

**AGENDA
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, DECEMBER 14, 2020 5:30 PM**

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS

A. NONE

3. PRESENTATIONS

**A. Employee Service Award Recognition:
Five Years: Travonte Kitchen, Police; Rahmel Seabury, Public Works; and Phillip Thomas, Gas
Fifteen Years: Timothy Patten, Public Works and Sonja Vicchiollo, IT**

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

A. CITY COMMISSION MEETING MINUTES:

1. NONE

B. PURCHASING ITEMS:

- 1. Purchase request by Fleet Services for the replacement of existing vehicles budgeted in the 2021 Fiscal Year.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida approving the City of Leesburg to use the FMPA awarded Services Agreement with Lewis Tree Service to provide line clearing and vegetation management services for the City's Electric Utility; and providing an effective date.**
- 3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a software license, support, and maintenance agreement with Upland Software, Inc. for a period of 3 years and a total cost of \$78,599.99; and providing an effective date.**

C. RESOLUTIONS:

- 1. Resolution amending the Fiscal Year 2019-20 Budget for the General, Carver Heights CRA, Capital Projects, Electric, Wastewater, Airport, Risk Management, Recreation Impact Fees and Building Permits Funds for the Fourth Quarter.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lease with the U.S. House of Representatives (Congressman Daniel Webster) through January 2, 2023; and providing an effective date.**
- 3. Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute a Quitclaim Deed between the City of Leesburg as Grantor, and Nakia Myles as Grantee, for the purpose of conveying to the Grantee a portion of land owned by the City adjacent to the Grantee's property, to conform her lot to the size and configuration of other lots in the general area; and providing an effective date.**
- 4. Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute an Interlocal Agreement to transfer jurisdiction over Hollow Lane (4523A), between the City of Leesburg and Lake County, Florida, for the purpose of setting forth the terms and conditions for a transfer of jurisdiction over this roadway from County to City; and providing an effective date.**

5. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Second Amendment to the Reservation and Provision of Wastewater Services with South Sumter Utility Company, LLC; and providing an effective date.**
6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment to the Interlocal Agreement for Disbursement of CARES ACT Funds with Lake County; and providing an effective date.**
7. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager to enter into a grant agreement with the State of Florida Fish and Wildlife Conservation Commission for the Venetian Gardens Boardwalk and Docks Project; and providing an effective date.**

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)
AVAILABLE**

A. SECOND READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, Rescinding Ordinance 18-19, Amending the City of Leesburg Comprehensive Plan Future Land Use Element to establish the Naval Undersea Warfare Center Okahumpka "Mission Impact Zone" Future Land Use Overlay Area; providing for compatible land uses; providing for appropriate objectives and policies to ensure compatibility and notification; providing for conflict with other ordinances; providing a Savings Clause; and providing an effective date. (Naval Undersea Center Mission Impact Zone - Comp Plan Amendment)**
2. **An Ordinance of the City of Leesburg, Florida, to modify the Chapter 163 Development Agreement between the City of Leesburg and The Villages of West Lake, Area A: for a development of approximately 1,382.31 acres, providing a binding agreement and amendments for long-term development; including but not limited to density, intensity, land uses and process; approving development rights, and land development regulations for a property generally located near Florida's Turnpike, the Lake County and Sumter County Line, and North of County Road 470, as legally described in Sections 6, 7, 8, 9, and 16, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (The Villages of West Lake Area A Amendment)**
3. **An Ordinance of the City of Leesburg, Florida, to modify the Chapter 163 Development Agreement between the City of Leesburg and The Villages of West Lake, Area B: for a development of approximately 1,230.42 acres, providing a**

binding agreement and amendments for long-term development; including but not limited to density, intensity, land uses and process; approving development rights, and land development regulations for a property generally located near Florida's Turnpike, the Lake County and Sumter County Line, and North of County Road 470, as legally described in Section 31, Township 20 South, Range 24 East, and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (The Villages of West Lake Area B Amendment)

- 4. An Ordinance of the City of Leesburg, Florida, amending the text of the Comprehensive Plan for The Villages of West Lake, Areas A & B, to establish Community Support Districts (CSD), Amend Level of Service to include Community Support Districts, and Amend Permitted uses, on property generally located North and South of Florida's Turnpike and North of County Road 470, and property located East of the Sumter County line, North of Austin Merritt Road and North and South of County Road 48, as legally described in Sections 6, 7, 8, 9, 16, and 17, Township 20 South, Range 24 East; and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (CPTA 20-149)**
- 5. An Ordinance of the City of Leesburg, Florida, amending the City of Leesburg Land Development Regulations Article XI, Section 25-818 Definitions, establishing the definition of Age Restricted Development and establishing the definition of Community Support Districts for property generally located North and South of Florida's Turnpike and North of County Road 470, and property located East of the Sumter County line, and North of Austin Merritt Road and North and South of County Road 48 as legally described in Sections 06, 07, 08, 09, 16, and 17, Township 20 South, Range 24 East and Section 31, Township 20 South, Range 24 East and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date.**

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, modifying the conditions of approval on approximately 19.5 +/- acres for property generally located North of U.S. Highway 441, West of North Lake Avenue and South of Bentley Road, as legally described in Section 30, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lake Griffin Reserve PDO Amendment)**
- 2. An Ordinance of the City of Leesburg, Florida, Vacating the existing 15 Foot Ingress/Egress and Utility Easements and the existing 7.5 Foot Ingress/Egress and Utility Easements consisting of approximately 27,367 Square Feet, generally located between Montclair Road and Carver Drive within Lot 3 of the Leesburg Industrial Center Plat, as Recorded in Plat Book 49, Page 27 of the Public Records of Lake County, Florida; and providing an effective date. (Leesburg Industrial Center -FedEx Vacate)**

3. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.46 acres; and being generally located West of Sleepy Hollow Road and North of Old Tavares Road, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (CWC Homes Ax)**
4. **An Ordinance amending the Future Land Use map of the Comprehensive Plan for the City of Leesburg, changing the Future Land Use map designation of certain property containing approximately 0.46 acres, being generally located on the West side of Sleepy Hollow Road and North of Old Tavares Road, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida from Lake County Urban Low Density to City of Leesburg Estate; and providing an effective date. (CWC SSCP Old Tavares Road - SSCP)**
5. **An Ordinance of the City of Leesburg, Florida, Rezoning approximately 0.46 +/- acres from Lake County R-1 (Rural Residential) to City R-1 (Low Density Residential) for a property generally located West of Sleepy Hollow Road and North of Old Tavares Road, as legally described in Section 20, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (CWC Old Tavares Road - RZ)**

C. NON-ROUTINE ITEMS

1. NONE

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

A. NONE

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: December 14, 2020

From: Mike Thornton, (Purchasing Manager), Cliff Kelsey, (Public Works Director)

Subject: Purchase request by Fleet Services for the replacement of existing vehicles budgeted in the 2021 Fiscal Year.

