City of Groveland

EVELYN WILSON
MAYOR

MIKE RADZIK
VICE MAYOR

Groveland
FLORIDA
City with Natural Charm™

MIKE SMITH
COUNCIL MEMBER

DINA SWEATT
COUNCIL MEMBER

RANDOLPH WAITE
COUNCIL MEMBER

CITY COUNCIL MEETING
SEPTEMBER 21, 2020
7:00 P.M.

ANITA GERACI-CARVER
CITY ATTORNEY

MIKE HEIN
CITY MANAGER

VIRGINIA WRIGHT
CITY CLERK

GENERAL INFORMATION AND INSTRUCTIONS

The Mayor will ask for comments from the public, requesting that anyone desiring to speak on an item. When recognized by the Mayor, please approach the podium and speak into the microphone, stating your name, address, if you are a citizen that lives in the Groveland City limits, and then present the information you desire. Each person has a maximum of five (5) minutes to speak.

Items listed in the "Consent Agenda" will be approved by Council in their entirety by a single motion, unless otherwise indicated by Council. These are routine items not anticipated to be controversial and 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.

Items identified with a double asterisk (**) are quasi-judicial functions of the City Council other than land use; the Council Members disclose any ex parté communications.

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 3 business day prior to the meeting at virginia.wright@groveland-fl.gov.

PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING SCHEDULED TO CONVENE AT 7:00 P.M. MONDAY, SEPTEMBER 21, 2020

Please note: In order to reduce public gatherings and the spread of COVID-19, the September 21, 2020 City Council Meeting will be held using telephonic video conferencing as authorized by Governor DeSantis in Executive Order 20-69. The public can attend the virtual meeting. Instructions to participate have been posted to the city's website under "public notices" at www.groveland-fl.gov. However, the public is advised to check the City website www.groveland-fl.gov for up-to-date information on any changes to the manner in which the meetings will be held.

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
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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

- **City of Groveland Citizen's Report on Use of Force**
- **Woodard & Curran – Utility Annual Review**

PUBLIC COMMENT

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. **August 24, 2020 Special City Council Meeting Minutes**

B. **Ordinance 2020-25: Repealing Article II in Chapter 70 Business Tax Receipts – Second Reading**
An Ordinance of the City of Groveland County of Lake State of Florida, repealing Article II in Chapter 70 of the Code of Ordinances of the City of Groveland which imposed a Business Tax on businesses located within the City; repealing all business tax fees; providing for codification and severability; and providing for an effective date.

C. **Resolution 2020-45: Satisfaction of CDBG-HR Program Deferred Payment Loan Agreement and Mortgage (Bardou)**
A resolution of the City Council of the City of Groveland, Florida approving the Release of Mortgage of Donna and Richard Bardou for the CDBG-HR Program Deferred Payment Loan Agreement and Mortgage; Authorizing Execution of the Release of Mortgage; Providing for an effective date.

OLD BUSINESS

NONE.

NEW BUSINESS

1. **Consideration of Approval: Ordinance 2020-30: Community Development Code - First Reading**
An Ordinance of the City of Groveland, County of Lake, State of Florida, amending Chapters in Subpart B of the Code of Ordinances known as the Land Use Development Regulations; adopting a new Zoning Code and Zoning Map; repealing Chapters 101, 49, and 153; repealing Articles I, II, and III in Chapter 137, as well as Articles I, II, and III in Chapter 145; retaining appendix a- fee schedule; providing for conflicts, codification and severability; providing for an effective date.

A request to amend the City of Groveland's new Community Development Code.

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.*

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****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
Special City Council Meeting
Monday, August 24, 2020

The Groveland City Council held a Special City Council Meeting on Monday, August 24, 2020 at 5:00 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 5:00 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 Council meeting being held through the Zoom platform. On behalf of myself, all council 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.

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 3:00 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 3:00 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

None.

PUBLIC COMMENT

City Clerk Wright reported the City received two public comments via email that were shared with City Council prior to the meeting. Marty Proctor and Lowrie Brown provided comments regarding Ordinance 2019-55 Indigo Lakes PUD Amendment that were read it into the record by City Clerk Wright. (Note: The public comments are attached to these minutes as part of the record)

CONSENT AGENDA

Consideration of Approval:

A. **July 10, 2020 City Council Budget Workshop Minutes**

B. **July 20, 2020 City Council Meeting Minutes**

C. Resolution 2020-35: Captive Aire Systems Site Plan

A Resolution of the City Council of the City of Groveland, granting site plan approval for a building expansion of 39,680 +/- for Captive Aire Systems on real property located on Independence Boulevard in the Christopher C. Ford Industrial Park general located south of HWY 27 and west of S.R. 19, Groveland, Florida; and providing for an effective date.

A request for site plan approval of a 39,680 +/- sq. ft. storage facility for Captive Aire Systems, located on Independence Boulevard, in the Christopher C. Ford Commerce Park. The 11.92 +/- acre parcel has a Zoning designation of M-1 Industrial and a Future Land Use designation of Industrial.

D. Resolution 2020-39: Enterprise Resource Planning Software Agreement between City of Groveland and Tyler Technologies, Inc. - RFP 19-IT-004, ERP System Selection

A resolution of the City Council of the City of Groveland, Florida, approving recommendation of award of the Enterprise Resource Planning Software agreement between the City of Groveland and Tyler Technologies, Inc. issued pursuant to RFP 19-IT-004, ERP System Selection; authorizing a fifteen percent (15%) contingency for city-requested customizations; authorizing the Mayor to delegate execution of the agreement to the City manager; providing for an effective date.

E. Resolution 2020-40: Grant of Drainage Easement and Temporary Construction Easement to CanAm Palisades

A resolution of the City Council of the City of Groveland, Florida, approving the surface water drainage easement and temporary construction easement agreement from the City of Groveland in favor of Canam Palisades, LTD; authorizing execution of the agreement; providing for an effective date.

