

AGENDA



City of Tavares Planning & Zoning Advisory Board

January 18, 2024 -- 3:00 PM

TAVARES CITY HALL COUNCIL CHAMBERS

201 E MAIN STREET, TAVARES

I. Call to Order

II. Pledge of Allegiance

III. Approval of Minutes

1. Approval of the September 21, 2023 Planning and Zoning Board Meeting Minutes (Deputy Clerk)

IV. Swearing in by City Attorney and Disclosure of Exparte Contacts

V. Public Hearings

1. Resolution 2024-01 – St. John Independent Free Methodist Church – Right-of-Way Vacate Located at 120 N. Bloxham Avenue
2. Ordinance 2024-01 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff
3. Ordinance 2024-02 - Idamere Crossings - Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff
4. Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment of the Public Facilities Element and Conservation Element pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives

VI. Other Business

VII. Audience to be heard

VIII. Adjournment

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

**AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
1/18/2024**

AGENDA TAB NO.: 1.

SUBJECT TITLE: Approval of the September 21, 2023 Planning and Zoning Board Meeting Minutes (Deputy Clerk)

OBJECTIVE:

To consider approval of the September 21, 2023 Planning and Zoning Board Meeting Minutes.

SUMMARY:

Attached are the September 21, 2023 Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.

OPTIONS:

1. Move to approve the Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.
2. Move to approve the Planning and Zoning Board meeting minutes with corrections.

STAFF RECOMMENDATION:

For Board approval.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 09-21-2023 Meeting Minutes

Attachments not provided are available to the public upon request to the City Clerk.

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
SEPTEMBER 21, 2023**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member
Bruce Peterman, Board Member
Brooke Matthews, Board Member - Absent
James Sweezea, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Interim Director
Terri O'Neil, City Planner
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the April 20, 2022 Planning and Zoning Board Meeting minutes. There were none.

MOTION

Deborah Murphy moved to approve the minutes of the October 20, 2022 Planning and Zoning Board Meeting. Seconded by James Sweezea. The motion carried unanimously 7-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

PUBLIC HEARING

1) Recommendation on Resolution 2023-13 – Tavares Manor Apartments - Variance

Mr. Fabre gave the following presentation:

On July 20, 2022, the City Council considered and approved the annexation, rezoning (Ordinance 2022-06) and future land use map amendment (Ordinance 2022-07). Approval of subsequent actions allows the applicant to submit a development plan in accordance with the provisions of the City's Land Development Regulations. At this time, the applicant has submitted a variance request for an increase in height from the permitted maximum height of 50' to a maximum height of 65' for the proposed Tavares Manor Apartments development.

The subject property is approximately 19.81 acres located at the northwest corner of Mt. Homer Rd. and East Burleigh Blvd. The applicant is proposing to construct seven (7) four-story buildings instead of the originally envisioned ten (10) three-story buildings. The proposed buildings will consist of forty-eight (48) units each totaling 336 residential apartments, together with recreational amenities including a clubhouse and swimming pool. The concept plan and building concept elevations are attached for your review and consideration.

The subject property is in close proximity to AdventHealth Waterman hospital which is currently a 7- story (maximum height of 100' per PD) building and the Eustis Village shopping center. Across the highway on East Burleigh Blvd, the PD for Lakeview Center, permits a maximum height of 65', which includes the existing (5) five-story Comfort Inn & Suites. Therefore, it is staff's opinion that the height variance request is appropriate for the proposed development.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval Resolution 2023-13, a height variance from the allow for a 65' height maximum for the Tavares Manor Apartment project.*
- 2. That the Planning & Zoning Board moves to recommend denial of the proposed Resolution 2023-13.*

STAFF RECOMMENDATION: *Staff recommends that the Planning & Zoning Board recommend approval of Resolution 2023-13, a height variance allowing for a maximum height of 65', for the Tavares Manor Apartment development.*

Brandon Rosser, Applicant, 4100 W Kennedy Blvd, Suite 213, Tampa, FL, gave a brief overview as follows:

- Project was approved a year ago for 10 buildings, 3 stories high
- Requesting to go from 50 feet high to 65 feet high and provide 7 buildings and 4 stories high
- More open space for dog park, pickleball courts and green space

- Would have elevators in each building (Florida requirement), no stairs
- Luxury level apartments
- Cost saving

Mr. Rosser stated he was available for questions.

Board Member Peterman asked if the cost savings would be passed on to the residents, and if adding the 4th story if it would have an effect on the fire department. Mr. Rosser stated the project was not affordable housing and will be a quality luxury product at market rate. Mr. Fabre stated that when the request was taken for consideration, the Development Review Committee (DRC) and the Fire Department reviewed and approved the project.

Board Member Joy asked how many apartments will there be in total. Mr. Rosser stated there would be 36 more apartments.

Board Member Sweeza asked if the apartments would impact the helicopters accessing the hospital, and if there would be an impact to infrastructure and traffic and if the community is gated. Mr. Rosser noted there would be no helicopter access issues as confirmed with hospital staff. He noted there had been a traffic study completed and it is a gated community.

Vice Chairman Murphy asked where the main access point was, and noted her concern of volume of traffic during school drop-off/pick-up hours. Mr. Rosser stated the access point is off of Mt. Homer Road.

Chairman Santoro asked for public comment. There was none.

MOTION

Bruce Peterman moved to recommend approval of Resolution 2023-13, seconded by Dian Joy. The motion carried unanimously 6-0.

