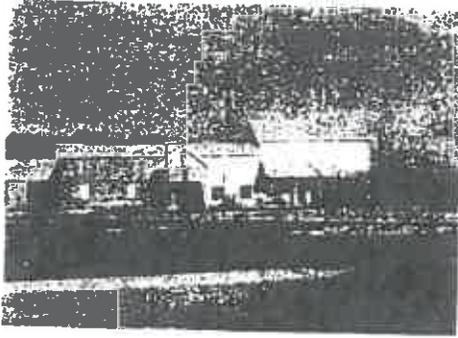


Use of false windows to enhance facade

### Facade

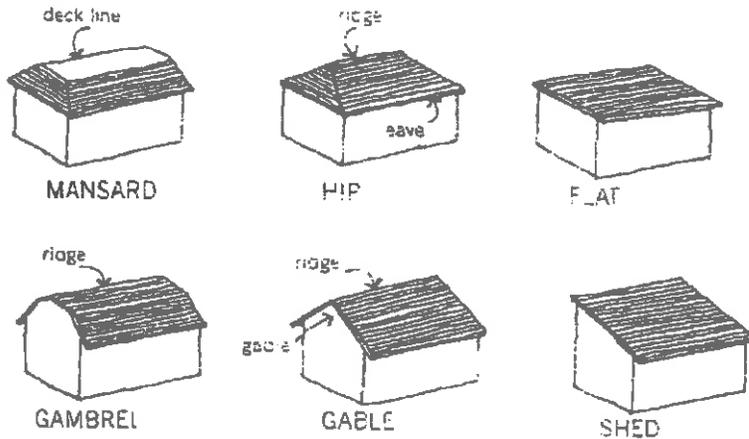
- (c) **Blank walls.** Elements of design such as color, shape, architectural banding, pattern change, material and form change, etc., shall be used to break up large areas of blank wall space that are visible from any right-of-way or parking area. Blank areas shall not exceed 20 feet in horizontal directions, nor ten feet in vertical direction.

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## Blank Walls

- (d) Roofs. Variations in roof lines should be used to add interest to and, in the case of large buildings, reduce scale. The design of visible roof structures shall be of hip, gambrel, mansard, shed and gable styles and of such height, bulk and mass as to appear structural even when the design is nonstructural. The minimum permitted slope shall be 4:12.



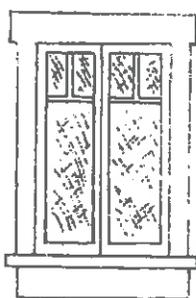
## Roofs

- (1) Flat roofing systems shall only be permitted for those nonvisible areas described as follows:
  - a. Roof areas incorporated with the design or a shed, hip, gambrel, mansard or gable roof system which, when viewed from the street perspective, are not visible or apparent and do not detract from the "structural" appearance of the visible roof design. Such roof areas shall primarily be used to support roof-mounted mechanical equipment or to provide acoustical mitigation of roof-mounted mechanical equipment.
  - b. Roof areas where use of a flat roof has been determined to be an integral feature of a recognized architectural style.
- (2) Roof-like architectural embellishments such as false roofs, parapets, lean-to roofs, and other similar features may be permitted if determined to be required for the acoustical mitigation of mechanical equipment or to visually screen such equipment, and to be an

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integral feature of a recognized architectural style. Such features shall be placed on all sides of the structure as design permits.

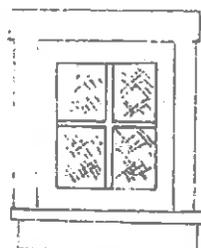
- (3) Materials utilized on visible roof structures shall consist of wood, concrete, synthetic or fiberglass shingles, barrel tile, clay tile or similar finished material having a natural appearance. Metal roofs may be permitted if determined to be an integral feature of a recognized architectural style. Metal roofs may also be used on buildings on industrial properties that are behind the primary structure.
- (e) Windows. Real or false windows shall be provided on all elevations visible to motorists or pedestrians. Windows shall appear to be casement or double-hung. The use of fixed glass and/or false exterior mullions shall be permitted. The ratio of wall surface to openings and the ratio of the width and height of windows and doors shall be consistent with the architectural style of the building. For windows with shutters, the shutter dimensions shall be appropriately scaled to the window so as to give the appearance of operable shutters. This is not required for the sides of industrial buildings that directly adjoin other industrially-zoned properties.



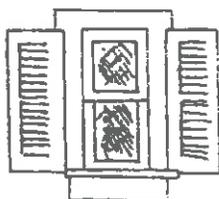
Casement



Double-hung



False-fixed Mullions



Appropriately  
Dimensioned  
Shutters



Inappropriately  
Dimensioned  
Shutters

## Windows

- (f) Materials. Exterior walls shall be constructed of finished materials such as stucco, natural block or stone, finished concrete, wood or other similar material on all sides. Exposed concrete block or metal finishes shall not be permitted except where determined to be an integral feature of a recognized architectural style. For industrial buildings that are not on parcels that adjoin SR 50, SR 19, SR 33, US 27, CR 565, CR 565A, and CR 478, metal buildings are acceptable as long as the primary facade has decorative finishes or windows covering at least 50 percent of the building face, and the sides facing any properties that are not industrial either have decorative finishes or windows covering at least 50 percent of the building wall or are concealed by a landscape buffer and accompanying landscaping that is equal to double that

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normally required (double the landscape buffer width and double the number of trees and shrubs required).

- (g) Colors. Exterior building materials, unless natural stone or brick, shall be painted with earth-tone colors or pastels. The selection of pastels shall be limited to those colors having a minimum white content of 90 percent. Other colors may be used as accent colors, not to exceed 20 percent of the surface area of any one elevation. Day-Glo, fluorescent and visually overwhelming colors which are in stark contrast to surrounding buildings, and which call undue attention to the property, shall not be permitted. Likewise, color schemes that are determined by the city to be excessive, gaudy, or otherwise out of character with the spirit of this Code shall also be prohibited. The fact that certain colors are "corporate" or "signature" colors shall not be grounds for waiver from this provision. Where color schemes are used that commonly identify the business on site, said areas shall be considered signage and shall be included in the calculation of sign area.
- (h) Awnings.
  - (1) Awnings should be an adequate height and depth to form a continuous canopy along the sidewalk. If the formation of a continuous row covers or impedes architectural features and embellishments, recesses or openings may be considered. In a building containing multiples storefronts, the city may consider permitting individual stores or windows to have their own awning. Awnings on corner buildings should continue around the corner for compatibility with building form and pedestrian patterns. The size of the awning should be proportional to the scale of the host building and the surrounding streetscape.
  - (2) High-gloss vinyl (plastic) awnings and awnings with horizontal ribbing are prohibited, as are flowered or similarly patterned designs. Metal awnings are subject to the same restrictions and guidelines area other awning material. All awnings should incorporate straight valances; scalloped awnings may be permitted, subject to city approval, depending on the architecture of the building and the type and shape of awning used.

(LDR 1994, ch. XVIII, § 5.1; Ord. No. 2004-03-11, § 1(app. A), 5-3-2004; Ord. No. 2010-10-34, § 3, 10-18-2010; [Ord. No. 2014-12-19](#), § 2, 1-5-2015)

The following buildings listed below are visible from SR 50, other public right of way, and visible from adjoining properties' public space. Therefore, each must meet the architectural details provided in Sec. 137-106 and Sec. 153-35(c)(19).

Building 2 – West Elevation: The applicant indicates it will be blocked by landscaping; however, applicant states nothing but shrubs can be planted for the western boundary line, which will have a reduced perimeter buffer. If the landscape variance is granted, and the shrubberies used do not grow must in height, then the combined effect of the western elevations' lack of architectural details and lack of sufficient landscaping may result in an unattractive view.

Building 8 – East Elevation: Each project site is required to meet the code and future off-site landscaping and future development is speculative as to when construction will occur, what will be constructed, what variances/waivers the owner will seek, etc.

Building 11 – North Elevation: is visible from Magnificent Lane and the Green Valley Townhome project.

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Building 13 – South Elevation: There is only a 2' landscape buffer along the southern boundary where Building 13 is located. Each project site must meet the code.