The City granting a permanent and non-exclusive easement over, under, upon, across and through an area designated as the Drainage Easement Area for the purposes of receiving all surface water runoff from Lot 477 in Palisades and detaining and/or retaining the surface water on the Drainage Easement Area, and a temporary and non-exclusive easement over, upon, across and through an area designated as the Temporary Construction Area for the purposes of access to, and the construction and installation upon, the Drainage Easement Area surface water drainage facilities, including, but not limited to, such swales, grades, slopes, ditches and ponds, as required by, or as approved by, applicable governmental authorities for the purpose of receiving and detaining and/or retaining all surface water runoff from Lot 477. The form of easement has been approved by Palisades HOA and its attorney and there is no objection to the City granting the easements over the real property that will be conveyed to Palisades HOA, Inc.

F. Resolution 2020-41: City of Groveland Aquaponic Farm

A resolution of the City Council of the City of Groveland, Florida, approving the agreement between the City of Groveland and Backyard Farm Express, LLC relating to the Groveland Aquaponic Farm; authorizing the City Manager to execute the agreement; providing for an effective date.

A request to approve an agreement between the City of Groveland and Backyard Farm Express, LLC for an Aquaponic Farm, which involves the combination of Aquaculture and Hydroponics, involving an ecosystem-like indoor farm that raises both fish and vegetables in a symbiotic, soil-less system.

G. Resolution 2020-42: Third Amendment to the Agreement between City of Groveland and Anointed Community Services, Inc.

A resolution of the City Council of the City of Groveland, Florida, approving the third amendment to agreement between City of Groveland and Anointed Community Services International, Inc. relating to the Elise Tomlin Community Center; providing for an effective date.

H. Ordinance 2020-10: SECO Comprehensive Plan Amendment - First 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 163.3187(1), Florida Statutes, by amending the Comprehensive Land Use Plan designation from City of Groveland Agriculture to City of Groveland Public/Institutional on the Future Land Use Map for the herein described properties of 10 or less acres of land; 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.

A request to amend the future land use designation from City of Groveland Agriculture to City of Groveland Public/Institutional of property owned by Charles E. Bradshaw, Jr. Revocable Trust. The property consists of 5.5+/- acres, generally located on the south side of Sampey Road, northeast of N. Main Avenue.

I. Ordinance 2020-11: SECO Rezoning - First Reading

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from City of Groveland Agriculture to City of Groveland Utilities District for the herein described property owned by the Charles E. Bradshaw, Jr. Revocable Trust dates May 26, 2000 and located north of SR 50 and south of Sampey Road; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance;

providing for scrivener's errors and severability; repealing all ordinances in conflict herewith; and providing for an effective date.

A request to rezone a 5.5 +/- acre parcel from City of Groveland Agriculture to City of Groveland Utilities District on the south side of Sampey Road, northeast of N. Main Avenue.

J. Ordinance 2020-25: Repealing Article II in Chapter 70 Business Tax Receipts - First Reading

An ordinance of the City of Groveland, County of Lake, State of Florida, repealing Article II in Chapter 70 of the Code of Ordinances of the City of Groveland which imposed a business tax on businesses located within the City; repealing all business tax fees; providing for codification and severability; and providing for an effective date.

K. Ordinance 2020-32: Amending Sewer Use Ordinance - First Reading

An ordinance of the City of Groveland, County of Lake, State of Florida, amending Chapter 78 of the Groveland Code of Ordinances to include regulations requiring food service establishments, as defined herein ,that are users of the City of Groveland's wastewater utility to have a grease trap or interceptor; prohibiting the introduction of fats, oils and greases into the City's wastewater utility; requiring inspection and sampling; providing definitions; providing for enforcement and penalties; providing for conflicts, codification and severability; providing for an effective date.

L. Ordinance 2020-33: Creation of a Surplus Property Disposal Policy - First Reading

An ordinance of the City Council of the City of Groveland, Florida, creating a policy governing the sale, transfer, or other means of disposal of surplus property; providing for delegated authority of procedures of disposal of surplus city-owned property; providing for a policy for removal of assets from inventory; providing for an effective date.

City Clerk Wright read the following headnotes into the record:

Resolution 2020-35, Resolution 2020-39, Resolution 2020-40, Resolution 41, Resolution 2020-42, Ordinance 2020-10, Ordinance 2020-11, Ordinance 2020-25, Ordinance 2020-32, and Ordinance 2020-33.

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

Motion passed with all Council Members present voting aye.

OLD BUSINESS

1. **Consideration of Approval: Ordinance 2019-53: Amending Future Land Use Element and Future Land Use Map within the Comprehensive Plan - Second Reading**

   An Ordinance of the City of Groveland, Florida, amending the Future Land Use Map of the City of Groveland's Comprehensive Plan; replacing existing Future Land Use designations with new Future Land Use designations; providing for amendments to apply city wide, including in the Green Swamp, an area of critical state concern designated pursuant to S. 380.05, Florida Statues; providing for conflicts; providing for severability; providing for inclusion in the City of Groveland Comprehensive Plan; and providing for approval and an effective date.

   A request to amend the Future Land Use Element and Map of the City of Groveland's Comprehensive Plan and replace the existing Future Land Use designations with new Future Land Use designations.

City Clerk Wright read the headnote for Ordinance 2019-53 into the record.

City Manager Hein stated staff would be providing a brief presentation for this agenda item. He noted the Amended Future Land Use Element and Future Land Use Map within the Comprehensive Plan would change the trajectory of the City. City Manager Hein reported he is very proud of the results; a lot of hard work and effort went into this project. He thanked Community Development Director Tim Maslow and staff for all of their efforts.

Community Development Director Tim Maslow reported the Future Land Use Element and Future Land Use Map was revamped with an entirely new vision. Virtual workshops had been held on Wednesdays for the new vision. The new plan has more open space and more conservation, with an emphasis on the city's natural charm.