Staff Recommendation:

Staff recommends approval of the purchase requests by Fleet Services to the automotive dealerships listed in the attached vehicle purchase summary.

Analysis:

The purpose of this purchase is to replace existing vehicles that Fleet Services has evaluated and identified as in need of replacement. Each vehicle listed has obtained a condition score that warrants the replacement. Considerations for replacement are the condition score and the criticality of the piece of equipment or vehicle.

Procurement Analysis:

The Procurement Division solicited quotes from four (4) automotive dealerships that specialize in commercial or fleet sales. Each of the dealerships has been awarded one of several cooperative contracts by organizations such as Sourcewell, State of Florida, or Florida Sheriffs Association. The list shown here represents the lowest price quote for that vehicle by the dealership listed.

Options:

1. Approve the purchases for vehicle replacements as detailed; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Funds are budgeted and available in the Fleet Equipment Replacement account for this fiscal year. The purchase of all vehicles listed totals \$394,815.00 compared to the budget amount there is a budget versus actual savings of \$24,161.00.

Account No. 510-5199-519.64-13

Project No.	FLEET
WF No.	As Listed in Attached Summary
Requisition	As Listed in Attached Summary
Budget	\$418,976.00
Available	\$418,976.00

Submission Date and Time:

FISCAL YEAR 2021 VEHICLE REPLACEMENT SUMMARY

PURCHASE INFORMATION				
REQ NO.	MAKE/MODEL DESCRIPTION	ASSIGNED DEPT	DEALER	QUOTED PRICE
52672	3/4 TON REGULAR CAB PICK-UP TRUCK 4X4	ELECTRIC	1	\$ 33,388.00
Replacing	919 - 2004 CHEVY 1/2 TON 4X4 PICK - 167,528 Miles			
	Score: 39			
	WF1310867 - Budget: \$34,000			
52674	3/4 TON EXTENDED CAB PICK-UP TRUCK 4X4 UTILITY BODY	ELECTRIC	1	\$ 46,003.00
Replacing	450 - 2003 FORD F250 UTILITY BODY - 77,354 Miles			
	Score: 39			
	WF1310865 - Budget: \$43,000			
52675	HIGH ROOF UTILITY CARGO VAN	ELECTRIC	1	\$ 39,789.00
Replacing	2002 FORD F550 PICKUP - 6,207 Hours			
	Score: 50			
	WF1310863 - Budget: \$40,976			
52681	2021 RAM 1500 CLASSIC QUAD CAB TRADESMAN 6'4" BED 4WD	WASTEWATER	1	\$ 26,800.00
Replacing	2005 FORD EXPLORER - 176,587 Miles			
	Score: 39.45			
	WF1310889 - Budget: \$34,000			
52684	2021 RAM 1500 CLASSIC REGULAR CAB TRADESMAN 8' BED 2WD	PW GROUNDS	1	\$ 23,027.00
Replacing	220 - 2000 CHEVY 1/2 TON PICKUP - 90,820 Miles			
	Score: 37.2			
	WF1310906 - Budget: \$36,000			
52682	2021 RAM 4500 REGULAR CAB CHASSIS 2WD DRW DUMP BODY	STORMWATER	1	\$ 55,053.00
Replacing	955 - 1999 FORD 1-TON 2/ DUMP BED - 6,603 Hours			
	Score: 55			
	WF1310898 - Budget: \$56,000			
52682	2021 RAM 4500 REGULAR CAB CHASSIS 2WD DRW DUMP BODY	PW GROUNDS	1	\$ 55,053.00
Replacing	2044 - 2007 FORD F450 W/ DUMP BED - 7,088 Hours			
	Score: 49			
	WF1310907 - Budget: \$57,000			
52691	2020 FORD SUPER DUTY F-450 DRW 4WD REG CAB DUMP BODY	WATER	2	\$ 57,367.00
Replacing	3028 - 2005 FORD F350 W/ DUMP BODY - 5,859 Hours			
	Score: 44			
	WF1310883 - Budget: \$59,000			
52695	2020 FORD SUPER DUTY F-450 DRW 4WD REG CAB 9 FT UTILITY BODY	WATER	2	\$ 58,335.00
Replacing	3029 - 2007 FORD F450 UTILITY BODY - 7,373 Hours			
	Score: 47			
	WF1310885 - Budget: \$59,000			
TOTAL PURCHASE COST				\$ 394,815.00
TOTAL BUDGETED				\$ 418,976.00

Dealership / Pricing Key

1	ALAN JAY FLEET - Sourcewell
2	DUVAL FLEET - QUOTED PRICE

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.2.

Meeting Date: December 14, 2020

From: Mike Thornton, (Purchasing Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida approving the City of Leesburg to use the FMPA awarded Services Agreement with Lewis Tree Service to provide line clearing and vegetation management services for the City's Electric Utility; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing the City to use the FMPA awarded Lewis Tree Services, Inc. contract for line clearing and vegetation management services.

Analysis:

The City of Leesburg is a member of the Florida Municipal Power Association (FMPA). One of the services FMPA provides to its members is facilitating cooperative contract solicitations. FMPA issues solicitations on behalf of their members. Member utilities can then determine if they will use the awarded contract.

Procurement Analysis:

On June 25, 2018 the City Commission approved Resolution 10,219 authorizing execution of a Procurement Agent Agreement with FMPA for the purpose of soliciting and contracting for commodities as approved by the City. the Procurement Agent Agreement was executed primarily to satisfy contracting requirements of the Federal Emergency Management Administration (FEMA). When FMPA issues solicitations and awards contracts for those commodities that may be eligible for FEMA reimbursement as a result of a declared incident FMPA includes all the federal contracting provisions in the awarded contract. This action helps ensure the best likelihood that FEMA will honor claims for expenses under the Contract. This contract award to Lewis Tree Services, Inc. does include the federal contracting provisions.

Procurement staff have reviewed the solicitation, responses received, and the contract award to Lewis Tree Services, Inc. Procurement recommends use of the Lewis Tree Services, Inc. contract as an FMPA member. Use of this contract will eliminate considerable staff time in preparing, administering, and awarding our own contract.

Options:

1. Approve the resolution authorizing the City's use of the FMPA awarded contract to Lewis Tree Services, Inc.; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The Electric Department budgets funds each year for line clearing and vegetation management.

Account No.	041-1062-531.46-25
Project No.	415931
WF No.	WF1308332 / 001
Budget	\$580,000.00
Available	\$523,484.95

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA APPROVING THE CITY OF LEESBURG TO USE THE FMPA
AWARDED SERVICES AGREEMENT WITH LEWIS TREE SERVICE TO
PROVIDE LINE CLEARING AND VEGETATION MANAGEMENT SERVICES
FOR THE CITY'S ELECTRIC UTILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS the City of Leesburg is a member of the Florida Municipal Power Agency (FMPA) who provides services to its electric utility members.

WHEREAS the City and FMPA entered into an Agreement on June 25, 2018 designating FMPA as the City's agent for the purpose of conducting competitive selection and negotiation process for the procurement of certain goods and services.