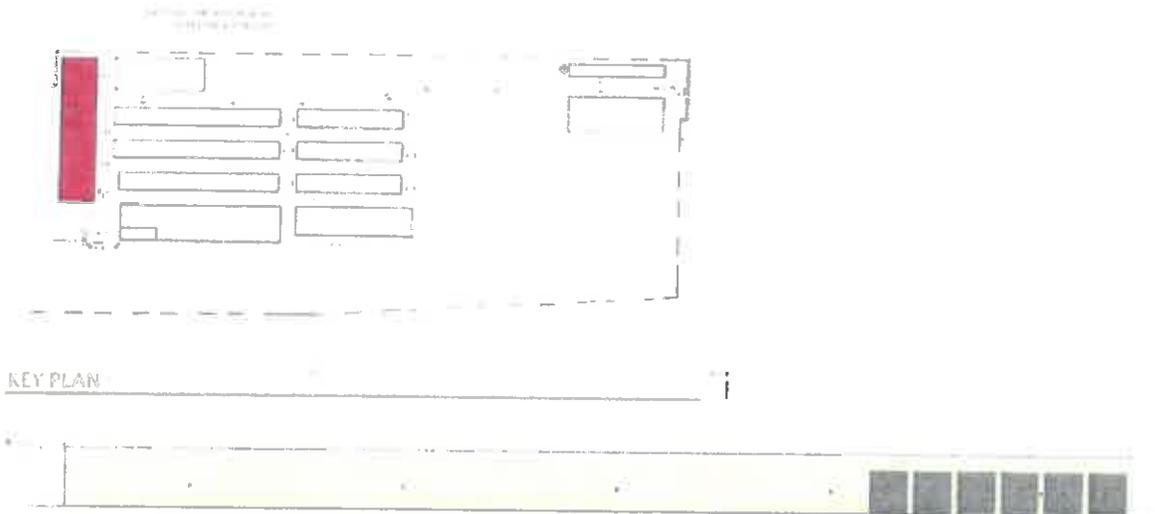
The applicant believes that from the right of ways, namely State Road 50 and Green Valley Boulevard, that the treatments to the elevations are adequate, and the site is not clearly visible from other areas due to landscaping, distance, and elevation.

Regarding Sides 2 West, 8 East and 13 South (see attached) which the site is higher than State Road 50, there is landscaping that blocks view of the site, along with after buildout Lots 6 and 3 which will have views blocked from the west, east and south. Elevation 11 North is separated by the internal road, retention pond, property landscaping, and both the roadway and landscaping at the Green Valley Townhomes subdivision to the north.

In accordance with Sec. 153-61 Council may grant a variance if it finds there is substantial competent evidence to support the following factors:

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;
- b. That special conditions and circumstances do not result from the actions of the applicant;
- c. That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the same terms of this chapter and would work unnecessary and undue hardship on the applicant;
- d. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- e. That the grant of the variance will be in harmony with the general intent and purpose of this chapter, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

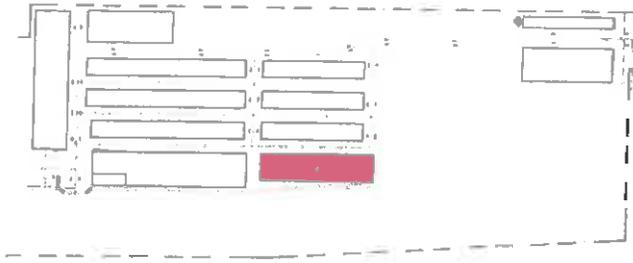
## BUILDING 2 – WEST ELEVATION



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## BUILDING 8 – EAST ELEVATION

HATCHED AREA INDICATES  
BUILDING LOCATION



KEY PLAN

NORTH

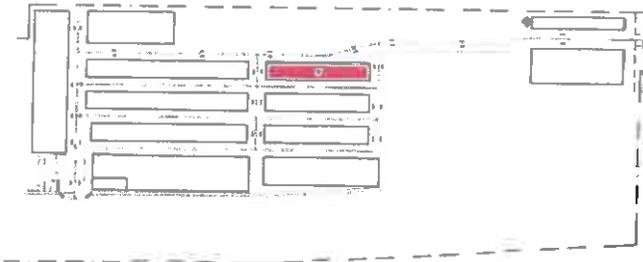
+11'-5"  
T/ PARAPET



2

## BUILDING 11 – NORTH ELEVATION

HATCHED AREA INDICATES  
BUILDING LOCATION



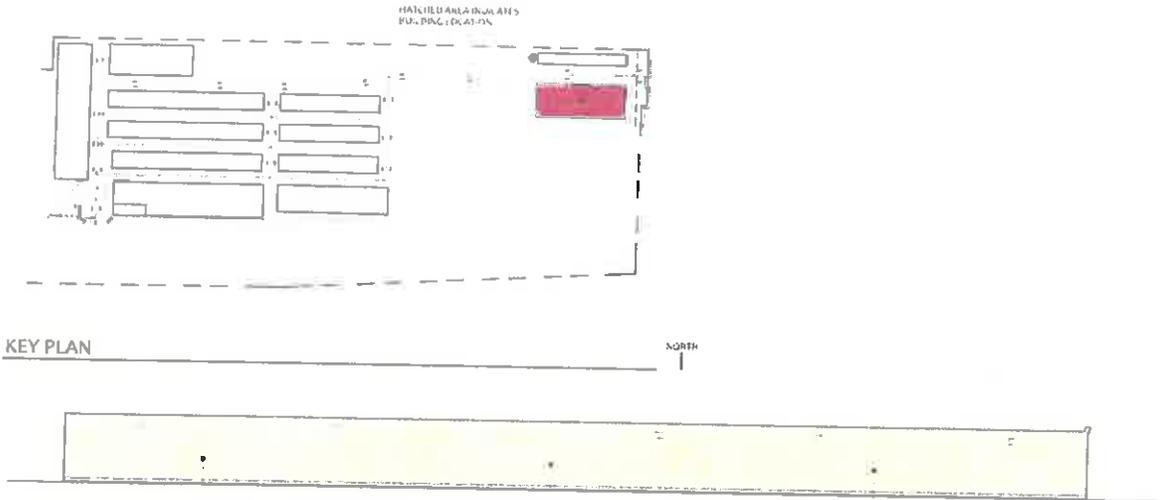
KEY PLAN

NORTH



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## BUILDING 13 – SOUTH ELEVATION



Council may prescribe appropriate conditions and safeguards in granting the variance.

Based upon the information provided to staff to date, staff recommends approval of the variance to landscape code and consider the variance for architectural details for approval with consideration to the site specific conditions.

**STAFF RECOMMENDATION:** Motion to approve landscaping variance and consider variance approval to architectural details based on site specific conditions

**REVIEWED BY CITY MANAGER:**

**COUNCIL ACTION:**

**MOTION BY:**

**SECOND BY:**

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**RESOLUTION 2016-05-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, GRANTING A VARIANCE FROM SECTION 133-67 OF THE CITY OF GROVELAND LANDSCAPING CODE WHICH REQUIRES LANDSCAPING BUFFER B ALONG ALL PROPERTY BOUNDARIES; GRANTING A VARIANCE FROM SECTION 133-99 WHICH REQUIRES PARKING LOT PERIMETER TREES, BUILDING PERIMETER LANDSCAPING AND RETENTION POND LANDSCAPING; GRANTING A VARIANCE FROM SECTION 153-35(c)(19), 153-35(c)(20) AND SECTION 137-106 RELATING TO ARCHITECTURAL DETAILS**

**WHEREAS**, Rocker Family Trust, has petitioned for a variance from Section 133-67 Table 133-3 which requires landscaping buffer B along all property boundaries, and Section 133-99, which requires parking lot perimeter trees, building perimeter landscaping and retention pond landscaping; and

**WHEREAS**, Rocker Family Trust has also petitioned for a variance from Section 153-35(c)(19), 153-35(c)(20) and 137-106 relating to architectural details.

**WHEREAS**, the subject property consists of 7.4 acres (Alternate keys 3829175, 3829174, & 3829173) and is further described in the legal description attached here to as Exhibit C; and

**WHEREAS**, the property is located within a PUD zoning district; 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, Certificate of Bulk Mailing; and

**WHEREAS**, the City Council has considered the petition in accordance with standards for granting variances contained in Section 133-6 for landscape variances, and Section 153-61 in the City of Groveland Code of Ordinances and finds there is competent, substantial evidence to support the requested variances.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, as follows:

**Section 1. Landscaping.** The owner filed variances from Section 133-67(a)(1) and (b), Table 133-3, and Section 133-99(1)(f) and (2) and (8), of Groveland's Land Development Regulations set forth in the Code of Ordinances, for property located on State Road 50, in the City of Groveland, Florida, more particularly described in **EXHIBIT C**. The variances are **GRANTED**. The property shall be developed in accordance with the landscaping plan attached as **EXHIBIT A**.

**Section 2. Architectural details.**

The owner filed variances from Section 153-35(c)(19), 153-35(c)(20) and 137-106(a)(1) of Groveland's Land Development Regulations set forth in the Code of Ordinances, for property located on State Road 50, in the City of Groveland, Florida, more particularly described in **EXHIBIT C**. The variances are **GRANTED**. The property shall be developed utilizing the elevations depicted in the attached **EXHIBIT B**.

**Section 3. Expiration/Revocation.**

Such variances shall expire eighteen (18) months from the effective date of this Resolution if construction of the Site Plan for Rockers Lockers has not commenced. This variance may also be revoked if the above conditions are not followed by the property owner.