Mr. Maslow provided a brief presentation as follows:

Future Land Use Amendment

New Future Land Use Element is divided into three Volumes & Map Series:

- Volume I – Goals, Objectives, Policies
- Volume II – Data & Analysis
- Volume III – Sub-Area Policies
- Future Land Use Map Series

- Planning Principles:
  - Conservation
  - Strategic Growth
  - Complete Communities
  - Process Simplification
  - Architectural Diversity

- Connectivity
- Economic Vitality
- Natural Charm

- Goals, Objectives & Policies - Goal 1 – Smart & Sustainable Growth

  - Objective 1.1 – Identify and adopt appropriate land use designations for the City of Groveland.
  - Policy 1.1. City adopts the following future land use designations with a range of density and intensity standards:

	Max Gross Residential Density (du/ac)	Max. Net Non-Residential Intensity (FAR)
• Town	9 du/ac	3.0
• Village	6 du/ac	1.5
• Hamlet	2 du/ac	.75
• Established Neighborhood	4 du/ac	.75
• Employment Center	n/a	1.0
• Agriculture	1 du/5 ac	.01
• Conservation	n/a	.01
• Green Swamp Town	9 du/ac*	3.0*
• Green Swamp Rural	4 du/ac*	0

  - Natural Charm Along Transect
    - Community, Housing, Open Space, Thoroughfares, Light Imprint, Florida Vernacular, Agrarian.

- Green Swamp Annexation Policy and Town Zoning Analysis
- Groveland Traffic Analysis
- State Coordinated Review Timeline
- Future Land Use Map Series
- Community Redevelopment Area Map
- Existing Land Use
- Vacant Land
- Hospitals & Emergency Clinics
- Existing Transportation
- Future Transportation Network
- Contours & Terrain
- Flood Zones
- Wetlands
- Aquifer Recharge Areas
- Soils
- Sub-Areas

Motion: Vice Mayor Radzik moved to approve Ordinance 2019-53 Amending Future Land Use Element & Future Land Use Map within the Comprehensive Plan – Second Reading; seconded by Council Member Smith.

Vice Mayor Radzik thanked City Manager Hein, Mr. Maslow and staff for all of their hard work and efforts. He noted the document will help to rectify some of the issues the City has faced with planned unit developments. Vice Mayor Radzik felt the new visions for land use would be a great start for the future of the City of Groveland.

Council Member Smith reported he has received comments from the public stating the need for smart growth, and preserving the City's open space and natural charm. He feels this amendment to the comprehensive plan sets the stage to achieve the desires of the residents. Council Member Smith thanked staff for all of their hard work and a job well done.

Council Member Waite thanked City Manager Hein, Mr. Maslow and staff for their hard work. He noted this is a very proud moment, as the document will bring more consistency and transparency to the City.

Mayor Wilson stated she is very excited about the new vision for the City. She noted there were a few businesses and investors that were awaiting the completion of the comprehensive plan amendment. Mayor Wilson thanked Mr. Maslow and staff for all of their hard work and efforts.

Motion passed with all Council Members present voting aye.

NEW BUSINESS

2. **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.

   A request to 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.

City Clerk Wright read the headnote for Ordinance 2019-55 into the record.

Mayor Wilson read the following into the record: *This is a quasi-judicial hearing. Therefore, any council member that has had any ex-parte communication relating to this item will need to disclose those communications. For oral or written communications, you must disclose who you've spoken to and the substance of the information, or provide a copy of the written communication at this time. If you visited the property or researched a particular issue relating this project, then you must disclose it and the substance of your findings.*

Mayor Wilson asked if any council members had any ex-parte communications they would need to disclose that information.

Council Member Smith reported on January 30th he attended a meeting with Kyle Sanders Greg Clark, and the Community Development staff members where the applicant presented a concept of what the project would look like. Also, on March 26th and June 1st the same attendees met via teleconference regarding layout design and construction. Council Member Smith noted he made a visit to view the property in late January/early February.

Vice Mayor Radzik reported he did not have specific dates however, he had two meetings that were held at City Hall with Attorney Jimmy Crawford, Mr. Sanders and another individual. Vice Mayor Radzik also participated in telephone calls with Mr. Crawford. He noted the project site can be viewed from his backyard.

Council Member Waite reported he did not have specific dates, however, he had two meetings that were held at City Hall with Mr. Crawford, Mr. Clark and Mr. Sanders. Council Member Waite also made a visit to the proposed property.

Councilwoman Sweatt reported she met with applicants a long time ago and has not met regarding the project since.

Mayor Wilson stated she attended the same meetings as Council Member Smith in January/February. She reported she was copied on a letter sent from Attorney Crawford to Mr. Maslow.

Mayor Wilson requested Mr. Maslow to provide his presentation.

Mr. Maslow provided a PowerPoint presentation for the Indigo Lakes PUD as follows:

- Location
  - Existing FLU: Mixed Use
  - Existing Zoning: PUD
  - 162.76 +/- Acres

- Timeline
  - Existing PUD Ordinance Adopted – 2006
  - Application received – 2019
  - Two work session with P & Z
  - P & Z voted 3-2 recommending denial – January 16, 2020

- City Council voted 4-1 to send back to P & Z – February 18, 2020
- P & Z voted 5-2 recommending approval w/conditions – March 5, 2020
- Council 1st Reading – Today

- Conditions
  - 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.

- Current PUD and proposed PUD information as follows:

  residential - total dwelling units allowed; commercial acres – commercial square footage; open space; lighting; sidewalks and trails; architectural standards; Villa City Road landscape buffer; connectivity; recreation; housing types; single family residential setbacks; community facilities; mix of uses and pedestrian amenities.

- Estimate Lot Counts
  - Phase 1, 2, and 3.

Mayor Wilson requested the applicant to present.

Jimmy Crawford, the attorney for the applicant representing Indigo Land Groveland, LLC, provided an overview of the project. Mr. Crawford introduced Greg Clark as the principle. Mr. Crawford requested the record from the previous public hearing (February 18, 2020 City Council Meeting) be incorporated into this meeting. The record from said meeting is as follows:

NEW 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.