WHEREAS use of FMPA awarded contracts provide a benefit to the City in ensuring adherence to federal contracting provisions for potential cost reimbursement by the Federal Emergency Management Administration (FEMA) for eligible claims.

WHEREAS use of cooperative contracts such as this, as permitted by the City's Purchasing Policy, uses the purchasing power of many agencies to reduce costs to the City of Leesburg.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Leesburg City Commission approves City use of the Lewis Tree Services, Inc. Master Services Agreement awarded by the Florida Municipal Power Agency (FMPA) on October 1, 2020.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.3.

Meeting Date: December 14, 2020

From: Mike Thornton, (Purchasing Manager), Tino Anthony , (IT Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a software license, support, and maintenance agreement with Upland Software, Inc. for a period of 3 years and a total cost of \$78,599.99; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing execution of the 3-year Agreement with Upland Software, Inc. for an annual cost of \$26,199.99 and a total 30 year cost of \$78,599.99.

Analysis:

The City uses software products from Upland Software, Inc. as part of it's document management system. The software use is in support of the City's:

- Document Management/Imaging System
- OptiSpool Report Archiving System
- OptiView Full Licenses
- OptiView Web Server License

The City has used this product for many years and it is seamlessly integrated with the City's Naviline ERP system.

Procurement Analysis:

Procurement has determined this purchase to be a single source purchase due to its integration with other computer systems. Procurement requests the Commission to waive the competitive solicitation requirement. These systems are already used by the City and have been for many years. There are an immense amount of files and data linked to many software applications through the Upland Software.

Options:

1. Approve the Resolution authorizing execution of the 3-year software agreement with Upland Software for a total cost of \$78,599.99; or

2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The Information Technology Department budgets for this expense on annual basis.

Account No.	001-1633-513.46-33
Requisition	52618
Budget	\$28,000
Available	\$28,000

Submission Date and Time: 12/9/2020 1:27:27 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
SOFTWARE LICENSE, SUPPORT, AND MAINTENANCE AGREEMENT
WITH UPLAND SOFTWARE, INC. FOR A PERIOD OF 3 YEARS AND A
TOTAL COST OF \$78,599.99; AND PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with UPLAND SOFTWARE, INC. whose address is 401 Congress Avenue, Austin, TX 78701 for software licenses, maintenance, and support pursuant to vendor quote number Q-56126-1.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

Upland Software, Inc.

401 Congress Ave Suite 1850 Austin
TX
78701-3788
US
Phone:855-944-PLAN (7526)
www.uplandsoftware.com

Quote Number: Q-56126-1
Quote Date: 9/ /2020
Quote Expires On: 11/30/2020
Proposed By: Laurie VanDoezelaar
Email: lauriev@uplandsoftware.com

Customer and Billing Details

Customer:	City of Leesburg		
Ship To	Bill To		
City of Leesburg	City of Leesburg	Primary Contact:	Tino Anthony
Information Technology 204 N. 5th	Attn: Accounts Payable P.O. Box	Primary Phone:	(352) 728-9786 x4126
Street	490630	Billing Currency:	USD
Leesburg, FL 34738	Leesburg, FL 34749-0630		
United States	United States		

License and Product Details

Start Date:	12/1/2020	End Date:	11/30/2023
Product Billing Frequency:	Annual	Payment Terms:	Net 30

License and Product Details

Description	Billing Frequency	Quantity Unit of Measure	Term (Months)	Annual Amount	Extended Price for Full Term
OV (10) full Licenses	Annual	1 Units Per Year	36.00	\$ 4,097.33	\$ 12,292.00
OptiView Document Management/Imaging System with 15 full concurrent user licenses, OptiSpool Report Archival System with 5 concurrent user license	Annual	1 Units Per Year	36.00	\$	\$
OptiView Web Server License Includes Unlimited External Public License, 2 Web View Only Internal Concurrent Licenses, Web Page Add on for Click2 Gov	Annual	1 Units Per Year	36.00	\$ 6,407.33	\$ 19,222.00
Total:				\$	\$, .

Customer and Upland are entering into this sales order or quote ("Sales Order") pursuant to the terms of the Master Services Agreement ("MSA") currently in effect between the parties as of the date this Sales Order is signed. In the event there is no MSA currently in effect, then the terms and conditions hosted at www.uplandsoftware.com/terms-of-service.pdf shall control. Upon execution by the parties, this Sales Order shall be incorporated into and made a part of the MSA (collectively, the "Agreement"). Terms not defined in this Sales Order have the meaning ascribed to them elsewhere in the Agreement. In consideration of the representations, warranties, covenants and mutual promises contained in the Agreement and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the parties agree as follows: .

1) Fees. Customer agrees to pay any and all fees provided herein. All subscription fees hereunder shall be invoiced in advance and are due and payable in accordance with the Payment Terms set forth above. Customer acknowledges that fees for renewal periods shall be invoiced in advance and are due on or before the start date of such renewal period.

2) Professional Services Fees. Fees prepaid for Professional Services become non-refundable and are earned upon the earlier of: (i) the date the Professional Services are delivered (on a pro-rata, ongoing basis); or (ii) one year from the date of the applicable invoice.

Upland Software, Inc.

401 Congress Ave Suite 1850 Austin
TX
78701-3788
US
Phone: 855-944-PLAN (7526)
www.uplandsoftware.com

Quote Number: Q-56126-1
Quote Date: 9/17/2020
Quote Expires On: 11/30/2020
Proposed By: Laurie VanDoezelaar
Email: lauriev@uplandsoftware.com

BY AFFIXING THE SIGNATURE OF THE AUTHORIZED REPRESENTATIVE OF THE CUSTOMER TO THIS QUOTE, BY HAND OR ELECTRONICALLY, CUSTOMER IS AGREEING TO BE BOUND BY THE TERMS OF THE AGREEMENT

Name (Print): Elise Dennison Date: December 14, 2020
Title: Mayor Signature: _____
Customer: City of Leesburg Attested: J. Andi Purvis, City Clerk

If a Purchase Order is required for the purchase or payment of the items on this Sales Order, please complete the following:

PO Number: To Follow

PO Amount: \$26,199.99

Upland Signature

Name (Print): _____ Date: _____
Title: _____ Signature: _____

THANK YOU FOR YOUR BUSINESS!

Upland Software, Inc.

401 Congress Ave Suite 1850 Austin
TX
78701-3788
US
Phone:855-944-PLAN (7526)
www.uplandsoftware.com

Quote Number: Q-56126-1**Quote Date:** 9/ /2020**Quote Expires On:** 11/30/2020**Proposed By:** Laurie
VanDoezelaar**Email:** lauriev@uplandsoftware.com

Please verify and initial the following customer information and indicate what needs to be changed, if needed.

