

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING
SCHEDULED TO CONVENE AT 5:00 P.M. MONDAY, JUNE 15, 2020 IN THE E.L. PURYEAR
BUILDING LOCATED AT 243 S. LAKE AVENUE, GROVELAND, FLORIDA 34736**

Please note: In order to reduce public gatherings and the spread of COVID-19, the June 15, 2020 City Council Meeting will be held with limited inside seating as authorized by Governor DeSantis in Executive Order 20-52, 20-112 and 20-139. Additional outside seating will be available. Members of the public may attend and provide public comment at the meeting. Instructions to participate have been posted to the city's website under "public notices" at www.groveland-fl.gov

| | | |
|------------------|--------------------------|--|
| MAYOR | EVELYN WILSON | evelyn.wilson@groveland-fl.gov |
| VICE MAYOR | MIKE RADZIK | mike.radzik@groveland-fl.gov |
| COUNCIL MEMBER | MIKE SMITH | mike.smith@groveland-fl.gov |
| COUNCIL MEMBER | DINA SWEATT | dina.sweatt@groveland-fl.gov |
| COUNCIL MEMBER | RANDOLPH WAITE | randolph.waite@groveland-fl.gov |
| CITY MANAGER | MICHAEL HEIN | michael.hein@groveland-fl.gov |
| SERGEANT-AT-ARMS | CHIEF SHAWN RAMSEY | shawn.ramsey@groveland-fl.gov |
| CITY CLERK | VIRGINIA WRIGHT | virginia.wright@groveland-fl.gov |
| CITY ATTORNEY | ANITA GERACI-CARVER, ESQ | |

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.

Call to Order

PLEDGE OF CONDUCT

- **We may disagree, but we will be respectful of one another.**
- **We will direct all comments to issues.**
- **We will avoid personal attacks.**
- **Audience members wishing to speak must be recognized by the Mayor.**
- **Speaking without being recognized will be considered "Out of Order."**

OPENING CEREMONIES

- a. Pledge of Allegiance
- b. Invocation

ROLL CALL

AGENDA

GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS

None.

PUBLIC COMMENT

Comments will be limited to 3 minutes per person.

CONSENT AGENDA

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Council Member, staff member or member of the public wishes to discuss any item on the Consent Agenda, they can request the item be removed from the Consent Agenda for discussion. The remaining items on the Consent Agenda will be voted on with one motion being made for all items on the Consent Agenda. Then the item removed from the Consent Agenda will be separately considered and voted on.

Consideration of Approval:

A. May 11, 2020 Special City Council Meeting Minutes

B. Resolution 2020-26: Agreement between the School Board of Lake County, Florida and the City of Groveland for School Resource Officer Program 2020-21

A resolution of the City Council of the City of Groveland, Florida approving the agreement between the School Board of Lake County, Florida and the City of Groveland, Florida for School Resource Officer Program (2020-2021); authorizing execution of the agreement providing for an effective date.

C. Ordinance 2020-03: Trailer Hub LLC Annexation - Second Reading

An Ordinance extending and increasing the corporate limits of the City of Groveland, County of Lake, State of Florida, pursuant to the voluntary annexation provisions of Section 171.044 and Section 171.204, Florida Statutes (2019); annexing 0.51 +/- acres of real properties not embraced within the present limits of the City of Groveland; providing for findings; providing a legal description and a map; directing the City Manager to record certified copies of this Ordinance after approval with the Clerk of the Circuit Court, the County Manager of Lake County, and the Secretary of the State of Florida; providing for conflicts and severability; providing for scrivener's errors; setting an effective date.

D. Ordinance 2020-04: Trailer Hub LLC Comprehensive Plan Amendment - Second Reading

An Ordinance of the City Council of the City of Groveland, Lake County, Florida, amending the City of Groveland's Comprehensive Plan pursuant to 163.3184, Florida Statutes, by amending the Future Land Use Plan designation from Lake County Industrial to City of Groveland Industrial on the Future Land Use Map for the herein described properties of 0.51 +/- acres; authorizing the City Manager to amend said Comprehensive Plan; repealing all ordinances in conflict herewith; providing for severability and scrivener's errors; providing for an effective date.

E. Ordinance 2020-05: Trailer Hub LLC Rezoning - Second Reading

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from Lake County Industrial to City of Groveland M-1 Industrial District for the herein described properties within the City of Groveland, Florida, owned by Trailer Hub LLC, and located on the east side of Sampey Road; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; providing for scrivener's errors and providing for an effective date.

F. Ordinance 2020-06: V.J. Oleno Comprehensive Plan Amendment - Second Reading

An Ordinance of the City Council of the City of Groveland, Lake County, Florida, amending the City of Groveland's Comprehensive Plan pursuant to 163.3184, Florida Statutes, by amending the Future Land Use Plan designation from Lake County Industrial to City of Groveland Industrial on the Future Land Use Map for the herein described properties of 2.49 +/- acres; authorizing the City Manager to amend said Comprehensive Plan; repealing all ordinances in conflict herewith; providing for severability and scrivener's errors; providing for an effective date.

G. Ordinance 2020-07: V.J. Oleno Rezoning- Second Reading

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from Lake County Industrial to City of Groveland M-2 Heavy Industrial District for the herein described properties within the City of Groveland, Florida, owned by JCJ Family Partnership LTD and located on the west side of Independence Boulevard in the Christopher C. Ford Commerce Park; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; providing for scrivener's errors and providing for an effective date.

H. Ordinance 2020-08: Amendment of Sec. 50-135 – Open Air Sales, Open Air Food Sales and Seasonal Sales - First Reading

An ordinance of the City of Groveland, County of Lake, State of Florida, amending Article IV of Chapter 50 of the Groveland Code of Ordinances to remove requirements relating to garage or yard sales, clarifying terms and locations where open air sales, open air food sales inclusive of mobile food vendors, seasonal sales and special events may be held; removing transition language; requiring insurance, requiring mobile food vendor's license; providing for codification; providing for a severability clause; and providing for an effective date.

I. Ordinance 2020-20: Amendments to Recreation Advisory Committee – Second Reading

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various Sections in Chapter 2 of the Code of Ordinances of the City of Groveland relating to the Groveland Recreation Advisory Committee membership, terms and appointment; repealing periodic review by Council; providing for codification; providing for severability; providing for conflict; providing for an effective date.

J. Ordinance 2020-21: Adoption of Procurement Policy – Second Reading

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, requiring a procurement policy for the purchase of goods and services; adopting a procurement policy; providing for conflicts and severability; setting an effective date.

K. Ordinance 2020-23: Amended Chapter 62 Solid Waste to provide for Exclusive Franchise – First Reading

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various sections in Chapter 62 of the Code of Ordinances of the City of Groveland relating to existing non-exclusive franchise agreements and transitioning to the award of an exclusive franchise agreement for commercial containers effective October 1, 2020; deleting obsolete language and clarifying provisions; providing for codification; providing for severability; providing for conflict; providing for an effective date.

OLD BUSINESS

1. Consideration of Approval: Ordinance 2019-55 Indigo Lakes PUD Amendment First Reading

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, Amending Restating, and Replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the City Manager to amend the zoning map as herein provided after the passage of this Ordinance; providing for severability; repealing all Ordinances in conflict herewith; and providing for an effective date.

NEW BUSINESS

2. **Discussion: 2020 Draft Charter Amendments and Ballot Questions**
3. **Discussion: July 4th Event**

REPORTS

- a. Council Member Reports
- b. City Manager Report
- c. City Attorney Report

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, member of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a council member 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 or 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.

**In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office no later than 72 hours in advance of the meeting at (352) 429-2141, ext. 2014; (352) 232-9057 or via email at virginia.wright@groveland-fl.gov*

CONSENT AGENDA

**City of Groveland
Minutes
City Council Meeting
Monday, May 11, 2020**

The Groveland City Council held a Special City Council Meeting on Monday, May 11, 2020 at 7:00 p.m. That was held using telephonic video conferencing in order to reduce public gatherings and the spread of COVID-19, as authorized by Governor DeSantis in Executive Order 20-69. The public was able to attend the virtual meeting. Instructions to participate were posted to the City's website under "Public Notices" at www.groveland-fl.gov and at City Hall in the display board.

Mayor Evelyn Wilson called the meeting to order at 7: 00 p.m. with the following members present: Vice Mayor Mike Radzik and Council Members Mike Smith, Dina Sweatt and Randolph Waite. City officials present were City Manager Mike Hein, City Clerk Virginia Wright, Sergeant-at-Arms Chief Shawn Ramsey and City Attorney Anita Geraci-Carver.

Mayor Wilson read the following into the record: *Pursuant to Executive Order No. 20-69, issued by Governor DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location. Further, municipalities may utilize telephonic or video conferencing to hold public meetings.*

Thank you for joining us for the City's first Council meeting being held through the Zoom platform. On behalf of myself, all board members and staff we hope you and your families are well.

All votes will be received by roll call vote. For council member discussion I will call on each member individually to avoid members talking over one another. If you wish to speak again after your initial comments or have additional questions, please click on "Raise Hand" so you can be recognized.

We will be taking public comment during the meeting. The procedures for public participation will be explained by the City Attorney shortly.

Mayor Wilson noted a quorum was present.

OPENING CEREMONIES

- a. Pledge of Allegiance led by Vice Mayor Radzik.
- b. Invocation provided by Mayor Evelyn Wilson.

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- c. City Attorney Geraci-Carver performed the swearing-in of newly elected District 5 Council Member Randolph Waite. A Special Municipal Election had been held on March 17, 2020 for District 5.

City Attorney Geraci-Carver provided explanation for the public notice and public participation instructions as follows:

Public notice of this meeting was provided on the City's website and posted at City Hall. The public notice included directions for how members of the public can participate. The public has the option to join the Zoom meeting remotely using a computer to watch and listen to the meeting. Or the public can call into the meeting on their telephone and listen to the meeting. Regardless of which option, all attendees from the public are added in listen-mode only.

The notice also provided direction for members of the public who need special accommodation to participate in the meeting in accordance with the ADA to contact the City Clerk not later than 3 business days before the meeting.

The public was given the opportunity to submit public comments in advance of the meeting by e-mailing the City Clerk. Public comments received before 3 p.m. on the meeting date would be shared with the City Council prior to the meeting. The Clerk would read the comments into the record during the meeting. Any public comments received after 3 p.m. would be shared with the City Council after the meeting and will be retained as a public record.

The Public Comment portion of the meeting was moved up on the agenda to be received prior to the Consent Agenda. At that time the Clerk would read the public comments into the record. Comments are limited to five minutes per person.

GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS

- **Police Department Presentation - Chief Ramsey**
Chief Ramsey conducted a presentation promoting Sergeant Marcio Cardoso to Lieutenant. Lt. Cardoso thanked Chief Ramsey, City Manager Hein, and Council for their confidence in him and the opportunity to continue to serve the community and citizens.
- **Proclamation City of Groveland November 3, 2020 Municipal Election**
City Clerk Wright read the proclamation in its entirety into the record.

PUBLIC COMMENT

None.

CONSENT AGENDA

Consideration of Approval:

- A. March 16, 2020 City Council Meeting Minutes**
- B. Resolution 2020-21: Letter of Agreement between the City of Groveland and Barth Associates, LLC for the Parks Master Plan**
A resolution of the City Council of the City of Groveland, Florida, approving the letter of agreement between the City of Groveland, Florida and Barth Associates, LLC for City of Groveland parks, recreation, trails and open space master plan; authorizing execution of the agreement; providing for an effective date.
- C. Resolution 2020-22: Interlocal Agreement between the City of Groveland and Lake County for Bus Stop Maintenance**
A resolution of the City Council of the City of Groveland, Florida, approving the Interlocal Agreement for bus stop maintenance between the City of Groveland and Lake County, Florida; authorizing execution of the agreement; providing for an effective date.
- D. Resolution 2020-23: Mutual Aid Agreement between City of Groveland Police Department and City of Clermont Police Department**
A resolution of the City Council of the City of Groveland, Florida, approving the supplemental voluntary cooperation and operational assistance mutual aid agreement between the City of Groveland, Florida and the City of Clermont relating to the cities' Police departments; authorizing execution of the agreement; providing for an effective date.
- E. Resolution 2020-24: Approving Vacant Land Contract and Addendum Numbers 1 and 2 between Charles E. Bradshaw, Jr. and the City of Groveland relating to Crittenden Road**
A resolution of the City Council of the City of Groveland, Florida, approving the vacant land contract and addendum numbers 1 and 2 to contract between Charles E. Bradshaw, Jr. revocable trust dated May 26, 2000, as amended and City of Groveland relating Crittenden Road; providing for an effective date.
- F. Ordinance 2020-21: Adoption of Procurement Policy – First Reading**
An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, requiring a procurement policy for the purchase of goods and services; adopting a procurement policy; providing for conflicts and severability; setting an effective date.

City Clerk Wright read the headnotes into the record for Resolution 2020-24 and Ordinance 2020-21.

Motion: Councilwoman Sweatt moved to approve the Consent Agenda; seconded by Council Member Smith.

Motion passed with all Council Members present voting aye.

OLD BUSINESS

1. Consideration of Approval: Ordinance 2020-20: Amendments to Recreation Advisory Committee – First Reading

An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida amending various Sections in Chapter 2 of the Code of Ordinances of the City of Groveland relating to the Groveland Recreation Advisory Committee membership, terms and appointment; repealing periodic review by Council; providing for codification; providing for severability; providing for conflict; providing for an effective date.

Motion: Vice Mayor Radzik moved to approve the Ordinance 2020-20 Amendments to the Recreation Advisory Committee – First Reading; seconded by Council Member Smith.

Council Member Smith suggested that Section 2-297, Paragraph C of Ordinance 2020-20 be removed.

Amended Motion: Council Member Smith moved to approved Ordinance 2020-20 Amendments to the Recreation Advisory Committee – First Reading, with Section 2-297 Paragraph C removing alternates; seconded by Vice Mayor Radzik.

Motion passed with all Council Members present voting aye.

NEW BUSINESS

2. Discussion: Operation Reach Out and Response to Coronavirus

City Manager Hein reported the following:

- **Operation Reach Out:**
Deo Persaud is the Covid-19 Coordinator. On March 20th Operation Reach Out Program was implemented. The purpose of the program is to reach out to citizens via telephone calls for a welfare check. To date 9,000 calls to the public have been made.
- **Website Improvements:**
The City Clerk and the website team have been reviewing the City's website, implementing improvements and upgrades. To date, the website has been visited 23,000 times in the last 8-week period.

- **Hand Sanitizer:**

The City has purchased 540 gallons of hand sanitizer. Over 500 gallons have been distributed by the police and fire departments. The City has provided hand sanitizer to over 2,000 residents and businesses, four neighboring police departments, three fire departments and three assisted living facilities in Lake County. Distribution of hand sanitizer is Monday – Friday 12 Noon to 4:00 p.m. while supplies last. Jet-Stream Fuel the distributor of the hand sanitizer, has donated 3,600 meals to local food banks, including the Faith Neighborhood Center.

- **Let's Eat Initiative:**

The City has set up a resource guide on the website. Staff developed an interactive menu system that allows the public to look up the restaurants that are providing food for takeout or delivery. In conjunction with the Reach Out phone calls, the City provided emergency grocery delivery responses to many citizens.

Food was provided as follows:

 - Family of 3; both adults unemployed.
 - Family of 5 with 3 children experienced a loss of employment and their health insurance benefits.
 - Father lost his job and wasn't able to maintain his vehicle.
 - Unemployed mother of 4 with special needs children.

- **Food Trucks:**

The emergency declaration allowed food trucks in the community as an alternative food source. Many vendors took advantage of the new application program on the City's website. Cheffing-It-Up will be offering take-out food at the Trilogy sub-division Sunday, May 10th. Food trucks were at the Cherry Lake Park this past weekend. Several other food trucks will also be available tomorrow from 4:30 p.m. – 7:30 p.m. at Cherry Lake Park, and other days throughout the week. The public is encouraged to call, text, or email their orders in advance to practice social distancing.

- **Hope International Church:** The City partnered with Hope International Church and was able to feed 600 families via community drive through. The Fire Department donated a portion of their pizzas to the Mascotte Fire Department as a show of solidarity. A donation of 50 pizzas per shift were donated to South Lake Hospital.

- **Groveland General Store:**

Groveland has partnered with Lake Catherine Blueberry Farm and Sysco to create an online grocery store. To date the store has had over 2,300 customers. At a time when most distributors were experiencing shortages, Sysco had a surplus of food and essential supplies.

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The surplus was used to provide a more ideal shopping experience for the residents of Groveland.

- Currently working with Human Resources Director Deo Persaud on a plan to bring employees back working at City Hall. All departments have continued to provide services. Some office furniture will be removed to allow for additional spacing. There will be floor clings placed on the floors that indicate spacing of 6 feet apart. City Manager Hein will be conducting a walk-thru with Mike Walker, Parks, Facilities and Community Services Director to determine the best course of action. Two (2) walk-up windows will be installed to transact business.
- A 3-month supply of surgical masks will be distributed to each employee. Employees will use one mask per day. City Hall will eventually open its doors to members of the public. However, staff located in the buildings at 101 E. Broad Street and 239 Main Street will remain closed to the public at this time.
- No facilities will be rented to the public until further notice.
- A slow measured response for opening all facilities will be implemented. City Manager Hein stated he would provide a re-entry report to Council. He anticipated the report will be available by the end of the week.

Vice Mayor Radzik thanked City Manager Hein and staff for their proactive and precautionary measures.

Mayor Wilson stated the staff has done an outstanding job. She reported on Channel 13 news last night the food trucks in Groveland were highlighted. Mayor Wilson thanked all for a great job.

Council Member Smith suggested an overview document about the City's Operation Reach Out efforts be provided to the Florida League of Cities. City Manager Hein noted he had already contemplated idea. He is preparing a presentation for an upcoming South Lake Chamber of Commerce Meeting and a variety of other purposes.

Councilwoman Sweatt reported she has been volunteering at the Faith Neighborhood Center Tuesday through Friday. The Center is still providing food for those in need.

Council Member Waite stated staff has done a tremendous job. He suggested the City should reflect on Phases I & II and put procedures in place, in the event something similar to the Covid-19 pandemic should happen again. City Manager Hein stated there will be after action/debriefing reports. The City Manager will be closely monitoring the situation as there could be a spike into the Fall. City Manager Hein reported the City is learning about strengths and weaknesses. Investments in technology and infrastructure will be discussed during the budget cycle regarding the Covid-19 pandemic.

REPORTS

Councilwoman Sweatt:

- Attended online conferences.
- Volunteering at the Faith Neighborhood Center distributing food.

Council Member Smith:

- Video conferencing with Senior Corps of Retired Executives (SCORE) regarding the reopening of restaurants, EOC meetings, general meetings with staff via telephone or video conferencing. Council Member Smith reported he attended 2-days of video conferencing meetings regarding the ERP. He thanked the staff that participates on this team.
- Council Member Smith suggested purchasing an additional 3 months' worth of supplies such as masks and hand sanitizer, in order to remain prepared during the pandemic.

Council Member Waite:

- Attended various online presentations.
- Spoke with staff in the Community Development Department regarding Blue Street projects. Council Member Waite reported the stormwater project is on target.

Vice Mayor Radzik:

- Vice Mayor Radzik acknowledged Council Member Waite's efforts regarding Blue Street. Vice Mayor Radzik reported he, Mayor Wilson, and Councilwoman Sweatt had started work within that area of the City in 2009. Vice Mayor Radzik offered to assist Council Member Waite in his efforts as the City moves forward with this project.
- Participated in a ULI webinar presented by CBR & E lead economists. The webinar projected the economy making a V-shaped rebound, however, some sectors would make a U-shaped rebound. Those sectors included retail and senior living. The webinar also stated approximately 25% of restaurants would not survive.
- Participated in weekly calls with City Manager Hein.
- Participated in weekly calls with Tim Maslow, Community Development Director regarding temporary signs session.
- Spoke with the juice factory representative.
- No updates to report on the Train Depot.

Mayor Wilson

- Involved with the Let's Eat Initiative.
- Practicing social distancing: staying home, wears mask and gloves when necessary, uses hand sanitizer.
- The Cheffing-It-Up Event on May 10 went very well.

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- Mayor Wilson stressed the importance of continuing to practice social distancing.
- Tomorrow Mayor Wilson will be working with Parks and Recreation staff on the food truck events and ways to encourage more participation.

City Manager

- Weekly activity reports.
- City Manager Hein reported with the approval of the first reading of Ordinance 2020-20: *Amendments to Recreation Advisory Committee (RAC)*, applications for consideration to serve on the RAC will be uploaded to the City's website tomorrow.
- City Manager Hein stated this Tuesday's conference call would be utilized to gauge how much business is on the agenda that is not related to land use. He Hein recommended postponing the June 1st City Council Meeting. He is working with staff on the June 15th City Council Meeting Agenda.

Vice Mayor Radzik thanked staff and Mr. Walker for sharing the photos of the Lake David North Project and the new landscaping in front of City Hall.

City Attorney

Nothing to report at this time.

ADJOURNMENT

Mayor Wilson adjourned the meeting at 8:06 p.m.