   - *Community Development Staff recommended approval of Ordinance 2019-55 with conditions.*
   - *P&Z Board Members voted a 3 to 2 denial of Ordinance 2019-55.*

Motion: *Council Member Smith moved to table Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading, and refer back to the Planning & Zoning Board for further review, and bring back to the March 16, 2020 City Council Meeting.*

The motion died on the floor.

Mayor Wilson stated this is a public hearing for Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading. Mayor Wilson requested the City Clerk read the title of the Ordinance and confirm compliance with advertising and notice requirements.

City Clerk Wright read Ordinance 2019-55 headnote into the record and confirmed the advertising and notice requirements were met as the record includes documentation to that effect.

City Attorney Anita-Geraci read the following into the record: The City Council serves both a legislative and quasi-judicial role. When acting as a legislative body, the Council engages in law- making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Council applies those laws and policies, and is held to stricter procedural requirements. Quasi- judicial proceedings are less formal than proceedings before a circuit court, but are more formal than the normal Council meeting. Quasi-judicial proceedings must follow basic standards of notice and due process, and decisions must be made based on competent substantial evidence. Therefore, Council has a duty to conduct the quasi-judicial proceedings more like judges than legislatures. That is why the Council has established the uniform procedures for quasi-judicial hearings that will be followed this evening.

Mayor Wilson stated at this time, if any Council member has a conflict of interest that would prohibit them from voting on this item, please disclose this for the record, complete the required voting conflict form, and provide it to the City Clerk.

There was no conflict of interest was reported.

Mayor Wilson stated at this time, any ex-parte communications should either be disclosed by identifying the subject of the communication and the identity of the person, group, or entity with whom the communication took place or any correspondence be provided to the City Clerk and made a part of the public record. In addition, each member of the City Council may identify the existence of any investigations or site visits he or she has conducted, or any expert opinions received.

Each member of the Council stated they met with the project applicants and attorney Jimmy Crawford; as well as with Marty Proctor and Lowrie Brown.

Vice Mayor Radzik noted that he was aware of the project since 2006. The project site can be seen from Vice Mayor Radzik's back yard. He also stated he has knowledge of the original PUD.

Mayor Wilson proceeded with the hearing on this matter. She requested the City Clerk to swear- in the witnesses.

City Clerk Wright asked that anyone wishing to speak on this item, please stand and raise your right hand and to swear or affirm to tell the truth, the whole truth, and nothing but the truth.

City Clerk Wright requested those wishing to speak to, please state their name clearly for the record and whether or not they have been sworn in.

Mayor Wilson stated the City's staff will now provide a presentation on this matter. She noted staff would have a maximum of 20 minutes, excluding any cross-examination or questions from the Council.

Community Development Director Tim Maslow reported on Ordinance 2019-55 Indigo Lakes PUD Amendment. The City received an application form the property owner requesting to update and amend the 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. The subject property is located on the east side of Villa City Road west of Lake Lucy in the City of Groveland.

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

Mr. Maslow reported work sessions had been held in which a lot of work went into this project. The Planning and Zoning Board was significantly involved.

Mr. Maslow reported the existing PUD is to provide for improvements from both the Applicant's perspective and the City's.
Mr. Maslow provided a PowerPoint presentation as follows:

- *Draft of the Future Land Use Map denoting: Town, Village, Hamlet, Established Neighborhood, Special District, Agriculture, Nature.*
- *The original PUD was adopted in 2006 Conceptual Plan Versions 1, 2, 3, 4, and 5*
- *Planning & Zoning Board*
- *Two work sessions*
- *2-3 vote (recommended denial)*
- *Concerns:*
    - *Monotonous housing with no diversity of housing types*
    - *Narrow lot widths of 40 and 50 feet*
    - *Side yard setbacks of 5 feet*
    - *Front loaded garages that dominate the facades of homes*
    - *Not enough mixed use (multi-family/commercial)*
- *Staff Report - Comparison Table*
    - *Land Use*

    - *Transportation*
    - *Open Space*
    - *Miscellaneous*
- *Land Use Table*
- *Land Use*
- *Sub-zones*
- *Transportation*
- *Block Configuration*
- *Street Types*
- *Open Space*
- *Open Space Types*
- *Miscellaneous*

Mayor Wilson inquired of the City Attorney, if there were any party interveners in this case. City Attorney reported to her knowledge there were no interveners.

Council Member Smith inquired as to how the original PUD consisted of 44 acres of wetland and the proposed amendment only consists of 16.2 acres of wetland. Mr. Maslow reported the numbers were based on information received from the applicants and have not been confirmed.

Council Member Smith also asked if the amendment would meet the new Future Land Use requirements in terms of density. Mr. Maslow stated the new Future Land Use has not been adopted as of yet. However, staff is working with applicants to ensure projects are reasonably within scope.

Mayor Wilson stated the application may now conduct cross-examination of staff.

Attorney Jimmy Crawford stated the applicants have cooperated with staff in regards to PUD amendments that would be more compliant with the proposed Comprehensive Plan Amendment. As the original PUD allows for up to 566 units, the developers are requesting less intensity via a 120 unit reduction. He also noted the 44 acres of wetlands were still there. Under the old PUD the entire 44 acres were used to meet the open space requirement. With the proposed Comp Plan this would change only 16 acres of wetland that can be used towards the open space requirement.

Mayor Wilson stated the Applicant would now make its presentation on this matter. Applicant has a maximum of 20 minutes, excluding any cross-examination or questions from the Council.

Indigo Lakes' applicant, Greg Parks provided a PowerPoint presentation showing an overview of the proposed project. Indigo Lakes is located along Villa City Road on Lake Lucy. The development consists of 113 acres, giving a maximum of 452 units. The native landscape is a defining element throughout the project. As the lake view at the hilltop displays Groveland's "The City with Natural Charm" mote perfectly. Additional upgrades from the

current PUD include an over-sized Villa City buffer, a tree preserve, dedicated on-street parking spaces on both sides of the road, and a trail system.