**Section 4. Effective Date.** This resolution shall be effective immediately upon approval of the Site Plan for the Rockers Lockers project on the Property.

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:

\_\_\_\_\_  
City Clerk/Acting City Clerk



Approved as to form and legality:

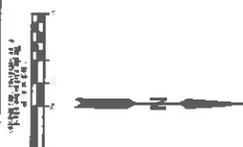
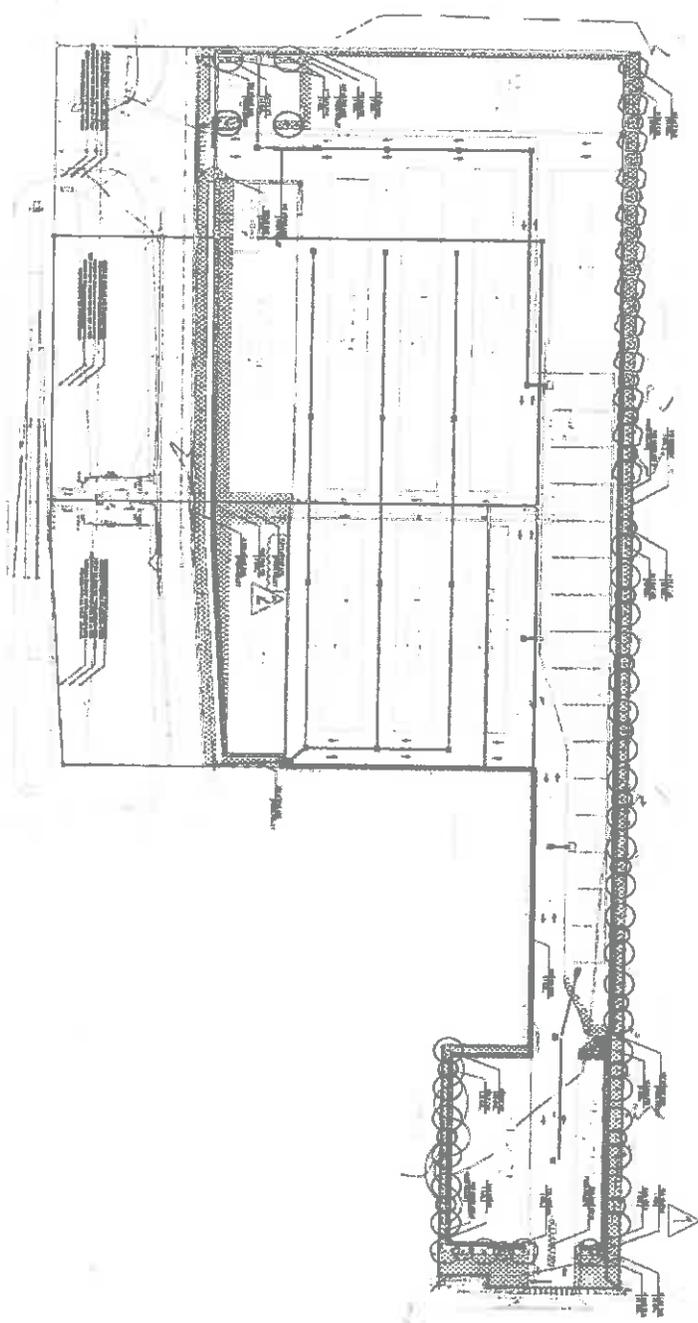
\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. 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

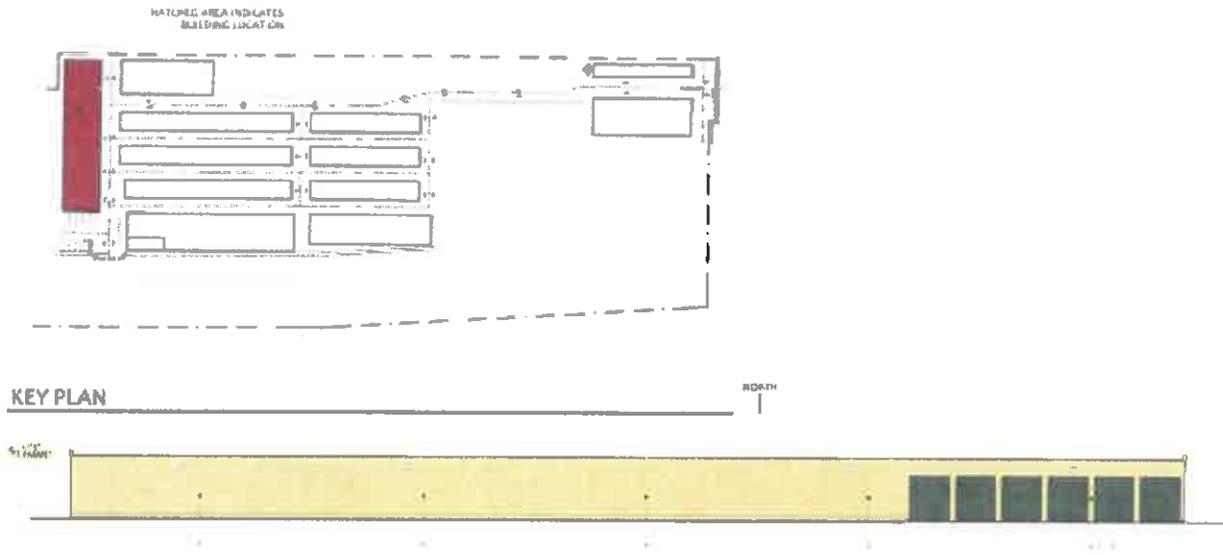
THIS PLAN IS THE PROPERTY OF SUNSHINE GYM AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF SUNSHINE GYM. ANY REPRODUCTION OR COPIING OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF SUNSHINE GYM IS STRICTLY PROHIBITED. SUNSHINE GYM ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN.



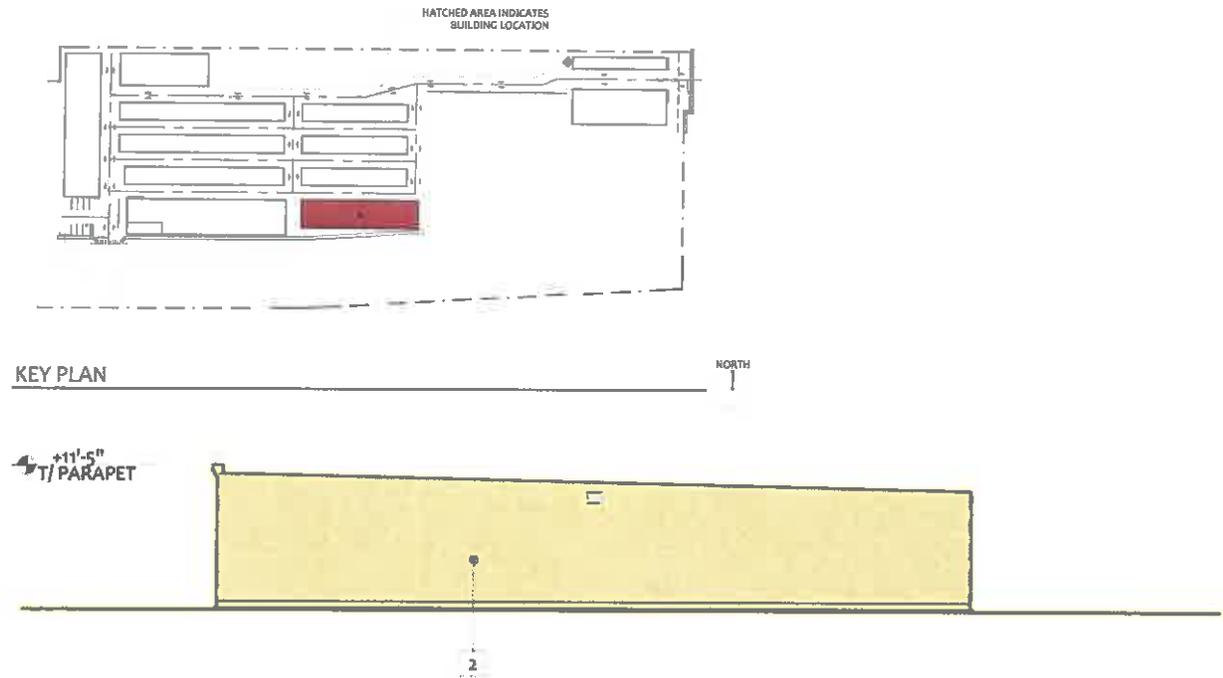
 <p>MD Landscape Architecture</p>	<p><b>ROCKER FAMILY TRUST</b></p>	<p><b>ROCKERS LOCKERS</b> LOT 5, A-1 OCEAN VILLAGE COMMUNITY DEVELOPMENT, FLORIDA</p>	<p><b>SITE PLANS</b></p>	<p><b>LANDSCAPE PLAN</b></p>	<p>Date: 5/20/2014 Project: 14-001 Client: Rockers Family Trust Designer: J. Smith Date: 5/20/2014</p>	<p>Scale: 1/8" = 1'-0"</p>	<p>Project Number: <b>L1</b></p>
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# EXHIBIT B