Evelyn Wilson, Mayor

Attest:

Virginia Wright, City Clerk



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: SHAWN RAMSEY, CHIEF OF POLICE

SUBJECT: CONSIDERATION OF APPROVAL RESOLUTION 2020-26:
APPROVING THE AGREEMENT BETWEEN THE SCHOOL BOARD
OF LAKE COUNTY, FLORIDA AND THE CITY OF GROVELAND,
FLORIDA, FOR SCHOOL RESOURCE OFFICER PROGRAM
2020/2021

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

The Lake County School Board is requesting a collaborative approach towards staffing the Groveland Elementary, South Lake High School and Gray Middle Schools with Groveland Police Officers (SRO). The Lake County School Board has agreed to fund the annual cost of said positions in the sum of \$236,087.00 per year.

BUDGET IMPACT:

Four Groveland Police Officers suggested for positions annual cost to the city of Groveland \$283,000.00. Four Groveland Police Officers suggested for positions compensation to be provided by the Lake County School Board \$236,087.00

STAFF RECOMMENDATION:

Approval of Resolution 2020-26 to enter into the agreement to support the collaborative efforts and the School Resource Officer Program.

ATTACHMENTS:

1. Resolution 2020-26
2. Itemized Cost Spreadsheet
3. Proposed contractual agreement provided by Lake County School Superintendent

ATTACHMENT 1

RESOLUTION 2020-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF GROVELAND, FLORIDA, FOR SCHOOL RESOURCE OFFICER PROGRAM [2020/2021]; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the School Board is seeking two (2) School Resource Officers for schools within the City of Groveland to interact with students during the regular class schedule and during extra-curricular school activities to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the Groveland Police Department desires and is able to provide two Groveland Police Officers, one at Gray Middle School and one at Groveland Elementary School for the 2020/2021 school year; and

WHEREAS, the City Council finds it beneficial to the City of Groveland and desires to approve the interlocal agreement with the terms and conditions outlined therein.

WHEREAS, is authorized by §163.01, Florida Statutes to enter into interlocal agreements with other municipalities and legal entities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Agreement between the School Board of Lake County, Florida, and the City of Groveland, Florida, for School Resource Office Program [2020/2021], a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this ____ day of May, 2020, by the City Council of the City of Groveland, Florida.

Evelyn Wilson, Mayor
City of Groveland, Florida

ATTEST:

Virginia Wright, City Clerk



Approved as to Form:

Anita Geraci-Carver
City Attorney

Passed 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-03 – TRAILER HUB LLC ANNEXATION (SECOND READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development Staff received an application from property owner Trailer Hub LLC, requesting voluntary annexation into the City of Groveland, pursuant to Chapter 171, Florida Statutes. The parcel consists of 0.51 +/- acres, generally located on the northeast side of Sampey Road. The applicant is concurrently requesting a small scale comprehensive plan amendment and rezoning. Subsequent Ordinance 2020-05 will change the zoning from Lake County Industrial to City of Groveland M-1 Industrial and Ordinance 2020-04 will change the future land use designation from Lake County Industrial to City of Groveland Industrial.

On March 5th, The Planning and Zoning Board voted 6-0 to approve Ordinance 2020-03, Trailer Hub LLC Annexation.

Staff recommends approval of Ordinance 2020-03.

BUDGET IMPACT:

Annexation of the property and future development of the property will result in enhanced ad valorem revenues for the City.

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Community Development Staff- Approval of Ordinance 2020-03.
P&Z Board Recommendation- 6-0 vote to Approval of Ordinance 2020-03. P&Z Board Member Martin Taxon was not present.

ATTACHMENTS:

Attachment 1 Ordinance 2020-03 with Legal Description and Aerial Map

Attachment 2 Application Submittal & Support Documents

Attachment 3 Notice Support Documentation



"City with Natural Charm"

ATTACHMENT 1

ORDINANCE 2020-03

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, PURSUANT TO THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES (2019); ANNEXING 0.51 +/- ACRES OF REAL PROPERTY NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF GROVELAND; PROVIDING FOR FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY MANAGER TO RECORD CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL WITH THE CLERK OF THE CIRCUIT COURT, THE COUNTY MANAGER OF LAKE COUNTY, AND THE SECRETARY OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.

WHEREAS, Trailer Hub, LLC as a property owner in an unincorporated area of Lake County, has petitioned the City Council, Groveland, Florida, to annex property into the City of Groveland; and

WHEREAS, the property, as hereafter defined, is eligible for annexation; and

WHEREAS, the City Council has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

WHEREAS, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

WHEREAS, all other procedural and notice requirements mandated by State law and the City's Code of Ordinances have been followed and satisfied; and

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

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: Annexation. The corporate limits of the City of Groveland, Florida, are hereby extended and increased so as to include and embrace within the corporate limits of the City of Groveland, the real property described as:

Legal Description: See attached.

Parcel Id No.: 17-22-25-0003-000-00700; Alt. Key 1303575

(the "Property").

The Property is hereby annexed and declared to be a part of the City of Groveland. The Property is depicted in the map attached hereto as **Exhibit A**.

Section 3: Applicability and Effect. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Groveland, and shall be entitled to the same privileges and benefits as other parts of the City of Groveland upon the effective date of the annexation.

Section 4: Directions. In accordance with Section 171.044(3), Florida Statutes (2019) within seven (7) days of the adoption of this Ordinance, certified copies of this shall be provided to the Clerk of the Circuit Court (Recording), and the Secretary of State of the State of Florida. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

Section 5: Conflicts. All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

Section 6: Severability. If any provision or portion of this ordinance is declared by any court 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 7: Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 8: Effective Date. This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

Exhibit A

Legal Description:

From the Northwest corner of the NE 1/4 of the SW 1/4 of the SW 1/4, run South 0°01'18" East along the West line of the NE 1/4 of the SW 1/4 of the SW 1/4 210.83 feet to the Point of Beginning; thence North 89°39'06" East 135.22 feet; thence South 0°01'18" East 165.85 feet; thence South 89°39'06" West 135.22 feet to the West line of said NE 1/4 of the SW 1/4 of the SW 1/4; thence North 00°01'18" West, along said West line 165.85 feet to the Point of Beginning, lying and being in Section 17, Township 22 South, Range 25 East, Lake County, Florida.



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

FROM: MIKE HEIN, CITY MANAGER

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-04 –
TRAILER HUB LLC SMALL SCALE COMPREHENSIVE PLAN
AMENDMENT (SECOND READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development Staff received an application from property owner Trailer Hub LLC, requesting a Small Scale Comprehensive Plan Amendment from Lake County Industrial to City of Groveland Industrial for a 0.51 +/- acre parcel, generally located on the northeast side of Sampey Road. The applicant is concurrently requesting a rezoning from Lake County Industrial to City of Groveland M-1 Industrial District. The subject property is currently vacant.

On March 5th, The Planning and Zoning Board voted 6-0 to approve Ordinance 2020-04, Trailer Hub LLC Small Scale Comprehensive Plan Amendment.

Staff recommends approval of Ordinance 2020-04.

ECONOMIC REVENUE IMPACT:

The site will be developed for job creation

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Community Development Staff- Approval of Ordinance 2020-04.
P&Z Board Recommendation- 6-0 vote to Approval of Ordinance 2020-04. P&Z Board Member Martin Taxon was not present.

ATTACHMENTS:

Attachment 1 Ordinance 2020-04 with legal description and Future Land Use Map
Attachment 2 Application Submittal & Support Documents
Attachment 3 Notice Support Documentation

ATTACHMENT 1

ORDINANCE 2020-04

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 LAKE COUNTY INDUSTRIAL TO CITY OF GROVELAND INDUSTRIAL ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF 0.51 +/- ACRES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE

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 small-scale plan amendment is initiated on behalf of the owner, Trailer Hub LLC; and

WHEREAS, the Planning and Zoning Board of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law prior to the meeting, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for one public hearing with the public hearing occurring at least 5 days after the advertisement was published; and

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

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

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

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

Section 1. Legislative Findings.

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

Section 2. Comprehensive Plan Amendment

- A. The Property is legally described in **Exhibit A** attached hereto and incorporated herein, consisting of 0.51 +/- acres, more or less, (the "Property").

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 Property, on the City of Groveland Future Land Use Map from Lake County Industrial and designating the Property on the Future Land Use Map to:

CITY OF GROVELAND – INDUSTRIAL

Exhibit B (attached hereto and incorporated herein) – Future Land Use Map amendment

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.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

Section 5. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. Repeal

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

Section 7. Adoption

After adoption, a copy hereof shall be forwarding to the Department of Economic Opportunity.

Section 8. Effective Date

This ordinance shall become effective upon the 31st day after adoption unless timely challenged, and then will 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 163.3187, 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 _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

EXHIBIT A
Legal Description of the Property

Legal Description:

From the Northwest corner of the NE 1/4 of the SW 1/4 of the SW 1/4, run South 0°01'18" East along the West line of the NE 1/4 of the SW 1/4 of the SW 1/4 210.83 feet to the Point of Beginning; thence North 89°39'06" East 135.22 feet; thence South 0°01'18" East 165.85 feet; thence South 89°39'06" West 135.22 feet to the West line of said NE 1/4 of the SW 1/4 of the SW 1/4; thence North 00°01'18" West, along said West line 165.85 feet to the Point of Beginning, lying and being in Section 17, Township 22 South, Range 25 East, Lake County, Florida.

Parcel Id No.: 17-22-25-0003-000-00700; Alt. Key 1303575 (the "Property").



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-05 – TRAILER HUB LLC REZONING (SECOND READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development Staff received an application from property owner Trailer Hub LLC, requesting a rezoning of a 0.51 +/- acre parcel, generally located on the northeast side of Sampey Road. The applicant is requesting a rezoning from Lake County Industrial to City of Groveland M-1 Industrial District. The subject property is currently vacant.

The tables below summarizes the proposed development standards for the M-1-Industrial project.

| Development Program |
|----------------------------|
| Land Use |
| Industrial |

| M-1 Industrial Development Standards | |
|---|----------------|
| Standard | Total |
| Min. Lot Size | 10,000 sq. ft. |
| Max. Impervious Coverage | 70% |
| Max. Height | 50 ft. |
| Max. F.A.R. | 0.70 |
| Setbacks | |
| Front | 35 ft. |
| Side | 10 ft. |
| Rear | 25 ft. |

On March 5th, The Planning and Zoning Board voted 6-0 to approve Ordinance 2020-05, Trailer Hub LLC Rezoning.

Staff recommends approval of Ordinance 2020-05.

ECONOMIC REVENUE IMPACT:

The site will be developed for job creation.

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Community Development Staff- Approval of Ordinance 2020-05.

P&Z Board Recommendation- 6-0 vote to Approval of Ordinance 2020-05. P&Z Board Member Martin Taxon was not present.

ATTACHMENTS:

1. Attachment 1

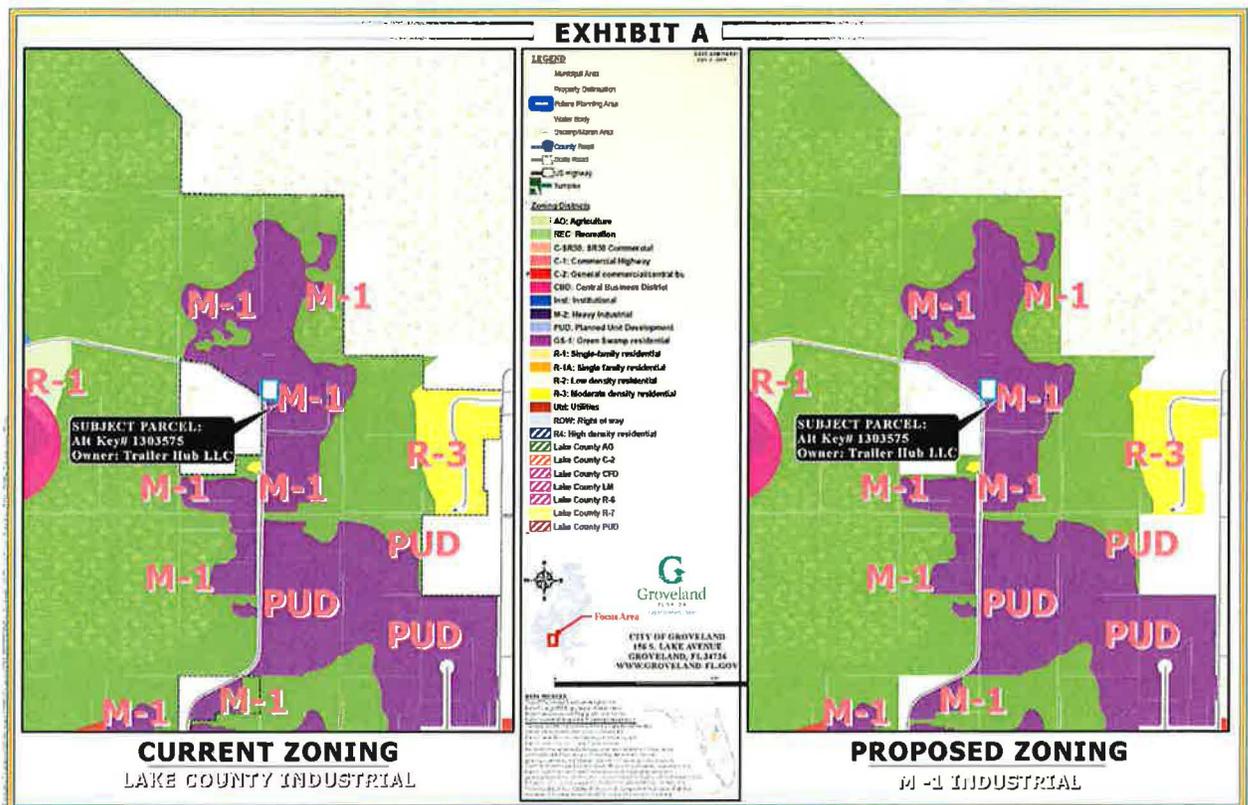
- Ordinance 2020-05 with legal description and Rezoning Map

2. Attachment 2

- Application Submittal & Support Documents

3. Attachment 3

- Notice Support Documentation



"City with Natural Charm"

ATTACHMENT 1

ORDINANCE 2020-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, TO CHANGE THE ZONING FROM LAKE COUNTY INDUSTRIAL TO CITY OF GROVELAND M-1 INDUSTRIAL DISTRICT FOR THE HEREIN DESCRIBED PROPERTY OWNED BY TRAILER HUB LLC AND LOCATED EAST OF SAMPEY ROAD; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Trailer Hub, LLC, the owner requested a rezoning from Lake County Industrial to City of Groveland M-1 Industrial District; and

WHEREAS, the subject properties consist of 0.51 +/- acres located east of Sampey Road, and is more particularly described herein; and

WHEREAS, the property has a future land use designation of Industrial as shown on the City of Groveland Comprehensive Plan Future Land Use Map; and

WHEREAS, the proposed zoning is consistent with the future land use designation.

WHEREAS, the City of Groveland Planning and Zoning Board recommended approval of a change in the use of the Property;

WHEREAS, the City has held such public hearing and the records of the City provide that the owners of the land affected have been notified as required by law

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 be hereafter be designated:

City of Groveland M-1 Industrial

See attached legal description attached hereto as **Exhibit A**.

Parcel Id No.: 17-22-25-0003-000-00700; Alt. Key 1303575 (the "Property").

The Property is more particularly depicted in **Exhibit B** attached hereto and incorporated herein.

Section 2: Zoning Classification.

That the Property shall be designated as Groveland M-1 Industrial District in accordance with Land Development Code of the City of Groveland, Florida.

Section 3: Consistent with Comprehensive Plan.

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

Section 4: Official Zoning Map.

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

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. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7: Conflict.

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

Section 8: Effective Date.

This Ordinance shall become effective immediately upon its approval and 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 _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

EXHIBIT A
Legal Description of the Property

Legal Description:

From the Northwest corner of the NE 1/4 of the SW 1/4 of the SW 1/4, run South 0°01'18" East along the West line of the NE 1/4 of the SW 1/4 of the SW 1/4 210.83 feet to the Point of Beginning; thence North 89°39'06" East 135.22 feet; thence South 0°01'18" East 165.85 feet; thence South 89°39'06" West 135.22 feet to the West line of said NE 1/4 of the SW 1/4 of the SW 1/4; thence North 00°01'18" West, along said West line 165.85 feet to the Point of Beginning, lying and being in Section 17, Township 22 South, Range 25 East, Lake County, Florida.

Parcel Id No.: 17-22-25-0003-000-00700; Alt. Key 1303575 (the "Property").



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-06 –
V.J. OLENO SMALL SCALE COMPREHENSIVE PLAN
AMENDMENT (SECOND READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development Staff received an application from applicant Knight Engineering Services Inc., representing property owner JCJ Family Partnership Ltd., requesting a Small Scale Comprehensive Plan Amendment from Lake County Industrial to City of Groveland Industrial for a 2.49 +/- acre parcel, generally located on the west side of Independence Boulevard in the Christopher C. Ford Commerce Park. The applicant is concurrently requesting a rezoning from Lake County Industrial to City of Groveland M-2 Heavy Industrial. The subject property is currently vacant.

On March 5th, The Planning and Zoning Board voted 6-0 to approve Ordinance 2020-06, V.J. Oleno Small Scale Comprehensive Plan Amendment.

Staff recommends approval of Ordinance 2020-06.

ECONOMIC REVENUE IMPACT:

The site will be developed for job creation.

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Community Development Staff- Approval of Ordinance 2020-06.
P&Z Board Recommendation- 6-0 vote to Approval of Ordinance 2020-06. P&Z Board Member Martin Taxon was not present.

ATTACHMENT 1

ORDINANCE 2020-06

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 LAKE COUNTY INDUSTRIAL TO CITY OF GROVELAND INDUSTRIAL ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF 2.49 +/- ACRES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; 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 small-scale plan amendment is initiated by Thomas Knight, Knight's Engineering Services, Inc. on behalf of the owner, JCJ Family Partnership Ltd.; and

WHEREAS, the Planning and Zoning Board of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law prior to the meeting, and

WHEREAS, the City Council of the City of Groveland public hearing has been advertised as required by law for one public hearing with the public hearing occurring at least 5 days after the advertisement was published; 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. The Comprehensive Plan Amendment in Exhibit A attached hereto and incorporated herein, consisting of 2.49 +/- acres, more or less, (the "Property").

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 Property, on the City of Groveland Future Land Use Map from Lake County Industrial and designating the Property on the Future Land Use Map to:

CITY OF GROVELAND – INDUSTRIAL

Exhibit B (attached hereto and incorporated herein) – Future Land Use Map amendment

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.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

Section 5. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. Repeal

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

Section 7. Adoption

After adoption, a copy hereof shall be forwarding to the Department of Economic Opportunity.

Section 8. Effective Date

This ordinance shall become effective upon the 31st day after adoption unless timely challenged, and then will 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 163.3187, 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 _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

EXHIBIT A
Legal Description of the Property

Legal Description:

Lot 2 of Christopher C. Ford Commerce Park Replat #1, according to the replat thereof as recorded in Plat Book 49, Page 85, Public Records of Lake County, Florida

Parcel Id No.: 20-21-25-1303-000-00200; Alt. Key 3818780 (the "Property").



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: DEWAYNE JONES, PLANNER I

SUBJECT: CONSIDERATION OF APPROVAL ON ORDINANCE 2020-07 – V.J. OLENO REZONING (SECOND READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development Staff received an application from applicant Knight Engineering Services Inc., representing property owner JCJ Family Partnership LTD, requesting a rezoning of a 2.49 +/- acre parcel, generally located on the west side of Independence Boulevard, in the Christopher C. Ford Commerce Park. The applicant is requesting a rezoning from Lake County Industrial to City of Groveland M-2 Heavy Industrial. The subject property is currently vacant.

The tables below summarizes the proposed development standards for the M-2-Heavy Industrial project.

| Development Program | |
|----------------------------|--|
| Land Use | |
| Industrial | |

| M-2 Heavy Industrial Development Standards | |
|---|----------------|
| Standard | Total |
| Min. Lot Size | 12,500 sq. ft. |
| Max. Impervious Coverage | 70% |
| Max. Height | 50 ft. |
| Max. F.A.R. | 1.0 |
| Setbacks | |
| Public St. or Easement for ingress/egress | 50 ft. |
| Any Zoning District other than M-2 | 50 ft. |
| Front/Rear | 50 ft. |

On March 5th, The Planning and Zoning Board voted 6-0 to approve Ordinance 2020-07, V.J. Oleno Rezoning.

Staff recommends approval of Ordinance 2020-07.

ECONOMIC REVENUE IMPACT:

The site will be developed for job creation.

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Community Development Staff- Approval of Ordinance 2020-07.