Customer Checklist			
Checklist Item	Response		If there are changes, please provide details below.
Is the company name specified on the quote the correct bill to entity?	Yes ☐ cb1_one\ No ☐ cb1_one\ 	Initial ☐ in1_two\ 	txt1_one\
Is the billing address specified on the quote up to date?	Yes ☐ cb1_two\ No ☐ cb1_two\ 	Initial ☐ in1_two\ 	txt1_two\
Is the billing contact and email address specified on the quote up to date?	Yes ☐ cb1_three\ No ☐ cb1_three\ 	Initial ☐ in1_two\ 	txt1_three\
Does your company require a PO?	Yes ☐ cb1_four\ No ☐ cb1_four\ 	Initial ☐ in1_two\ 	txt1_four\
Does your company need Upland to fill out a supplier form to properly set Upland up as a vendor? This includes setting up supplier portals.	Yes ☐ cb1_five\ No ☐ cb1_five\ 	Initial ☐ in1_two\ 	txt1_five\
Is your company a tax-exempt entity? If Yes, please provide the associated tax certificate.	Yes ☐ cb1_six\ No ☐ cb1_six\ 	Initial ☐ in1_two\ 	txt1_six\
Does your company pay withholding tax to a governmental entity? If Yes, please provide the associated tax certificate with the payment remittance.	Yes ☐ cb1_seven\ No ☐ cb1_seven\ 	Initial ☐ in1_two\ 	txt1_seven\
Are there any additional items your company may need from us to process our invoice?	Yes ☐ cb1_eight\ No ☐ cb1_eight\ 	Initial ☐ in1_two\ 	txt1_eight\
Does your company have a VAT Number? (If yes, please provide)	Yes ☐ cb1_ninth\ No ☐ cb1_ninth\ 	Initial ☐ in1_two\ 	txt1_ninth\

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: December 14, 2020

From: Brandy McDaniel, (Budget Manager)

Subject: Resolution amending the Fiscal Year 2019-20 Budget for the General, Carver Heights CRA, Capital Projects, Electric, Wastewater, Airport, Risk Management, Recreation Impact Fees and Building Permits Funds for the Fourth Quarter.

Staff Recommendation:

Staff recommends adoption of the attached resolution amending the Fiscal Year 2020-21.

Analysis:

As established in the Budget Policy, adopted September 28, 1998, total appropriations within a fund cannot increase or decrease without formal action by the City Commission.

General Fund	Amount	Funding Source
Edward Byrne Grant- (2) in car systems (Police)	\$ 9,219	Federal Grant
Edward Byrne Grant- (3) in car systems (Police)	14,064	Federal Grant
Aquatics Center Project (Capital Projects)	<u>526,000</u>	Fund Balance
Total General Fund	\$ 549,283	
Carver Heights CRA	Amount	Funding Source
Improve 701 McCormack Street property	<u>\$ 10,761</u>	Fund Balance
Total Carver Heights CRA	\$ 10,761	
Capital Projects	Amount	Funding Source
Aquatics Center Project	<u>\$ 743,000</u>	Transfer from General Fund & Recreation Impact Fee Funds
Total Capital Projects	\$ 743,000	
Electric	Amount	Funding Source
Venetian Isle Project	\$ 545,716	Developer Contributed & Fund Balance
The Villages at Lake Catherine Project	<u>9,721,054</u>	Debt Proceeds
Total Electric	\$10,266,770	
Wastewater	Amount	Funding Source
Villages Sale (Mineral Rites Adj.)	<u>\$ 138,320</u>	Fund Balance

Total Wastewater	\$ 138,320
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Airport	Amount	Funding Source
Runway 13/31 Rehab Project	\$ 2,267,490	Federal Grant
Total Airport	\$ 2,267,490	

Risk Management	Amount	Funding Source
Insurance Costs	\$ 47,462	Employer Contributions
Total Risk Management	\$ 47,462	

Recreation Impact Fees	Amount	Funding Source
Aquatics Center Project (Capital Projects)	\$ 217,000	Fund Balance
Total Recreation Impact Fees	\$ 217,000	

Building Permits Fund	Amount	Funding Source
Credit Card Fees & Building Remodel	\$ 49,403	Fund Balance
Total Building Permits Fund	\$ 49,403	

Procurement Analysis:

N/A

Options:

1. Adopt the attached resolution amending the Fiscal Year 2019-20 budget for the General, Carver Heights CRA, Electric, Wastewater, Airport, Risk Management, Recreation Impact Fees and Building Permits Funds for the Fourth Quarter; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The following funds will change as seen below:

<u>FUND</u>	<u>FY 2020 ADOPTED</u>	<u>CHANGE</u>	<u>FY 2020 AMENDED</u>
General	\$31,905,692	\$549,283	\$32,454,975
Stormwater	2,905,913	-0-	2,905,913
Housing Assistance	118,252	-0-	118,252
Greater Leesburg CRA	547,948	-0-	547,948
Carver Heights CRA	454,088	10,761	464,849
Hwy 441/27 CRA	830,765	-0-	830,765
Debt Service	1,535,199	-0-	1,535,199
Capital Projects	14,989,567	743,000	15,732,567
Electric	77,240,708	10,266,770	87,507,478
Gas	8,446,865	-0-	8,446,865
Water	10,834,911	-0-	10,834,911
Wastewater	39,273,173	138,320	39,411,493
Solid Waste	4,386,337	-0-	4,386,337
Airport	7,069,363	2,267,490	9,336,853
Police Pension	1,757,739	-0-	1,757,739

Fire Pension	1,693,576	-0-	1,693,576
General Employees Pension	3,388,808	-0-	3,388,808
Health Insurance	6,703,169	-0-	6,703,169
Workers' Compensation	764,825	-0-	764,825
Risk Management	727,698	47,462	775,160
Discretionary Sales Tax	2,931,586	-0-	2,931,586
Gas Tax	1,235,101	-0-	1,235,101
Police Impact Fees	35,000	-0-	35,000
Recreation Impact Fees	25,000	217,000	242,000
Building Permits	1,293,379	49,403	1,342,782
Police Forfeiture	16,890	-0-	16,890
Police Education Receipts	6,000	-0-	6,000
Fleet Services	<u>5,847,493</u>	<u>-0-</u>	<u>5,847,493</u>
Total	\$226,965,045	\$14,289,489	\$241,254,534

Submission Date and Time: 12/9/2020 1:27:52 PM

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE FISCAL YEAR 2019-20 BUDGET FOR THE GENERAL, CARVER HEIGHTS
CRA, CAPITAL PROJECTS, ELECTRIC, WASTEWATER, AIRPORT, RISK MANAGEMENT,
RECREATION IMPACT FEES AND BUILDING PERMITS FUNDS FOR THE FOURTH
QUARTER ; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Commission of the City of Leesburg adopted a budget for the Fiscal Year 2019-20 on September 23, 2019, which they felt was in the best interest of the citizens of the City of Leesburg, and

WHEREAS, it is now necessary to amend the current budget for Fiscal Year 2019-20 to provide funds for various projects as adopted at City Commission meetings, and

WHEREAS, such action was not anticipated in the original 2019-20 annual budget;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