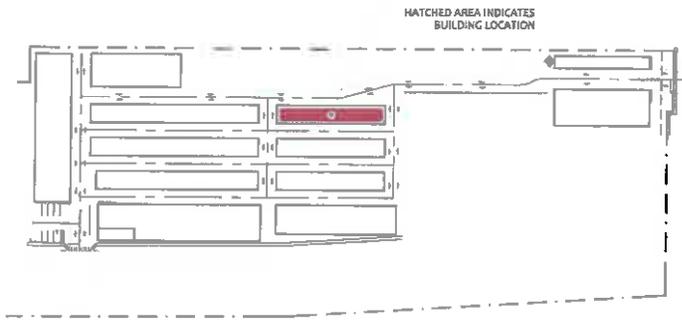
## BUILDING 2 – WEST ELEVATION



## BUILDING 8 – EAST ELEVATION

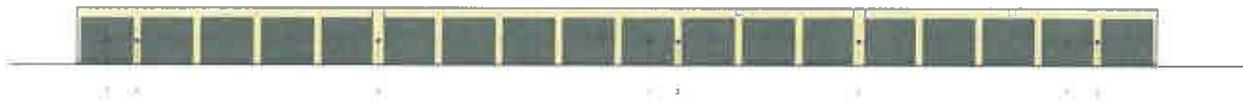


# BUILDING 11 – NORTH ELEVATION

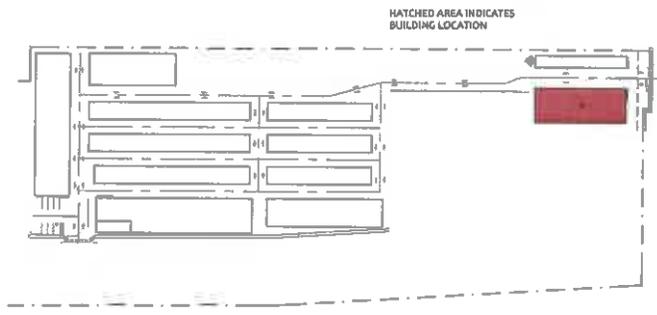


KEY PLAN

NORTH

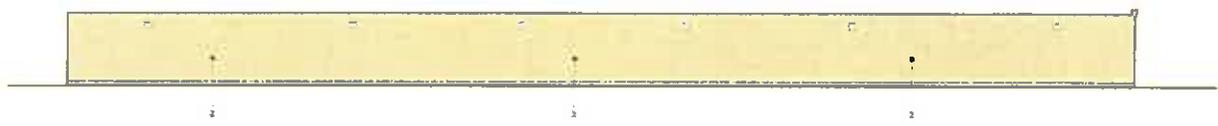


# BUILDING 13 – SOUTH ELEVATION



KEY PLAN

NORTH



# EXHIBIT C



Lots 3, 4, and 5, Green Valley Commons, according to the map or plat thereof as recorded in Plat Book 52, Pages(s) 85-86, Public Records of Lake County, Florida.



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b>	May 2, 2016
<b>AGENDA ITEM:</b>	Rockers Lockers Site Plan
<b>CITY GOAL:</b>	Develop, maintain and rebuild safe, clean, diverse, healthy, neighborhoods, including partnering with the school district.
<b>PREPARED BY:</b>	Ken Comia, City Planner
<b>DATE:</b>	April 22, 2016

### BACKGROUND:

The Rocker Family Trust had submitted to the City for review a site plan that incorporated Lots 3, 4 and 5 of the Green Valley Commons Plat. Instead of six separate processes for each individual lot, which includes a construction plan review before any building plan review could occur, the developer had to combine all lots into one legal lot creating a more efficient review process. After Council approval, the Rocker Family Trust will present engineering plans.

The Rocker Family Trust is proposing a series of 13 buildings of various sizes within the commercial PUD. The PUD is located directly north of State Road 50, south of Magnificent Lane and the Green Valley Townhomes subdivision and west of Green Valley Boulevard.

The Council considered variances for landscaping and architectural details before being presented this site plan. Staff recommends approval of the site plan for Rockers Lockers.

<b>STAFF RECOMMENDATION:</b>	Approve the motion
<b>REVIEWED BY CITY MANAGER:</b>	
<b>COUNCIL ACTION:</b>	
<b>MOTION BY:</b>	
<b>SECOND BY:</b>	

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# Rockers Lockers

Green Valley Commons - Lots 3 - 5  
Groveland, FL

## Site Plans

for  
**Rocker Family Trust**  
by  
**Denham Engineering, LLC**

Call Sunshine Before You Dig (1-800-432-4770)

### Project Team

**Owner:**  
Rocker Family Trust  
4600 West 10th Street, #100  
Zephyrus, FL 32904  
Tel: (888) 286-7998

**Architect:**  
Rocker Family Trust  
1811 N. Colonial Ave.  
Orlando, FL 32802  
Tel: (407) 248-2598

**Surveyor:**  
Richard Land Engineering, Inc.  
1811 N. Colonial Ave.  
Orlando, FL 32802  
Tel: 305-264-0252

**Civil Engineer, LLC:**  
Denham Engineering, LLC  
1817 S. Windward Ln.  
Orlando, FL 32802  
Tel: 407-421-4811

**Geotechnical Engineer:**  
Advanced Engineering Solutions  
3222 Lochmoor Blvd.  
Orlando, FL 32802  
Tel: (407) 421-4811

**Landscaping Architect:**  
Landscape Architecture  
1817 S. Windward Ln.  
Orlando, FL 32802  
Tel: 407-421-4811

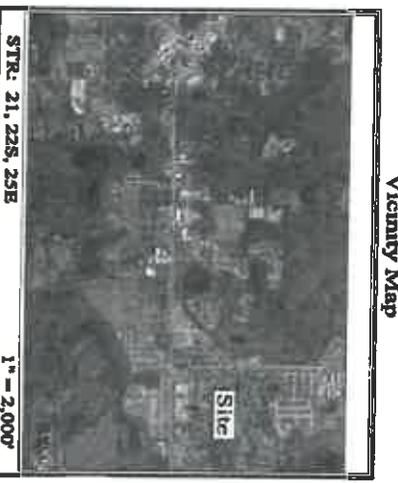
**Drinking Water:**  
City of Groveland  
146 S. Elder Avenue  
Groveland, FL 32744  
Tel: 352-854-8277

**Sanitary Sewer:**  
City of Groveland  
146 S. Elder Avenue  
Groveland, FL 32744  
Tel: 352-854-8277

**Stormwater:**  
City of Groveland  
146 S. Elder Avenue  
Groveland, FL 32744  
Tel: 352-854-8277

**Electric:**  
City of Groveland  
146 S. Elder Avenue  
Groveland, FL 32744  
Tel: 352-854-8277

**Gas:**  
City of Groveland  
146 S. Elder Avenue  
Groveland, FL 32744  
Tel: 352-854-8277



Vicinity Map

### Drawing Index

No.	Title	Revised
1	Site	01-28-2018
2	Site	01-28-2018
3	Site	01-28-2018
4	Site	01-28-2018
5	Site	01-28-2018
6	Site	01-28-2018
7	Site	01-28-2018
8	Site	01-28-2018
9	Site	01-28-2018
10	Site	01-28-2018
11	Site	01-28-2018
12	Site	01-28-2018
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43	Site	01-28-2018
44	Site	01-28-2018
45	Site	01-28-2018
46	Site	01-28-2018
47	Site	01-28-2018
48	Site	01-28-2018
49	Site	01-28-2018
50	Site	01-28-2018

**Denham Engineering, LLC**  
Green Valley Commons Lots 3-5  
Groveland, FL

**Site Plans**

**Cover Sheet**

**Revisions:**

No.	Date	Description
1	01-28-2018	Initial Issue
2	01-28-2018	Revised
3	01-28-2018	Revised
4	01-28-2018	Revised
5	01-28-2018	Revised
6	01-28-2018	Revised
7	01-28-2018	Revised
8	01-28-2018	Revised
9	01-28-2018	Revised
10	01-28-2018	Revised
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41	01-28-2018	Revised
42	01-28-2018	Revised
43	01-28-2018	Revised
44	01-28-2018	Revised
45	01-28-2018	Revised
46	01-28-2018	Revised
47	01-28-2018	Revised
48	01-28-2018	Revised
49	01-28-2018	Revised
50	01-28-2018	Revised