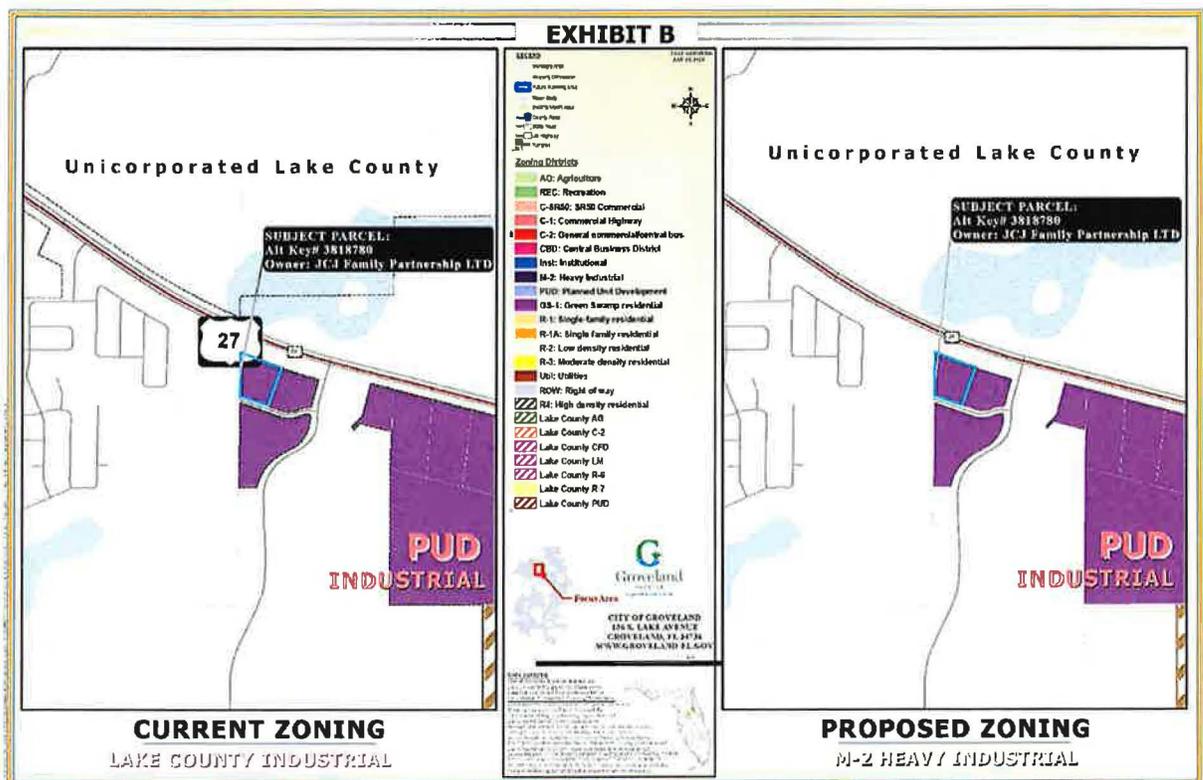
P&Z Board Recommendation- 6-0 vote to Approval of Ordinance 2020-07. P&Z Board Member Martin Taxon was not present.

ATTACHMENTS:

Attachment 1 Ordinance 2020-07 with legal description and Rezoning Map

Attachment 2 Application Submittal & Support Documents

Attachment 3 Notice Support Documentation



"City with Natural Charm"

ATTACHMENT 1

ORDINANCE 2020-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, TO CHANGE THE ZONING FROM LAKE COUNTY INDUSTRIAL TO CITY OF GROVELAND M-2 HEAVY INDUSTRIAL DISTRICT FOR THE HEREIN DESCRIBED PROPERTY OWNED BY JCJ FAMILY PARTNERSHIP LTD AND LOCATED ON THE WEST SIDE OF INDEPENDENCE BOULEVARD IN THE CHRISTOPHER C. FORD COMMERCE PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Thomas Knight, Knight Engineering Services, Inc. on behalf of the owner JCJ Family Partnership, Ltd requested a rezoning from Lake County Industrial to City of Groveland M-2 Heavy Industrial District; and

WHEREAS, the subject properties consist of 2.49 +/- acres located on the west side of Independence Boulevard in the Christopher C. Ford Commerce Park, and is more particularly described herein; and

WHEREAS, the property has a future land use designation of Industrial as shown on the City of Groveland Comprehensive Plan Future Land Use Map; and

WHEREAS, the proposed zoning is consistent with the future land use designation.

WHEREAS, the City of Groveland Planning and Zoning Board recommended approval of a change in the use of the Property;

WHEREAS, the City has held such public hearing and the records of the City provide that the owners of the land affected have been notified as required by law

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 be hereafter be designated:

City of Groveland M-2 Heavy Industrial

See attached legal description attached hereto as **Exhibit A**.

Parcel Id No.: 20-21-25-1303-000-00200; Alt. Key 3818780 (the "Property").

The Property is more particularly depicted in **Exhibit B** attached hereto and incorporated herein.

Section 2: Zoning Classification.

That the Property shall be designated as Groveland M-2 Heavy Industrial District in accordance with Land Development Code of the City of Groveland, Florida.

Section 3: Consistent with Comprehensive Plan.

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

Section 4: Official Zoning Map.

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

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. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7: Conflict.

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

Section 8: Effective Date.

This Ordinance shall become effective immediately upon its approval and 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 _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

EXHIBIT A

Legal Description:

Lot 2 of Christopher C. Ford Commerce Park Replat #1, according to the replat thereof as recorded in Plat Book 49, Page 85, Public Records of Lake County, Florida



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

FROM: ANDREW LANDIS, SENIOR PLANNER

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2020-08
AMENDMENT OF SEC. 50-135- OPEN AIR FOOD SALES
AND SEASONAL SALES
(FIRST READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

Ordinance 2020-08 revises City regulations governing special events, garage and open air sales, food trucks, and seasonal sales. The intent is to ease and simplify the current processes for residents and businesses. Community Development staff is sponsoring this item.

The proposed changes include:

Special Events

- Eased the parking requirements from one per every five attendees to identifying areas intended for vehicular parking on the site plan.
- Reduced time customer can file for special event permit to 15 days prior to event instead of 21 days.

Garage/Yard Sales

- Removed garage/yard sale permit requirement and city-issued signs requirement.
- Increased number of day's sales can be held from four (4) to twelve (12) per year.

Open Air Sales

- Increased number of times open air sales can be held from four (4) to twelve (12) per year with a maximum three day limit per event (maximum of 36 days per year).

Mobile Food Vendors (Food Trucks)

- Increasing time for mobile food vendor's vehicles from 30 minutes to three (3) hours.

- Introducing a new mobile food vendor license to be renewed annually.
- Seasonal Sales
- Increased the number of recognized holidays for seasonal sales from eight (8) to twelve (12).
- Increased the maximum number of seasonal sales during the period of one calendar year from five to 10, not to exceed a total of 50 days per year.
- Reduced minimum setback requirements from 25 feet to 10 feet from the ROW to help activate public realm.

BUDGET IMPACT:

None.

LEGAL NOTE:

None.

STAFF RECOMMENDATION:

Staff is recommending approval of Ordinance 2020-08.

ATTACHMENTS:

Attachment 1 Ordinance 2020-08

Attachment 2 Notice Support Documentation

ATTACHMENT 1

ORDINANCE 2020-08

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING ARTICLE IV OF CHAPTER 50 OF THE GROVELAND CODE OF ORDINANCES TO REMOVE REQUIREMENTS RELATING TO GARAGE OR YARD SALES, CLARIFYING TERMS AND LOCATIONS WHERE OPEN AIR SALES, OPEN AIR FOOD SALES INCLUSIVE OF MOBILE FOOD VENDORS, SEASONAL SALES AND SPECIAL EVENTS MAY BE HELD; REMOVING TRANSITION LANGUAGE; REQUIRING INSURANCE, REQUIRING MOBILE FOOD VENDOR'S LICENSE; PROVIDING FOR CODIFICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to revise and clarify provisions within Article IV of Chapter 50 of the Code of Ordinances as set forth herein; and

WHEREAS, the City Council is authorized under Ch. 166 to enact legislation applicable within the municipal boundaries of the City of Groveland.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:

SECTION 1. 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. That Article IV of Chapter 50 of the City of Groveland Code of Ordinances is hereby amended to read as follows:

ARTICLE IV. - SPECIAL EVENTS, GARAGE/YARD SALES, OPEN AIR SALES, SEASONAL SALES, AND TEMPORARY STRUCTURES

Sec. 50-130. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arterial roadways refers to State Road 50, State Road 33, US 27 and State Road 19.

Developed lot means a lot that has a principal building on it.

Edibles means any food or beverage intended for human consumption.

Garage or yard sale means the offering for sale or sale by a person, group of persons, firm or corporation of more than one item of personal property displayed or offered for sale on a lot, parcel, or tract of land within the municipal boundaries of the city located within an area zoned for a residential use.

Mobile Food Vendor means any person selling edibles from a vehicle.

MFVL means mobile food vendor's license.

Neighborhood garage/yard sale means a sale held by one or more homeowners or a homeowners' association (collectively, "homeowners' association"), whether incorporated or unincorporated, during which all residents of the neighborhood or subdivision are provided with an opportunity to display and sell personal property which is displayed or offered for sale on one or more lots, parcels, or tracts of land within such neighborhood or subdivision so long as such lots, parcels, or tracts are zoned for residential use.

Open air food sales means the sale of food or beverages from a temporary structure, such as a tent or booth, or from a mobile vending cart, trailer, or vehicle, including a Mobile Food Vendor. ~~The term "open air food sales" does not include mobile vehicles such as ice cream trucks or food coaches that do not stay in one location more than 30 minutes.~~

Open air sales means the offering, display or sale of goods, merchandise, or services not within a fully enclosed building. Sales conducted from tents, trucks, or other non-permanent structures shall be construed to be open air sales. Open air sales include seasonal sales and outdoor sales associated with a permanent business location such as a grand opening or a special promotion.

Person means any individual, organization, trust, foundation, association, partnership, corporation, society, or any combination of them, whether principal or agent.

Seasonal sales means open air sales customarily associated with holidays, including, but not limited to, Christmas trees, pumpkins, flower arrangements and other seasonal items.

Special event means any organized gathering of persons, comprised of groups or individuals, including gathering at shows, exhibitions, demonstrations, or assembly, other than the normal day-to-day or seasonal operations or concerns of licensed establishments within the city. The term "special event" shall include but is not limited to entertainment festivals, parades, fairs, festivals, carnivals, circuses, church events, athletic events, arts and crafts events, and special promotional activities for commercial establishments, such as holiday events, contests, on-location radio promotions, and shows.

Temporary structure means a structure without any foundation or footings which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. For purposes of this section, the term "temporary structure" includes but is not limited to tents, canopies, stages and similar structures.

Undeveloped properties means lots or parcels with no substantial code compliant structure capable of housing a business.

Sec. 50-131. - Special events, garage/yard sales, open air sales, open air food sales and seasonal sales.

The purpose of this article is to protect the health, safety, and welfare of the citizens and inhabitants of the city by ensuring the provision of sufficient police, fire and support services for any gathering of groups or individuals for the purpose of participating in various special events, garage/yard sales, seasonal sales, open air food sales or in open air sales activities.

Sec. 50-132. - Permits required.

No person shall advertise, engage in, participate in, aid, form or start any ~~garage or yard sale~~, special event, ~~or~~ seasonal, open air food sales or open air sale or erect any tent or

temporary structure for public access for such an event unless a special event/sales permit is first obtained from the building community development department. A permit shall not be required for:

- (1) Funeral processions;
- (2) Church events on church property, unless a tent or temporary structure is erected;
- (3) Lawful picketing; and
- (4) Any bona fide athletic event or contest or other special event sponsored by any public or private school or the city.

Sec. 50-133. - Garage or yard sales.

(a) ~~Duration; frequency.~~ Frequency, duration. ~~City residents, homeowners' associations, groups shall be allowed by right to conduct a neighborhood garage or yard sale on any single lot, parcel, or tract of land a maximum of four times within any calendar year. It shall be a violation of this article for garage or yard sales to extend more than 48 hours, or to be conducted more than nine times in any calendar year on any single lot, parcel, or tract of land. A permit to conduct a garage or yard sale shall not be issued to the same person, group of persons, firm, or corporation more frequently than nine times in any calendar year. A permit to conduct a neighborhood garage or yard sale shall not be issued to the same homeowners' association more frequently than two times in any calendar year.~~

(b) ~~Permit required; application; display; t~~ Temporary signs.

(1) Signs shall be permitted to be placed on private property only with permission from the subject property's owner. Signs located in the roadway median or within state, city, or county rights of way may be removed and disposed of without notice. ~~It shall be a violation of this article for any person, group of persons, firm, or corporation to conduct a garage or yard sale on any lot, parcel, or tract of land or for a homeowners' association, whether incorporated or unincorporated, to conduct a neighborhood garage or yard sale without first obtaining a permit from the city. Such a permit must be obtained by requesting the same in writing from the city. The application for a permit to conduct a garage or yard sale shall state the names of the persons, firms, or corporations conducting the garage or yard sale and the time and place where it is to be held. The application for a permit to conduct a neighborhood garage or yard sale need only include the name of the association holding such sale (not each individual owner within the neighborhood or subdivision); the time and location of the neighborhood or subdivision where it is to be held; and the name, address, and phone number of a contact person who will maintain possession of the permit during the neighborhood garage or yard sale.~~

(2) ~~A garage or yard sale shall be held only on the days stated in the permit. The permit provided for herein shall be displayed on the premises at which the sale is being conducted, except that in the case of a neighborhood garage or yard sale, the permit must only be posted on the contact person's property who is maintaining possession of the permit. The city council may charge a fee for the issuance of such permit as it may deem necessary to cover the cost thereof. Two temporary directional signs for a garage or yard sale shall be issued as part of the permit. Additional temporary directional signs;~~

~~up to a maximum of three additional per permit, may be purchased from the city by the permit holder. City-issued temporary signs are the only signs authorized for use in directing patrons to garage or yard sales in the city.~~

- (c) *Cleanup.* At the conclusion of the garage or yard sale, all unsold articles and items and all tables, chairs, and display cases, and signs used in conjunction with such sale shall be removed or packed away so as not to be visible from any public street or adjoining property. All garage or yard sale signs shall be collected and disposed of properly.

Sec. 50-134. - Special events.

- (a) *Criteria for issuance of special event permits.* The building community development department shall issue a permit as provided herein after verification from the reviewing departments that the proposed event meets the minimum standards for issuance of a permit. The minimum standards are:

- (1) No substantial interference with the safe and orderly movement of pedestrian or vehicular traffic in, contiguous to, or in the vicinity of the event. Adequate on-site traffic circulation and parking will be maintained at all times, based on the type and size of event and on the projected attendance. The plan shall ~~provide~~ identify areas intended for at least one vehicular parking space for every five attendees (spectators and participants).
- (2) Public safety standards shall be met, either through the auspices of the city, or through private sources, or both. Adequate police protection is being provided. The chief of police shall determine, based upon the permit application, whether and to what extent additional police protection reasonably will be required for the event for purposes of traffic, crowd control, and security. If the chief of police determines additional police protection for the event is necessary, it shall be noted as part of the permit. The applicant shall have the obligation to secure police protection acceptable to the chief of police at the sole expense of the applicant.
- (3) Adequate fire protection and emergency medical services are being provided. The fire chief shall determine, based upon the permit application, the need for on-site fire watch or emergency medical personnel. If the fire chief determines additional fire or emergency medical personnel are necessary for the event, it shall be noted as part of the permit. The applicant shall have the obligation to secure protection required by the fire chief at the sole expense of the applicant.
- (4) The public works department has determined, based on review of the application, that adequate health facilities, including sanitation facilities, refuse disposal, drainage, water supply, etc., will be available in or adjacent to the event area.
- (5) Conformance with other regulatory requirements will be met. Full and complete compliance with all zoning and land use laws, beverage license and control laws and other laws, ordinances and regulations applicable to the city is required and shall be submitted through the building community development department. The special event and any sales occurring at the special event shall comply with all applicable requirements of the state and county regulatory agencies, including, but not limited to, the department of business and professional regulation, and the department of agriculture and consumer services.

- (6) For any special event that is not exclusively sponsored by the city and for which the estimated daily attendance will exceed 2,500 persons, approval by the city council shall be required as a prerequisite for issuance of the permit, in addition to all other criteria noted in this section.
- (b) *Permit application.* Any person seeking issuance of a special event permit shall file an application with the building community development department.
- (1) *Filing period.* An application for a special event permit shall be filed not less than 21 15 days before the date on which the event is scheduled to take place.
- (2) *Contents.* The application for a permit shall include the following information. Some of the information may be excluded based on the size and type of a specific special event. Such exclusions must be approved by the city manager.
- a. The name, address, and telephone number of the person or agent seeking to conduct the event.
 - b. The name, address, and telephone number of authorized agents of the sponsoring organization.
 - c. The dates and times the event is planned to occur.
 - d. The exact location of the event and written approval of the owner, lessee, or agent of the property where the special event will take place.
 - e. A complete description of the nature of the event and all activities planned, including but not limited to fireworks, laser shows, races, parachutists, animal acts, aviation shows and the like.
 - f. The approximate number of attendees (spectators or participants) to the event.
 - g. A site plan, drawn to scale. The site plan shall show the location of all required facilities, including adequate traffic control and parking, and the proposed layout of the event, including any temporary structures.
 - h. Adequate plans for sanitation facilities, sewage disposal, garbage and refuse disposal, drainage, floodlighting during darkness, potable water supply and food service.
 - i. A plan showing the location of all on-premises and off-premises signs which are allowed under this section for the special event.
 - j. An adequate plan for internal security, communications, fire protection and emergency services, where deemed necessary by the police and/or fire departments.
 - k. A master list with the name, address and telephone number of each vendor and an assurance that each food vendor possesses or will obtain all health and food service certifications prior to commencement of the special event.
 - l. Any additional information deemed necessary by the building community development department.
 - m. If the event is or includes a parade, the following additional information is required:

1. The exact location of any marshaling or staging areas for the parade.
2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed.
3. The exact route to be traveled, including the starting point and termination point.
4. The approximate number of persons and/or animals and/or vehicles which will constitute the parade, including the types of animals and description of the vehicles.
5. State department of transportation permit if a state roadway is to be used.

(c) *Performance criteria.*

- (1) The maximum number of special events by any individual party during a one-year period is ~~twelve~~ ~~four~~, with a maximum of three days per special event. The maximum number of "special event days" during a one-year period is ~~36 days~~ ~~12 days~~. ~~In order to exceed the limitation of the number of special events or special event days, the applicant shall petition the city council for a waiver from this restriction. Such petition shall be in the form of a letter from the applicant explaining why exceeding the standard limitation will not be a burden on the general public or on the surrounding property.~~
- (2) Special events shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. C-1, C-2, CBD, M-1, or PUD (limited to the commercial components).
- (3) Off-premises and on-premises signs may be used to announce, identify or direct attendees to a special event.
 - a. *Off-premises signs.* Off-site directional signs, not exceeding six square feet, and not exceeding a total of ten signs, may be allowed for each special event during the duration of the event. A plan or map shall be submitted showing the location for each off-premises sign associated with the event. The signs may be placed on private property with the property owners' permission, or, with written permission of the city manager, on a site-by-site basis, on city rights-of-way. Such signs may be placed one day prior to the special event and shall be removed no later than one day after the special event. A deposit of \$20.00 per sign shall be made with the building community development department along with the special event application fee. The deposit for each sign shall be forfeited for each sign that is erected prior to or remains after the time restrictions stated herein.
 - b. *On-premises signs.* A plan or sketch for all signs to be placed on site, announcing or identifying the special event, shall be submitted with the application. Review of such signs shall be conducted by the city manager or designee and shall take into account traffic visibility, intrusion on adjacent properties, visibility of adjacent business signs and/or traffic signs and signals, and any other appropriate parameters. The administrative official's decision on signs may be appealed to the city council.
- (4) Any outstanding fees above the estimated cost of police or fire personnel payable to the city shall be paid in full within two days after the expiration of the permit.

- (5) If the event is to take place in any city-owned or city-controlled property, public liability and property damage insurance, with the city named as an additionally insured party, shall be obtained in an amount approved by the city's finance director after consideration of those factors set out in the permit application.

(d) *Other permits; inspections.*

- (1) A building permit shall be required, as applicable, for erection of any temporary structure, with the exception of one tent that is 196 square feet (14' x 14') or less in size and is monolithic and open on all sides.
- (2) If fireworks are a part of the special event, the applicant should include appropriate licenses with the application. In addition, as part of any special event incorporating a fireworks display on city property, the applicant will need to provide proof of public liability and property damage insurance in an amount approved by the city's finance director and name the city as an additional insured.
- (3) The special event, seasonal sale or open air sale shall begin only after all inspections by affected departments have been conducted and a determination has been made that all codes and ordinances have been satisfied. All necessary inspections of tents and/or temporary structures must be conducted and approved prior to opening of the special event, open air or seasonal sale.
- (4) The special events permit and any other permits associated with the event are required by the city to be posted in a conspicuous location on the special event site.

Sec. 50-135. - Open air sales, open air food sales, and seasonal sales.