Indigo Lakes' applicant, Kyle Sanders continued the presentation, providing more details about the amenity center, parks & open space, trails and overlooks, streetscapes, and home elevations.

Vice Mayor Radzik inquired as to the relationship of the applicants to the project. The applicants advised they have a contract to purchase the property from the current owner, Indigo Land Groveland, LLC.

Council Member Smith stated he noted discrepancies between the old and proposed PUD in terms of acreage and units allowed.

Council Member Smith inquired as to how many acres were set aside for Saint Johns River Water Management District (SJRWMD) stormwater run-off.

City Clerk Wright swore-in Tom Knight, project Engineer. Mr. Knight stated only preliminary drainage calculations have been done at this time. However, there are 16.88 acres designated for stormwater retention divided amongst several different types of open spaces. Mr. Knight noted some lots may need to be taken out if necessary, but all requirements would be met.

Mr. Crawford clarified the acreage discrepancy, noting on page 2 of the PUD ordinance states 160 +/- acres and on Exhibit A, the legal description reads as 162.756 acres.

Council Member Waite inquired as to the proposed two units of multi-family. Specifically, he asked why did we moved away from a larger percent of the multi-family homes. The Applicant stated due to the depth of the market and a demand for more single family homes, versus more density.

Council Member Waite inquired if this was affordable housing. Attorney Crawford stated legally the homes are not classified as affordable housing. However, they are entry level homes that would range from $220 - $230k.

Mayor Wilson stated any other member of the public who wishes to submit relevant information to the City Council may come forward and speak for a maximum of three minutes each. For each person that comes forward, please identify yourself and state whether or not you have been sworn in.

Public Comment

Martin Taxson, a member of the Planning & Zoning Board, stated the applicants have been very cooperative in making the changes to PUD, but have not come far enough from the Board's perspective. As an example, the proposed 5' setbacks leave only 10' between homes. Mr. Taxson also reported the newer changes to the proposed PUD had not been reviewed by the Planning and Zoning Board. He asked that the PUD be tabled or totally declined to allow

the Planning and Zoning Board to review the changes in order to provide an informed recommendation.

Lowrie Brown expressed his concern for the proposed minimal setbacks. He reported the Planning & Zoning Board voted 3-2 against the PUD amendment. Mr. Brown suggested a transition area when going from lower density to higher density; and 6,000 sq. ft. lot minimums with side setbacks no less than 7.50'. In addition, lot coverages of 65% vs. 75% and 30% open space.

Debra Casey was sworn-in by City Clerk Wright. Ms. Casey agreed with Mr. Brown in regards to providing more of a transition when switching from low to high density. She reported Villa City Road traffic has gotten worse, despite resident complaints. Ms. Casey recommends designs similar to surrounding sub-divisions Blue Herron or Ranch Club.

Marty Proctor referenced the legend map that he felt were discrepancies with the overall Master Plan. He stated the map depicted a lake where there is instead marsh land.

Mr. Proctor also expressed concern stating the PUD was not clearly worded nor specific to allow for enforceability.

RECESS at 9:10 p.m.
RECONVENE at 9:27 p.m.

Mr. Crawford, in an effort to address neighbors' concerns, stated the current PUD allows for 5' setbacks on 30 percent of the lots, and up to 565 lots. He noted the proposed PUD reduced units, as well as commercial space from the current PUD. Mr. Crawford reported there have been 6 - 7 versions of the PUD worked on with staff and the City Attorney. He felt the PUD Amendment is enforceable and viable.

Vice Mayor Radzik requested clarification of 580 units going to 462. Tim Maslow clarified the units represented a bonus affordable housing incentive.

Ma or Wilson requested the applicant and staff to make final comments.

Mr. Maslow stated he had no additional comments.

Mayor Wilson inquired if Council had any questions for staff, the Applicant or anyone who has spoken on the item.

Council Member Smith asked City Attorney Geraci-Carver for clarification if there is an existing PUD is it enforceable. City Attorney Geraci-Carver stated the developers could get the density bonus if they chose to build affordable housing.

Mayor Wilson proceeded with comments and deliberation by Council.

Motion: *Council Member Smith moved to table Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading, and refer back to the Planning & Zoning Board for further review, and bring back to the March 16, 2020 City Council Meeting; seconded by Councilwoman Sweatt.*

Vice Mayor Radzik requested clarification regarding the appropriateness of referring the item back to the Planning & Zoning Board. If appropriate, what criteria should the decision be based upon. City Manager Hein stated it is at Council's discretion as the governing body.

Council Member Smith felt the item should go back before the Planning and Zoning Board to ensure the concerns they bought up in their last review were satisfactorily addressed by the applicant.

Councilwoman Sweatt stated she agreed with Council Member Smith to allow the Planning & Zoning Board to further review all of the changes.

Council Member Waite inquired if the PUD would come back to Council as the same product. City Manager Hein stated there could be the same recommendation or modifications.

Vice Mayor Radzik stated to reflect on what stood out the most, which was the 40 ft. - 50 ft. lots. He noted if the PUD goes back to the Planning & Zoning Board for further review it would not be received any differently than previously. Therefore, Vice Mayor Radzik did not see a point in sending it back to the Planning & Zoning Board.

Mayor Wilson asked when the next Planning and Zoning Board Meeting would be held. Mr. Maslow stated Thursday, March 5th•

Public Comment:
Mr. Crawford stated it is common for the applicant to go before the planning body, receive the criticism from the planning body, make the necessary changes, and present those changes to the Council. He stated he doesn't believe he has ever had to return to the planning body to present said changes. Mr. Crawford felt it would present a delay for the development, when the main issue of the lots cannot be changed very much.

Martin Taxson stated he disagreed with Mr. Crawford, as the applicants could adjust the number of lots and setbacks.

Mr. Taxson felt this is an opportunity to do something better for Groveland.

Ms. Casey felt too many homes and too much traffic would affect her quality of life. She requested Council send the agenda item back to the Planning & Zoning Board for further review; and to wait 4 weeks for the new Future Land Use to go into effect.