**GRAPHIC SCALE**  
1 inch = 2000 ft.

**North Arrow**

**Sheet Number**  
1 of 7

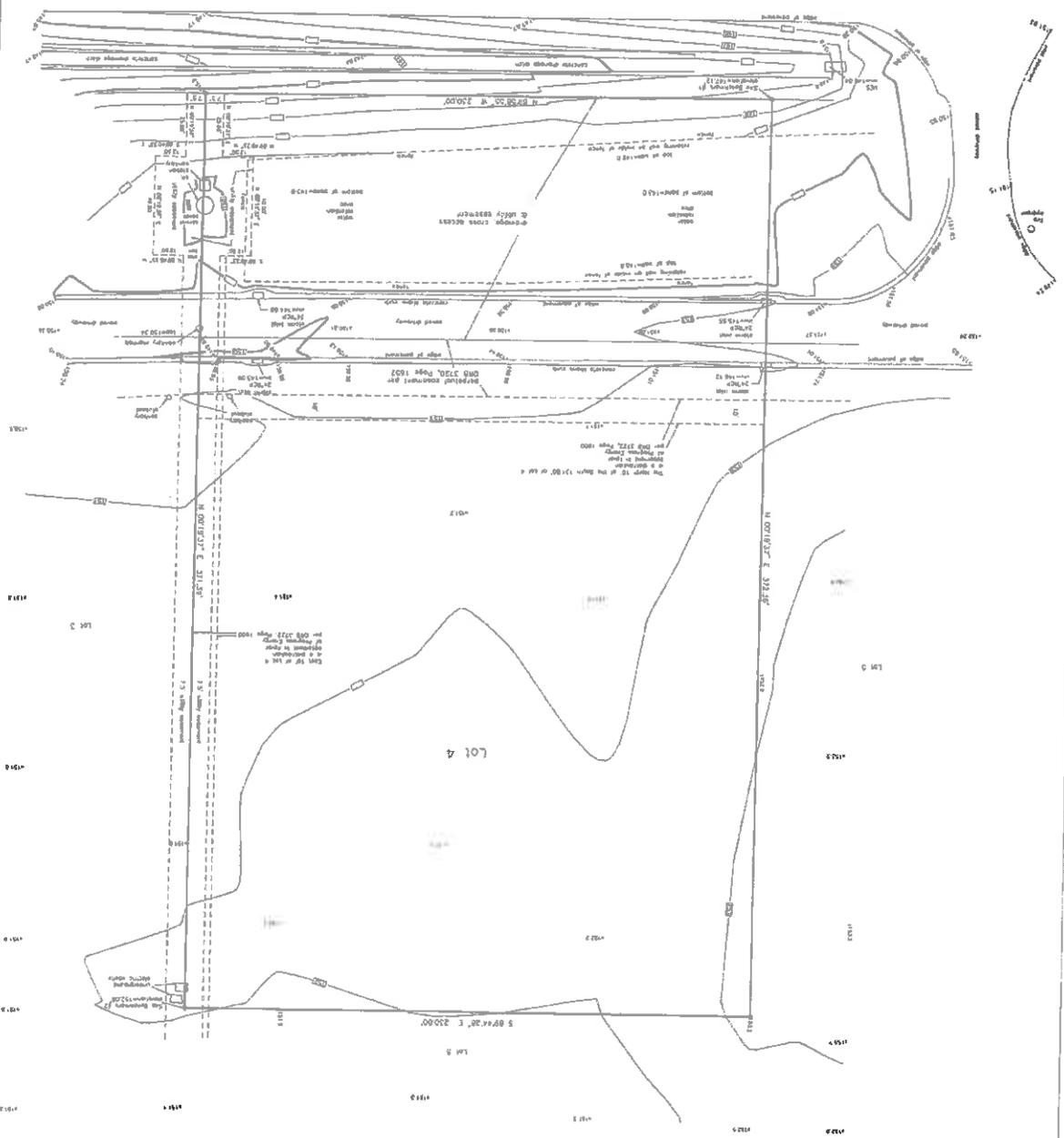


Map of Boundary & Topographic Survey

Description:  
 Lot 4 GREEN VALLEY COMMONS  
 according to the plat (reel) as recorded in  
 Plat Book 52, Pages 85-86,  
 Public Records of Lake County, Florida

Notes:  
 -Elevations based on the mean low of the  
 on being 5.87627' E. on assumed meridian  
 -The monument by Original Plat 145 requires correction  
 for the 18.286' error (11/20/75) was provided  
 for this survey.  
 -The monument by Original Plat 145 requires correction  
 from the true meridian, which was made  
 -The monument by Original Plat 145 requires correction  
 from the true meridian, which was made  
 -The monument by Original Plat 145 requires correction  
 from the true meridian, which was made  
 -Elevations based on project datum (FPCD 1999 datum)

Scale = 1"=20'



LEGEND

■ Denotes found 1/2" iron rod

○ Denotes set 1/2" iron rod & cap marked LB 8880

○ Denotes set 1/2" iron rod & cap marked LB 8880

02/17/15 Update Survey with the monument

Field Date	12/23/14
Requested for	Parker Family Trust
Drawn by	Rhoden Land Surveying, Inc. LB 8880 420 E. Winkham Ave Clermont, FL 34711 352-254-8225
Scale	1"=20'

I hereby declare that based on my  
 examination of the field notes and  
 map number 10886C 0865 E under Dec. 18,  
 2012, and that to the best of my knowledge,  
 belief and my professional opinion the  
 project property lies within Road 50.

State Road No. 50

Surveyor's Certification  
 I hereby certify in the Parker Family Trust  
 that the map of Boundary & Topographic Survey  
 meets the Standards of Practice for surveys as set  
 forth in Chapter 54-17 Florida Administrative Code,  
 pursuant to Section 472.027, Florida Statutes.

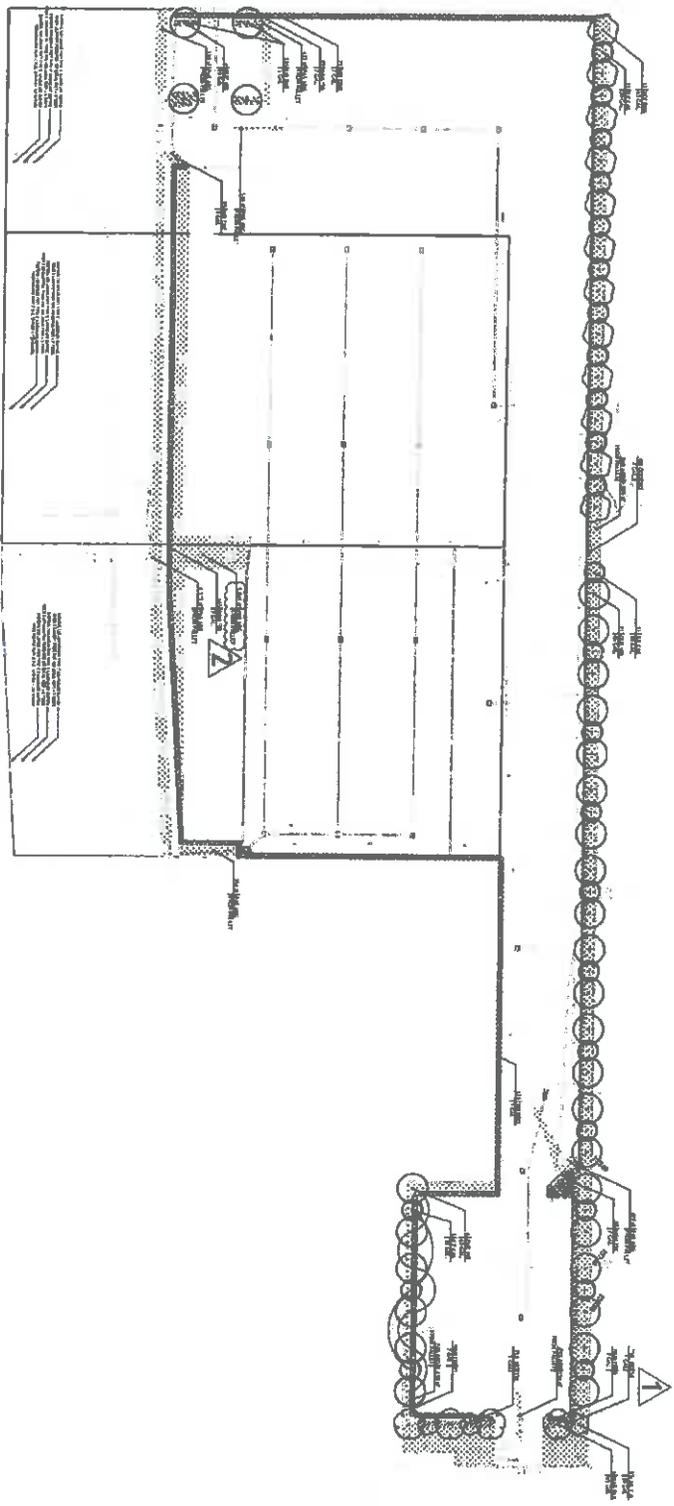
STATE OF FLORIDA  
 JEFFREY P. RHODEN PLS #3327

UNLESS IT BEARS THE SURVEYOR AND THE ORIGINAL  
 MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL  
 PURPOSES ONLY AND IS NOT VALID.