(a) *Permit application.* Any person seeking issuance of an open air sales, open air food sales, mobile food vendor, or seasonal sales permit shall file an application with the building community development department. The application for the permit shall contain the following information:

- (1) The name, address, and telephone number of the person or agent seeking to conduct the sale.
- (2) The name, address, and authorized agents of the sponsoring organization.
- (3) The dates and times the sale is to occur.
- (4) The address of the location of the sale.
- (5) Written, notarized permission of the property owner of the property where the sale will take place.
- (6) A complete description of the nature of the sale. The city prohibits the sale of fireworks in seasonal open air sales venues.
- (7) A site plan, drawn to scale, showing the location of all required facilities, including adequate traffic control and parking, the proposed layout of the sale, including any temporary structures, and sanitation facilities.
- (8) Any additional information deemed necessary by the building community development department.

(b) *Open air sales; performance criteria.*

- (1) Open air sales, other than approved seasonal sales, shall be permitted only as an accessory use to a permanent commercial building with a valid occupational license or if included in an approved city special event. ~~No open air sales, other than approved seasonal sales, shall be permitted as a temporary use which is not accessory to a permanent commercial building with a valid occupational license.~~
- (2) Open air sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. C-1, C-2, CBD, M-1, or PUD (limited to the commercial components). No open air sales shall be permitted on properties zoned for residential use.
- (3) One temporary sign or banner shall be allowed on site and shall not exceed 16 square feet. A permit shall be required for use of any additional allowable signs.
- (4) The maximum number of open air sales, other than approved seasonal sales, per site during the period of one calendar year is twelve ~~four~~. The maximum number of days of sales per site, other than approved seasonal sales, during the period of one calendar year shall be 36 ~~42~~ days.
- (5) Minimum setbacks shall be 10 ~~25~~ feet from right-of way. paved driving lanes. ~~No open air food sales shall be permitted in any public right of way and vehicular access must be provided so that traffic on adjacent public roads is not impeded.~~

(c) *Open air food sales; performance criteria.*

- (1) Open air food sales, including tent, booth, cart, trailer, mobile food vendor trucks and vehicle vendors, will be permitted only when a valid business tax receipt exists, unless exempted by Florida law, and subject to the following conditions have been met:
 - a. As part of an approved special event; or
 - b. As a mobile vendor, such as a tent, booth, cart, trailer, or vehicle, and shall include sales of fruits, vegetables, flowers and other consumables; and
 - c. As an accessory use to a permanent business location. Such accessory uses shall be reviewed as a special exception use, in accordance with the procedures outlined in this subpart.
- (2) Open air food sales ~~will only~~ shall be permitted only on public property or on properties zoned for mixed use or non-residential uses. C-1, C-2, CBD, M-1, or PUD (limited to the commercial components), or on public property, but only as part of an approved special event. No open air food sales shall be permitted on properties zoned for residential use. The exclusion of open air food sales on properties zoned for residential use does not include mobile food vendors that stay less than 90 minutes in one location. Open air food sales shall be permitted on open space tracts only with documented proof of the tract owner's permission.
- (3) A premises will only be allowed to hold open air food sales twelve ~~four~~ times per year with a maximum of three ~~five~~ sales days for each permit which will allow a maximum of 36 ~~20~~ sales days per calendar year. ~~A minimum of 60 days must elapse between each of the four allowed air food sales events.~~ Notwithstanding the foregoing, open air sales

shall be permitted without any limitation on the frequency or on the duration as part of an approved special event.

- (4) Open air food sales shall only be permitted on developed lots, or on public property as part of an approved special event.
- (5) One temporary sign or banner, not exceeding eight square feet, per open air food sales event shall be allowed.
- (6) Minimum setbacks shall be ~~10~~ 25 feet from ~~right-of-way paved driving lanes~~. ~~No open air food sales shall be permitted in any public right of way except as part of an approved special event. Vehicular access must be provided so that traffic on adjacent public roads is not impeded.~~
- (7) All open air food sales shall receive inspection by the appropriate regulatory agencies, including but not limited to, the department of agriculture, department of professional regulation, division of hotels and restaurants, county health department, or city code compliance officer. Evidence of such inspection shall be immediately made available for city inspection upon request; otherwise, the open air food sale event shall be immediately terminated by issuance of an order of the city manager.

(d) *Seasonal sales; performance criteria.*

- (1) Seasonal sales shall be permitted only on public property or on properties zoned for mixed use or non-residential uses, excluding heavy industrial uses. No open seasonal sales shall be permitted on properties zoned for residential use. C-1, C-2, CBD, M-1, or PUD (limited to the commercial components).
- (2) Seasonal sales shall be permitted on undeveloped or developed lots.
- (3) For undeveloped property, adequate site access from an approved curb cut location shall be provided. No stopping or parking shall be permitted in the right-of-way unless in designated on-street parking or loading spaces.
- (4) Two temporary signs or banners shall be permitted not to exceed 16 square feet each.
- (5) The following is the list of holidays for which seasonal sales shall be approved for the purposes of this section: New Year's, President's Day, Easter, Mother's Day, Memorial Day, Father's Day, Fourth of July, Labor Day, Halloween, Veteran's Day, Thanksgiving and Christmas. The city prohibits the sale of fireworks in seasonal open air sales venues. A sale that is held within one week of the listed holidays shall be considered consistent with the intent of this section. Seasonal sales for a greater period of time or for different periods shall require written permission by the city manager.
- (6) Minimum setbacks shall be ~~10~~ 25 feet from ~~right-of-way paved driving lanes~~. Vehicle access must be provided so that traffic on adjacent public roads is not impeded.
- (7) The maximum number of seasonal sales for each lot, parcel, or property during the period of one calendar year shall be ~~ten~~ five sales, not to exceed a total of ~~50~~ 35 days per year.

~~(e) Compliance for open air sales, open air food sales, and seasonal sales. All open air sales, open air food sales and seasonal sales within the city at the time of adoption of the ordinance~~

~~from which this article is derived are required to meet all of the conditions of this article except as provided herein.~~

- ~~(1) Existing open air sales, open air food sales and seasonal sales that do not conform to these regulations at the time of adoption of the ordinance from which this article is derived may be considered legally existing nonconformities, provided:
 - a. All nonconforming open air sales, open air food sales and seasonal sales shall be in full compliance with this article within 18 months of the adoption date of the ordinance from which this article is derived.
 - b. The status as a legally existing nonconformity shall terminate upon any change in ownership, use, operation, or closure in excess of 20 calendar days.~~
- ~~(2) Open air sales, open air food sales or seasonal sales lawfully existing on property annexed into the city limits may continue in existence, provided that compliance with this article is achieved within 18 months of the date of annexation.~~
- ~~(3) In order to encourage compliance with the conditions of this article, if compliance takes place within nine months from the date of adoption of the ordinance from which this article is derived, the city will waive all associated application and permit fees.~~

Sec. 50-136. - Tents and temporary structures.

(a) *Permit required.*

- (1) It shall be unlawful for any person, company and/or group to erect any tent or temporary structure for use by the general public without making application for and receiving a building permit to do so in accordance with the conditions and limitations established by this article, with the exception of one tent that is 196 (14' x 14') square feet or less in size and is monolithic and open on all sides.
- (2) Tent or temporary structure permits shall be issued only in conjunction with approved special events or open air sales. Exceptions may be authorized by the building community development department for individual needs. Tents or similar temporary structures may not be used as accessory structures.

(b) *Permit application.* The building permit application for a tent or temporary structure shall, at a minimum, include the following:

- (1) A site plan of the proposed site including the existing structures, parking, and driving aisles, showing the location of the tent or temporary structure dimensioned with the property lines. The site plan shall be drawn to scale, on a survey or plot plan, and shall clearly show the property's boundaries, connecting streets and driveways, and any other pertinent site elements.
- (2) A flame retardant certificate for the tent.
- (3) The dates the tent or temporary structure will be in use.
- (4) A separate electrical permit may be required per the determination of the building official.

Sec. 50-137. - Application permit fees, inspection and certificate fees ~~Permit fees.~~

Applications for a permit for a ~~garage or yard sale~~, special event, open air sale, open air food sales, or seasonal sale shall be accompanied by the fee and or deposit established by resolution. The permit fee is nonrefundable and includes city administrative processing costs and inspection fees.

Sec. 50-138. – Insurance requirements for Mobile Food Vendor(s):

- (a) No person shall offer for business sale any edibles pursuant to a mobile food vendor's license unless the business is covered by a comprehensive liability insurance policy insuring the public against injury or damage occasioned by negligence arising from incidental to the business activity.
- (b) Proof of the continued validity of the insurance policy shall be provided upon the city manager's request given on reasonable notice at any time that the mobile food vendor's license is valid and outstanding. Any failure to provide such proof shall render the mobile food vendor's license null and void and of no further use or effect.

Sec. 50-139. – Term; random distribution.

- (a) Mobile food vendor's licenses shall be issued on an annual basis coinciding with the city's fiscal year, October 1 through September 30.
- (b) Each mobile food vendor's license shall show a designation according to the following categories, for which payment shall have been made as provided by this section:
 - (1) Edibles
- (c) Each mobile food vendor's license to be used in connection with a vehicle shall be issued for one vehicle only. Licensees shall provide the Community Development Department with a current photograph of the vehicle in use.

Sec. 50-140. –Renewal.

(a) The Community Development Department shall renew the mobile food vendor's license of any applicant who:

- (1) Held a valid mobile food vendor's license which expired not more than 30 calendar days prior to filing of a complete application for renewal;
- (2) Has provided the city with new or updated information, documents, certification of inspection by the fire department and fees and continues to meet all requirements of such section and
- (3) Pays a late processing fee of \$25.00 for any renewal application filed after October 1.

Sec. 50-141. –Transferability.

The mobile food vendor's license is nontransferable and shall be used only by the person in whose name it is issued.

~~Sec. 50-138.~~ Sec. 50-142- Revocation.

The chief of police, fire chief, building official, compliance officer or city manager, or their designated representatives, shall have the authority to revoke a permit issued hereunder immediately upon violation of any one or more of the code requirements, compliance department requirements or conditions or standards of issuance as herein set forth.

~~Sec. 50-139.~~ Sec. 50-143- Notice.

Immediately upon issuance of a permit, the ~~building~~ community development department shall forward a copy of the permit to the following:

- (1) City manager;
- (2) Director of public works;
- (3) Chief of police;
- (4) Fire chief;
- (5) Community development director;
- (6) Finance director; and
- (7) Code compliance manager enforcement.

~~Sec. 50-140.~~ Sec. 50-144- Indemnification.

The applicant for a permit to hold a special event shall agree to indemnify and hold harmless the city, its servants, agents and employees, for any and all claims caused by or arising out of the activities permitted. In certain potentially hazardous situations, as determined by the city manager, the applicant shall provide an appropriate policy of insurance to protect the city from liability which might arise from the

SECTION 3. 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 re-letter 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 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |



CONSENT AGENDA

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: MIKE WALKER, PARKS, FACILITIES, AND COMMUNITY SERVICES DIRECTOR

SUBJECT: CONSIDERATION OF APPROVAL OF THE 2ND READING – ORDINANCE 2020-20 RECREATION ADVISORY COMMITTEE CODE AMENDMENTS

DATE: June 15, 2020

GENERAL SUMMARY/BACKGROUND: Ordinance 2020-20 was passed on the first reading when presented at the May 11, 2020 City Council “virtual” meeting.

At the March 2, 2020 City Council workshop, City Council had expressed interest in updating the Recreation Advisory Committee (RAC) duties and responsibilities. The minutes from the March 2, 2020 City Council Workshop are included as Attachment “3”.

Items that were discussed by the Mayor and City Council are the following;

- Identify Membership standards to be more inclusive and diverse
- Having a committee member be a representative on behalf of those with disabilities
- Having a committee member be a representative for the youth population
- Update in the Code, Section 2-296 – Committee Duties a. (5), replacing the word “establish”, with “recommend”. To read as follows: To “recommend” rules and regulations for use and improvement of public parklands, recreation areas, squares, and grounds, including playgrounds, concessions, and recreational and related facilities and programs installed and maintained therein

At this time, the RAC, has only one active member, which is the Lake County School District representative, all other memberships have expired terms, and recently, we have had one resignation due to a the member having a residence change to outside the city limits.

In speaking with the City Manager, and taking in the consideration for the mayor and councils discussions at the workshop, it may be in the best interest of the city to now employ a process similar to the City Charter Review Committee, where each council member and the mayor will appoint a committee member from their district, one representative from the Lake County School District and three members at large, with one of the at large members not being required to be a resident. Also, an applicant with disabilities or experience with people with disabilities, and a person under the age of eighteen (18) shall receive special consideration

The term limits would coincide with the council district term limits, as follows;

Districts 1, 3 and 5, the Lake County School District representative and one at large resident member shall commence on the first Tuesday following the second City Council meeting in November in even-numbered years.

Districts 2 and 4, one at large resident member and one at large member (may be resident or non-resident) shall commence on the first Tuesday following the second City Council meeting in November in odd-numbered years.

Draft Ordinance 2020-20 is included for your review and input as Attachment "1". The aforementioned items for membership and terms have been included, along with the appointment and removal procedures, and Section 2-296 a. (5), the word "established" was changed to "recommend", as requested. Additionally Section 2-304, Continuance of Committee was deleted in its entirety.

BUDGET IMPACT:

No Impact

LEGAL NOTE:

None

STAFF RECOMMENDATION:

Approval of the second and final reading of Ordinance 2020-20

ATTACHMENTS

1. Ordinance 2020-20
2. Code of Ordinances Chapter 2 – Recreation Advisory Committee
3. Minutes from the March 2, 2020 City Council Workshop – RAC Duties and Responsibilities

Attachment 1

ORDINANCE 2020-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA AMENDING VARIOUS SECTIONS IN CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND RELATING TO THE GROVELAND RECREATION ADVISORY COMMITTEE MEMBERSHIP, TERMS AND APPOINTMENT; REPEALING PERIODIC REVIEW BY COUNCIL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council is authorized by Ch. 166, Florida Statutes, to enact legislation and the City Council finds the adoption of this ordinance serves a municipal purpose.

WHEREAS, the City Council desires increase the membership of the Groveland Recreation Advisory Committee, include an appointment selection process, and amend the membership terms to coincide in part with council member terms.

WHEREAS, the City Council finds it unnecessary to review continuance of the committee every three years, as the City Council has the authority to dissolve the committee and repeal portions of the City Code at any time.

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

SECTION 1. That Section 2-296, Chapter 2 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

Sec. 2-296. - Committee duties.

- (a) The recreation advisory committee shall be advisory to the city council and to the city manager and his staff. The primary duties of the committee shall include the following:
- (1) To serve in an advisory capacity to the council and city manager on matters pertaining to public recreation, parklands and related facilities.
 - (2) To serve in an advisory capacity to the council and city manager on matters pertaining to art, literature, music, theatre, and other related activities.
 - (3) To serve in an advisory capacity to the council and city staff with respect to the establishment of user/rental fee schedules for parks, sports fields and public facilities.
 - (4) To recommend solutions to scheduling and use conflicts of city recreational facilities.
 - (5) To ~~establish~~ recommend rules and regulations for use and improvement of public parklands, recreation areas, squares, and grounds, including playgrounds, concessions and recreational and related facilities and programs installed and maintained therein.

- (6) To serve in an advisory capacity to the council and city staff with respect to policies for the acquisition, development and improvement of parklands and recreational areas.
 - (7) To recommend to the council a comprehensive recreation and parkland use program based on the needs and interests of the community to assure and stimulate public interest, and to solicit to the fullest extent the cooperation of schools, local youth and public and private agencies.
 - (8) To give input on park and recreation grant requests and assist city council and city staff with lobbying granting agencies or organizations for funding.
- (b) The committee may initiate such efforts and investigations as it deems appropriate in order to properly inform itself and to provide the greatest degree of assistance to the city council, the city manager and his staff and the public.

SECTION 2. That Section 2-297, Chapter 2 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

Sec. 2-297. - Membership; terms.

- (a) The recreation advisory committee shall consist of not less than seven members nor more than nine members, who serve for terms as set forth in this section. of three years. Membership shall include One member must be a representative from the Lake County School District, South Lake High. one resident from each of the four council districts, three members coming from the residents at large, and one at large member who is not required to be resident. The remaining six members of the committee shall be residents of the city. An applicant with disabilities or experience with people with disabilities, and a person under the age of eighteen (18) shall receive special consideration. No person shall be eligible for appointment who currently serves on two or more city boards or committees unless such person resigns from a board or committee prior to or coincident to commencing service to the committee. The initial appointments shall be three members for two years and two members for one year. The term for members appointed by the mayor (district 1), council members of districts 3 and 5, the Lake County School District representative and one at large resident member shall commence on the first Tuesday following the second City Council meeting in November in even-numbered years. The term for members appointed by council members of districts 2 and 4, one at large resident member and one at large member (may be resident or non-resident) shall commence on the first Tuesday following the second City Council meeting in November in odd-numbered years. Initially, each member's term will commence upon appointment and will continue until a subsequent appointment is made in accordance with the appointment schedule outlined in this subsection (a). All subsequent appointments shall be for three-year terms.
- (b) The city council may, in its discretion, from time to time, name ex officio members to the committee as it deems appropriate. Ex officio members may participate in all meetings, but shall not vote.
- (c) The city council may name two or more members as alternate members to serve in the absence of a regular member for the purpose of establishing a quorum. The choice of alternate members to serve in the absence of a regular member shall be done on an

alternating basis. Appointment of an alternate member shall be for a three-year term and coincide with the appointment schedule for members appointed by districts 1, 3 and 5.

SECTION 3. That Section 2-303, Chapter 2 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

Sec. 2-303. - Appointment and removal.

- (a) Prospective members shall complete an application provided by the City, and submit the completed application to the City Clerk by the deadline provided in the solicitation seeking applicants. Except for the Lake County School District representative, appointments shall be made from the applications submitted.
- (b) At a public meeting, each council member shall appoint a resident from his or her district and the mayor shall appoint a resident from any district within the City of Groveland. The city council at a public meeting, by majority vote, shall appoint any members exceeding five. Except for the Lake County School District representative and one at large member, all members must be a resident of the City of Groveland. In the event no applications are submitted from a resident in a particular district, then the council member's appointment may be from the residents at large who submitted an application. Any vacancies occurring in the membership shall be filled by the appointing authority for the position which becomes vacant.
- (c) Appointment to the recreation advisory committee shall not constitute a property right in the meaning of the Constitution of the United States or the State of Florida and the members of the committee shall be appointed to and removed from the committee in the manner as deemed appropriate by the city council, in its sole discretion. The members of the committee shall serve at the pleasure of the city council.

SECTION 4. That Section 2-304, Chapter 2 of the Code of Ordinances of the City of Groveland, is hereby repealed.

Sec. 2-304.—Continuance of committee.

~~No later than three years from the establishment of the recreation advisory committee and every third year thereafter, the city council shall place on its agenda and shall discuss whether or not the committee should continue in existence, whether or not its functions and duties are appropriate because of change in circumstances and all other matters relevant to the continuing existence of the committee.~~

SECTION 5. INCLUSION. It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall become and be made a part of the City of Groveland Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase to accomplish such intentions.

SECTION 6. SEVERABILITY. The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. 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 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: CHRIS COGHILL, PROCUREMENT MANAGER

SUBJECT: ORDINANCE 2020-21 ADOPTION OF PROCUREMENT POLICY

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

In July of 2019, the City adopted an updated formalized procurement policy for the City. This document was crafted to provide an initial framework for the procurement policies which need to be in place. Upon my arrival to the City, I was tasked with providing for recommended updates to the procurement policies and provide administrative procedures to govern them. As a result, I started to craft the Procurement Policies and Procedures Manual which at the various stages of development was open for comments and questions from department heads, City Manager and the Council. All of those meetings and interactions were consolidated into a uniform Manual which upon approval will become the backbone for all procurement needs.

BUDGET IMPACT:

None.

LEGAL NOTICE:

None.

STAFF RECOMMENDATION:

Staff recommends approval of the Procurement Policies and Procedures Manual.

ATTACHMENTS:

Attachment 1 – Ordinance 2020-21

Attachment 2 – Procurement Policies and Procedures Manual

ATTACHMENT 1

ORDINANCE 2020-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, REQUIRING A PROCUREMENT POLICY FOR THE PURCHASE OF GOODS AND SERVICES; ADOPTING A PROCUREMENT POLICY; PROVIDING FOR CONFLICTS AND SEVERABILITY; SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to adopt policies and procedures to be utilized for the purchase of and contracting of goods and services in the most efficient and economical manner possible; and

WHEREAS, a purchasing policy will ensure consistency of all purchasing activities that integrates with all of the City of Groveland operational areas; and

WHEREAS, City Council is authorized by Ch. 166, Florida Statutes, to enact legislation and the City Council finds the adoption of a purchasing policy serves a municipal purpose.

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

Section 1: 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: Section 2-255 of the Code of Ordinances, City of Groveland, Florida, is hereby amended to read as follows:

Sec. 2-255. — Procurement Policy.