2) Recommendation on Resolution 2023-14 – Wheeler’s Parking Lot – Special Use Permit

Mr. Fabre gave the following presentation:

On June 19, 2019, the City Council considered and approved the rezoning (Ordinance 2019-12) and future land use map amendment (Ordinance 2019-13) for the subject property in order to allow the applicant to submit a commercial development plan in accordance with the provisions of the City's Land Development Regulations. The envisioned commercial development never came to fruition. At this time, the applicant has submitted an application for a Special Use Permit to operate a Parking Lot at 313 Dora Avenue. The subject property is located west of Dora Avenue, north of Old US Hwy-441, and is approximately 1.23 acres in size. The property is owned by Mark & Kathy Wheeler, and is currently vacant with a single-family dwelling unit. The subject property is within the General Commercial (C-1) zoning district, which requires a Special Use Permit from City Council to allow a public parking lot.

The property owner is proposing to provide a secured fenced area of the property to allow vehicles, boat trailers and RVs to park for rent or fee. The owner has included a Special Use Plan that has a list of conditions of approval which include installation of the required landscaping after approval of the Special Use Permit. The Special Use Plan is attached for your review and consideration. The property is contiguous to existing commercial (C-1) zoning, and is surrounded by a mixture of commercial, multi-family, and one single-family property. It is staff's opinion that the proposed parking lot is an appropriate use of the property.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval Resolution 2023-14, Special Use Permit for a Parking Lot located at 313 Dora Avenue, subject to the Special Use Plan.*
- 2. That the Planning & Zoning Board moves to recommend denial of the proposed Resolution 2023-14.*

STAFF RECOMMENDATION: *Staff recommends that the Planning & Zoning Board recommend approval of Resolution 2023-14, Special Use Permit for a Parking Lot located at 313 Dora Avenue, subject to the conditions outlined in the Special Use Plan.*

Rick Hartenstein, Planning Consultant, 1290 CR 436, Lake Panasoffkee, FL, noted he was available for questions.

Board Member Treadwell asked what is next to the property. Mr. Hartenstein stated there was a body shop and ski-doo rental next door on Dora Ave. He noted there was a single-family home on Dora next to the Ski-Doo rental establishment which was owned by the Wheeler family. There would be a landscape buffer between surrounding properties.

Board Member Peterman asked if the property was currently zoned commercial. Mr. Fabre confirmed and noted there has been a traffic and environmental study conducted.

Vice-Chairman Murphy asked if the entrance would be on Dora Ave. and asked the number of parking spaces available. Mr. Hartenstein confirmed and noted approximately 50 parking spaces.

MOTION

James Sweeza moved to recommend approval of Resolution 2023-14 seconded by Dian Joy. The motion carried unanimously 6-0.

OTHER BUSINESS

PUBLIC COMMENT

ADJOURNMENT

MOTION

James Sweezea moved to adjourn the meeting at 3:40 p.m., seconded by Dian Joy. The motion carried unanimously 6-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
1/18/2024

AGENDA TAB NO.: 1.

SUBJECT TITLE: Resolution 2024-01 – St. John Independent Free Methodist Church – Right-of-Way Vacate Located at 120 N. Bloxham Avenue

OBJECTIVE:

To consider the vacation of an unimproved alleyway located at 120 N. Bloxham, lying east of Lots “A”, “B”, and “C” in Block 52 of Tavares Improvement Company’s Subdivision, as recorded in Plat Book 4, Page 39.

SUMMARY:

This is a request to vacate a platted undeveloped alleyway lying between the property located at 120 N. Bloxham, Tavares, Florida 32778. The current adjacent property owner is petitioning to vacate an existing right-of-way since it is undeveloped and not practical as a future alleyway. City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this official vacation will remove the city's public interest in this land.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of right-of-way located at 120 N. Bloxham, lying east of Lots “A”, “B”, and “C” in Block 52 of Tavares Improvement Company’s Subdivision, as recorded in Plat Book 4, Page 39.
2. That the Planning & Zoning Board moves to recommend denial of Resolution 2024-01.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of an undeveloped alleyway located at 120 N. Bloxham, lying east of Lots “A”, “B”, and “C” in Block 52 of Tavares Improvement Company’s Subdivision, as recorded in Plat Book 4, Page 39.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This resolution has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2024-01 - St John IFMC - ROW Vacate
2. Location Map
3. Aerial Map
4. Ad - Res2024-01

RESOLUTION 2024-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF A 16.00-FOOT WIDE ALLEY RIGHT-OF-WAY LOCATED AT 120 N BLOXHAM AVENUE TAVARES, FL 32778, LYING EAST OF LOTS “A”, “B”, AND “C” IN BLOCK 52 OF TAVARES IMPROVEMENT COMPANY’S SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 39, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property located at 120 N. Bloxham Avenue has petitioned for a vacation of said alley right-of-way; and,

WHEREAS, the portion of the alley right-of-way described in Exhibit “A” is no longer practical as right-of-way; and,

WHEREAS, this proposed vacate will remove the City’s public interest in this property; and,

WHEREAS, the petition to vacate said alley right-of-way has been duly noticed as required by law; and,

WHEREAS, the abutting property owners have been notified per the requirements of the City of Tavares Land Development Regulations; and,

WHEREAS, the City of Tavares has reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare.

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

The City of Tavares hereby vacates any and all interest in the aforesaid alley right-of-way, as described in Exhibit “A”, attached hereto and made part of this resolution.

PASSED AND RESOLVED this ____ day of _____, 2024 by the Tavares City Council.