Pursuant to Section 200.065, Florida Statutes, and all other applicable laws, the following amounts for use by the various funds during Fiscal Year 2019-20 as reflected below, including all modifications or amendments made during this meetings, are hereby adopted as increases/decreases to the original budget for Fiscal Year 2019-20 for the City of Leesburg, Florida:

GENERAL FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	23,283
Other Financing Sources:	
Fund Balance Appropriated	526,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	549,283

PROPOSED APPROPRIATIONS

Public Safety	23,283
Non Expenditures:	
Transfer to Other Funds	526,000
TOTAL PROPOSED APPROPRIATIONS	549,283

CARVER HEIGHTS CRA FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated	10,761
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	10,761

PROPOSED APPROPRIATIONS

Economic Environment	10,761
TOTAL PROPOSED APPROPRIATIONS	10,761

CAPITAL PROJECTS FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Transfer from Other Funds	743,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	743,000

PROPOSED APPROPRIATIONS

Culture/Recreation	743,000
TOTAL PROPOSED APPROPRIATIONS	743,000

ELECTRIC FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Sources	9,934,007
Other Financing Sources:	
Fund Balance Appropriated	332,763
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	10,266,770

PROPOSED APPROPRIATIONS

Physical Environment	10,266,770
TOTAL PROPOSED APPROPRIATIONS	10,266,770

WASTEWATER FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	138,320
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	138,320

PROPOSED APPROPRIATIONS

Physical Environment	138,320
TOTAL PROPOSED APPROPRIATIONS	138,320

AIRPORT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Intergovernmental Revenue	2,267,490
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	2,267,490

PROPOSED APPROPRIATIONS

Transportation	2,267,490
TOTAL PROPOSED APPROPRIATIONS	2,267,490

RISK MANAGEMENT FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Charges for Services	47,462
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	47,462

PROPOSED APPROPRIATIONS

General Government	47,462
TOTAL PROPOSED APPROPRIATIONS	47,462

RECREATION IMPACT FEES**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	217,000
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	217,000

PROPOSED APPROPRIATIONS

Non Expenditures:	
Transfer to Other Funds	217,000
TOTAL PROPOSED APPROPRIATIONS	217,000

BUILDING PERMITS FUND**ESTIMATED REVENUES AND OTHER RECEIPTS**

Other Financing Sources:	
Fund Balance Appropriated	49,403
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	49,403

PROPOSED APPROPRIATIONS

Public Safety	49,403
TOTAL PROPOSED APPROPRIATIONS	49,403

ALL FUNDS

ESTIMATED REVENUES AND OTHER RECEIPTS

Intergovernmental Revenue	2,290,773
Charges for Services	47,462
Other Sources	9,934,007
Total Estimated Revenues	12,272,242
Other Financing Sources:	
Transfer from Other Funds	743,000
Fund Balance Appropriated	1,274,247
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	14,289,489

PROPOSED APPROPRIATIONS

General Government	47,462
Public Safety	72,686
Economic Environment	10,761
Culture/Recreation	743,000
Transportation	2,267,490
Physical Environment	10,405,090
Non Expenditures:	
Transfer to Other Funds	743,000
Reserve for Future Use	0
TOTAL PROPOSED APPROPRIATIONS	14,289,489

SECTION II.

This resolution shall become effective upon its passage and adoption by the Leesburg City Commission in the manner provided by law.

PASSED AND ADOPTED at a regular meeting of the City Commission of the City of Leesburg, Florida held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

4th Quarter Budget Adjustments Additional Information

<u>Fund:</u>	<u>Description</u>	<u>Amount</u>	<u>Reason</u>
General			
	Edward Byrne JAG Grant for (2) in car systems- Police	9,219	Grant was awarded to the City 8/4/20, City Commission approved 6/8/20
	Edward Byrne JAG Grant for (3) in car systems- Police	14,064	Grant was awarded to the City 9/22/20, City Commission approved 7/27/20
	Increase Aquatics Facility Budget (Transfer to Capital Projects Fund)	526,000	City Commission approved this budget 7/27/20
	Total General Fund	549,283	
Carver Heights CRA			
	Improve 701 McCormack Street Property	10,761	Funds are available to improve a property that Carver CRA purchased
	Total Carver Heights CRA Fund	10,761	
Capital Projects			
	Increase Aquatics Facility Budget	743,000	City Commission approved this budget 7/27/20, Transfer from General Fund and Recreation Impact Fee Fund
	Total Capital Projects Fund	743,000	
Electric			
	Venetian Isle Project	545,716	Developer Contributed \$212,953 to this project, remainder is the City
	Villages at Lake Catherine Project	9,721,054	City Commission approved agreement 7/27/20, City Commission approved Issuance of Debt 7/13/20
	Total Electric Fund	10,266,770	
Wastewater			
	Court Settlement for Mineral Rights on Villages 470 Property Sale	138,320	Judgement was issued by City Attorney
	Total Wastewater Fund	138,320	
Airport			
	FAA Grant for Runway 13/31 Rehab Project Adjust funding	2,267,490	City Commission approved 8/24/20 & 9/14/20
	Remove State funding, Federal is providing additional funding		
	Total Airport Fund	2,267,490	
Risk Management			
	Increased Property and Liability Costs for FY 20	47,462	Adjust budget to reflect higher Insurance costs than anticipated, primarily due to increased values (Venetian Center and Equipment)
	Total Risk Management Fund	47,462	
Recreation Impact Fees			
	Increase Aquatics Facility Budget (Transfer to Capital Projects)	217,000	City Commission approved this budget 7/27/20
	Total Recreation Impact Fees Fund	217,000	
Building Permits			
	Increase budget for increased Credit Card fees (usage) and Building Remodel	49,403	Correct budget for additional costs, funds are available in this restriced fund
	Total Building Permits Fund	49,403	
	Total Budget Adjustments	14,289,489	

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: December 14, 2020

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lease with the U.S. House of Representatives (Congressman Daniel Webster) through January 2, 2023; and providing an effective date.

Staff Recommendation:

Staff recommends approval between the City and U.S. House of Representatives providing a District Office for Congressman Daniel Webster in the facility located at 318 South 2nd Street through January 2, 2023.

Analysis:

Congressional staff from Daniel Webster's office approached the City concerning the renewal of the lease for the facility at 318 South 2nd Street. Congressman Webster and staff have resided at this location since January 2, 2019, providing easier outreach access and benefitting Leesburg residents in District 11.

Procurement Analysis:

N/A

Options:

1. Approve Resolution for lease agreement through January 2, 2023, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The lease considers renting the facility at 318 South 2nd Street for \$875/month for 24 months.
Account No. 001-0000-362-0100

Submission Date and Time: 12/9/2020 1:26:26 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
LEASE WITH THE U.S. HOUSE OF REPRESENTATIVES (CONGRESSMAN
DANIEL WEBSTER) THROUGH JANUARY 2, 2023; AND PROVIDING AN
EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with the U.S. House of Representatives for leasing space to Congressman Daniel Webster at 318 South 2nd Street, Leesburg, Florida 34748 through January 2, 2023.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

District Office Lease Amendment – Instructions

NO LEASE AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term for a District Office Lease Amendment for the 117th Congress may not commence prior to January 3, 2021.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 117th Congress, leases should end on January 2, 2023, not December 31, 2022.