A procurement policy to govern the City's purchase of goods and services herein as the Procurement Policy shall be adopted by council. The Procurement Policies and Procedures Manual attached to Ordinance 2020-21 as Exhibit A is approved and adopted by the city council. Amendments to listed Policies in the Procurement Policies and Procedures Manual shall be in the form of a resolution adopted by the City Council. Amendments to the listed Procedures shall be approved by the City Manager. The Procurement Policies and Procedures Manual shall be on file with the office of the city clerk and a true and correct copy shall be on file with the finance director

Sec. 2-256 – Purchase of Real Property

When the City desires to acquire real property for a municipal purpose, the City will have the option to utilize or not utilize the public record exemption in Chapter 119, Florida Statutes, for appraisals, offers and counteroffers related to the acquisition. If the City elects to utilize the public record exemption, then the City shall follow the process set forth in s. 166.045(1), Florida Statutes. If the City elects not to utilize the public record exemption, then the City must follow the process outlined herein. The City Manager will provide notice to the City council of the intent to exempt the transaction from Florida Statute 166.045(1) which will accompany a purchase contract for the property. The purchase contract will state the due diligence requirements, terms and other requirements for the purchase of property to occur. Once approved by the City council with notice

of exemption request from the City Manager, the purchase transaction will continue being exempt from Florida Statute 166.045(1) and proceed according to the purchase contract.

Sec. 2-257 – Electronic signatures and submittals

The use of electronic media, including acceptance of electronic submittals and signatures, is authorized consistent with Chapter 668, Florida Statutes for use of such media, so long as such guidance provides for:

- (a) Appropriate security to prevent unauthorized access to the competitive solicitation, approval, award, and contracting process; and
- (b) Accurate retrieval or conversion of electronic forms of such information into a medium which permits inspection and copying in accordance with Chapter 119.07 and 119.071, Florida Statutes.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

Section 4: 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 re-letter 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: If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

Section 6: The provisions within this ordinance shall take effect immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |



CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: ORDINANCE 2020-23 AMENDED CHAPTER 62 – SOLID WASTE TO PROVIDE FOR EXCLUSIVE FRANCHISE – FIRST READING

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

Currently, the City allows for a non-exclusive commercial franchise solid waste hauling inside the City limits. This allows multiple companies to be selected and utilized by the various commercial customers. As part of the non-exclusive contract, the City is entitled to 15% of the gross hauling charges and annual renewal fees from each of the awarded franchise haulers. This has created some of its own issues as the City attempts to collect fees for services and makes provisions for service.

One of the issues has been collections from the various haulers. With so many options available, both haulers and customers sometimes do not or chose not to understand the rules and provide their monthly report and check to the City. This leads to lost revenues which have to be tracked down individually and potentially costly as well. Another issue is the number of trucks utilizing the various side streets and alleyways to collect the solid waste. In a row of 5 commercial buildings we could have 5 different commercial haulers driving and picking up on different days. This leads to increased wear and tear on the roads, congestion and harder to hold each hauler accountable for any spilled trash.

This Ordinance will change the structure to allow only a single exclusive hauler for the commercial solid waste disposal. This would be similar to our residential solid waste hauler except specializing in the larger dumpsters and roll-off bins utilized for commercial, industrial and construction waste. Upon approval the City will issue an RFP and advertise to select an exclusive commercial hauler for the City. With an exclusive contract, there are 3 objectives which are believed to come out of this choice. Increased overall revenue, decreased wear on our ancillary roads, and comparable or reduced costs to current charges commercial customers are paying. These three items should be able achievable once a contract is determined and a service area confirmed as most rates are provided to customers assuming little guarantees of neighboring businesses also selecting service.

BUDGET IMPACT:

Budget impacts are included in the upcoming FY2021 Budget which would include increases in revenues and expenses.

LEGAL NOTICE:

None.

STAFF RECOMMENDATION:

Staff recommends approval of the Ordinance 2020-23

ATTACHMENTS:

Attachment 1 – Ordinance 2020-23

ATTACHMENT 1

ORDINANCE 2020-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA AMENDING VARIOUS SECTIONS IN CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND RELATING TO EXISTING NON-EXCLUSIVE FRANCHISE AGREEMENTS AND TRANSITIONING TO THE AWARD OF AN EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL CONTAINERS EFFECTIVE OCTOBER 1, 2020; DELETING OBSOLETE LANGUAGE AND CLARIFYING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Groveland currently awards annual non-exclusive franchise agreements to commercial haulers for commercial containers within the City of Groveland;

WHEREAS, the City has determined that awarding non-exclusive franchises is not efficient, involves considerable time obtaining the necessary information and documentation from the applicant, and that often, commercial haulers are conducting business within the City without obtaining the required non-exclusive franchise;

WHEREAS, this ordinance has been advertised not less than 10 days prior to its adoption; and

WHEREAS, City Council is authorized by Ch. 166, Florida Statutes, to enact legislation and the City Council finds the adoption of this ordinance serves a municipal purpose.

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

SECTION 1. That Chapter 62 of the Code of Ordinances of the City of Groveland, is hereby amended to read:

Chapter 62 - SOLID WASTE

ARTICLE I. - IN GENERAL

Secs. 62-1—62-18. - Reserved.

ARTICLE II. - COLLECTION AND DISPOSAL

Sec. 62-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage means every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruits or vegetables, and any other matter of any nature whatsoever, subject to decay and the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding

material for flies or other germ-carrying insects, and any bottles, cans or other containers that, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

Garbage can means a container commonly sold as a garbage can of a capacity not to exceed 32 gallons, or of the type commonly sold as an ashcan of a capacity not to exceed 32 gallons; and in either case such can shall have two handles upon the sides of the can or a bail by which it may be lifted and shall have a tight-fitting top.

Garden trash means all accumulations of grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines and trees.

Trash means refuse accumulations of paper, wooden or paper boxes or containers, sweepings and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places.

Trash container means any plastic or aluminum container of a size not to exceed 35 gallons in capacity for the purpose of storing trash; such container need not have a cover, but the bottom shall be perforated to prevent the accumulation of water.

Sec. 62-20. - Solid waste disposal required; fees.

All residents, occupants or owners of premises in the city, ~~other than those whose solid waste is deposited in a dumpster or similar size receptacle contracted for with a commercial refuse hauler for the use and emptying of such receptacle,~~ are required to have accumulations of solid waste removed and disposed of by the franchise hauler contracted by the city for such disposal. The fees for collection and disposal of solid waste placed for collection shall be adopted by the city council by resolution and are on file in the city clerk's office.

Sec. 62-21. - Excess trash removal.

All persons are entitled to the removal by the city of trash from their premises upon the payment of the required garbage fee; provided that the quantity of trash shall not require more trash containers than garbage cans used by such licensee. If the amount of trash accumulation by any one such resident or occupant shall require the use of more than one trash container for each garbage can for which a fee has been paid, such person shall pay to the city an amount equal to the expense of removing, handling and disposing of such excess trash, which amount shall be determined by the sanitary provider; and this provision shall apply to residents and occupants who have accumulations of trash but no garbage. The city clerk shall issue special receipts for such trash removal fees.

Sec. 62-22. - Garbage cans required.

Unless provided by the franchise hauler, all residents or occupants of residences, apartments or places of business within the corporate limits of the city are hereby required to provide garbage cans of sufficient capacity to hold four days' accumulation of garbage.

Sec. 62-23. - Separation of garbage.

All garbage, tin cans and bottles shall first be drained of all liquids and shall be daily deposited in the required garbage cans. The wet garbage matter shall be wrapped in paper before

being placed in the garbage can. Garbage cans shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage in the garbage can.

Sec. 62-24. - Accessibility.

Garbage cans are required to be kept in a place easily accessible to the sanitary inspectors; they shall not be kept upon neighboring property not in the ownership or tenancy of the person by whom the garbage is accumulated, whether such neighboring property is vacant or improved; they are required to be kept at a point on the lot line of the premises on the days of collection.

Sec. 62-25. - Inspection.

All garbage cans shall be subject to inspection and approval or condemnation by the city.

Sec. 62-26. - Disposal and periods thereof.

- (a) *Businesses.* Except as provided in this article, all garbage cans and trash containers shall be required to be emptied at least twice a week, and the contents thereof to be disposed of at least twice each week in a manner which shall not conflict with the terms of this article. This article applies to all businesses within the city, including rooming houses, hotels, restaurants or like users. These businesses shall utilize the services of the franchise hauler contracted by the city for such disposal, ~~with the following exception:~~ Those commercial enterprises that generate such an amount of waste as to require the use of a dumpster or similar size receptacle shall ~~contract~~ also utilize the services of the franchise hauler contracted by the city for such disposal with a commercial refuse hauler for the emptying of such receptacle as hereinafter provided.
- (b) *Residences.* All garbage cans and trash containers other than those described in subsection (a) of this section shall be required to be emptied at least once each week, and the contents thereof shall be disposed of at least once each week in a manner that shall not conflict with the terms of this article. This subsection shall apply to residences.

Sec. 62-27. - Separate trash containers.

All residents or occupants of the city shall deposit all trash other than garbage or garden trash in a trash container of such type, condition and maximum size as defined in this article and shall weigh down or cover such trash so that the lighter materials thereof shall be prevented from being blown out of the container or off the premises. Sufficient containers shall be provided to hold four days' accumulation of trash. The containers shall be placed in a position on the premises similar to that required under this article for garbage cans; and where there are both garbage cans and trash containers on the same premises, the two types of receptacles shall be placed side by side.

Sec. 62-28. - Acts prohibited.

- (a) It shall be unlawful for any person to permit the accumulation of garbage or trash within the city or to deposit such garbage or trash upon any vacant or unoccupied premises or upon any street, alley or park or any canal or waterway within the city.

- (b) Garbage and trash shall not be burned except in a wire trap or container to prevent spreading and burning. Materials that will not burn completely shall not be placed in such containers.
- (c) Trash and garbage shall be deposited in garbage cans with the lids thereon; except that garden trash may be deposited in a convenient place next to the street, and debris and trash caused from the clearing of a lot must be removed by the owner or contractor performing such work.
- (d) Spent oils and grease accumulations at garages and filling stations will not be removed except for the convenience or use of the city.

Sec. 62-29. - Illegal accumulation.

It shall be unlawful and a violation of this article for any person to permit an accumulation of garbage upon any premises in the city for a period longer than seven days.

Sec. 62-30. - Removal of garden trash.

All residents and occupants of premises of the city shall deposit garden trash, when and as it is accumulated, upon the ~~parkway street~~ immediately in front of the premises of the person by whom such accumulation is made, for removal and disposition by the employees of the garbage ~~department hauler~~; except that each resident or occupant may arrange for the private removal and transportation of such garden trash ~~to points approved and designated by the sanitary inspector and under permits to be issued by such officer~~. It shall be unlawful for any such resident or occupant to deposit such garden trash upon any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any other lot or premises, or street, alley or park, or in any canal or waterway, lake or pool within the city. Garden trash containing no combustible matter or matter that will, during decay, give off offensive odors, may be accumulated by the owner as a mulch or compost pile in the rear of the premises upon which it is accumulated.

Sec. 62-31. - Removal of trash after winds.

Every property owner in the city on whose property improvements are located is required to clean up the trash and debris around his property after strong winds, which trash and debris is, or may be, a menace to the public health and safety. It is further provided that such cleanup shall be begun and concluded as soon as possible after the strong winds have passed.

Sec. 62-32. - Deposit of personal property on another's real property.

The owner of personal property deposited on another's real property during strong winds as described in section 62-31 shall have the duty of removing such personal property ~~that is or may be a menace to the public health and safety~~.

Secs. 62-33—62-52. - Reserved.

ARTICLE III. - COMMERCIAL COLLECTION SERVICE ~~FRANCHISES~~

Sec. 62-53. - Short title.

This article may be cited as the "City of Groveland Commercial Garbage Collection Ordinance."

Sec. 62-54. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial establishment means any structure used or constructed for use for business operations. For purposes of this article, hotels and motels are commercial establishments. The term "commercial establishment" shall not include any residential unit or multifamily residential establishment.

Customer means a person who uses the solid waste or recycling services of a private hauler or the City.

Franchise means the right of a franchisee, granted pursuant to this article, to collect and transport nonresidential solid waste within the city.

Franchisee means the named person who obtains a franchise from the city pursuant to this article.

Gross receipts mean the entire amount of the fees (including the fair-market value of bartered services) collected by the franchisee, exclusive of taxes as provided by law, whether wholly or partially collected, within the city, for commercial solid waste removal and disposal.

Multifamily residential establishment means any structure other than a residential unit which is used, or constructed for use, as a multiple-dwelling facility. The term "multifamily residential establishments" shall include, without limitation, rooming houses, tourist courts, trailer parks, apartment buildings with rental or cooperative apartments, or multiple-story condominiums with common means of ingress and egress.

Private hauler means any person who removes, collects and transports for disposal for hire any solid waste over the streets or public rights-of-way within the incorporated area of the city.

Residential unit means any structure which is used, or constructed for use, as a single-family dwelling, duplex, cluster house or townhouse, and which is located on a single lot, parcel or tract of land. For the purposes of this article, any condominium structure which does not utilize a commercial dumpster shall be considered a residential unit. The term "residential unit" shall not include any multifamily residential establishment.

Solid waste means garbage, trash, litter, yard trash, hazardous waste, construction and demolition debris, industrial waste or other discarded material, including solid or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations.

Solid waste disposal means disposition of solid waste by means of combustion, land filling or other final method of discard.

Sec. 62-55. - Legislative findings.

The city council hereby makes the following legislative findings and declares them to be, in part, the legislative, legal, and public-policy bases for the enactment of the ordinance from which this article is derived:

- (1) It is the intent of the city to provide high-quality nonresidential solid waste collection throughout the city as an element of the city's solid waste disposal and recovery system. Because of overriding public health, safety, and welfare concerns associated with providing this service, it is necessary to regulate the collection of nonresidential solid waste through the franchising of those services.
- (2) The provisions of this article will also ensure that the commercial-waste collection and disposal service is efficient and responds to public complaints, and that the public convenience and the public investment in right-of-way property are protected. ~~No franchisee shall be entitled to compensation from the city if this program is terminated.~~

Sec. 62-56. - Commercial containers.

Commencing October 1, 2020, each multifamily residential establishment, and each commercial establishment shall be provided the appropriate size commercial dumpster to service the garbage and trash needs of the location. Dumpsters will be placed into service by the city when the present container(s) owned by the business is deemed to be unfit for further service by the director of transportation and public works or designee. Contracts in force to lease containers as of the effective date of this section will be honored by the city for a period of the earlier of one (1) year or the expiration of the commercial hauler's franchisee agreement with the city.

- (1) Manual collection. Ninety (90) gallon rollouts will be provided by the city for businesses unable to utilize dumpsters. Additional containers will be issued as needed. The monthly fee for the use of the container(s) will be established or amended by resolution of the city council. Existing commercial customers utilizing ninety (90) gallon roll outs will be allowed to continuing using. All new commercial customers may utilize dumpster service unless the owner can prove that a hardship exists.
- (2) Containerized mechanical collection. Rectangular heavy duty metal containers with hinged lids, lift bar (fork) socket on each end, and such other features as may be necessary for any specific location or for compatibility with the sanitation service provider's equipment, shall be located at each place of business, for contents to be emptied and disposed of, as required by the city manager.
- (3) Location. Garbage and/or trash containers or receptacles shall be kept securely covered or closed at all times, except when being filled or emptied, and shall be placed so as to be easily accessible to sanitation services personnel and equipment and not constitute a nuisance or health hazard.

Sec. 62-5657. - Franchise required.

- (a) To protect and promote the health, safety, and general welfare of the citizens of the city, and to preserve and enhance the environment of the city by providing a comprehensive, nonresidential solid waste collection system, no person shall use the public streets, roads, alleys, ways, or places of the city for the purpose of collecting, transporting, or providing container service for nonresidential solid waste generated in the city without a valid and existing franchise. It shall be unlawful for any person to remove, collect and transport for

disposal, from any commercial establishment, multifamily residential establishment or residential unit in the city, solid waste or recyclable material over the streets or public rights-of-way within the incorporated area of the city without first applying for and receiving the appropriate solid waste franchise from the city to carry on such business.

- (b) The franchise required by this article shall be in addition to any other permits, registration or occupational license which may be required by federal, state, or local law.
- (c) The city will not award non-exclusive franchises to private commercial collectors after the effective date of this ordinance. The city will award an exclusive franchise for services commencing October 1, 2020.

~~Sec. 62-57. — Authority to award non-exclusive franchise.~~

~~The city manager is hereby authorized and empowered to award non-exclusive franchises to private commercial collectors, who shall qualify to do business within the city, the right and privilege to contract for and collect refuse, garbage, trash and other solid waste materials from commercial establishments with the city, subject to the limitations and conditions set forth in this article. Any franchise granted by the city shall be nonexclusive, and the city reserves the right to award additional franchises or utilize other solid waste collection programs.~~

~~(Code 2006, § 86-35; Ord. No. 2004-02-06, § 5, 2-16-2004)~~

~~Sec. 62-58. — Application; issuance; insurance requirements.~~

- (a) ~~Applications for a franchise shall be made to the city on such form and in such manner as shall be prescribed by the city manager. The form shall elicit the following information and be accompanied by supporting documents and such other information as may be required by the city manager from time to time:~~
 - (1) ~~*Name of applicant.* If the applicant is a partnership or corporation, the application shall state the names and business addresses of the principal officers and stockholders and other persons having any financial or controlling interest in the partnership or corporation; provided, however, that if the corporation is a publicly owned corporation having more than 25 shareholders, then only the names and business addresses of the local managing officers shall be required.~~
 - (2) ~~*Character of applicant.* The applicant for a franchise under this article, if an individual, or, in the case of a firm, corporation, partnership, association or organization, any person having any financial, controlling or managerial interest therein, shall be of good moral character. In making such determination, the following information, which shall be submitted by the applicant, shall be considered:~~
 - a. ~~*Penal history.* If the applicant is an individual, a record of all convictions and the reasons therefor shall be provided by the applicant. If the applicant is other than an individual, then the record of all convictions and the reason therefor of the principal controlling officers of the applicant shall be provided; provided, however, that in the case of a publicly held corporation having 25 or more shareholders, then only the information applicable to its local managing officers shall be required.~~

- b. ~~*Business history.* The applicant shall provide information as to whether such applicant has operated a solid waste collection removal business in this or another state under a franchise, permit or license, and, if so, where and whether such franchise, permit or license has ever been revoked or suspended and the reasons therefor.~~
 - e. ~~*Existence of business entity.* If the applicant is a corporation, the applicant shall submit proof of incorporation in good standing in the state of incorporation, and if a foreign corporation, the applicant shall provide information certifying that the applicant is qualified to do business in the state. If the applicant is other than a corporation and is operating under a fictitious name, the applicant shall be required to submit information that such fictitious name is registered and held by the applicant.~~
- (3) ~~*Equipment and method of operation.* The applicant for a franchise shall possess equipment capable of providing safe and efficient service. In making such a determination and approving the method of operation for each applicant, the city manager shall require the following information:~~
- a. ~~The type, number and a complete description of all equipment to be used by the applicant for providing service pursuant to this article.~~
 - b. ~~A statement that the applicant will use city and/or county approved facilities for disposing of all solid waste which the applicant collects and removes.~~
 - e. ~~The names of customers and addresses of each location served. Franchisees applying for renewals shall not be required to submit the information specified in this subsection (a)(3)e, but shall instead be required to submit the information specified in section 62-64.~~
- (4) ~~*Insurance requirements.* The applicant for a franchise shall maintain insurance as specified in this article and shall furnish a public liability policy to the city and also file with the city a certificate of insurance for all policies written in the applicant's name. This certificate shall provide that the policies contain an endorsement requiring that the city shall be furnished with ten days' written notice by registered mail prior to cancellation of or material changes in the policies.~~
- a. ~~*Comprehensive general liability insurance.* The applicant shall carry in his own name a policy covering his operations in an amount not less than \$300,000.00 per occurrence for bodily injury and \$200,000.00 per occurrence for property damage liability.~~
 - b. ~~*Vehicle liability insurance.* Applicants for a franchise shall maintain vehicle liability insurance covering each vehicle utilized in the business of solid waste collection and disposal in an amount not less than \$1,000,000.00 combined single-limit per occurrence.~~
 - e. ~~*Liability of city.* The insurance requirements in this article shall not be construed as imposing upon the city or any official or employee thereof any liability or responsibility for injury to any person or property by the insured or his agents or employees.~~

~~(5) — Customer list. The applicant for a franchise shall provide a list of existing customers in the city and service levels.~~

~~(6) — Proof of county and state permits and licenses. The applicant for a franchise shall provide proof of county and/or state permits and licenses.~~

~~(b) — The completed application shall be submitted to the city. Upon receipt of a completed application, the city manager or his designated representative shall review the application, and if satisfactory in all respects, and after payment of the application fee established by resolution, shall issue the franchise.~~

~~(Code 2006, § 86-36; Ord. No. 2004-02-06, § 6, 2-16-2004)~~

~~Sec. 62-59. — Denial.~~

~~Should the city manager deny an application for a franchise, the applicant shall be notified of such denial by certified mail not later than 14 days after taking such action. The notice of denial shall contain a statement of the reasons why the application was denied.~~

~~(Code 2006, § 86-37; Ord. No. 2004-02-06, § 7, 2-16-2004)~~

~~Sec. 62-60. — Appeals.~~

~~(a) — The denial or revocation of a franchise by the city manager may be appealed to the city council. The notice of appeal shall be filed in writing with the city manager no later than 14 days after the receipt of the certified letter advising the applicant of the denial or revocation.~~