The motion passed 4-1, with Vice Mayor Radzik voting nay.

Mr. Crawford referenced the public comment received by Council from Marty Proctor and noted this is a good way showcase some of the improvements the applicant has made in an effort to make the project acceptable to all parties. This included an elimination of all 40' lots and only using 5' setbacks on half the 45' lots. Regarding drainage issues, the applicant has added a provision on page 9 paragraph 3z to require asbuilt surveys on each lot prior to the certificate of occupancy being issued. This will allow the applicant and the City to be able to verify the lot grading has been built according to plans. Also, language has been added to stormwater design system to overtly require consistency with St. Johns River Water Management District (SJRWMD) and the City's regulations. It has been confirmed with Public Works Director T J Fish that there is sewer and water capacity for this project. Mr. Crawford noted the zoning doesn't grant capacity and external road improvements are mostly handled by the County. However, both the City's and the County's code call for these at the preliminary plat stage. Timing of amenities are required to be in place at least when 50% of homes are constructed, otherwise the next permit would be withheld. Mr. Crawford stated the PUD amendment contains updated details that are unlike and far surpassing than any other seen in Groveland. He felt the new plan would be much better than the old PUD. If it is not approved, the builders may be in a position to build from the original PUD and it would not have any of the new growth standards.

Mr. Crawford requested Council to please approve the Indigo Lakes PUD Amendment for Groveland's new vision.

Mr. Clark provided a PowerPoint presentation as follows:

- The Journey to Now:
    - In July 2019 the PUD consisted of 440 single family homes with 40', 50' and 60' lots. There was a commercial area at the north end. There was no connectivity or a city park.
    - In September 2019 the PUD changes consisted of moving some commercial to the entry way and increasing the lake lot sizes.
    - In November 2019 the PUD changes consisted of realigning the commercial to frame the entry way and adding midblock cut-throughs for walkability.
    - In March 2020 a trail system, a city park, and connections to Preserve at Sunrise and a northern neighbor were added to the PUD.

Mr. Clark pointed out that from the legend, you can locate the primary entrance, secondary entrance, tertiary entrance, amenity center, commercial area, Overlook Park, mid-block connectors, the trail network, Lakeside Park, donated area, an 8' bike path, and a tree preservation. Most of which were not mandatory for the applicant to include.

Mr. Crawford shared memorandums addressed to Council, dated August 20, 2020, and August 24, 2020, subject: *Indigo Lakes Amendment Request Comparison with City New Community Plan Checklist and Mike Smith Smart Growth Check* List. Mr. Crawford noted he and his assistant had an idea to conduct a comparison of the existing PUD and the

new PUD. He reported in conclusion he felt 20 of the 23 objectives were met by the applicants with the new PUD.

> **Motion**: Council Member Smith moved to deny the approval of Ordinance 2019-55 Indigo Lakes PUD Amendment – First Reading; seconded by Vice Mayor Radzik.

Council Member Smith stated he appreciated the efforts of the applicant. However, he still found the change in percentage on setbacks not beneficial.

Vice Mayor Radzik stated he did not agree with the setbacks going down to 5', nor with the city park being located where the mansion had been previously. The HOA community would mostly be utilizing a city park with it being located within the proposed subdivision. There would also be people walking through the subdivision to use the park. Vice Mayor Radzik pointed out that there could be safety issues and parking issues that would fall onto the City. He felt the park would not be in the best interest of the City.

Council Member Waite stated the side setbacks are hard to overcome.

Councilwoman Sweatt agreed with all other council members' point of view.

Mayor Wilson agreed as well. She stated the 5' setback were an issue for her.

Mr. Crawford stated he spoke with his client who would limit the 5' setback to what was in the original PUD at 30% or 35%, if the Council would consider it.

Council Member Smith requested clarification that 70% of all lots, excluding the townhomes, would be 7.5' setbacks and 30% would be at the 5' setback.

Mr. Crawford stated yes; it would be 70-30%. This would change the number of units and would reduce the number of lots.

Council Member Smith inquired what the new ratio would be. Mr. Crawford offered to bring back to Council for a second reading.

City Attorney Geraci-Carver stated if the motion is denied for the Indigo Lakes PUD Amendment at today's meeting, the item could still be brought back for a second reading at a future City Council Meeting.

Vice Mayor Radzik asked for clarification that the amenities including parks would be completed at 50%. He also stated he would like to see the project completed without impact fee credits, as it is not known how those fees would be collected at this time.

Council Member Smith stated the applicant should work with city staff to identify the various issues so they can be worked out.

City Manager Hein stated the item has already been advertised for the next meeting and it will be on the agenda. If the applicant is not ready the item can be continued at that time.

Motion passed with all Council Members present voting aye.

REPORTS

Vice Mayor Radzik

Vice Mayor Radzik thanked City Manager Hein and Finance Director John Ter Louw for the summary of the audit report and for clarifying items with regards to the financial viability of the City.

Councilwoman Sweatt

NOTE: City Clerk Wright read Councilwoman Sweatt's report into the record as follows:

- August 10th attended Special City Council Meeting.
- August 11th participated in webinar: Preparing for the Coming Eviction Crises Use of cutting-edge data to identify target populations at risk of eviction in your area during the pandemic. Create innovative, new strategies to proactively prevent unprecedented eviction and homelessness. Utilize federal, state, and local funding to support your community's eviction crisis response. Collaborate with government, law enforcement, renters, and tenants to keep your citizens housed and off your streets amid the looming eviction crisis.
- August 11th attended Special City Council Meeting.
- August 12th attended the Community Development Code Workshop.
- August 12th participated in the Florida National Cemetery Zoom Meeting. Committee members talked about attending a funeral for the unattended in September.
- August 15th attended Museum Meeting in the breeze way between the museum and the Puryear Building.
- August 23rd attended the Lake David Ribbon Cutting Ceremony.

Council Member Waite

- August 20th meeting with City Manager Hein.
- August 21st attended the Lake David Ribbon Cutting Ceremony.