- A. Section 1 has three blank lines to be filled in:
 1. the term of the previous lease that is being amended or extended;
 2. street address of office being leased; and
 3. city, state and ZIP where office is being leased.
- B. Section 2 requires the new ending date (if the lease is going to be extended), which must be on or before January 2, 2023. If the lease term is not going to be extended, write “N/A” in the space provided.
- C. Section 3 requires the monthly rent amount for the extended term, and if any other provision is changed, the blank space beneath Section 3 is provided for any changes or additions. If there are no other changes to your existing lease write “NONE” in the space provided.
- D. **The Member/Member-Elect is required to personally sign the documents.**
- E. A District Office Lease Attachment for the 117th Congress must accompany this District Office Lease Amendment (“Amendment”).
- F. **Prior to either party signing an Amendment, the Member/Member-Elect must submit the proposed Amendment, accompanied by a copy of the District Office Lease Attachment for the 117th Congress, to the Administrative Counsel for review and approval.** If the proposed terms and conditions of the Amendment are determined to be in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the signing of the Amendment. Please submit the proposed Amendment and District Office Lease Attachment either by e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357).
- G. Once signed by both parties, the Amendment and District Office Lease Attachment must be submitted to the Administrative Counsel for final approval. They may be sent by email in PDF form or faxed to 202-226-0357.
- H. If approved, Administrative Counsel will send them to Finance so that payment can begin. If there are errors, you will be contacted and required to correct them before the Amendment is approved.
- I. If you have any additional questions about District Office Leases, please contact the Office of the Administrative Counsel by e-mail (leases@mail.house.gov).

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 1 of 2 – 117th Congress)

1. **Prior Lease Term.** The undersigned Landlord (“Lessor”) and Member of the U. S. House of Representatives (“Lessee”) agree that they previously entered into a District Office Lease (“Lease”) (along with the District Office Lease Attachment), which covered the period from January 3, 2019 to January 2, 2021 for the lease of office space located at 318 South 2nd Street, #A in the city, state and ZIP of Leesburg, Florida 34748.
2. **Extended Term.** If applicable, the above referenced Lease is extended through and including January 2, 2023. (This District Office Lease Amendment (“Amendment”) may not provide for an extension beyond January 2, 2023, which is the end of the constitutional term of the 117th Congress.)
3. **Rent and Any Other Changes.** The monthly rent for the extended term of the Lease shall now be \$875. All other provisions of the existing Lease shall remain unchanged and in full effect, except for the following additional terms, which are modified as indicated in the space below [If no additional terms are to be modified, write the word “NONE” below].
4. **District Office Lease Attachment for 117th Congress.** This Amendment shall have no force and effect unless and until accompanied by an executed District Office Lease Attachment for the 117th Congress and the District Office Lease Attachment for the 117th Congress attached hereto supersedes and replaces any prior District Office Lease Attachment.
5. **Counterparts.** This Amendment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
6. **Section Headings.** The section headings of this Amendment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

[Signature page follows.]

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 2 of 2 – 117th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Amendment as of the later date written below by the Lessor or the Lessee.

City of Leesburg, Florida

The Honorable Daniel A. Webster

Print Name of Lessor/Landlord/Company

Print Name of Lessee

By: _____

Lessor Signature

Lessee Signature

Name:

Title:

Date

Date

*This District Office Lease Amendment must be accompanied with an executed
District Office Lease Attachment.*

District Office Lease Attachment- Instructions

The District Office Lease Attachment must accompany *every* Lease or Amendment submitted for a Member/Member-Elect's District Office.

NO LEASE, AMENDMENT OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE ADMINISTRATIVE COUNSEL.

The term of a District Office Lease or Amendment for the 117th Congress may not commence prior to January 3, 2021.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 117th Congress, leases should end on January 2, 2023, not December 31, 2022.

A few things to keep in mind:

- A. The Member/Member-Elect is required to personally sign the documents.
- B. The Lessor must complete the amenities checklist in Section A ("Lease Amenities"), including both the "required amenities" and "optional amenities" portions.
- C. The Member/Member-Elect must indicate in Section A ("Lease Amenities") whether the proposed leased space will serve as a flagship district office.
- D. Section B ("Additional Terms and Conditions") of the Attachment **SHALL NOT** have any provisions deleted or changed.
- E. Even if rent is zero, an Attachment is still required.
- F. **Prior to either party signing a Lease or Amendment, the Member/Member-Elect must submit the proposed Lease or Amendment, accompanied by a copy of the Attachment, to the Administrative Counsel for review and approval.** If the Administrative Counsel determines that the proposed terms and conditions of the Lease or Amendment are in compliance with applicable law and House Rules and Regulations, the Administrative Counsel will notify the Member/Member-Elect that (s)he may proceed with the execution of the Lease or Amendment. Please submit the proposed Lease or Amendment and Attachment either by e-mail in PDF form (leases@mail.house.gov) or by fax (202-226-0357).
- G. Once signed by both parties, the Lease or Amendment along with the Attachment must be submitted to the Administrative Counsel for final approval. They may be sent by email in PDF form (leases@mail.house.gov) or by fax (202-226-0357).
- H. Without a properly signed and submitted Attachment, the Lease or Amendment cannot be approved by the Administrative Counsel and payments will not be made. The parties agree that any charges for default, early termination or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and are not reimbursable from the Member's Representational Allowance.
- I. **Lessor shall provide a copy of any assignment, estoppel certificate, notice of a bankruptcy or foreclosure, or notice of a sale or transfer of the leased premises to the Administrative Counsel by e-mail in PDF form (leases@mail.house.gov).**

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Attachment

(Page 1 of 5 – 117th Congress)

SECTION A
(Lease Amenities)

Section A sets forth the amenities provided by the Lessor to be included in the Lease and designates whether the leased space will be the Member/Member-Elect's flagship (primary) office. Except as noted below, the amenities listed are not required for all district offices.

To be completed by the Lessor (required amenities):

☒ * **High-Speed Internet Available Within the Leased Space.**

Please list any internet providers known to provide service to the property:

☒ * **Interior Wiring CAT 5e or Better within Leased Space.**

To be completed by the Lessor (optional amenities):

☐ Amenities are separately listed elsewhere in the Lease.

(The below checklist can be left blank if the above box is checked.)

The Lease includes (please check and complete all that apply):

☐ Lockable Space for Networking Equipment.

☒ Telephone Service Available.

☒ Parking.

☐ Assigned Parking Spaces

☒ Unassigned Parking Spaces

☐ General Off-Street Parking on an As-Available Basis

☒ Utilities. Includes: Electric, Water, & Sewer

☐ Janitorial Services. Frequency: _____

☒ Trash Removal. Frequency: Weekly

☐ Carpet Cleaning. Frequency: _____

☐ Window Washing. ☐ Window Treatments.