~~(b) — The city manager shall fix the date and time for hearing the appeal. The hearing shall be held not less than 14 and not more than 60 days after receipt of the notice of appeal. The city council shall either affirm the decision of the city manager or direct the city manager to issue or reinstate the franchise.~~

~~(Code 2006, § 86-38; Ord. No. 2004-02-06, § 8, 2-16-2004)~~

~~Sec. 62-61.58. - Term.~~

~~Franchises awarded pursuant to this article prior to October 1, 2020 shall expire one year from the date of issuance.~~

~~(Code 2006, § 86-39; Ord. No. 2004-02-06, § 9, 2-16-2004)~~

~~Sec. 62-62. — Renewal.~~

~~A franchise may be renewed from year to year by the city manager. Any such renewal may be subject to the same terms and conditions applicable to the issuance of the original franchise. The city manager shall charge and collect renewal fees in the amount established by resolution.~~

~~(Code 2006, § 86-40; Ord. No. 2004-02-06, § 10, 2-16-2004)~~

~~Sec. 62-63. - Transfer.~~

~~No franchise for the collection of solid waste issued under the provisions of this article may be assigned or transferred. In the event of any change in ownership and/or change in the name of the corporation or partnership, formal notification shall be given the city manager within 30 days thereof. Upon any sale, a new franchise license shall be obtained from the city.~~

~~(Code 2006, § 86-41; Ord. No. 2004-02-06, § 11, 2-16-2004)~~

~~Sec. 62-64. - Submission of customer list and collection data.~~

~~At least annually, but not more frequently than quarterly, as determined by the city manager, each franchisee shall supply the following information on a form and in the manner prescribed by the city manager:~~

- ~~(1) — A listing, which is organized as prescribed by the city manager, as of the reporting date, of the names and addresses of customers, and the addresses of each location served. For each customer on the list, the private hauler will indicate the following:
 - ~~a. — Whether the customer served is a multifamily residential or commercial establishment;~~
 - ~~b. — Frequency of service.~~~~
- ~~(2) — A summary of the number of cubic yards of solid waste collected quarterly, based on scheduled service, as of the reporting date.~~

~~(Code 2006, § 86-42; Ord. No. 2004-02-06, § 12, 2-16-2004)~~

~~Sec. 62-6559. - Waste to be disposed of at approved facilities.~~

~~Any and all solid waste collected by a franchisee within the city should be disposed of at the solid waste disposal facilities provided, operated and designated or approved by the county, and at no other location or facility, except those which have been approved by the state department of environmental protection.~~

~~Sec. 62-6660 - Revocation.~~

- ~~(a) The following shall constitute cause for revocation of a solid waste franchise by the city manager:
 - ~~(1) The violation of any of the provisions of the ordinances of the city or the county Code, which violation endangers the public health, safety, or welfare;~~
 - ~~(2) The violation of any of terms or conditions of the franchise; or~~
 - ~~(3) The failure to promptly pay the franchise fee provided for in this article.~~~~
- ~~(b) The city manager may revoke a franchise for a violation. Upon a determination by the city manager that a franchise shall be revoked, the affected person shall be provided with written notice of such revocation and the reasons therefor. Upon receipt of such notice, the affected~~

person may appeal the revocation to the city council, and the appeal and hearing thereon shall be conducted in accordance with the procedures set forth in section 62-60.

Sec. 62-6761. - Franchise fee.

- (a) It shall be unlawful for any private hauler operating in the city to either collect, remove or transport from properties in the city solid waste for disposal without payment of a solid waste franchise fee to the city.
- (b) On the 15th day of each and every month, each private hauler operating in the city shall file a report with the city manager. The report shall designate the names and addresses of each account located in the city that was provided solid waste collection and disposal service by the private hauler for the preceding month. The report shall include the gross monthly solid waste collection and disposal service fee receipts of all such accounts, which report shall be subject to audit by the city. Simultaneously with the filing of such report, each private hauler shall pay to the city a franchise fee equal to 15 percent of the total gross receipts collected the previous month of all of its accounts which are located in the city, as reflected on each monthly report.
- (c) An additional monthly surcharge, equal to one percent of total gross receipts for the preceding month, as reported to the city manager, shall be payable to the city if the 15 percent franchise fee is not paid by the 15th of the month.

Sec. 62-6862. - Required records.

Each private hauler is hereby required to establish and maintain appropriate records, showing in such detail as the city manager may prescribe, the amount of monthly solid waste collection and disposal service fee receipts of each account provided solid waste collection and disposal services which is located in the city. All such records shall be open to inspection by the city manager or his duly authorized agent at all reasonable times. The city manager is hereby authorized and empowered to promulgate from time to time such rules and regulations with respect to the establishment and maintenance of such records as he may deem necessary to carry into effect the purpose and intent of the provisions of this article.

Sec. 62-6963. - Restoration of property damaged by franchisee.

The franchisee agrees to repair all property, public or private, altered or damaged by the franchisee or its agents or employees in the performance of its services under this article to as good or better condition as it was before being damaged or altered.

Sec. 62-7064. - Compliance with applicable laws.

A franchisee shall conduct operations under this article in compliance with all applicable laws.

Sec. 62-7165. - Service standards.

Services provided by a franchisee shall comply with this article governing the time and frequency of solid waste collection and removal.

Sec. 62-7266. - Office hours; collection hours.

- (a) The franchisee's office shall remain open Monday through Friday from 8:30 a.m. to 5:00 p.m. for the purpose of handling complaints, and for that purpose, there shall be maintained an adequate number of telephones and a responsible person in charge during the hours specified. These requirements do not apply on legal holidays.
- (b) Collections shall normally be made in residential areas no earlier than 6:00 a.m. and no later than 7:00 p.m., or as otherwise prescribed by the city, with no service on Sunday, except in time of emergency or to maintain schedules due to holidays. Changes to these hours must be approved by the city manager.

Sec. 62-7367. - Collection equipment.

The franchisee shall have on hand at all times sufficient equipment in good working order to permit the franchisee to perform its duties under this article fully, adequately and efficiently. Equipment shall be purchased or manufactured from nationally known and recognized manufacturers of garbage collection and disposal equipment. Garbage-collection equipment shall be kept clean, sanitary, neat in appearance, and in good repair at all times. The franchisee shall at all times have available to it reserve equipment which can be put into service and operation within two hours of any breakdown. Such reserve equipment shall substantially correspond, in size and capability, to the equipment normally used by the franchisee to perform its duties under this article.

Sec. 62-7468. - Cleanup of spilled waste.

The franchisee shall not litter premises in the process of solid waste collection, but shall not be required to collect any waste material that has not been placed in approved containers or in a manner provided in this article. During hauling, all solid waste shall be contained, tied or enclosed so that leaking, spilling or blowing are prevented. In the event of spillage by the franchisee, the franchisee shall promptly clean up the litter.

Sec. 62-7569. - Responsibilities of franchisee in case of storms or other emergencies.

In case of an unusually severe storm or disruption caused by other severe emergencies not caused by the franchisee, the city manager may grant the franchisee reasonable variance from regular schedules. As soon as practicable after such storm or other emergency, the franchisee shall inform the city of the estimated time required before regular schedules and routes can be resumed, and upon request of the city manager, the franchisee shall provide notice to residential premises in the service area. In the event of a storm or emergency requiring mass cleanup operations, the franchisee shall, upon direction of the city, participate in the cleanup to the extent directed by the city. Where it is necessary for the franchisee and the city to acquire additional equipment and to hire extra crews to clean the city of debris and refuse resulting from the storm or disaster, the franchisee shall work with the city in all ways possible for efficient and rapid cleanup.

Sec. 62-7670. - Nondiscrimination policy required.

The franchisee agrees that it has adopted and will maintain and enforce a policy of nondiscrimination on the basis of race, color, religion, sex, age, handicap, disability or national origin. The nondiscrimination policy shall apply to employment practices of the franchisee and the provision of services.

Sec. 62-~~77~~71. - Customer complaints.

All complaints pertaining to pickup of waste shall be responded to and resolved within 24 hours. All other service complaints shall be investigated and responded to within 24 hours. The franchisee shall supply the city manager with copies of all customer complaints on a monthly basis and indicate the disposition of each. Such records shall be available for inspection by the city at all times during the business hours specified in this article. The form shall indicate the day and hour on which the complaint was received and the day and hour on which it was resolved. When a complaint is received on the day preceding a holiday or on a Saturday, it shall be serviced on the next working day. The franchisee shall establish procedures acceptable to the city to ensure that all customers are notified as to the complaint procedure.

Sec. 62-~~78~~72. - Adoption of additional regulations.

The city reserves the right to adopt ordinances regulating the services provided under this article.

Sec. 62-~~79~~73. - Effective date of franchises.

Each franchise granted pursuant to this article shall become effective when the franchise application is granted and the franchisee files with the city its written acceptance thereof in a form approved by the city attorney.

Sec. 62-~~80~~74. - Remedies.

All remedies provided in this article and any franchise awarded hereunder shall be deemed cumulative and additional, and not in lieu or exclusive of each other or of any other remedy available to the city at law or in equity. In the event the city shall prevail in any action arising hereunder, the city shall be entitled to recover its costs and expenses including attorney's fees.

Secs. 62-~~81~~75—62-99. - Reserved.

SECTION 2. INCLUSION. It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall become and be made a part of the City of Groveland Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase to accomplish such intentions.

SECTION 3. SEVERABILITY. The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this _____ day of _____, 2020.

Evelyn Wilson, Mayor
City of Groveland, Florida

Attest:

Virginia Wright, 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 |
|----------------|-----|-----|
| Mike Radzik | | |
| Mike Smith | | |
| Dina Sweatt | | |
| Randolph Waite | | |
| Evelyn Wilson | | |

OLD BUSINESS



AGENDA ITEM 1

MEMORANDUM

TO: HOMORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: TIMOTHY MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

FROM: ANDREW LANDIS, SENIOR PLANNER

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2019-55 – INDIGO LAKES PUD AMENDMENT (FIRST READING)

DATE: JUNE 15, 2020

GENERAL SUMMARY/BACKGROUND:

City Community Development staff received an application from Jimmy Crawford, representing property owner Indigo Land Groveland LLC, requesting to update and amend PUD Ordinance 2006-08-67 affecting 162.76 +/- acres of vacant property with a Future Land Use designation of City of Groveland Mixed Use and a Zoning designation of Planned Unit Development (PUD). The subject property is located on the east side of Villa City Road, west of Lake Lucy in the City of Groveland.

The applicant requests to amend the current PUD to allow for additional single family residential lots with reduced setbacks and changes to other development standards.

BUDGET IMPACT:

There are no budgetary impacts.

LEGAL NOTE:

The City Council is authorized pursuant to F. S. 166.041 and Sec. 153-118 of the City’s Land Development Code to approve PUD zoning ordinances. The PUD zoning ordinance is consistent with the City’s Comprehensive Plan. The PUD allows and provides for deviations from the City’s Land Development Code which is permitted with Council approval.

STAFF & ADVISORY RECOMMENDATIONS:

At the January 16, 2020 Planning & Zoning Board Meeting, Members voted three (3) to two (2) to deny Ordinance 2019-55.

Some of the primary concerns raised by P&Z Board Members regarding the proposed PUD Amendment include:

- Monotonous housing with no diversity of housing types (single family only)
- Narrow lot widths of 40 and 50 feet
- Side yard setbacks of 5 feet
- Front loaded garages that dominate the façades of the homes

The City Council voted 4-1 at their February 18, 2020 meeting to send the item back to the Planning & Zoning Board for additional review. The applicant has proposed several changes to the plan in response to Council and Planning Board Member comments and recommendations.

The most significant recent changes include:

- The applicant is offering to donate +/- 4.3 hilltop acres to the City for a public park located at the old mansion site
- The applicant would retain the +/- six (6) acres on the northern edge of the property previously offered to the City for parkland for ten (10) development lots
- The City would give the applicant +/- two (2) acres of City-owned land located at the southwest corner of the project for an additional thirteen (13) development lots
- The applicant has extended the commercial core to the municipal park to allow for additional mixed use development
- The applicant proposes attached single family units fronting the municipal park, with rear loaded garages accessed by alleys
- The applicant has relocated the community pool and tot lot to a more central location in the residential-only portion of the neighborhood

On March 5, 2020, the Planning & Zoning Board voted 5-2 to approve Ordinance 2019-55 amending the Indigo Lakes PUD.

The approval includes two conditions:

1. Construction Plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit.
2. The architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval. Buildings which have already received P&Z's approval do not require additional reviews.

Planning & Zoning Board Members discussed the improvements to the plan and thanked the applicants for their efforts to address concerns raised by Council Members, P & Z Board Members, and Staff.

Outstanding issues of concern that were discussed included:

- A desire for larger lots (60', 70', 80')
- All 40 foot lots should have alleys or enhanced parking
- 40 foot lots should be located internal to the community and not at the edges

- Front loaded garages that dominate the facades of homes

Community Development Staff recommends approval of Ordinance 2019-55 with the following conditions:

1. Construction Plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit.
2. The architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval. Buildings which have already received P&Z's approval do not require additional reviews.

ATTACHMENTS:

Attachment 1 PUD Amendment Ordinance 2019-55, legal description (Exhibit A),
Regulating Plan (Exhibit B), and Conceptual Zoning Map (Exhibit C)

Attachment 2 Application Submittal

Attachment 3 Public Notice Support Documentation

ATTACHMENT 1
INDIGO LAKES
PUD AMENDMENT
2019-55

CITY OF GROVELAND

Indigo Lakes Village Planned Unit Development (PUD) Code

Draft

2/28/2016

ORDINANCE 2019-55

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING THE CITY OF GROVELAND PLANNED UNIT DEVELOPMENT (PUD) FOR THE HEREIN DESCRIBED PROPERTY WITHIN THE CITY OF GROVELAND, FLORIDA, OWNED BY INDIGO LAND GROVELAND LLC, AND LOCATED AT 17200 VILLA CITY ROAD, GROVELAND, LAKE COUNTY, FLORIDA; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: Purpose and Intent.

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

Section 2: Legal Description.

The property that is subject to this Ordinance (the "Property") consists of approximately 155 gross acres being more particularly described in **Exhibit "A"** attached hereto and incorporated herein.

Section 3: Zoning Classification.

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

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

Where in conflict, the terms of this document shall take precedence over the City of Groveland Land Development Regulations and Code of Ordinances, the Conceptual Development Plan, 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 of Groveland Land Development Regulations.

- b. **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;
5. Provide for a diversity of lot sizes and housing choices to accommodate a variety of age and income groups and residential preferences, so that the City's population diversity may be maintained;
6. Provide connectivity and a safe and comfortable transportation design for residents including pedestrian and bicycle trails, transit and vehicular roads;
7. Foster the development of complete communities that allow residents to meet their daily needs within walking distance; and
8. Retain a significant portion of the land within the project as Conservation lands.



Indigo Lakes Village PUD: Land Uses

The following text and use table outlines permitted uses for the Edge, Center, and Core sub-zones within the Indigo Lakes PUD (see **Exhibit C**)

Table U1 Uses by Zone

| USES | EDGE | CENTER | CORE |
|--------------------------------------|------|--------|------|
| RESIDENTIAL & HOSPITALITY | | | |
| Multifamily Residential | | | P |
| Townhomes/Single Family Attached | | P | P |
| Single Family Detached | P | P | |
| Live/Work Units | | | P |
| Accessory Dwelling Unit | P | P | |
| Short Term Rental | | | P |
| Hotel, Resort & Inn | | | P |
| Residential Care | | | P |
| CIVIC | | | |
| Assembly | | | P |
| Hospital & Clinic | | | P |
| Library/Museum/Post Office | | | P |
| Law Enforcement & Fire | | | P |
| School | | | P |
| RETAIL & SERVICE | | | |
| Neighborhood Retail | | | P |
| General Retail | | | |
| Craftsman Retail | | | |
| Neighborhood Service | | | P |
| General Service | | | |
| OFFICE | | | |
| Office | | | P |
| Home Occupation | | | P |
| AMUSEMENT | | | |
| Recreation Indoor | | | P |
| Recreation Outdoor | | | |
| INDUSTRIAL | | | |
| Light Industrial | | | |
| Heavy Industrial | | | |

Key
P Permitted

- c. **Land Uses.** Allowed uses within the PUD include single-family detached residential uses, Village Core Mixed Use, and related accessory uses, including, but not limited to, recreational uses and facilities. Institutional/public facility uses shall also be allowed where Village Core Mixed uses are allowed. The project shall be developed substantially in accordance with the attached **Exhibit "B"**, which was last revised on January 15, 2020, by Knight Engineering Services and is made an integral part of this PUD. In addition, uses allowed in the Agricultural zoning category shall be allowed in areas within the PUD that have not been developed for another allowed use. Mobile or manufactured homes shall be prohibited.
The approximate acreage devoted to each land use shall be generally as follows:
- d. **Residential.** The PUD shall not exceed 452 single family detached residential units.
- e. **Village Core Mixed Use.** An area of 2.97 +/- acres is identified Village Core Mixed Use. Within this area a maximum of 60,000 square feet of non-residential development will be permitted.

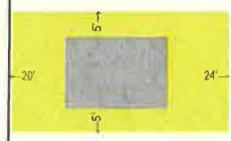
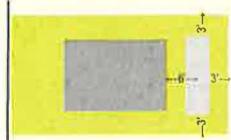
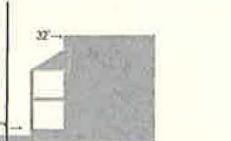
| Use | Acres |
|-------------------------------|-----------|
| Residential | 65.85 +/- |
| Village Core Mixed Use | 2.97 +/- |
| Upland/Usable Open Space | 26.46 +/- |
| Wetland/Lake Open Space | 16.27 +/- |
| Total Open Space ¹ | 42.73 +/- |
| Amenities /Public Facilities | 4.76 +/- |
| Road Right-of-Way | 22.14 +/- |

¹Land dedicated as Public Park shall count as Open Space. Such Public Park shall be dedicated prior to the first record final plat is recorded for the Property.



Indigo Lakes Village PUD: Sub-zones

The following table and graphics outline standards for the Edge, Center, and Core zoning districts within the Indigo Lakes Village PUD.

| | EDGE RESIDENTIAL | CENTER RESIDENTIAL | CORE MIXED USE | |
|-----------------|---|--|--|--|
| LOT |  MIN. WIDTH: 50' MAX. COVERAGE: 75% |  WIDTH: 20'-40' MAX. COVERAGE: 80% |  MIN. WIDTH: 15' MAX. COVERAGE: 90% | <p>¹The building façade shall extend along the front yard line a minimum of the designated percentage of the lot width.</p> <p>²HVAC and other mechanical and structural components shall not encroach the side setbacks.</p> <p>³Side setbacks along corner lots shall be a minimum of 10' for Edge and Center.</p> <p>⁴Detached homes shall have a minimum 5' side setback and 10' for lots wider than 50'.</p> <p>⁵Max. Building width for Center and Core is 100'.</p> <p>⁶Max. Lot Coverage for lots wider than 60' is 60%.</p> |
| PORCH & BALCONY |  MIN. DEPTH: 8' MIN. WIDTH: 50% |  MIN. DEPTH: 6' MIN. WIDTH: 40% |  MIN. DEPTH: 12' MIN. WIDTH: 100% | <p>¹The front porch or balcony shall meet the designated minimum depth and width.</p> <p>²Porches and balconies shall not be screened or enclosed for non-residential uses.</p> <p>³Arcades, colonnades, and awnings may serve as porches for the Core and Center zones.</p> <p>⁴Primary entrances shall face the primary street.</p> |
| OUTBUILDINGS |  MIN. DEPTH: 6' MIN. WIDTH: 3' |  MIN. DEPTH: 6' MIN. WIDTH: 10' | N/A | <p>¹Outbuildings shall not exceed 22' height.</p> <p>²Outbuildings shall use similar materials and architectural details to the principal building.</p> |
| PARKING |  MIN. SPACES: 2 |  MIN. SPACES: 2 |  SATISFIED BY ON-STREET PARKING | <p>¹On-site parking shall be accessed from the alley for the core and center zones. If an alley is not provided, each lot may have no more than one ingress/egress from the primary street.</p> <p>²A garage is considered an outbuilding and shall follow the specifications for outbuildings.</p> |
| HEIGHT |  *PREFERRED ABOVE GRADE |  *PREFERRED ABOVE GRADE |  | <p>¹Buildings or other structures shall not exceed the maximum height depicted in the graphic.</p> <p>²Towers or chimneys with less than a 200 SF footprint may exceed the building height by 10'.</p> |
| MAX NET DENSITY | 8 du/acre | 12 du/acre | 24 du/acre | |

The "EDGE" zone is suitable for larger homes on larger lots with private yards, garages, and guest units. Lake adjacent lots have a minimum 80' lot width.

The "CENTER" zone features a mix of detached and attached housing types on smaller lots.

The "CORE" zone is comprised of building types massed together to create a main street atmosphere with retail at the ground floor and residential or office above.