Bob Grenier, Mayor
Tavares City Council

ATTEST

Susie Novack, City Clerk

Approved as to form and legality:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

DESCRIPTION:

A 16.00-FOOT-WIDE ALLEY BEING SITUATED IN THE NORTHERLY PORTION OF BLOCK 52 AS SHOWN ON THE PLAT OF TAVARES IMPROVEMENT COMPANY'S SUBDIVISION OF BLOCKS 44, 45, 46, 50, W ½ 52, 53, 59, 60, 61, 62, 64, 65, 69, 70, E ½ 71 AND 72 AS RECORDED IN PLAT BOOK 4, PAGE 39, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THAT IS LOCATED WITHIN THE CITY OF TAVARES, FLORIDA, IN SECTION 29, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

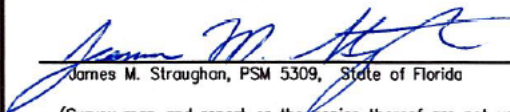
COMMENCE AT THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF NORTH BLOXHAM AVENUE AND THE SOUTH RIGHT OF WAY LINE OF MAUD STREET, ALSO BEING THE NORTHWEST CORNER OF LOT "A" OF SAID PLAT OF BLOCK 52 AND IS MONUMENTED WITH A 4" X 4" CONCRETE MONUMENT WITHOUT IDENTIFICATION; THENCE RUN ON AN ASSUMED BEARING OF S 88°28'46"E ALONG SAID SOUTH RIGHT OF WAY LINE AND THE NORTH LINE OF SAID LOT "A", A DISTANCE OF 130.12 FEET TO THE NORTHEAST CORNER OF SAID LOT "A", ALSO BEING THE NORTHWEST CORNER OF SAID 16.00-FOOT-WIDE ALLEY AND IS MONUMENTED WITH A 4" X 4" CONCRETE MONUMENT WITHOUT IDENTIFICATION, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S 88°28'46"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 16.00 FEET TO A 5/8" IRON ROD WITH CAP MARKED LB #7514 AT THE NORTHEAST CORNER OF SAID 16.00-FOOT-WIDE ALLEY, ALSO BEING THE NORTHWEST CORNER AS SHOWN ON SAID PLAT AND STAKED IN THE FIELD OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1210, PAGE 2049, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN S 01°31'04"W ALONG THE EAST LINE OF SAID 16.00-FOOT-WIDE ALLEY AND THE WEST LINE OF SAID LANDS AS STAKED IN THE FIELD, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AS STAKED IN THE FIELD, ALSO BEING THE NORTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1094, PAGE 728, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE S 01°31'04"W ALONG THE EAST LINE OF SAID 16.00-FOOT-WIDE ALLEY AND THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1094, PAGE 728, A DISTANCE OF 99.96 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE SOUTHEAST CORNER OF SAID 16.00-FOOT-WIDE ALLEY, SAID POINT ALSO BEING SITUATED ON THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4102, PAGE 1344, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND IS MONUMENTED WITH A 5/8" IRON ROD WITH CAP MARKED LB #7514; THENCE DEPARTING SAID EAST AND WEST LINES RUN N 88°28'52"W ALONG THE SOUTH LINE OF SAID 16.00-FOOT-WIDE ALLEY AND SAID NORTH LINE OF OFFICIAL RECORDS BOOK 4102, PAGE 1344, A DISTANCE OF 11.74 FEET TO THE NORTHWEST CORNER OF SAID LANDS, ALSO BEING THE NORTHEAST CORNER OF THE 16.00-FOOT-WIDE STRIP OF LAND LYING EAST OF LOT "K" AS SHOWN ON THE AFORESAID PLAT OF BLOCK 52; THENCE CONTINUE N 88°28'52"W ALONG THE NORTH LINE OF SAID 16.00-FOOT-WIDE STRIP AND SOUTH LINE OF SAID 16.00-FOOT-WIDE ALLEY, A DISTANCE OF 4.26 FEET TO THE SOUTHEAST CORNER OF LOT "C" AND THE SOUTHWEST CORNER OF SAID 16.00-FOOT-WIDE ALLEY AS SHOWN ON SAID PLAT OF BLOCK 52 AND IS MONUMENTED WITH A 4" X 4" CONCRETE MONUMENT WITHOUT IDENTIFICATION; THENCE DEPARTING SAID NORTH AND SOUTH LINES RUN N 01°31'04"E ALONG THE EAST LINES OF LOTS "C", "B" AND "A" AND THE WEST LINE OF SAID 16.00-FOOT-WIDE ALLEY AS SHOWN ON SAID PLAT OF BLOCK 52, A DISTANCE OF 149.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,399.36 SQUARE FEET OR 0.055 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RIGHT OF WAYS AND MATTERS OF RECORD.

Certified to: (Certification is limited to persons/parties named below)

Burney Vaughn
St. Johns Independent Free Methodist Church


James M. Straughan, PSM 5309, State of Florida

(Survey map and report or the copies thereof are not valid without the signature and the original seal of a Florida licensed Surveyor and Mapper.)

Sheet 1 of 3

SKETCH OF DESCRIPTION

in Section 29, Township 19 South,
Range 26 East, Lake County, Florida

188380



**MINNIX &
STRAUGHAN LLC**
995 CRESCENT STREET
UMATILLA FL 32784
(352) 287-8025

CLIENT: BURNLEY VAUGHN		REVISIONS	
DATE: 10-3-2023			
Field Book: _____			
SCALE: 1 Inch = 20 Feet			
Sketch Burnley Vaughn Tavares .DWG	Drawn by: BKM	Checked by: JMS	

Exhibit "A" continued

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

NOTES:

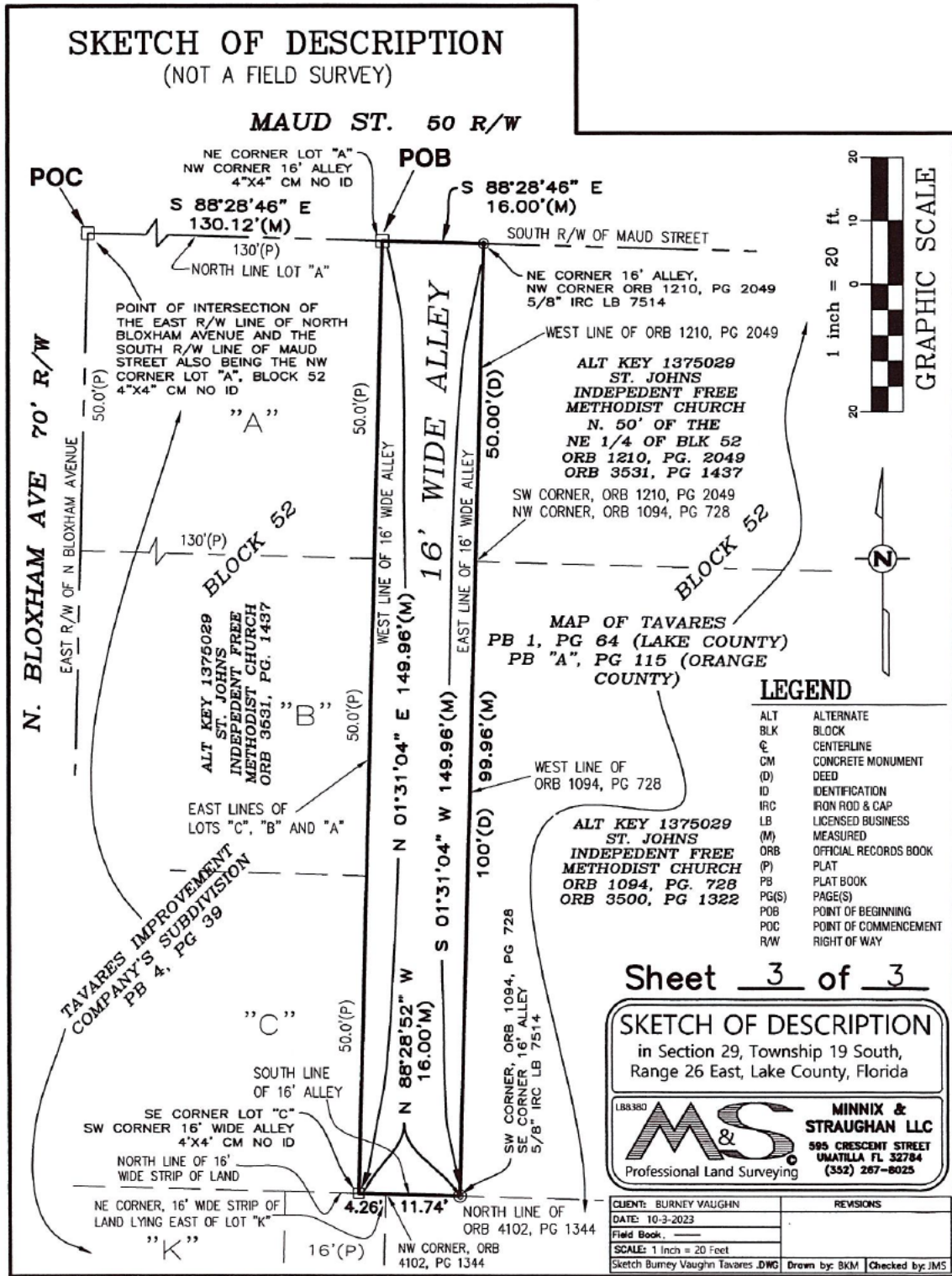
1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THE INTENDED PURPOSE OF THIS SKETCH IS TO BE USED AS AN EXHIBIT FOR THE VACATION OF THE 16 FEET WIDE ALLEY LYING EAST OF LOTS "A", "B" AND "C" IN BLOCK 52 OF TAVARES IMPROVEMENT COMPANY'S SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 39 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THIS IS NOT A FIELD SURVEY. EXISTING BOUNDARY SURVEY DATED 10/17/2016 BY BESH WAS UTILIZED TO AID IN THE PREPARATION OF THIS SKETCH OF DESCRIPTION.
3. HORIZONTAL DATUM AND BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE SOUTH RIGHT OF WAY LINE OF MAUD STREET AS BEING S 88°28'46" E. ALL DISTANCES SHOWN ARE IN UNITED STATES SURVEY FEET.
4. THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051 FAC.
5. THE LEGAL DESCRIPTIONS WERE PREPARED BY THIS FIRM AT THE CLIENT'S REQUEST AND ARE BASED UPON INFORMATION PROVIDED AND COPIES OF THE ORIGINAL DEEDS WERE OBTAINED FROM THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
6. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RIGHTS OF WAY AND OTHER MATTERS OF RECORD.

Sheet 2 of 3



CLIENT: BURNIE VAUGHN	REVISIONS
DATE: 10-3-2023	
Field Book: _____	
SCALE: 1 Inch = 20 Feet	
Sketch Burnie Vaughn Tavares .DMC	Drawn by: BKM Checked by: JMS

Exhibit "A" continued



**AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
1/18/2024**

AGENDA TAB NO.: 2.

SUBJECT TITLE: Ordinance 2024-01 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

OBJECTIVE:

To consider the rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff Road from Commercial (C-2) to Planned Development (PD).

SUMMARY:

The subject property consists of approximately 19.46 acres of vacant property located at the southeast corner of SR-19 & Lane Park Cutoff Road. The property is currently zoned as Highway Commercial (C-2), and the applicant is proposing that the property be rezoned to a mixed use Planned Development (PD).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of PD Ordinance 2021-11 which proposed a one hundred sixty-five (165) dwelling units multi-family apartment complex on the subject property. On December 15, 2021, the City Council denied the PD rezoning request as presented. In general, City Council rational of denial was to preserve existing commercial land use along SR-19.

At present, the applicant is proposing to develop the site with 1.7 acres of commercial along SR-19 and a 110 dwelling unit multi-family apartment complex. The PD will limit the density to 25 dwelling units an acre and will specifically dictate the multi-family portion of the development shall be restricted to 110 multi-family dwelling units. The commercial uses will be subject to certain Highway Commercial (C-2) uses outlined in the proposed PD Ordinance 2024-01.