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**ROCKER  
FAMILY  
TRUST**

**ROCKERS  
LOCKERS**

LOT 2, 4, 8  
GENERAL LAND AND SURVEY  
GENERAL LAND SURVEY

**SITE  
PLANS**

**LANDSCAPE  
PLAN**

Drawn By: J. 2013  
Approved By: J. 2013  
Date: JAN 21, 2013  
Project: ROCKERS LOCKERS  
Site: 301 West 10th Street, Suite 100, Portland, OR 97201

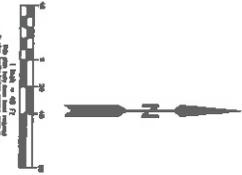
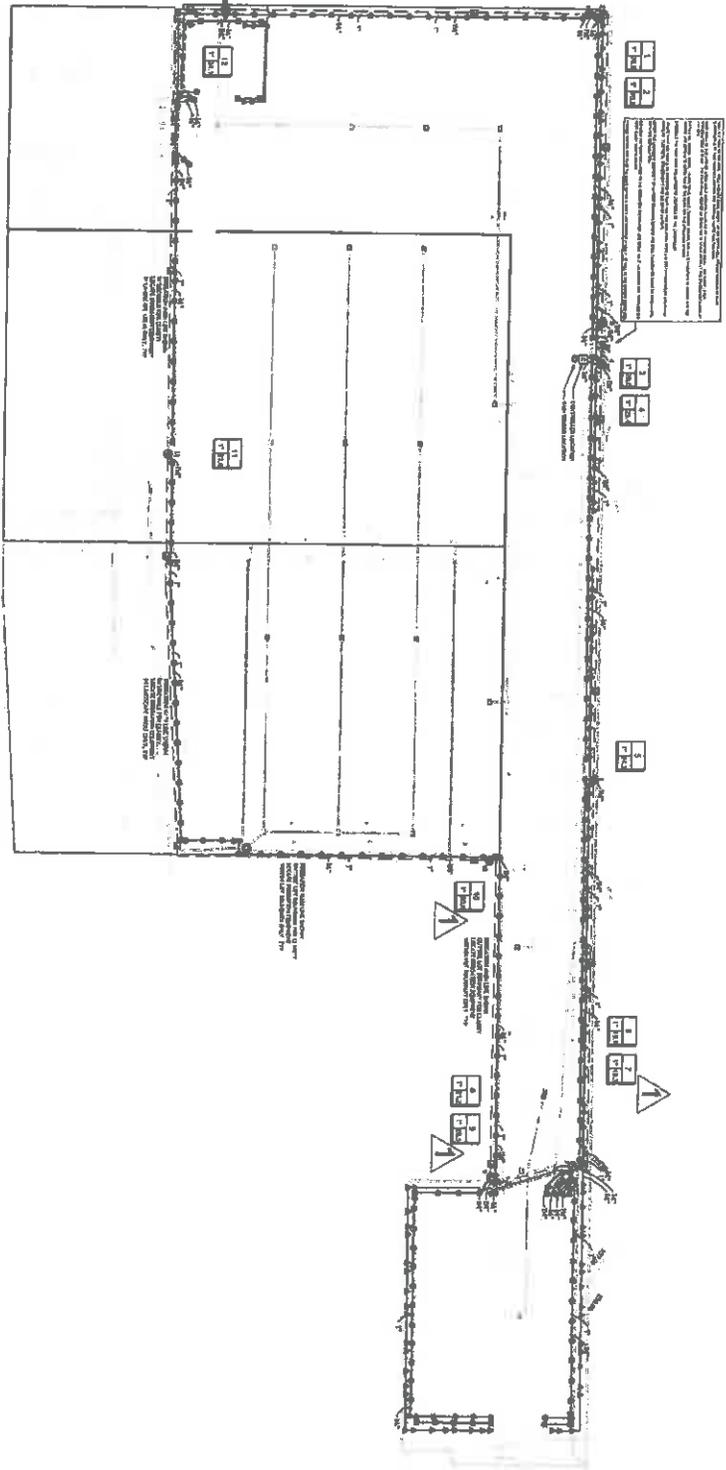