Indigo Lakes Village PUD: Residential Standards

The following text, tables and graphics outline standards for single family detached residential homes within the Indigo Lakes PUD

f. Single Family Residential Setbacks

The following minimum setbacks shall apply to single-family detached units and to the perimeter of multi-family residential developments:

Front: Any part of the structure (including but not limited to dwelling, storage, side-loaded garage and porches, but excluding front-loading garage): 10 feet

Front Loaded Garage: 25 feet

Rear: 20 feet for principal residential structure and 5 feet for garages, pools, pool decks, and patios. If any pool, pool deck or patio, is located closer than 20 feet from the rear property line, landscaping shall be provided along the rear property line to buffer adjacent properties.

Side: Detached unit: 5 feet, except 10 feet for corner lots as measured to the right-of-way line of the street side. An open space tract may be located in said 10 feet setback, as generally depicted on the Conceptual Development Plan.

Attached unit: 0 feet between units, 10 feet between buildings

g. Lot Size: A range of lot sizes shall be provided to create variety and offer opportunity for different income households. The minimum lot size shall be 3,600 square feet for single family detached residential lots. Lot size diversity within blocks is encouraged.

h. Dwelling Size: The minimum dwelling size shall be 1,000 square feet for all single-family detached units based on heated/air-conditioned space under roof exclusive of garages, carports, and porches.

i. Lot Width: In accordance with the principle of providing diversity within the development a variety of lot widths shall be permitted in the range of 20-85 feet. Lot width diversity within blocks is encouraged. However, for any irregularly shaped (e.g. pie shaped) single-family detached lots, the minimum lot width may be reduced to 30 feet at the building line with a minimum street frontage of 20 feet.

j. Lot Coverage: Single-family detached lots shall have a maximum lot coverage of 75% to include principal dwelling, all paved areas and swimming pool decks. The impervious surface area for the overall PUD shall not exceed 50%.

k. Height of Structures: No single family detached residential structure shall exceed 2½ stories or 35 feet in height.

l. Building Design. Building design will be in accordance with Chapter 137, Article II: Architectural Standards of the City's Land Development Regulations as the same exists on the Effective Date of this ordinance, except that deviations from the following sections are granted for the PUD: Section 137-76(b) and 145-47(d)(2) (front porches); and Sections 137-77 and 145- 47(d)(3) (garages). The deviations are based on the additional open space and recreational amenities which have been incorporated into the project, as well as the following additional design standards that shall apply to the residential component of the PUD:

1. A diversity of housing styles, shapes and materials will be required in order to create variety in the streetscape.
2. The houses' architectural styles shall be either Florida vernacular, craftsman, or a current interpretation of these styles using architectural principles such as massing, human scale, rhythm, and proportion.
3. House facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Architectural accents characteristic of the approved styles are strongly encouraged on facades. Except for lots narrower than 50 feet wide, no more than fifty percent (50%) of the front façade of a house shall consist of unarticulated block wall or garage door.
4. All homes shall have carriage style garage doors.
5. All homes shall have paver style driveways.
6. Two-story homes shall have lap-style siding, shake-style siding, board and batten, or similar materials on the second story.
7. All floor plans offered by homebuilders shall include an option whereby homeowners may purchase a front porch. Porches on homes that are less than 32 feet wide may vary from dimensional guidelines contained herein due to space limitations.
8. Front-facing gables on one-story houses must be clad with siding, trim, and an accent.
9. All floor plans shall include at least one option with front facing gables.
10. For homes built on lots narrower than 50 feet, garages without a second story above them shall include a gable end roof.



Indigo Lakes Village PUD: Residential Standards

The following text, tables and graphics outline standards for single family detached residential homes within the Indigo Lakes PUD

11. Variations in color shall be required in order to avoid the same principal color on houses next to each other.
12. To ensure visual richness, roofs of the main body of all homes shall be hip, gable or other form of pitched roof. Flat roofs on the main body of a home shall be prohibited. Roof materials shall be either patterned shingles or metal panel.
13. Window trim, shutters and/or banding shall be used on the front facade of all residential units. Articulation of side street facades for corner lots shall also be required. On each level or part of the street facing facades, rows of windows shall be spaced evenly and contain consistent sizes and shapes to create visual harmony.
14. To avoid monotony, the same home plan and elevation will not be duplicated directly across the street, on either side of, or diagonally from a particular plan and elevation.
15. Different house sizes and styles shall be integrated architecturally in order to give the development a harmonious appearance.
16. Community Landscaping shall be incorporated into the overall design as a means of linking the development areas with the open spaces.
17. Individual Lot landscaping shall reinforce and complement the architectural style. Trees and palms shall be used to frame the street facing entry features and façade elements. Evergreen shrubs and understory trees shall be used to mask utilities and blank areas of side facades visible from the street.
18. Entry/monument signage for the main and secondary project entrances shall feature prominent columns with stone, stucco or similar materials, the project name, references to Groveland and/or the City logo and a decorative fence, as generally depicted on the Conceptual Development Plan.
19. The Community Development Director may grant deviations for design restrictions contained herein for home designs which meet the intent of this paragraph but vary slightly from the restrictions.

City Park/Surplus City Parcel A 4.3± acre tract, in the location shown on the Concept Plan, shall be contributed to the City, at no cost to City, for use as a municipal park. The developer of the Property shall have the right, but not the obligation, to construct park improvements according to plans ("Park Improvement Plans") that are reviewed and approved by City staff. If the developer opts to construct park improvements, the park shall be conveyed to the City within thirty (30) days of completion of construction. The park shall be conveyed to the City within thirty (30) days of approval of Park Improvement Plans if the City or a third party is constructing the park. If Developer opts to construct park improvements, it shall be entitled to Parks and Recreation Impact Fee Credits in an amount equal to the cost of design and construction of park improvements, including, without limitation, costs to design and build retaining walls related to City-required tree save areas or grading restrictions within the park.

A City-owned 2.01± acre tract (Lake County Parcel 12-22-24-0021-00A-00000) in the southwest corner of the Property (the "Triangle Parcel"), shall be conveyed by City to the developer, at no cost to the developer, for use as a drainage retention area that will handle stormwater from, among other areas, the City Park. This conveyance shall occur upon Developer's request, but not sooner than thirty (30) days after approval of construction plans that include the Triangle Parcel.

The City shall maintain naming rights to the municipal hilltop park.



Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- m. **Recreation and Open Space.** A minimum twenty percent (20%) of the overall Property will be open space. The open space shall include, but not be limited to, park lands, project buffer areas, drainage areas, retention areas and landscaped areas. Up to half of the required open space may be met with wetland preservation or natural water bodies exclusive of Lake Lucy. At least half of the required open space shall be met with a mix of open space types as defined in this code.
- n. **Waterfront and Wetlands Buffer Requirement.** No development shall be allowed within jurisdictional wetlands on the property without the proper mitigation and permits approved by the St. Johns River Water Management District. No development except passive recreation, as described in Policy 1.6.3 of the Conservation Element of the Comprehensive Plan, lake access and maintenance, as authorized by the St. Johns River Water Management District, shall be permitted in wetland/lake areas.
- A minimum building setback and upland buffer of 25 feet shall be maintained adjacent to the wetland jurisdiction line, per City of Groveland requirements. No improvements having an impervious surface (with the exception of wet retention areas) may be located within the upland buffer of 50 feet adjacent to the wetland jurisdiction line. Buffer requirements of the St. Johns River Water Management District shall also be maintained adjacent to the wetland jurisdiction line. If required by the St. Johns River Water Management District, the District buffer shall be within a deeded conservation easement.
- o. **Boat Docks and Prohibition on a Community Boat Ramp Allowing Motorized Watercraft.** Communal docks, parks, observation areas and non-motorized canoe/kayak launches shall be allowed on Lake Lucy. A communal boat ramp allowing motorized watercraft is prohibited. Residents may seek permits for private individual docks. No overnight mooring of boats or other watercraft shall be allowed on any communal dock in the project.
- p. **Potable Water and Wastewater.** The project shall connect to the City potable water system and the City sanitary sewer system prior to any certificate of occupancy being issued for any structure (except temporary construction uses) on the project. Reuse lines shall be installed for irrigation of residential lots and common areas; however, until such time as reuse service becomes available, irrigation of residential lots and common areas may be provided by an on-site irrigation system, wells or by potable water. If the City requires upsizing of utilities beyond that necessary to serve the project, the City will reimburse the Developer for the cost of any upsizing pursuant to a utility agreement with the Developer.
- q. **Solid Waste.** Solid Waste collection shall be pursuant to City regulations, as amended.
- r. **Drainage.** The maintenance of the drainage system shall be the responsibility of the Homeowners Association(s) and/or CDD if established. All stormwater ponds and treatment facilities shall be unfenced.
- s. **Transportation.** There shall be a minimum of four (4) ingress and egress points for the project. These shall be in the approximate locations shown on the Conceptual Development Plan. Streets within the project shall have a minimum fifty-foot (50') right-of-way with a minimum twenty-four foot (24') pavement width and two-foot (2') curb and gutter on each side. Provision shall be made for underground utilities.
- 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. Construction access shall be in accordance with the permitting requirements of the City, Lake County and Florida Department of Transportation, as applicable, and shall also comply with National Pollutant Discharge Elimination System (NPDES) permit requirements.
- The use of golf carts on internal streets shall be allowed, if allowed by the homeowner's association governing the Property. No golf cart use shall be allowed on Villa City Road or external to the Property.
- A twenty-five percent (25%) reduction in parking requirements shall be allowed for the Village Core Mixed Use portions of the PUD, due to the emphasis on community commercial and pedestrian, golf cart and bicycle access. Golf cart parking may be allowed, but shall not count toward the vehicular parking requirements.
- A fifty percent (50%) increase shall be required in the bicycle parking/storage facilities required for the commercial portions of the PUD. School bus stops out of the traffic flow areas shall be provided, the location and standards for which shall be coordinated with the Lake County School Board.

Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- t. **Streets, Sidewalks, and Trails.** The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to recreation facilities and adjacent residential community areas. A minimum of a five-foot (5') sidewalk shall be constructed along both sides of all streets within the project. All streets shall be constructed to the City of Groveland standards and shall be public, dedicated to the City, non-gated streets. A minimum of two (2) off-street parking spaces shall be required for each single-family detached residential unit constructed in the project.
- The City agrees to vacate the existing right-of-way within the boundaries of the development prior to/ or concurrent with any new right-of-way dedication or platting.
- A typical street layout is illustrated as Exhibit B.
- Curb radii shall follow FDOT Green Book Chapter 19 standards.
- A pedestrian trail that measures 7,000+/- linear feet shall be constructed along Lake Lucy as illustrated in Exhibit B.
- A minimum 8' wide multi-purpose path shall be constructed along the project boundary with Villa City Road. Such multi-purpose path may be located in the right-of-way with the approval of Lake County and/or within the twenty-nine (29) foot wide landscape buffer.
- Street trees shall be planted within the right-of-way of all streets every 40 feet on center, except as may otherwise be approved by City staff. Such trees shall be planted with root barriers so as not to interfere with utility lines and comply with the City's Landscape Regulations for trees in the right-of-way.
- u. **Landscape Buffers.** Landscape buffers within the project shall comply with City Land Development Regulations (including for installation, irrigation and plant materials), and a minimum twenty-nine (29) foot wide landscape buffer shall be provided along those areas where the perimeter of the PUD abuts Villa City Road.
- Additionally, the community will feature native landscaping within the common areas.
- Landscaping along rear lot lines shall be encouraged, to be installed when the home is constructed on each lot, and shall be required if a pool, patio, or pool deck is located in the rear yard or added by a resident after the home is occupied.
- w. **Tree Replacement.** Tree replacement within the project shall comply with City Land Development Regulations except as modified herein. Owner shall locate and map all protected trees 8" or above in diameter at breast height or 54" above grade. Owner is not required to locate, map or protect trees less than 8" diameter at breast height or 54" above grade, whether on the protected list or not. Protected trees of 36" or above in diameter at breast height or 54" above grade must be preserved unless such tree is located within the area where any building, roadway, pavement, retention pond or other improvement is proposed to be constructed, or where a grade change necessary to proposed development of the site will be made which is too severe for the tree to survive, or within a five-foot offset of the footprint for the residence.
- If after such removal the lot will not contain the minimum number of trees required for the lot by the City Land Development Regulations, then owner shall be required to plant the amount of substitute trees required to comply with such regulations on such lot or within the common areas. The owner will be required to replace removed protected trees inch-for inch of removed tree diameter at breast height with replacement trees of the types listed in Sec. 133-38 or of any other variety approved by the Community Development Director. If the planting will take place on the lot, then such planting is to be performed prior to issuance of a certificate of occupancy. If the planting will take place within the common areas, then such planting is to be performed prior to the city issuing a certificate of completion for the applicable phase of the subdivision or city accepting the conveyance of infrastructure improvements and real property for such phase, whichever occurs last; however, if neither can be accomplished for a reason acceptable to city, owner shall post a bond in an amount acceptable to city and for a duration acceptable to city until such trees are planted and viable.
- Lots up to 6,000 square feet in size shall contain no less than 2 protected trees, neither of which may include a street tree. Lots over 6,000 square feet in size shall contain, at a minimum, the number of protected trees required for such lot(s) by Sec. 133-127(a)(l). The following shall not count as a protected tree: trees listed in Sec. 117-21 of the City Land Development Regulations; trees associated with a bona fide agriculture operation; and trees less than 8" in diameter at breast height or 54" above grade.
- Canopy trees with a diameter of 12" or greater within buffer adjacent to Villa City Rd. or at municipal hilltop park site are not to be removed or disturbed under any circumstance without approval from City Council.

Indigo Lakes Village PUD: Site Development

The following text, tables, and graphics outline site development standards within the Indigo Lakes PUD.

- x. **Lighting.** Decorative street lighting shall be installed at every intersection and at intervals of 300 feet, or as approved by City Staff. Street lighting shall be installed by the Owner/Developer. In accordance with Dark Sky standards, full cutoff lighting fixtures that are fully shielded and produce downward directional lighting shall be used for streetlights in order to minimize glare, overhead sky glow and light trespass. The streetlights shall be owned and maintained by the homeowners' association or CDD to the extent such responsibilities are not assumed by the electric utility provider. In the event the street lighting fixtures required by this paragraph are not authorized by the electric utility provider, then the developer shall coordinate with City staff to select an alternate fixture that is offered by the electric utility provider and most closely reflects the intent of this paragraph. A lighting/photometric plan shall be submitted to the City as part of an application for construction plan approval.
- y. **Utilities.** All utilities shall be underground and may be constructed in phases, in accordance with a phasing plan approved by City staff City acknowledges it has sufficient capacity to service the project with potable water and sanitary sewer service.
- z. **Signage.** Allowed ground signage, monument signage and wayfinding signage for the project is depicted on the Conceptual Development Plan. Additional signage may be approved by City staff in accordance with the City Land Development Regulations.
- aa. **Maintenance of Common Areas.** Maintenance of all common areas within the residential component of the project shall be the responsibility of the Homeowner's Association(s) formed to govern such subdivision and/or a CDD.
- bb. **Community Development District.** The Developer may create a community development district ("CDD") pursuant to Chapter 190, Florida Statutes, in order to provide for the financing, management and control of common areas and infrastructure for all or any part of the project or for any other purpose allowed by law.
- cc. **Impact Fees.** The Developer acknowledges that the City of Groveland has impact fees for water, wastewater, fire, police and recreation, and administrative facilities and that the project shall be subject to such impact fees. Impact fees for the project shall be paid in accordance with the City Land Development Regulations.
- dd. **Uncovered Artifacts During Construction.** Development shall cease construction activities on a development site when unidentifiable artifacts are uncovered during either land preparation or construction. The developer shall notify the City of such potential discovery, and the City and/or developer shall contact the Florida Department of State of such discovery. Construction shall not resume in the affected area until the State has determined the archeological significance of the discovery and the restrictions which shall be imposed on development. Development may continue in other areas of the project which will not impact the site of the discovery.
- ee. **Amendments.** Any substantial deviation from the Conceptual Development Plan, or any deviation from the terms of this Ordinance, shall be approved by the City Council in accordance with the legal procedures to amend zoning ordinances. The following criteria shall be used to identify a substantial deviation to the Conceptual Development Plan: (1) a change which would add a new land use not previously approved by this PUD; (2) a change which would increase the overall density or intensity approved for the Property by this PUD; or (3) a reduction in the number or substantial change in the location of external access points shown on the plan. All other changes to the Conceptual Development Plan, and any modifications to any design or other development standards contained in the Land Development Regulations of the City that may be required to effectuate such changes and are consistent with the City's Comprehensive Plan, shall be considered non-substantial and subject to administrative approval by City staff. In approving a modification to a design or development standard contained in the Land Development Regulations, City staff may impose one or more conditions that are reasonably calculated to mitigate the identifiable land use impacts of the modified standard, if any. For avoidance of doubt, a change to a development standard that is set forth in both the Conceptual Development Plan and in this Ordinance shall require approval by the City Council in accordance with the legal procedures to amend zoning ordinances.
- ff. **Expiration of PUD.** Unless an extension is approved by City Staff, this PUD shall expire if application for construction plan approval is not submitted, from the Effective Date of this Ordinance, or if no infrastructure construction has commenced on the Property within two (2) years from the approval of the construction plans for the project. Any request for extension must be submitted to the City by the applicant prior to the PUD expiring.

Indigo Lakes Village PUD: General Standards

The following tables and graphics outline community-wide standards for the Indigo Lakes PUD

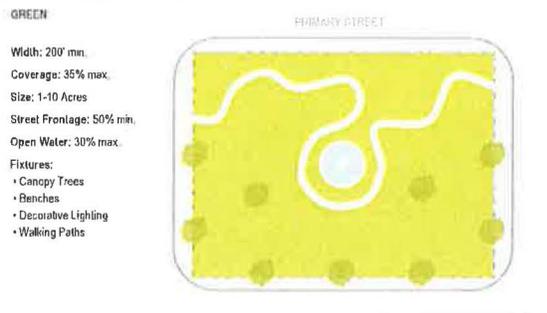
| | Village |
|---------------------------------|---|
| Size (acres) | 80 - 192 |
| Pedestrian Shed | ¼ Mile |
| Minimum Open Space | 20% |
| Maximum Impervious Surface Area | 50% |
| Transportation Adjacency | Adjacent to 1 Arterial |
| Minimum Connectivity | 1 External Connection Every ¼ Mile of Perimeter |
| Maximum Block Perimeter | 1,800 LF |
| Minimum Villa City Rd. Buffer | 29" |

Indigo Lakes Village PUD: Open Space

The following table and graphics outline standards for the Square, Plaza, Green, Pocket Park, and Greenway within the Indigo Lakes PUD.

Figure OS1

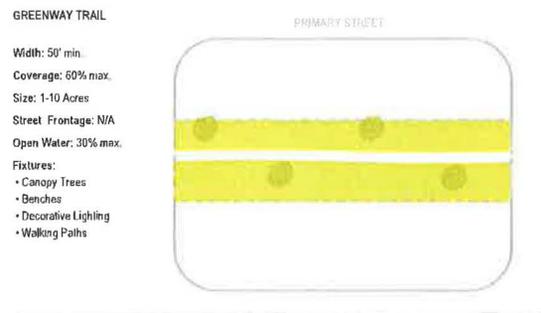
OPEN SPACE PERIMETER



The "GREEN" is partially bordered by building frontages with a landscape consisting of grassy lawns, trees, and walking paths for relaxation and recreational purposes.

Figure OS2

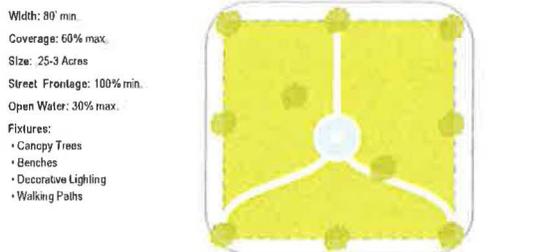
OPEN SPACE PERIMETER



The "GREENWAY TRAIL" is a linear open space that often follows a natural feature, such as a river, stream, or ravine, and connects to other open space types.

SQUARE

PRIMARY STREET



The "SQUARE" is spatially defined by building frontages and consists of walking paths, lawns, and trees for civic, social, and commercial purposes.

POCKET PARK

PRIMARY STREET



The "POCKET PARK" provides small scale open space for recreation and gathering for neighborhood residents within walking distance.

PLAZA

PRIMARY STREET



The "PLAZA" is spatially defined by building frontages and consists of mostly paved surfaces and trees for civic, social, and commercial purposes.

MID-BLOCK PASSAGE

PRIMARY STREET



The "MID-BLOCK PASSAGE" provides mid-block pedestrian access and activates courtyards, cafes and seating areas not fronting a street type.

Indigo Lakes Village PUD: Block Configuration

The following standards apply to ensure proper structure and layout of blocks.

a. Interconnected Street Pattern.

The network of streets within the community shall form an interconnected pattern with multiple intersections and resulting block sizes as designated in the requirements for each Community Type.

1. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new developments.
2. Cul-de-sac and dead end streets are prohibited.
3. Streets shall follow natural features rather than interrupting or dead-ending at the feature.
4. Streets shall terminate at either an open space or a building facade.
5. Streets shall be designed as described in the Street Types section.

b. Block Configuration.