The proposed residential use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. The subject property is approximately 0.30 miles from Tavares Middle School and is walkable for students as there is an existing sidewalk on the south side of Lane Park Cutoff. The Lake County School District has reviewed the proposed 110-unit development and determined that there are adequate school facilities to serve the approximately 29 students anticipated. The property owner is required to apply for and obtain a school capacity reservation prior to development approval.

The environmental assessment submitted by E Sciences, Inc. indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by VHB does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the proposed planned development (PD) zoning and land use presents a potential trip reduction from the existing commercial zoning.

Development of the property will be in accordance with the provisions of PD Ordinance 2024-01 and the City's Land Development Regulations. The proposed Planned Development (PD) zoning is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required. The City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to Mixed Use (MU) on the Future Land Use Map 2040.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-01.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-01 - Idamere Crossing - PD Rezoning
2. AERIAL MAP
3. ZONE_PT_2024-01
4. Idamere Crossings Conceptual Plan
5. Traffic Analysis Lake Idamere CPA and Rezoning 2023-11-17
6. School Impact Analysis Idamere Crossings Letter
7. Ad - Ord2024-01 & 2024-02

ORDINANCE 2024-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF FROM HIGHWAY COMMERCIAL (C-2) TO PLANNED DEVELOPMENT (PD); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant is requesting to rezone property, legally described in **Exhibit "A"** of this ordinance, from a designation of Highway Commercial (C-2) to Planned Development (PD); and

WHEREAS, the applicant would like to develop the property as a Multi-Family Dwelling Community and Commercial with a Planned Development (PD) zoning; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed rezoning; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to apply a Planned Development (PD) zoning designation to said property; therefore,

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Definition.

"Owner" or "Applicant" means the title holder of the Property.

Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the City of Tavares Land Development Regulations or the City Comprehensive Plan.

Section 2.1. Rezoning

The purpose of this section is to set forth basic development regulations and to generally describe the Property which is being developed as a Planned Development (PD) as specified in Chapter 8 of the Regulations and shall hereafter be referred to as “the Project”. Development of this Project shall be governed by the contents of this Ordinance and applicable sections of the City’s Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City in effect at the time of development of the Project. Unless otherwise noted, where in conflict, the terms of this document shall take precedence over the Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Section 2.2. Land Uses

- A. The Conceptual Master Plan for the project is attached hereto as **Exhibit "B"** and is an integral part of this PUD document. Elements in the Conceptual Master Plan include residential acreage, commercial acreage, recreation space, open space, and jurisdictional wetlands. The general location of each of these land uses has been established as depicted in the Conceptual Master Plan. A breakdown of uses, densities, and acreage is as follows:

Residential Permitted Uses: All uses permitted under the RMF-3 zoning district per the City of Tavares Land Development Regulations Chapter 8.

Commercial Permitted Uses: Community boat dock, Business & Professional uses, Banks & Financial Institutions, Convenience store with or without gas/fuel sales, Retail, General Business or Personal services, Personal Service or Specialty Shop with light retail, Medical/Dental/Optical supplies stores, Restaurants/Food Service/Food Retail, Child Care Center, and Automobile/Truck Parts store.

Prohibited Uses: Medical Marijuana Dispensary, Bar-Beer & Wine, Bar, Auto/Truck/Motorcycle/Boat repair and service, and Car wash.

Total Acreage: 19.46+- acres

Acreage Breakdown:

Upland: 11.06+- acres

Wetland: 3.5+- acres

Lake: 4.9+- acres

Maximum Allowable Residential Density:

The number of residential dwelling units shall be determined at the following maximum densities:

- Upland acres x 25 dwelling units per acre.
- Wetland acres may be used for density calculations of 1 dwelling unit per acre providing a conservation easement is granted.

Open Space:

Minimum Open Space required shall be 30% of the gross acreage = 5.8 ± acres.

- B. In addition to the planned elements shown on the Land Use Plan, easements and rights-of-way shall be established within or adjacent to the Property as may be necessary or desirable for the service, function or convenience of the Project. Such easements and rights-of-way, if required, shall be indicated on all site plans or recorded plats of the Property.
- C. Prior to construction, a site plan shall be submitted proposing comprehensive development of the Property regarding stormwater management, utilities, access, parking, landscaping, future location of structures, amenities and other information as required by the Regulations.

Section 2.3. Development Standards

- A. Setbacks. All setbacks shall be measured from the Property line to the foremost vertical face of the structure. Where any setbacks conflict with required easement widths, the easement widths, if larger, shall prevail. Setbacks are as follows:

Right-of-way of State Road 19	25'
Right-of-way of Lane Park Cutoff	25'
Lake Idamere (from mean high water line)	50'
Wetlands	25'
Accessory Buildings including Dumpster Enclosures	15'
Side Yard	15'
Rear Yard – same as Lake Idamere & Wetland	50' & 25'

- B. Impervious Surface Area. The maximum impervious surface area shall not exceed seventy percent (70%).
- C. Height of Structures. The height of a structure shall be determined by measuring the distance from highest grade elevation to the highest point of the roof and shall not exceed sixty feet (60').
- D. Landscape & Buffer Requirements. Landscaping shall comply with the City of Tavares Development Regulations in effect at the time of development.
1. A landscaping master plan shall be submitted concurrent with site plan submittal.
 2. All landscaped and common areas shall be properly irrigated and maintained by the management company (as described in this Ordinance) (the "Manager").
- E. Signage. All signage shall comply with the requirements of Chapter 21 of the Land Development Regulations.
- F. Site Parking and Traffic Circulation:
1. All parking, internal roads, and access aisles shall comply with Chapter 20 of the Land Development Regulations.
 2. All parking, internal roads, access aisles, and storm water management areas shall remain private and shall be maintained by the Owner and Manager.
- G. Lighting:
1. Exterior lighting shall be designed and installed in a sensitive manner so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and properties.
 2. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project by accenting key architectural elements and/or emphasizing landscape features. The light poles and fixtures shall be earth tones in color.