☒ Tenant Alterations Included In Rental Rate.

☒ After Hours Building Access.

☐ Office Furnishings. Includes: _____

☒ Cable TV Accessible. If checked, Included in Rental Rate: ☒ Yes ☐ No

☒ Building Manager. ☐ Onsite ☒ On Call Contact Name: Al Minner

Phone Number: (352) 728-9800 Email Address: alminner@leesburgflorida.gov

To be completed by the Member/Member-elect (required):

☒ The leased space will serve as my flagship (primary) District Office.

☐ The leased space will NOT serve as my flagship (primary) District Office.

Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515.
Copies may also be faxed to 202-226-0357.

District Office Lease Attachment

(Page 2 of 5 – 117th Congress)

SECTION B (Additional Lease Terms)

1. **Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-Elect of the U.S. House of Representatives) agree that this District Office Lease Attachment ("Attachment") is incorporated into and made part of the Lease ("Lease") and, if applicable, District Office Lease Amendment ("Amendment") to which it is attached.
2. **Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the "House") nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the "CAO") to Lessor to satisfy Lessee's rent obligations under the Lease – which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House – shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
3. **Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO ("Administrative Counsel") must review and give approval of any amendment to the Lease prior to its execution.
4. **Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until the Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing the last page of this Attachment.
5. **Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance of the House at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
6. **Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
7. **Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee, and shall not be paid by the CAO on behalf of the Lessee.
8. **Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a)

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Attachment

(Page 3 of 5 – 117th Congress)

terminate the Lease by giving thirty (30) days' prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee's successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

9. **Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-Elect before taking office. Should the Member-Elect not take office to serve as a Member of the 117th Congress, the Lease will be considered null and void.
10. **Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, O'Neill Federal Building, Suite 3220, Attn: Jason Washington, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
11. **Assignments.** Lessor shall provide thirty (30) days prior written notice to Lessee before assigning any of its rights, interests or obligations under the Lease, in whole or in part, by operation of law or otherwise. Lessor shall promptly file a copy of any such assignment notice with the Administrative Counsel by e-mail at leases@mail.house.gov. Lessee and the House shall not be responsible for any misdirected payments resulting from Lessor's failure to file an assignment notice in accordance with this section.
12. **Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with the Administrative Counsel by e-mail at leases@mail.house.gov.
13. **Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall promptly file a copy of any such notice with the Office of Finance, U.S. House of Representatives, O'Neill Federal Building, Suite 3220, Attn: Jason Washington, Washington, D.C. 20515, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
14. **Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of the Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to the Administrative Counsel by e-mail at leases@mail.house.gov.

District Office Lease Attachment

(Page 4 of 5 – 117th Congress)

15. **Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
16. **Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.
17. **Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
18. **Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
19. **Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
20. **Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
21. **Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
22. **Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
23. **Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
24. **Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Attachment

(Page 5 of 5 – 117th Congress)

25. **Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
26. **Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
27. **District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.
28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

City of Leesburg, Florida

Print Name of Lessor/Landlord

The Honorable Daniel A. Webster

Print Name of Lessee

By: _____
Lessor Signature
Name:
Title:

Lessee Signature

Date

Date

From the Member's Office, who is the point of contact for questions?		
Name	Christa Pearson	Phone (352) 304-7590 E-mail Christa.Pearson @mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

<i>Send completed forms to: Administrative Counsel, 217 Ford House Office Building, Washington, D.C. 20515. Copies may also be faxed to 202-226-0357.</i>

U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form

INSTRUCTIONS

Internal Revenue Code 6109, 31 U.S.C. 3322, 31 CFR 210 and the 1996 Debt Collection Improvement Act require all entities that do business with the United States Government to provide a Tax Identification Number (TIN) and Electronic Funds Transfer (EFT) information for payment. PL 93-579 protects your privacy and mandates that the information never be published or used for any other purpose than to pay you. Please complete all sections below, sign and return via the email or fax number listed.

RETURN FORM TO: vendorEFT@mail.house.gov

FAX NUMBER: (202) 225-6914

SECTION I UNITED STATES HOUSE OF REPRESENTATIVES INFORMATION

ADDRESS US HOUSE OF REPRESENTATIVES - ACCOUNTING, 3110 O'NEILL HOUSE OFFICE BUILDING, WASHINGTON DC 20515

AGENCY IDENTIFIER 53-6002523

AGENCY LOCATION CODE 4832

TELEPHONE NUMBER (202) 226-2277

SECTION II PAYEE/COMPANY INFORMATION

NAME AS SHOWN ON YOUR INCOME TAX RETURN

BUSINESS NAME/DISREGARDED ENTITY NAME OR DBA, IF DIFFERENT THAN NAME ON YOUR INCOME TAX RETURN

ADDRESS/CITY/STATE/ZIP

Enter the correct Tax Identification Number type

SOCIAL SECURITY NUMBER (SSN)

EMPLOYER TAX ID NUMBER (EIN)

□ □ □ - □ □ □ or □ □ - □ □ □ □ □ □ □ □

CONTACT PERSON NAME

PURCHASE ORDER ADDRESS/CITY/STATE/ZIP

EMAIL

PO EMAIL

TELEPHONE NUMBER

FAX NUMBER

TELEPHONE NUMBER

FAX NUMBER

REMIT TO ADDRESS

CHECK APPROPRIATE BOX FOR FEDERAL TAX CLASSIFICATION (required)

☐ Individual/Sole Proprietor or Single Member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/Estate

Exemptions (codes apply only to certain entities, not individuals):

Limited Liability Company. Check the tax classification: ☐ C corporation ☐ S corporation ☐ Partnership

Note. For *single-member LLC* that is disregarded, check the appropriate box for the tax classification of the single-member owner.

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

Government Entity. Check the tax classification: ☐ Federal ☐ State ☐ Local

☐ Other _____

SECTION III FINANCIAL INSTITUTION INFORMATION ^{U.S.}

BANK NAME

TELEPHONE NUMBER

NINE-DIGIT ROUTING TRANSIT NUMBER

DEPOSITOR ACCOUNT TITLE

DEPOSITOR ACCOUNT NUMBER

LOCKBOX NUMBER

TYPE OF ACCOUNT

☐ CHECKING

☐ SAVINGS

☐ LOCKBOX

SECTION IV SOCIO-ECONOMIC INFORMATION

Type of Business

☐ Large Business-No Socio-Economic Designations ☐ Minority ☐ SmBusiness ☐ Sm-Disadv/Minority ☐ Sm-Disadv Only ☐ SmMin Only

Sm-Disadvantaged Business Prog

☐ 8 (a) Firm

☐ HUBZone Program

☐ HUBZone Eligible

☐ Emerging Small Business

☐ Women-Owned Business

Other Preference Programs

☐ Buy Indian

☐ Directed to JWOD Non-Profit

☐ No Preference/Not Listed

☐ Small Business Set-Aside

☐ Very Small Business Set-Aside

Veteran Owned Status

☐ Non-Vet Owned SmBus

☐ Other Vet Owned SmBus

☐ Serv-Disabled Vet Other Bus

☐ Serv-Disabled Vet Owned SB

☐ Vet-Owned Other Bus

Size of Business:

☐ (A) 50 or less

☐ (B) 51-100

☐ (C) 101-250

☐ (D) 251-500

☐ (E) 501-750

☐ (F) 751-1,000

☐ (G) Over 1,000

☐ (M) 1 million or less

☐ (N) 1.1-2 million

☐ (P) 2.1-3.5 million

☐ (R) 3.1-5 million

☐ (S) 5.1-10 million

☐ (T) 10.1-17 million

☐ (Z) Over 17 million

SECTION V CERTIFICATION OF DATA BY PAYEE/COMPANY

NAME

TITLE/POSITION

SIGNATURE

DATE

TELE

**Instructions for Completing
U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form**

Section I - Agency Information – Includes the name and address, agency identifier, agency location code and telephone number for the House of Representatives.