Council Member Smith

- August 12th attended the Community Development Code Workshop.
- August 21st attended the Lake David Ribbon Cutting Ceremony.
- August 24th telephone conference call with David Barth/Barth & Associates regarding the Parks Master Plan.

Mayor Wilson

- August 12th attended the Community Development Code Workshop.
- Attended a steering committee meeting for parks with David Barth.
- On September 1st will be participating in the Florida League of Mayors webinar.

- Attended the League of Cities meeting. The new president, Mr. Tony Ortiz was announced.
- August 20th attended the turnpike meeting regarding an 8-lane extension.
- August 24th telephone conference call with David Barth/Barth & Associates regarding the Parks Master Plan.
- August 24th meeting with City Manager Hein.

City Manager

- The First Public Budget Hearings will be held on September 8 the Final Public Budget Hearing will be held on September 21st at 6:30 p.m. Council Meetings will be held on September 8th and September 21st at 7:00 p.m. All four meetings will be held via Zoom virtual platform.

City Attorney

- City Attorney Geraci-Carver reported the closing of the Palisades property will take place on Thursday, August 27th. The easement for surface water was approved tonight. The Palisades HOA and their attorney have approved a utility easement for Duke Energy. City Attorney Geraci-Carver requested Council approval granting Duke Energy's utility easement and authorize the Mayor to sign.

  Motion: Council Member Smith moved to approve the utility easement for Duke Energy and authorize the Mayor to sign; seconded by Councilwoman Sweatt.

  Motion passed with all Council Members present voting aye.

- City Attorney Geraci-Carver stated the Bradshaw closing was previously extended to Friday, August 28, 2020. There is one more issue to be resolved. The parties may request another extension, but it is unknown at this time.

ADJOURNMENT

Mayor Wilson adjourned the meeting at 6:53 p.m.

Groveland
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_____

Evelyn Wilson, Mayor

Attest: ----------

Virginia Wright, City Clerk

Groveland
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CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: ORDINANCE 2020-25 REPEALING ARTICLE II IN CHAPTER 70 BUSINESS TAX RECIEPTS – SECOND READING

DATE: SEPTEMBER 21, 2020

GENERAL SUMMARY/BACKGROUND:
The City of Groveland initiated a review of the Business Tax Receipt program that is currently maintained by our ordinance. The collections are approximately $25-30 thousand dollars annually to the City which is approximately 0.3% of the General Fund Revenues. The City receives funds from three sources in this program: Direct, Lake County and the League of Cities. Of these sources, direct payments are about 48%, Lake County is 49% and League of Cities is 3%. The City is currently receiving direct payments from 125 insurance companies who operate within the City but may or may not have a physical location..

Lake County announced that they would be eliminating their Business Tax Receipt program. This will already reduce the amount the City would receive by about one third. The City is developing a voluntary business registration for use by public safety and economic development utilizing technology. This change will make it easier for businesses to create and operate businesses in the City.

BUDGET IMPACT:
Approval of this Ordinance will not have any effect on the current FY2019-2020 budget and would reduce the FY2020-2021 revenues by approximately $20,000 which the effect has already been presented in the budget workshop.

LEGAL NOTICE:
None.

STAFF RECOMMENDATION:
Staff recommends approval of the Ordinance 2020-25

ATTACHMENTS:
Attachment 1 – Ordinance 2020-25

ORDINANCE 2020-25

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, REPEALING ARTICLE II IN CHAPTER 70 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND WHICH IMPOSED A BUSINESS TAX ON BUSINESSES LOCATED WITHIN THE CITY; REPEALING ALL BUSINESS TAX FEES; REPEALING ANY REQUIREMENTS SET FORTH IN THE CODE FOR A PERSON OR ENTITY TO PROVIDE A COUNTY OR CITY OF GROVELAND BUSINESS TAX RECEIPT; PROVIDING FOR CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized pursuant to Chapter 166, Florida Statutes to adopt this ordinance; and

WHEREAS, pursuant to Section 205.042, Florida Statutes, the City levied a business tax receipt for the privilege of engaging in or managing any business, occupation, or profession within the City of Groveland; and

WHEREAS, City Council desires to repeal Article II in Chapter 70 in its entirety to eliminate the business tax and all business tax (fees) levied.

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 made an integral part of this ordinance.

SECTION 2. That Article II in Chapter 70 of the City of Groveland Code of Ordinances is hereby repealed in its entirety, and any and all business tax (fees) adopted pursuant to Article II, Chapter 70, including those set forth in Resolution 2014-09-18, effective October 1, 2020. Business tax receipts that have been issued for the current year will remain in full force and effect until they expire on September 30, 2020. No new business tax receipts will be issued for the remainder of Fiscal Year 2020, nor shall any renewals for the time period beginning October 1, 2020, be processed by the City.

SECTION 3. In each instance in the City of Groveland Code of Ordinances where it is required that a person or entity provide the City of Groveland with a valid business tax receipt issued by the City of Groveland or by Lake County, that requirement is hereby repealed.

SECTION 4. It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall be codified and made a part of the City of Groveland Code of Ordinances.

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 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

Groveland
FLORIDA
City with Natural Charm

Approved as to Form:

_____
Anita Geraci-Carver
City Attorney

Passed First Reading _____
Passed Second Reading _____

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

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		

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CONSENT AGENDA ITEM

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: ANITA GERACI-CARVER, CITY ATTORNEY

SUBJECT: RESOLUTION: 2020-45: Consideration of Approval of Satisfaction of CDBG-HR Program Deferred Payment Loan Agreement and Mortgage (Bardou)

DATE: September 21, 2020

GENERAL SUMMARY/BACKGROUND: The City received a housing rehabilitation grant as part of the CDBG program. Donna and Richard Bardou were recipients of the grant and granted a mortgage in favor of the City in the amount of $28,463.70. The mortgage provides that the principal amount shall be forgiven in an equal amount on a monthly basis throughout the 30 month duration of the term resulting in 40% being forgiven each year. The mortgage was granted in April of 2015. More than 30 months has expired, and the terms of the mortgage have been met. Therefore, it is necessary to release the mortgage of record in the public records of Lake County, Florida.