3. Electrical wiring to all site lighting shall be provided underground.
 4. No light fixtures shall be placed in a position where existing or future tree canopy will reduce the illumination levels.
 5. Lighting fixtures shall be a maximum of fifteen feet (15') high and shall be downward directed.
- (6) All lighting fixtures within parking areas and walkways shall be decorative light fixtures in accordance with Chapter 9 of the Land Development Code.

Section 2.4. Public Facilities.

- A. Impact Fees. The Developer acknowledges that the City has impact fees for water, wastewater, fire and police, while Lake County has impact fees for transportation. The Project shall be subject to such impact fees or any additional impact fees effective at the time of issuance of any building permit.
- B. Potable water. Potable water shall be provided by the City of Tavares and impact fees shall be paid by the Developer. The Developer shall extend water lines from the existing location to the development. Lines shall be extended in a manner in accordance with the City of Tavares Utility Department and Construction Specifications Manual.
- C. Wastewater. Wastewater treatment service shall be provided by the City and the Developer shall pay the impact fees. The Developer shall extend sanitary sewer lines from the existing location to the development. Lines shall be extended and improvements shall be made in accordance with specifications of the City of Tavares Utility Department and Construction Specifications Manual.
- D. Drainage. Retention pond design shall incorporate a naturalistic approach in accordance with Chapter 9 of the Land Development Regulations. Prior to receiving any development approvals, the Developer shall submit a master site drainage plan for review and approval by the City. All applicable St. John's River Water Management District permits shall be required prior to approval of any development order. The maintenance of the drainage system shall be the responsibility of the Owner and Manager.

- E. Reuse Water. The Developer shall be required to install a water reuse distribution system to serve all irrigation needs within the Property. The lines will be served by potable water until such time as reclaimed water is available for irrigation.
- F. Site Ingress/ Egress and Traffic Circulation. The project will be limited to one driveway as shown on **Exhibit “B”**. The driveway shall conform to Lake County Access Management and Spacing Standards. Subject to Lake County requirements, turn lanes may be required at the driveway intersection. Construction of said turn lanes shall be the responsibility of the developer.
- G. Sidewalks and Pedestrian Access. Sidewalks shall be connected to the internal pedestrian system allowing accessible routes to the entrances of each building on site, per federal requirements of the American with Disabilities Act. An internal pedestrian access plan shall be submitted concurrent with site plan submittal providing for connectivity among the rights-of-way, structures and amenities. The maintenance of internal sidewalks shall be the responsibility of the Owner and Manager.

Section 2.5. Platting

All plats shall be filed in accordance with all applicable rules and regulations of the City. All conditions to platting within this ordinance must be satisfied prior to acceptance of any final plat for public hearing by the City Council. Any required analyses shall be submitted prior to plat acceptance, including but not limited to transportation analysis and environmental assessment.

Section 2.6. Timing

- A. The Developer shall submit for site plan approval within twenty-four (24) months from the effective date of this Ordinance and such plan shall be developed in conformance with the requirements of the Regulations and other applicable local or state regulations in effect at the time of application for any development order. If the City Council finds, on the basis of substantial competent evidence, that there has been failure to comply with the terms of this Ordinance, the Ordinance may be revoked or modified by the City

through action of the City Council after notification to the Developer and the opportunity to be heard.

- B. Concurrency tests shall be required for a development order (site plan) and shall be conducted pursuant to Chapter 10 of the Regulations. Future rights to develop the Property are subject to such concurrency tests and no vested rights have been or will be granted to the Applicant until concurrency tests are complete and a final development order issued for the portion of the Property for which the concurrency tests were required.

Section 2.7. Covenants, Conditions and Restrictions

Submitted and approved with a final plat, Covenants, Conditions and Restrictions shall be adopted and recorded and an established structure shall be designated whereby the Manager of the Project selected by the title holder of the dominant parcel within the Project will oversee and maintain any open space, water retention area, required buffer and any other component of the overall Project.

Section 2.8. Permits

Prior to platting or construction, the Developer shall obtain all necessary permits from the applicable local, regional, state and federal agencies. Copies of all permits shall be furnished to the Community Development Director of the City.

Section 3. Effective Date

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this ____ day of _____ 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