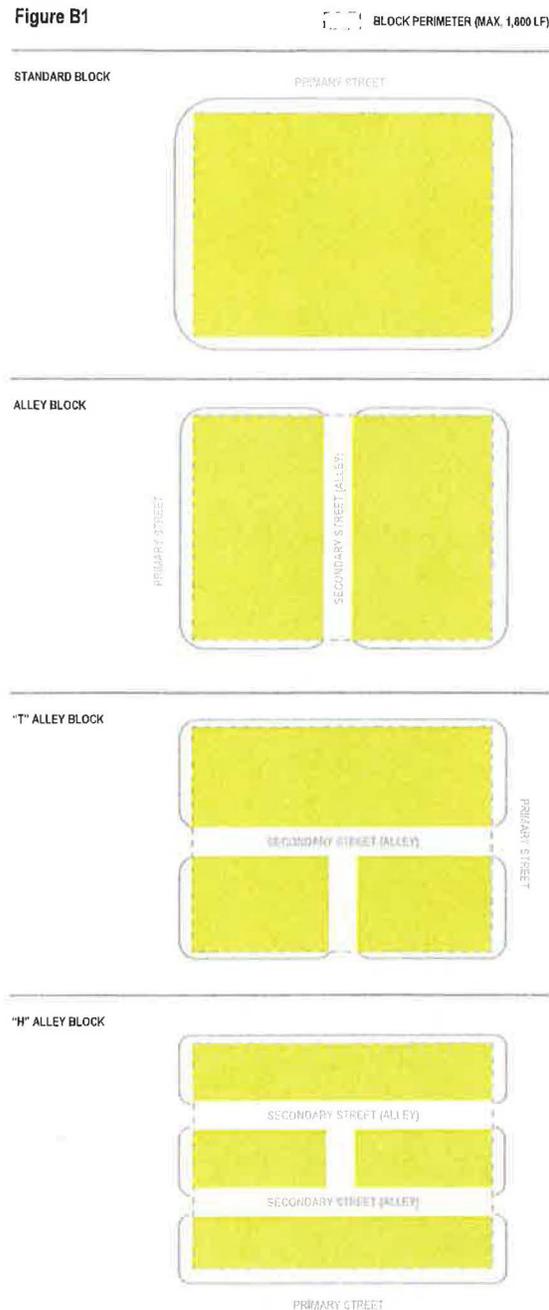
Refer to Figure (B1) for an illustration of Typical Block Elements.

1. The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
2. Blocks shall typically be two lots deep with the exception of blocks containing open space. Blocks may also include an alley.
3. Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.
4. For increased energy efficiency, block orientation shall be along an east-west longitudinal axis to the maximum extent feasible. For long, central corridor buildings, this block orientation will encourage development of buildings oriented along an east-west axis, with smaller east and west facing facades, resulting in taking advantage of passive solar design.

c. Maximum Block Size.

Block sizes shall meet the requirements for each Community Type. A network of streets as described in the, Street Types section, are required to meet the maximum block size requirements. Deviations may be permitted where connections cannot be made because of physical obstacles, such as wetlands and water bodies, railroad and existing highway rights of-way.

Figure B1



Indigo Lakes Village PUD: General Standards

The following text, tables, and graphics outline general standards within the Indigo Lakes PUD.

Section 4: Consistent with Comprehensive Plan.

That the herein described PUD is consistent with the Comprehensive Plan of the City of Groveland, Florida.

Section 5: 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 6: 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 7: Conflict.

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

Section 8: Effective Date.

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

Section 9: Construction Plan and Architectural Reviews

Plan review for home facades, commercial buildings, amenity buildings, parks, and open spaces shall be conducted by the Planning and Zoning Board. Plan review for homes, commercial buildings, and amenity buildings shall occur prior to issuance of a building permit for said plans. Plan review for parks, not including the City Park, and open spaces shall occur prior to issuance of construction plan approval. Such plan reviews shall be limited to assuring compliance with the objective standards contained in this ordinance. Building permits for home plans (and associated facades) for which the City has previously issued a building permit shall be allowed without such review.

The Planning and Zoning Board shall have approved the concept plan for the City Park improvements prior to issuance of construction plan approval for said improvements.

EXHIBIT A

PARCEL 1:

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, LYING SOUTHEASTERLY OF C.R. 565, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

ALSO

THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

TRACTS 53 AND 54, GROVELAND FARMS, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 2:

TRACTS 59 AND 60, IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, IN GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3:

PARCEL A: THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL B: THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL C: THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL D: THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL E: THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 EAST OF ROAD, SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL F: ALL OF TRACTS 35, 45 AND 46, LYING EAST OF C.R. ROAD 565, AND THAT PART OF THE EAST 297 FEET OF TRACT 36, LYING EAST OF C.R. ROAD 56,5 ALL LYING AND BEING IN SECTION 1, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

- THE ABOVE DESCRIBED PARCELS CONTAIN 162.756 ACRES MORE OR LESS. OF THAT 116.947 ACRES UPLAND AND 45.809 ACRES WETLAND.

EXHIBIT B

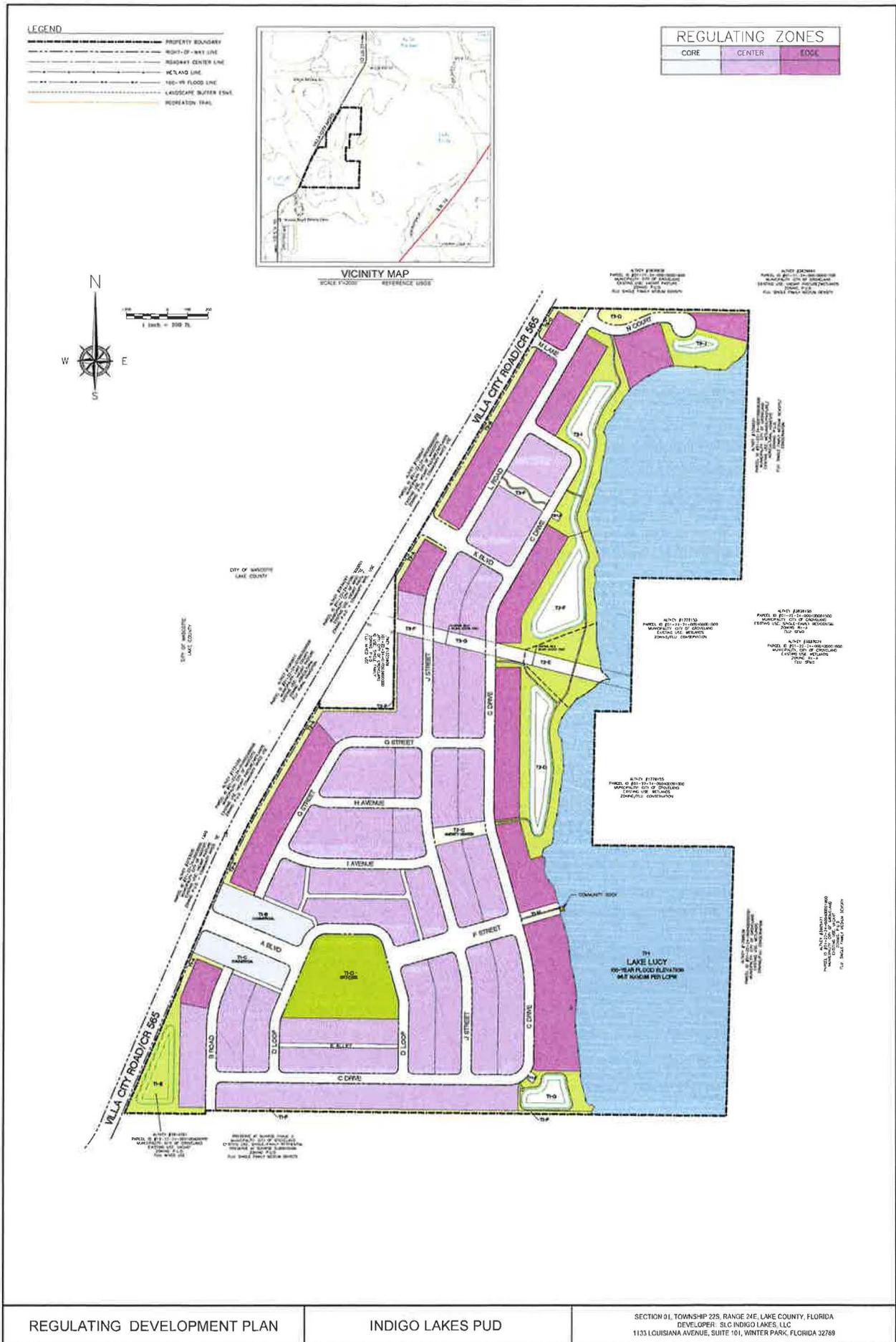
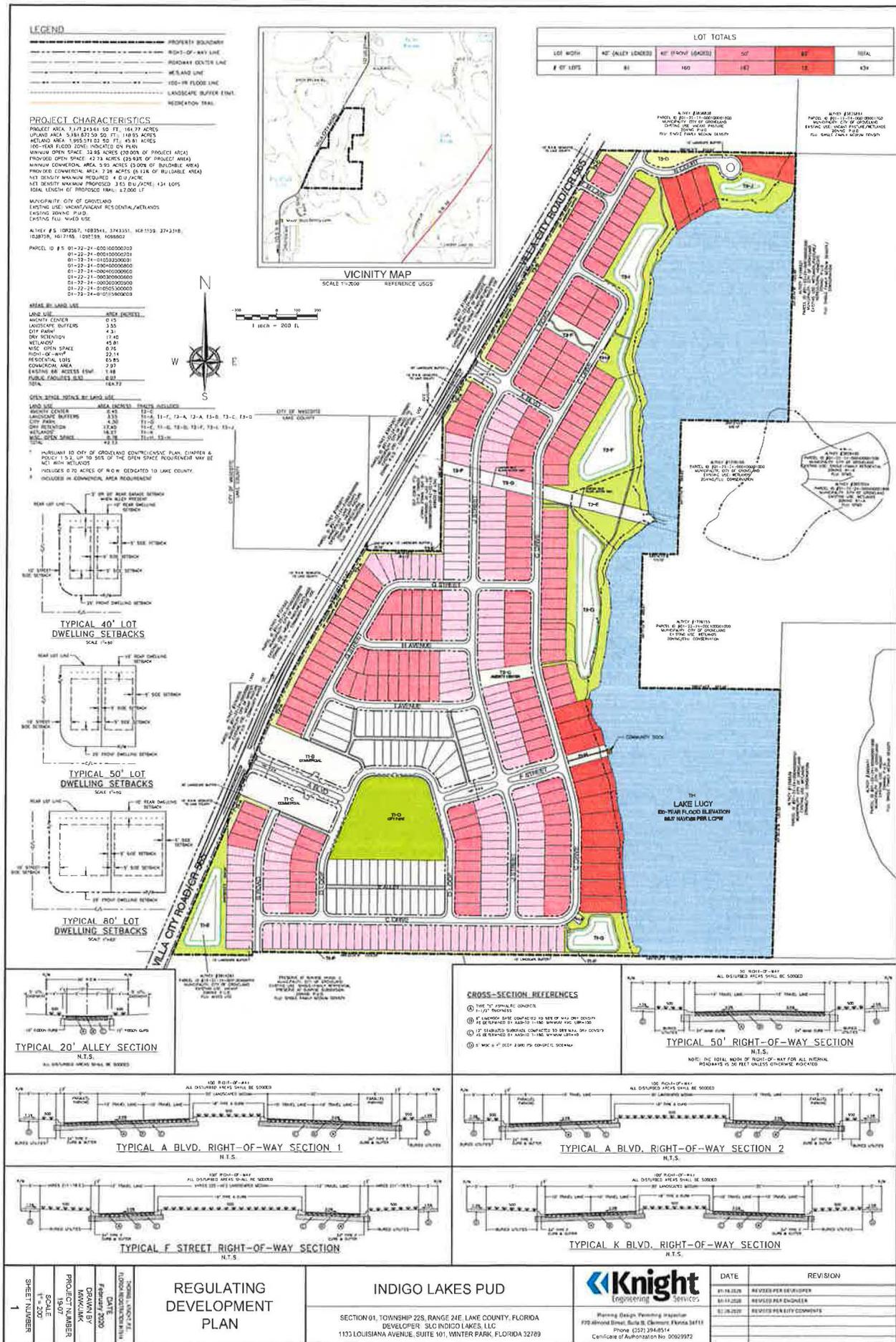


EXHIBIT C



NEW BUSINESS



AGENDA ITEM 2

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: MIKE HEIN, CITY MANAGER
FROM: ANITA GERACI-CARVER, CITY ATTORNEY
SUBJECT: DISCUSSION: 2020 Draft Charter Amendments & Ballot Questions
DATE: June 4, 2020

GENERAL SUMMARY/BACKGROUND: Four (4) ballot questions to amend the City's charter are provided for Council's consideration and direction. The ballot measures address special elections, primary elections, filling of a council vacancy and a transition schedule for council member terms in the event all council seats become vacant. After the need to hold a special election to fill the unexpired term of a council member who resigned, the first to occur after primary elections were implemented, a deficiency in the timing within the Charter to hold the special election became evident. The current timing requirements causes unavoidable difficulties for the Supervisor of Elections in meeting his obligations concerning absentee ballots. After further consideration of the issues the Charter has been reexamined. The four ballot questions being proposed will eliminate the need for future special elections to be held to fill a vacancy.

If Council approves of the language, it will be shared with the Lake County Supervisor of Elections.

BUDGET IMPACT:

If adopted, there will be a savings to the City. Currently the cost to hold a special election is approximately \$24,500.00.

LEGAL NOTE: Council direction is requested. The deadline to submit ballot language to the Supervisor of Elections is August 21, 2020. The City must provide ballot language in English and Spanish. Time is needed between final adoption and August 21, 2020 for translation.

STAFF RECOMMENDATION: Provide direction.

ATTACHMENTS:

Memorandum to Mr. Hein, City Manager dated March 27, 2020 re: 2020 Draft Charter Amendments & Ballot Questions



TO: Mr. Hein, City Manager

CC: Virginia Wright, City Clerk

FROM: Anita Geraci-Carver, City Attorney

DATE: March 27, 2020

RE: 2020 Draft Charter Amendments & Ballot Questions

Attached please find for your review and comment draft charter amendments to address special elections, primary elections, filling of a council vacancy and a transition schedule for council member terms in the event all council seats become vacant.

As proposed, there is no provision for Council calling a special election as a special election is no longer necessary for election purposes. §166.031, *Florida Statutes*, authorizes Council to call a special election for the purpose of charter amendments. I can think of no other reason that requires the City to include language in the charter about a special election. There is statutory authority in the Election Code applicable to the City relating to special elections. However, if you prefer language be included, please let me know and I will draft proposed language.

I will be conducting a word search of the City's Code to determine whether or not language is included therein relating to the proposed charter amendments to ensure we properly address.

Once the City is comfortable with the language, then I will share with the Supervisor of Elections for its staff to review and provide comments. They are aware we are moving forward with amendments for the November 3, 2020 election and appreciate the opportunity to review prior to adoption by the Council.

I look forward to your comments. If you would like to discuss, please let me know and I will coordinate a time.

2020 DRAFT CHARTER AMENDMENTS & BALLOT QUESTIONS

Sec. 3.03. - Election and terms.

The regular election of city councilmembers shall be held on the first Tuesday after the first Monday of November. Councilmembers shall be elected to one of five (5) seats with one of the five seats being reserved for the mayor. The mayor shall be elected on a city wide basis by the electors of the City of Groveland and is not required to reside in a particular political district. There shall be four city council political districts as nearly equal in population as practicable. There shall be four councilmembers one for each of the four city council political districts established and they shall be elected on a city wide basis by the electors of the City of Groveland. At the time of qualifying or appointment the city council candidate must reside in the political district in which he or she seeks to hold office, except that if no one qualifies for or seeks appointment for a political district, then the seat for that term and political district may be filled in accordance with Article III, Sec. 3.06 by a resident not residing in that political district. Each councilmember, except as otherwise provided in this Section 3.03, shall reside in the political district for which he or she qualifies at the time of election and throughout the term of office, provided that any councilmember who is removed from a district by redistricting may continue to serve the balance of the term of office. The boundaries of the four political districts shall be as shown on the map attached as Exhibit "A" and made a part hereof. However, the City Council may by ordinance adopted by a majority vote of the councilmembers change the boundaries of the districts from time to time in accordance with law. Three (3) councilmembers shall be elected at the general election held on the first Tuesday following the first Monday of November in even-numbered years. The councilmembers shall be qualified and entered upon the ballot as Districts (1), (3) and (5). Of these districts, District 1 shall be that seat reserved for the mayoral candidate and the person elected to District 1 shall serve as mayor for a two-year term. He or she shall be a member of the council and will preside over the meeting of the council. There shall be elected at the general election held on the first Tuesday following the first Monday of November in odd-numbered years two (2) councilmembers and candidates for such offices shall be designated as candidates from Districts (2) and (4) and shall be elected for a two-year term. Each candidate for city council may qualify in one District only and at all subsequent elections candidates or councilmembers shall be elected for a two year term. All council members, including the mayor, shall be elected to begin office at the first regular City Council meeting following their election.

In the event there are more than two candidates who qualify for any one seat, there shall be a primary election held concurrently with the statewide primary election provided for in s.100.061, *Florida Statutes*, as may be amended from time to time, or as set forth by the city council. The two candidates for whom the highest number of votes are cast shall stand for election at the general election ~~or at the special election whichever is applicable.~~ As a result, a prevailing candidate at a general election ~~or special election~~ must receive more than fifty percent of the votes cast.

Sec. 3.06. - Vacancies; forfeiture of office; filling of vacancies.

- (a) *Vacancies.* The office of a councilmember shall become vacant upon the member's death, resignation, removal from office or any manner authorized by law or forfeiture of office, such forfeiture to be declared by the remaining members of the council.
- (b) *Forfeiture of office.* A councilmember shall forfeit that office if the councilmember lacks at any time during the term of office any qualification for the office prescribed by this Charter or law.
- (c) *Absenteeism.* A councilmember shall forfeit that office if the member fails to attend four (4) consecutive regular meetings of the council without being excused by the council.
- (d) *Filling of vacancies.* A vacancy in the council shall be filled ~~in one of the following ways:~~
 - (1) ~~If there are less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular city election, the council by a majority vote of the remaining council members shall choose appointing a successor to serve the unexpired term. until the newly elected councilmember is qualified.~~
 - (2) ~~If there are more than six (6) months remaining in the unexpired term and no regular city election is scheduled within six (6) months, the council shall fill the vacancy on an interim basis as provided in [subsection] (1) above, and shall schedule a special election to be held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy.~~

Notwithstanding any quorum requirements established herein, if at any time the membership of the council is reduced to less than a quorum, the remaining members may by majority vote appoint additional members in the manner provided above, under either [subsection] (1) or (2) above.

- (e) *Extraordinary vacancies.* In the event that all members of the council are removed by death, disability, law or forfeiture of office, the governor shall appoint an interim council that shall serve until the next regular city election. If the next regular city election occurs in an even-numbered year, then three councilmembers, Districts (1), (3) and (5) shall be elected to serve a two-year term, and two councilmembers, Districts (2) and (4) shall be elected to serve an initial one-year term. If the next regular city election occurs in an odd-numbered year, then two councilmembers, Districts (2) and (4) shall be elected to serve a two-year term, and three councilmembers, Districts (1), (3) and (5) shall be elected to serve an initial one-year term. that shall call a special election as provided in [subsection] (d) above and such election shall be held in the same manner as the first election under this Charter.

FILLING VACANT SEAT PRIOR TO EXPIRATION OF TERM OF OFFICE

Should the Charter of Groveland be amended to provide that a vacant seat on the city council, except upon the natural expiration of a term of office, shall be filled by a majority vote of the remaining councilmembers appointing a successor to fill the vacant seat for the remainder of the unexpired term and not by special election regardless of the length of time remaining in the term of office when the vacancy occurs?

_____ YES

_____ NO

APPOINTMENT TO COUNCIL WHEN MEMBERSHIP IS REDUCED TO LESS THAN A QUORUM

Should the Charter of Groveland be amended to provide that when membership of council is reduced to less than a quorum the remaining members will appoint additional members to serve until the next regular city election rather than until the vacancies are filled by a special election?

YES

NO

TRANSITION SCHEDULE FOR TERMS OF OFFICE IF INTERIM CITY COUNCIL IS APPOINTED BY THE GOVERNOR

Should the Charter of Groveland be amended to provide a transition schedule for terms of office for Districts 1, 3 and 5 and for Districts 2 and 4 in the event of all council seats are vacant resulting in the governor appointing an interim council?

YES

NO

APPOINTMENT OF INTERIM COUNCIL UNTIL NEXT REGULAR ELECTION

Should the Charter of Groveland be amended to provide that the terms of office for an interim council appointed by the governor will be until the next regular election, rather than until the vacancies are filled by a special election?

YES

NO

Agenda Item 3

July 4th Event

Discussion only, no documents attached.