Sheet Number  
**L1**

**1 LANDSCAPE SCHEDULE**

PLANT	SYMBOL	QUANTITY	SIZE	PLANTING	INSTALLATION	MAINTENANCE	REMARKS
1	1	1	12" GAL	12" GAL	12" GAL	12" GAL	SPREADER
2	2	2	18" GAL	18" GAL	18" GAL	18" GAL	SPREADER
3	3	3	24" GAL	24" GAL	24" GAL	24" GAL	SPREADER
4	4	4	36" GAL	36" GAL	36" GAL	36" GAL	SPREADER
5	5	5	48" GAL	48" GAL	48" GAL	48" GAL	SPREADER
6	6	6	60" GAL	60" GAL	60" GAL	60" GAL	SPREADER
7	7	7	72" GAL	72" GAL	72" GAL	72" GAL	SPREADER
8	8	8	84" GAL	84" GAL	84" GAL	84" GAL	SPREADER
9	9	9	96" GAL	96" GAL	96" GAL	96" GAL	SPREADER
10	10	10	108" GAL	108" GAL	108" GAL	108" GAL	SPREADER
11	11	11	120" GAL	120" GAL	120" GAL	120" GAL	SPREADER
12	12	12	132" GAL	132" GAL	132" GAL	132" GAL	SPREADER
13	13	13	144" GAL	144" GAL	144" GAL	144" GAL	SPREADER
14	14	14	156" GAL	156" GAL	156" GAL	156" GAL	SPREADER
15	15	15	168" GAL	168" GAL	168" GAL	168" GAL	SPREADER
16	16	16	180" GAL	180" GAL	180" GAL	180" GAL	SPREADER
17	17	17	192" GAL	192" GAL	192" GAL	192" GAL	SPREADER
18	18	18	204" GAL	204" GAL	204" GAL	204" GAL	SPREADER
19	19	19	216" GAL	216" GAL	216" GAL	216" GAL	SPREADER
20	20	20	228" GAL	228" GAL	228" GAL	228" GAL	SPREADER
21	21	21	240" GAL	240" GAL	240" GAL	240" GAL	SPREADER
22	22	22	252" GAL	252" GAL	252" GAL	252" GAL	SPREADER
23	23	23	264" GAL	264" GAL	264" GAL	264" GAL	SPREADER
24	24	24	276" GAL	276" GAL	276" GAL	276" GAL	SPREADER
25	25	25	288" GAL	288" GAL	288" GAL	288" GAL	SPREADER
26	26	26	300" GAL	300" GAL	300" GAL	300" GAL	SPREADER
27	27	27	312" GAL	312" GAL	312" GAL	312" GAL	SPREADER
28	28	28	324" GAL	324" GAL	324" GAL	324" GAL	SPREADER
29	29	29	336" GAL	336" GAL	336" GAL	336" GAL	SPREADER
30	30	30	348" GAL	348" GAL	348" GAL	348" GAL	SPREADER
31	31	31	360" GAL	360" GAL	360" GAL	360" GAL	SPREADER
32	32	32	372" GAL	372" GAL	372" GAL	372" GAL	SPREADER
33	33	33	384" GAL	384" GAL	384" GAL	384" GAL	SPREADER
34	34	34	396" GAL	396" GAL	396" GAL	396" GAL	SPREADER
35	35	35	408" GAL	408" GAL	408" GAL	408" GAL	SPREADER
36	36	36	420" GAL	420" GAL	420" GAL	420" GAL	SPREADER
37	37	37	432" GAL	432" GAL	432" GAL	432" GAL	SPREADER
38	38	38	444" GAL	444" GAL	444" GAL	444" GAL	SPREADER
39	39	39	456" GAL	456" GAL	456" GAL	456" GAL	SPREADER
40	40	40	468" GAL	468" GAL	468" GAL	468" GAL	SPREADER
41	41	41	480" GAL	480" GAL	480" GAL	480" GAL	SPREADER
42	42	42	492" GAL	492" GAL	492" GAL	492" GAL	SPREADER
43	43	43	504" GAL	504" GAL	504" GAL	504" GAL	SPREADER
44	44	44	516" GAL	516" GAL	516" GAL	516" GAL	SPREADER
45	45	45	528" GAL	528" GAL	528" GAL	528" GAL	SPREADER
46	46	46	540" GAL	540" GAL	540" GAL	540" GAL	SPREADER
47	47	47	552" GAL	552" GAL	552" GAL	552" GAL	SPREADER
48	48	48	564" GAL	564" GAL	564" GAL	564" GAL	SPREADER
49	49	49	576" GAL	576" GAL	576" GAL	576" GAL	SPREADER
50	50	50	588" GAL	588" GAL	588" GAL	588" GAL	SPREADER
51	51	51	600" GAL	600" GAL	600" GAL	600" GAL	SPREADER
52	52	52	612" GAL	612" GAL	612" GAL	612" GAL	SPREADER
53	53	53	624" GAL	624" GAL	624" GAL	624" GAL	SPREADER
54	54	54	636" GAL	636" GAL	636" GAL	636" GAL	SPREADER
55	55	55	648" GAL	648" GAL	648" GAL	648" GAL	SPREADER
56	56	56	660" GAL	660" GAL	660" GAL	660" GAL	SPREADER
57	57	57	672" GAL	672" GAL	672" GAL	672" GAL	SPREADER
58	58	58	684" GAL	684" GAL	684" GAL	684" GAL	SPREADER
59	59	59	696" GAL	696" GAL	696" GAL	696" GAL	SPREADER
60	60	60	708" GAL	708" GAL	708" GAL	708" GAL	SPREADER
61	61	61	720" GAL	720" GAL	720" GAL	720" GAL	SPREADER
62	62	62	732" GAL	732" GAL	732" GAL	732" GAL	SPREADER
63	63	63	744" GAL	744" GAL	744" GAL	744" GAL	SPREADER
64	64	64	756" GAL	756" GAL	756" GAL	756" GAL	SPREADER
65	65	65	768" GAL	768" GAL	768" GAL	768" GAL	SPREADER
66	66	66	780" GAL	780" GAL	780" GAL	780" GAL	SPREADER
67	67	67	792" GAL	792" GAL	792" GAL	792" GAL	SPREADER
68	68	68	804" GAL	804" GAL	804" GAL	804" GAL	SPREADER
69	69	69	816" GAL	816" GAL	816" GAL	816" GAL	SPREADER
70	70	70	828" GAL	828" GAL	828" GAL	828" GAL	SPREADER
71	71	71	840" GAL	840" GAL	840" GAL	840" GAL	SPREADER
72	72	72	852" GAL	852" GAL	852" GAL	852" GAL	SPREADER
73	73	73	864" GAL	864" GAL	864" GAL	864" GAL	SPREADER
74	74	74	876" GAL	876" GAL	876" GAL	876" GAL	SPREADER
75	75	75	888" GAL	888" GAL	888" GAL	888" GAL	SPREADER
76	76	76	900" GAL	900" GAL	900" GAL	900" GAL	SPREADER
77	77	77	912" GAL	912" GAL	912" GAL	912" GAL	SPREADER
78	78	78	924" GAL	924" GAL	924" GAL	924" GAL	SPREADER
79	79	79	936" GAL	936" GAL	936" GAL	936" GAL	SPREADER
80	80	80	948" GAL	948" GAL	948" GAL	948" GAL	SPREADER
81	81	81	960" GAL	960" GAL	960" GAL	960" GAL	SPREADER
82	82	82	972" GAL	972" GAL	972" GAL	972" GAL	SPREADER
83	83	83	984" GAL	984" GAL	984" GAL	984" GAL	SPREADER
84	84	84	996" GAL	996" GAL	996" GAL	996" GAL	SPREADER
85	85	85	1008" GAL	1008" GAL	1008" GAL	1008" GAL	SPREADER
86	86	86	1020" GAL	1020" GAL	1020" GAL	1020" GAL	SPREADER
87	87	87	1032" GAL	1032" GAL	1032" GAL	1032" GAL	SPREADER
88	88	88	1044" GAL	1044" GAL	1044" GAL	1044" GAL	SPREADER
89	89	89	1056" GAL	1056" GAL	1056" GAL	1056" GAL	SPREADER
90	90	90	1068" GAL	1068" GAL	1068" GAL	1068" GAL	SPREADER
91	91	91	1080" GAL	1080" GAL	1080" GAL	1080" GAL	SPREADER
92	92	92	1092" GAL	1092" GAL	1092" GAL	1092" GAL	SPREADER
93	93	93	1104" GAL	1104" GAL	1104" GAL	1104" GAL	SPREADER
94	94	94	1116" GAL	1116" GAL	1116" GAL	1116" GAL	SPREADER
95	95	95	1128" GAL	1128" GAL	1128" GAL	1128" GAL	SPREADER
96	96	96	1140" GAL	1140" GAL	1140" GAL	1140" GAL	SPREADER
97	97	97	1152" GAL	1152" GAL	1152" GAL	1152" GAL	SPREADER
98	98	98	1164" GAL	1164" GAL	1164" GAL	1164" GAL	SPREADER
99	99	99	1176" GAL	1176" GAL	1176" GAL	1176" GAL	SPREADER
100	100	100	1188" GAL	1188" GAL	1188" GAL	1188" GAL	SPREADER
101	101	101	1200" GAL	1200" GAL	1200" GAL	1200" GAL	SPREADER
102	102	102	1212" GAL	1212" GAL	1212" GAL	1212" GAL	SPREADER
103	103	103	1224" GAL	1224" GAL	1224" GAL	1224" GAL	SPREADER
104	104	104	1236" GAL	1236" GAL	1236" GAL	1236" GAL	SPREADER
105	105	105	1248" GAL	1248" GAL	1248" GAL	1248" GAL	SPREADER
106	106	106	1260" GAL	1260" GAL	1260" GAL	1260" GAL	SPREADER
107	107	107	1272" GAL	1272" GAL	1272" GAL	1272" GAL	SPREADER
108	108	108	1284" GAL	1284" GAL	1284" GAL	1284" GAL	SPREADER
109	109	109	1296" GAL	1296" GAL	1296" GAL	1296" GAL	SPREADER
110	110	110	1308" GAL	1308" GAL	1308" GAL	1308" GAL	SPREADER
111	111	111	1320" GAL	1320" GAL	1320" GAL	1320" GAL	SPREADER
112	112	112	1332" GAL	1332" GAL	1332" GAL	1332" GAL	SPREADER
113	113	113	1344" GAL	1344" GAL	1344" GAL	1344" GAL	SPREADER
114	114	114	1356" GAL	1356" GAL	1356" GAL	1356" GAL	SPREADER
115	115	115	1368" GAL	1368" GAL	1368" GAL	1368" GAL	SPREADER
116	116	116	1380" GAL	1380" GAL	1380" GAL	1380" GAL	SPREADER
117	117	117	1392" GAL	1392" GAL	1392" GAL	1392" GAL	SPREADER
118	118	118	1404" GAL	1404" GAL	1404" GAL	1404" GAL	SPREADER
119	119	119	1416" GAL	1416" GAL	1416" GAL	1416" GAL	SPREADER
120	120	120	1428" GAL	1428" GAL	1428" GAL	1428" GAL	SPREADER
121	121	121	1440" GAL	1440" GAL	1440" GAL	1440" GAL	SPREADER
122	122	122	1452" GAL	1452" GAL	1452" GAL	1452" GAL	SPREADER
123	123	123	1464" GAL	1464" GAL	1464" GAL	1464" GAL	SPREADER
124	124	124	1476" GAL	1476" GAL	1476" GAL	1476" GAL	SPREADER
125	125	125	1488" GAL	1488" GAL	1488" GAL	1488" GAL	SPREADER
126	126	126	1500" GAL	1500" GAL	1500" GAL	1500" GAL	SPREADER
127	127	127	1512" GAL	1512" GAL	1512" GAL	1512" GAL	SPREADER
128	128	128	1524" GAL	1524" GAL	1524" GAL	1524" GAL	SPREADER
129	129	129	1536" GAL	1536" GAL	1536" GAL	1536" GAL	SPREADER
130	130	130	1548" GAL	1548" GAL	1548" GAL	1548" GAL	SPREADER
131	131	131	1560" GAL	1560" GAL	1560" GAL	1560" GAL	SPREADER
132	132	132	1572" GAL	1572" GAL	1572" GAL	1572" GAL	SPREADER
133	133	133	1584" GAL	1584" GAL	1584" GAL	1584" GAL	SPREADER
134	134	134	1596" GAL	1596" GAL	1596" GAL	1596" GAL	SPREADER
135	135	135	1608" GAL	1608" GAL	1608" GAL	1608" GAL	SPREADER
136	136	136	1620" GAL	1620" GAL	1620" GAL	1620" GAL	SPREADER
137	137	137	1632" GAL	1632" GAL	1632" GAL	1632" GAL	SPREADER
138	138	138	1644" GAL	1644" GAL	1644" GAL	1644" GAL	SPREADER
139	139	139	1656" GAL	1656" GAL	1656" GAL	1656" GAL	SPREADER
140	140	140	1668" GAL	1668" GAL	1668" GAL	1668" GAL	

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 <p>Magley Design 5015 S.W. 11th Street, Suite 100 Fort Lauderdale, FL 33309 Phone: 954.344.1111 Fax: 954.344.1112 www.magleydesign.com</p>	<p><b>ROCKER FAMILY TRUST</b></p>	<p><b>ROCKERS LOCKERS</b> Lots 3, 4, 5 GREEN VALLEY COMMONS FORT LAUDERDALE, FLORIDA</p>	<p><b>SITE PLANS</b></p> <p><b>IRRIGATION PLAN</b></p>	<p>Drawn: GREGORY J. 2012 Reviewed: [blank] Checked: [blank] Approved: [blank]</p>	<p>Seal</p>	<p>James Magley State of Florida in the 12th District</p>	<p>SmartingBT.com</p> <p>Sheet No. <b>L3</b></p>
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## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 2, 2016
----------------------------------

<b>AGENDA ITEM:</b> Request for Proposal for Rate Utility Rate Study
--

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

<b>PREPARED BY:</b> James Huish
---------------------------------

<b>DATE:</b> April 25, 2016
-----------------------------

**BACKGROUND:** The City of Groveland contracted with Raftelis Financial Consultants, Inc. in 2012 for the purpose of performing a utility rate study. The study was completed in January, 2013 but never implemented. The Public Services Utilities Division is requesting approval to post and advertise a Request for Proposal for a consultant to perform a new utility rate study. Funding for this study is included in the current budget.