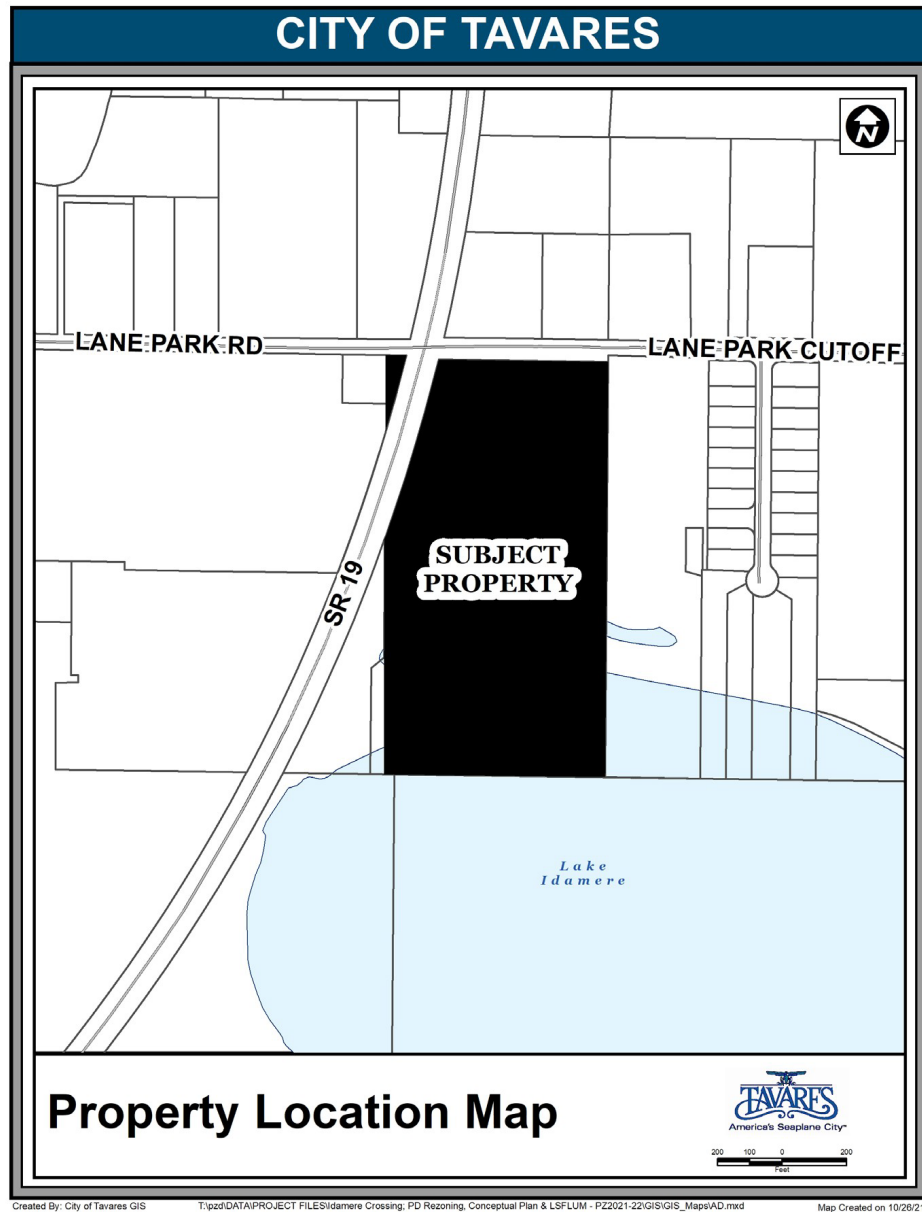
Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.



Owner: Harvey Hawes, Manager
Idamere Crossings, LLC
3839 CR. 48
Okahumpka, FL 34762



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
1/18/2024

AGENDA TAB NO.: 3.

SUBJECT TITLE: Ordinance 2024-02 - Idamere Crossings - Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

OBJECTIVE:

To consider a Future Land Use Map amendment from Commercial (COM) to Mixed Use (MU) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

SUMMARY:

The subject property is located at the Southeast Corner of SR-19 & Lane Park Cutoff and is approximately 19.46 acres in size. The land is presently vacant and has a land use designation of Commercial (COM). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Commercial (COM) to Mixed Use (MU).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of (PD) Ordinance 2021-12 which proposed High Density (HD) Future Land Use (FLU) on the subject property. On December 15, 2021, the City Council denied the FLU request as presented. In general, the City Council rational of denial was to preserve the existing commercial future land designation along SR-19.

Ordinance 2024-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to Mixed Use (MU). The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities land uses. An application to rezone this property to a Planned Development (PD) designation is concurrently under consideration.

Future Land Use Amendment:

The parcel is designated as Commercial (not to exceed 2.0 FAR) on the City's Future Land Use Map. The small-scale Comprehensive Plan Amendment is proposed to designate the site as Mixed Use (not to exceed 25 du/ac, 1.0 FAR). A City Mixed Use (MU) designation is compatible with surrounding property and Future Land Use designations.

Compatibility:

Land surrounding this property is residential, commercial, and public facilities in nature.

Site Conditions:

The property is currently vacant.

Impact on City Services:

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and wastewater utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not

implicated.

FINDINGS:

This amendment request is considered to be in compliance with the City's Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mixed Use (MU) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp Plan, Chapter 8 & LDR's Chapter 10).

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-02.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM) to Mixed Use (MU) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-02 - Idamere Crossing - SSFLUM
2. AERIAL MAP
3. FLU_PT_2024-02
4. Applicant's Small Scale Comprehensive Plan Amendment Report
5. Ad - Ord2024-01 & 2024-02

ORDINANCE 2024-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO MIXED USE (MU); PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to change the future land use designation from Commercial (COM) to Mixed Use (MU); and

WHEREAS, the property consists of less than fifty acres; and

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

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

WHEREAS, the City desires to ensure the availability of attainable housing opportunities and a mix of housing types in the City; and

WHEREAS, a Mixed Use Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Commercial (COM) to Mixed Use (MU) on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Commerce, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order

determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____ day of _____, 2024 by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