BUDGET IMPACT:
None.

LEGAL NOTE: Council is authorized to satisfy a mortgage when the terms and conditions have been met.

STAFF RECOMMENDATION: Motion to Approve Resolution 2020-45.

ATTACHMENTS:

1. Resolution 2020-45
2. Satisfaction of Mortgage
3. Groveland CDBG-HR Program Deferred Payment Loan Agreement and Mortgage

ATTACHMENT 1

RESOLUTION 2020-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE SATISFACTION OF MORTGAGE OF DONNA AND RICHARD BARDOU FOR THE CDBG-HR PROGRAM DEFERRED PAYMENT LOAN AGREEMENT AND MORTGAGE; AUTHORIZING EXECUTION OF THE SATISFACTION OF MORTGAGE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received a housing rehabilitation grant as part of the CDBG program;

WHEREAS, Donna and Richard Bardou were recipients of the grant and granted a mortgage in favor of the City; and

WHEREAS, the terms of the mortgage have been met; therefore, it is necessary to release the mortgage of record in the public records of Lake County, Florida.

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

Section 1. The Satisfaction of Mortgage a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Satisfaction of Mortgage.

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 September, 2020, by the City Council of the City of Groveland, Florida.

_____
Evelyn Wilson, Mayor
City of Groveland, Florida

ATTEST:

_____
Virginia Wright, City Clerk

Groveland
FLORIDA
City with Natural Charm

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		

NEW BUSINESS

AGENDA ITEM 1

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2020-30 – COMMUNITY DEVELOPMENT CODE (FIRST READING)

DATE: SEPTEMBER 21, 2020

GENERAL SUMMARY/BACKGROUND

The City of Groveland's Community Development Staff propose to amend the Land Use and Development Regulations of the Code of Ordinances and adopt a new zoning code and map.

With the recently adopted Future Land Use Element, staff balanced the opportunities for growth with the desire to retain a significant portion of land as agriculture and conservation. The new Community Development Code correlates with the new Future Land Use categories and is calibrated to complement various scales of development within the new community types of Town, Village, Hamlet, and Employment Center.

Staff analyzed innovative concepts from new urbanist communities including Serenbe, Georgia; Habersham, South Carolina; and Seaside and Oakland Park in Florida. Using these precedents, the new Code features building standards such as setback and height requirements, a diversity of housing types, vernacular architectural styles, thoroughfare and open space design criteria, and other elements of community planning. Low impact development techniques such as permeable surfaces, bio-retention areas, grassed swales, vegetated rooftops, and rain barrels will help to ensure Groveland maintains a green footprint. New Town, Village, and Hamlet neighborhoods will feature trail oriented development along an interconnected system of walking and bicycling trails, parks, open spaces, conservation lands, and paddling corridor linkages. Special attention was given to the Green Swamp Area of Critical State Concern per state guidelines, including provisions for increased open space and pervious surface.

The next phase of planning will include securing a Joint Planning Agreement between Groveland and Lake County to guide and manage growth occurring on County parcels within the City's utility service boundary.

On September 17, 2020, the Planning & Zoning Board voted unanimously to approve Ordinance 2020-30.

STAFF RECOMMENDATION
Community Development Staff: Approval of Ordinance 2020-30.
Planning & Zoning Board: Approval of Ordinance 2020-30.

ATTACHMENTS
Attachment 1 Ordinance 2020-30, Community Development Code, and Zoning Map
Attachment 2 Notice Support Documentation

ATTACHMENT 1

ORDINANCE 2020-30

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING CHAPTERS IN SUBPART B OF THE CODE OF ORDINANCES KNOWN AS THE LAND USE AND DEVELOPMENT REGULATIONS; ADOPTING A NEW ZONING CODE AND ZONING MAP; REPEALING CHAPTERS 101, 149, AND 153; REPEALING ARTICLES I, II AND III IN CHAPTER 137, AS WELL AS ARTICLES I, II AND III IN CHAPTER 145; RETAINING APPENDIX A – FEE SCHEDULE; PROVIDING FOR CONFLICTS, CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized pursuant to Chapter 163 and Chapter 166, Florida Statutes to adopt this ordinance; and

WHEREAS, within 1 year after submission of a revised comprehensive plan for review pursuant to s. 163.3191, Florida Statutes, a city is required to amend and enforce land development regulations that are consistent with and implement the adopted comprehensive plan; and

WHEREAS, City Council adopted an amended future land use element and future land use map series on August 24, 2020, and therefore, it is necessary to amend the land development regulations; and

WHEREAS, the planning and zoning board, who also performs the functions of a local planning agency, has considered this ordinance at a public meeting, and has found it to be consistent with the City's Comprehensive Plan as amended; and

WHEREAS, the City Council has considered this ordinance at two public hearings, and has found it to be consistent with the City's Comprehensive Plan as amended.

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 Subpart B of the Code of Ordinances known as the Land Use and Development Regulations, is amended and shall hereafter read as set forth in the Land Development Code, a copy of which is attached hereto.

SECTION 3. The zoning map, a copy of which is attached hereto, is hereby adopted.

SECTION 4. **Repeal.** That Chapters 101, 149, and 153 in their entirety, Articles I, II and III in Chapter 137, and Articles I, II and III in Chapter 145 are repealed.

SECTION 5. Retain. Appendix A – Fee Schedule, as may have been amended, is retained, and is not repealed. Chapters 105, 109, 113, 117, 121, 125, 129, 133, and 141 are retained and are not repealed.

SECTION 6. 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 7. It is the intent of the City Council of the City of Groveland that the provisions of this ordinance shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or 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 8. 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 9. The provisions within this ordinance shall take effect in accordance 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

Groveland
FLORIDA
City with Natural Charm

Approved as to Form:

_____
Anita Geraci-Carver
City Attorney

Passed First Reading _____
Passed Second Reading _____

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

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		