**STAFF RECOMMENDATION:** Approve the Request for Proposal for a utility rate study.

<b>REVIEWED BY CITY MANAGER:</b>
----------------------------------

<b>COUNCIL ACTION:</b>
------------------------

<b>MOTION BY:</b>
-------------------

<b>SECOND BY:</b>
-------------------

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



CITY OF GROVELAND  
156 S. LAKE AVENUE  
GROVELAND, FL 34736

PHONE 352-429-2141  
FAX 352-429-3852

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

## Request for Proposal

Municipal Services Water, Wastewater and Reclaim Water User Rate Structure Study

RFP # 2016-05-1

The City of Groveland, FL is seeking a consultant to review and recommend revisions to the existing Municipal Services Water, Wastewater and Reclaim Water User Rate Structure. The City will accept proposals until 2:00 P.M. May 31, 2016 at the Community Development office at 156 S. Lake Avenue Groveland, FL 34736. The proposals must be identified on the cover as Municipal Services Water, Wastewater and Reclaim Water User Rate Structure Study to the attention of James Huish, Public Services Director. A copy of the complete RFP is available at the City web site at [www.groveland-fl.gov](http://www.groveland-fl.gov).



CITY OF GROVELAND  
156 S. LAKE AVENUE  
GROVELAND, FL 34736

PHONE 352-429-2141  
FAX 352-429-3852

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

## Request for Proposal

Municipal Services Water, Wastewater and Reclaim Water User Rate Structure Study

RFP # 2016-05-1

The City of Groveland, FL is soliciting proposals for Municipal Services Water, Wastewater and Reclaim Water User Rate Structure Study. The utility rate analysis will include the following:

1. Collect and analyze historical financial and usage data.
2. Review current and future debt service, operational and capital improvement requirements based on direct and indirect costs.
3. Determine utility fixed and variable costs.
4. Establish target operating and debt coverage requirements.
5. Estimate current and future utility revenue requirements.
6. Develop alternative utility rate structures necessary to meet revenue requirements.
7. Propose equitable rate adjustments across all customer usage classifications.
8. Provide an impact analysis with a comparison of the total amount of a current bill for water, wastewater and reclaim water to the proposed water, wastewater and reclaim water bill.



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 2, 2016
----------------------------------

<b>AGENDA ITEM:</b> Approve RFP for Impact Fee Study
--

<b>CITY GOAL:</b> Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
---

<b>PREPARED BY:</b> Gwen Walker, Finance Director
---

<b>DATE:</b> April 25, 2016
-----------------------------

### BACKGROUND:

Council has directed staff to solicit RFPs for a Water, Wastewater and Reclaimed Water Rate Study. In conjunction with that study, Council has determined that it is appropriate to solicit RFPs for a review of all Impact Fees currently levied by the City, as well as to determine the appropriateness of levying an impact fee on Reclaimed Water in order to support infrastructure needs due to growth.

\$25,000 is budgeted in the Enterprise Fund for the Water, Wastewater and Reclaimed Water portion of the study. There are no funds budgeted in the General Fund for a Police, Fire, Parks and Recreation and Administrative Impact Fee Study.

<b>STAFF RECOMMENDATION:</b> Approve RFP for Impact Fee Study
---

<b>REVIEWED BY CITY MANAGER:</b>
----------------------------------

<b>COUNCIL ACTION:</b>
------------------------

<b>MOTION BY:</b>
-------------------

<b>SECOND BY:</b>
-------------------

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



CITY OF GROVELAND  
156 S. LAKE AVENUE  
GROVELAND, FL 34736

PHONE 352-429-2141  
FAX 352-429-3852

CITY OF GROVELAND  
Finance Department

**REQUEST FOR PROPOSALS #2016-1A&B**

**Date: May 3, 2016**

**TO:** All interested business firms, corporations, partnerships, or individuals dealing in "Water, Sewer, Reclaimed Water, Fire, Police, Municipal (Administrative), and Parks and Recreation Impact Fee Study".

The City of Groveland solicits your Proposals for the study to update the existing impact fees and to recommend a new impact fee for Reclaimed water.

Proposals must be received by 2:00 p.m. (local time) on May 31, 2016.

**INSTRUCTIONS**

Sealed proposals will be received by the City of Groveland, Groveland Florida at Groveland City Hall until May 31, 2016 at 2:00 p.m. (local time). Four (4) copies of the proposal shall be submitted.

Proposals shall be sealed and plainly marked on the outside of the envelope RFP# 2016-1A, 2016-1B, or 2016-1 A&B Impact Fee Study.

Proposals received after the specified time will not be considered and will be returned unopened. Proposers shall assume full responsibility for timely delivery of the proposals.

**Mail or deliver proposals to the following address:**

**City of Groveland  
Gwen Walker, Finance Director  
156 S. Lake Avenue  
Groveland, FL 34736**

Unsigned proposals will be considered incomplete and subject to rejection.

Proposals having erasures/corrections must be initialed in ink by the proposer. In case of errors in extensions, unit prices will govern.

By signing the proposal, the proposer agrees that the proposal is made without any misunderstanding, agreement, or connection with any other person, firm, or corporation making a proposal for the same purpose; and that the proposal is in all respects fair and without collusion or fraud.



## REQUEST FOR CITY COUNCIL CONSIDERATION

<b>MEETING DATE:</b> May 2, 2016
----------------------------------

<b>AGENDA ITEM:</b> Resolution 2016-05-12 - Fee for Code Enforcement Lien Reduction or Waiver Request
---

<b>CITY GOAL:</b> Establish a sound and sustainable government supported by professionalism, progressive thinking and modernizing the organization.
---

<b>PREPARED BY:</b> Anita Geraci-Carver, City Attorney
--

<b>DATE:</b> April 13, 2016
-----------------------------

**BACKGROUND:** At the time this Resolution will be heard, Council will have adopted Ordinance 2016-04-10 which sets forth a process for an owner to request City Council to consider a reduction in or waiver of a code enforcement lien. The ordinance provides for Council to adopt by resolution a fee to be submitted with the application.

Council has the legal authority to set a fee to be paid by users requesting such a waiver or reduction.

<b>STAFF RECOMMENDATION:</b> Motion to Approve Resolution adopting a fee
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<b>REVIEWED BY CITY MANAGER:</b>
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<b>COUNCIL ACTION:</b>
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<b>MOTION BY:</b>
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<b>SECOND BY:</b>
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*"The city with a future, watch us grow!"*

**RESOLUTION 2016-05-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, ADOPTING A FEE TO BE SUBMITTED WITH AN APPLICATION REQUESTING A REDUCTION OR WAIVER OF CODE ENFORCEMENT LIEN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Groveland adopted Ordinance 2016-04-10 which sets forth the process in which a property owner may request the City Council to consider a reduction or waiver of the fines accruing pursuant to a code enforcement lien;

**WHEREAS**, Ordinance 2016-04-10 provides for Council to set a fee to be submitted with an application requesting a reduction or waiver; and

**WHEREAS**, the City Council is legally authorized to adopt a fee to be paid by the applicant.

**THEREFORE BE IT RESOLVED** by the City Council of the City of Groveland, Florida, as follows:

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.
2. The City Council hereby adopts the fee set forth below which shall be incorporated into the City of Groveland Fee Schedule.

	<b>Administration Fee</b>	<b>Consultants Fee</b>	<b>Code Ref.</b>
Code Enforcement Lien Reduction or Waive Application	\$300.00		Sec. 18-101

3. This resolution shall be effective immediately upon adoption.

**ADOPTED** at a regular meeting of the City Council of the City of Groveland, Florida, this \_\_\_\_\_ day of May, 2016.

\_\_\_\_\_  
Tim Loucks, Mayor

Attest:



\_\_\_\_\_  
City Clerk/Acting City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Resolution. 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		