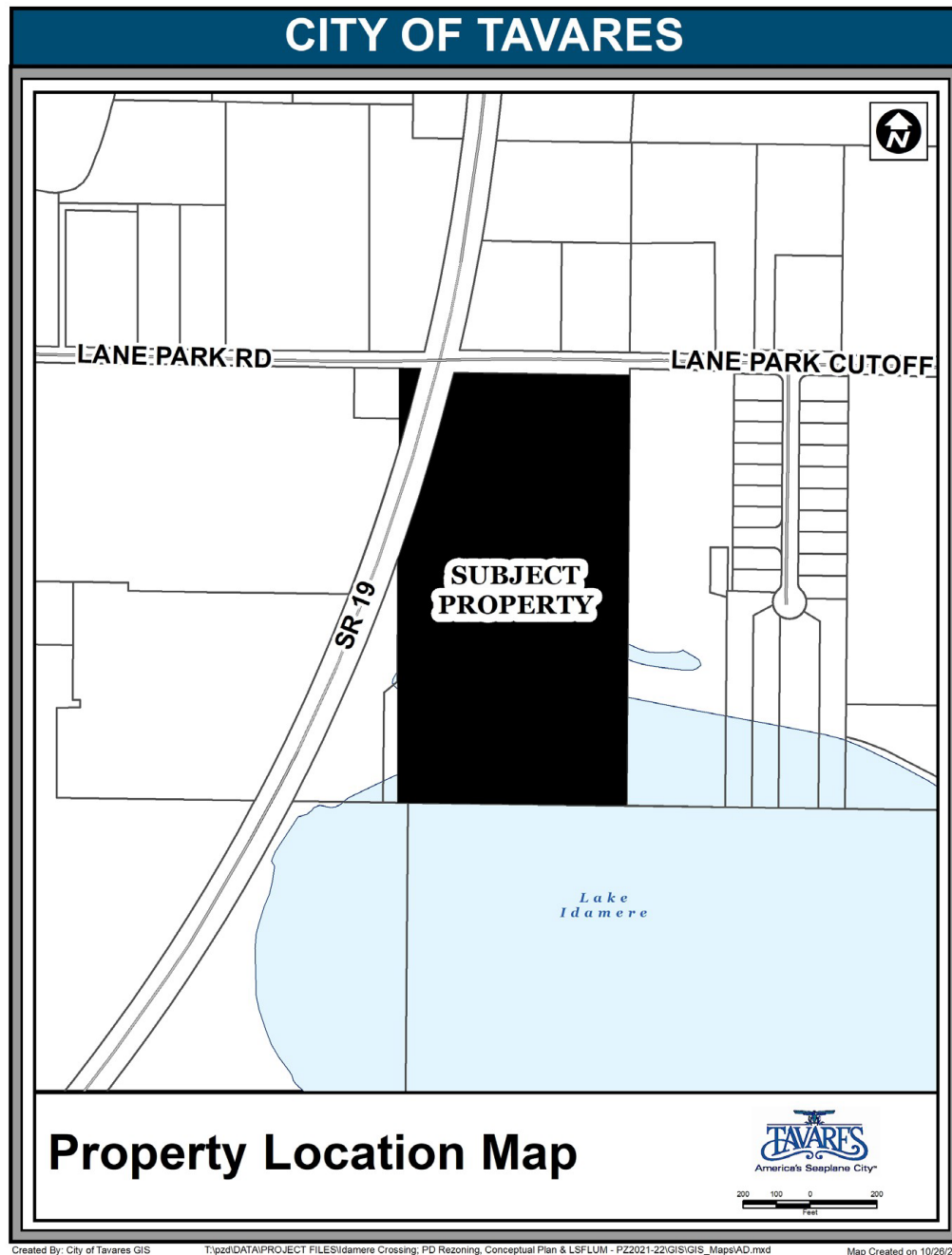
Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
1/18/2024

AGENDA TAB NO.: 4.

SUBJECT TITLE: Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment of the Public Facilities Element and Conservation Element pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives

OBJECTIVE:

To consider approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

SUMMARY:

Local governments within a regional water supply planning area are required to develop a Water Supply Facilities Work Plan (Work Plan) in order to ensure that adequate water supplies will be available to meet future demands for a minimum 10-year planning period, pursuant to F.S. Section 163.3177(6)(c)3. In addition to the Water Supply Facilities Work Plan requirements, local governments are required to revise their Comprehensive Plan for consistency with the Work Plan and regional water supply planning initiatives.

The purpose of this Water Supply Facilities Work Plan is to identify and plan for water supply sources and associated facilities to serve City of Tavares (City) potable water customers for the 2023 through 2032 planning period. The Work Plan has been prepared in accordance with Chapter 163 F.S., which requires local governments to adopt a Work Plan and supporting comprehensive plan policies within 18 months of the approval of a regional water supply plan. The Central Springs/East Coast (CSEC) Regional Water Supply Plan was approved by the St. Johns River Water Management District (SJRWMD) on February 8, 2022.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-03.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City's 10-Year Water Supply Facilities Work Plan and Regional Water Supply Planning Initiatives.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-03 - CP 10 YR WSFWP
2. Exhibit A - Tavares_2040-Comp-Plan_GOPs_Work Plan Policies
3. Tavares 10 YR WSFWP
4. Ad - Ord2024-03

ORDINANCE 2024-03

PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES, AMENDING THE PUBLIC FACILITIES ELEMENT AND CONSERVATION ELEMENT OF THE TAVARES COMPREHENSIVE PLAN 2040 IN ORDER FOR CONSISTENCY WITH THE CITY'S WORK PLAN AND REGIONAL WATER SUPPLY PLANNING INITIATIVES; BY PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 18, 2020 the City of Tavares adopted a Comprehensive Plan in accordance with Florida Statutes – Chapter 163, and the State of Florida Local Government Comprehensive Planning and Land Development Regulation Act by adoption of Ordinance 2020-10; and,

WHEREAS, the Florida Legislature enacted bills in the 2002, 2004, 2005, and 2011 sessions to address the state's water supply needs. These bills, in particular Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapters 163 and 373, F.S. by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. Section 373.036 F.S. requires that each water management district develop a Regional Water Supply Plan (RWSP) for a 20-year planning period to ensure that existing water sources are adequate to meet projected water demands; and,

WHEREAS, following the approval of a Regional Water Supply Plan (RWSP), local governments within a regional water supply planning area are required to develop a Work Plan to ensure that adequate water supplies will be available to meet future demands for a minimum 10-year planning period, pursuant to F.S. Section 163.3177(6)(c)3; and,

WHEREAS, local governments are required to revise their Comprehensive Plan for consistency with the Work Plan and regional water supply planning initiatives; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163 and Chapter 187, Florida Statutes, and the City of Tavares Comprehensive Plan; and,

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Comprehensive Plan Amendment: Text Amendment

The Comprehensive Plan is hereby amended with revisions for consistency with the Work Plan and regional water supply planning initiatives as attached hereto as **Exhibit “A”**, and incorporated herein by reference.

Section 2 Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3 Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Commerce, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency’s procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to

be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ORDAINED this _____ day of _____, 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

Passed First Reading (Transmittal): _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C.T. Holt, City Attorney

EXHIBIT “A”

(See Attached)