Section II - Payee/Company Information – Print or type the name of the payee/company and address that will receive payment, social security or taxpayer ID number, contact person name, telephone number and email of the payee/company. Print or type the purchase order and remit to addresses if different from the payee/company address. Check the appropriate boxes for federal tax classification.

Section III - Financial Institution Information – Print or type the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Check the appropriate box for type of account. Payee/Company may include a voided check with this form.

ACH Account Information Located on a Check or Deposit Ticket

<u>FINANCIAL INSTITUTION NAME</u>	name of the financial institution to which the payments are to be directed
<u>ROUTING TRANSIT NUMBER (RTN)</u>	financial institution's 9 digit routing transit number; <i>found on the bottom of a check or deposit ticket or from your Financial Institution</i>
<u>ACCOUNT TITLE</u>	employee's or vendor's name on the account
<u>ACCOUNT NUMBER</u>	account number at the financial institution

The image shows a sample check from SunTrust Bank. The check is dated 06-10-00 and is payable to the order of Thomas B. Anderson. The check number is 101. The routing transit number (RTN) is 000000000. The account number is 1234567890. The ACH routing transit number (ACH RTN) is 081000104. The check is voided. Annotations 1 through 4 point to the following information:

- 1. Routing Transit Number (RTN) – nine digits located between two symbols.
- 2. Account number – this is your complete account number. Your account number can be up to 17 digits. Please include leading zeros.
- 3. ACH Routing Transit Number – Automated Clearing House routing number, use this number for your Routing Transit Number (RTN) if you bank with SunTrust Bank.
- 4. Check number – This information is not necessary - do not provide

1. Routing Transit Number (RTN) – nine digits located between two symbols. This number identifies the bank holding your account and check processing center.
2. Account number – this is your complete account number. Your account number can be up to 17 digits. Please include leading zeros.
3. ACH Routing Transit Number – Automated Clearing House routing number, use this number for your Routing Transit Number (RTN) if you bank with **SunTrust Bank**.
4. Check number – This information is not necessary - do not provide

Section IV - Socio-Economic Information – Check the boxes for each category, if applicable: type of business, small disadvantaged business program, HUBZone program, emerging small business, women-owned business, other preference programs, Veteran owned status and size of business. Detailed information related to Small Business programs can be found at <http://www.sba.gov/>.

Section V - Certification of Data By Payee/Company – Print or type the name, title/position and phone number of the Authorized official. The Authorized official must sign and date the form.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: December 14, 2020

From: Andi Purvis, (City Clerk)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute a Quitclaim Deed between the City of Leesburg as Grantor, and Nakia Myles as Grantee, for the purpose of conveying to the Grantee a portion of land owned by the City adjacent to the Grantee's property, to conform her lot to the size and configuration of other lots in the general area; and providing an effective date.

Staff Recommendation:

Staff recommends approval of Resolution authorizing the Mayor and City Clerk to execute a quitclaim deed with Nakia Myles.

Analysis:

The City of Leesburg, as Grantor, is conveying a portion of city owned property adjacent to Grantee, Nakia Myles, 900 N. Chester Street, to conform the size and configuration of her lot to the other lots in the general area, and to provide the Grantee with legal access to Chester Street. The City retains enough property for access off Chester Street to the lands east of the Chester Street and west the City trail system.

Procurement Analysis:

N/A

Options:

1. Approve the Quitclaim Deed between the City of Leesburg and Nakia Myles; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

Submission Date and Time: 12/9/2020 1:28:33 PM

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE A QUITCLAIM DEED BETWEEN THE CITY OF LEESBURG AS GRANTOR, AND NAKIA MYLES AS GRANTEE, FOR THE PURPOSE OF CONVEYING TO THE GRANTEE A PORTION OF LAND OWNED BY THE CITY ADJACENT TO THE GRANTEE'S PROPERTY, TO CONFORM HER LOT TO THE SIZE AND CONFIGURATION OF OTHER LOTS IN THE GENERAL AREA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Quitclaim Deed between the City of Leesburg as Grantor, and Nakia Myles as Grantee, for the purpose of conveying to the Grantee a portion of the property adjacent to her lot, owned by the City of Leesburg, to conform the size and configuration of her lot to the other lots in the general area, and to provide the Grantee with legal access to Chester Street.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:
Fred A. Morrison
P.O. Box 491357
Leesburg, Florida 34749 – 1357

Quitclaim Deed

RESERVED FOR RECORDING

THIS QUIT CLAIM DEED, executed this ____ day of _____, 2020, by THE CITY OF LEESBURG, FLORIDA, a Florida municipal corporation, whose address is Post Office Box 490630, Leesburg, Florida 34749-0630, first party, to NAKIA MYLES, whose address is 900 North Chester Street, Leesburg, Florida 34748, second party:

(Wherever used herein, the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of TEN AND NO/100----(\$10.00)----Dollars, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lake, State of Florida, to-wit:

The West 9.54 feet of the East 140 feet of the East 825.68 Feet of Southwest 1/4 of the Northeast 1/4, Section 22, Township 19 South, Range 24 East, Lake County, Florida;

AND

The East 30.46 feet of the East 140 feet of the East 825.68 Feet of Southwest 1/4 of the Northeast 1/4, Section 22, Township 19 South, Range 24 East, Lake County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien equity and claim whatsoever of the said first party, either in law or in equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has caused its duly authorized officers to execute this instrument on the day and year first above written.

THE CITY OF LEESBURG, FLORIDA

BY: _____
ELISE DENNISON, Mayor

ATTEST: _____
ANDI PURVIS, City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, appeared, either by means of ☐ physical presence, or ☐ online notarization, Elise Dennison as Mayor, and Andi Purvis as City Clerk, of the City of Leesburg, Florida, who acknowledged before me on the _____ day of December, 2020, that they executed the foregoing instrument, and who were either {CHECK ONE} ☐ personally known to me, or who ☐ produced _____ as identification.

NOTARY PUBLIC SIGNATURE

Commission Number

Type or print name of Notary Public

Commission Expiration Date

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: December 14, 2020

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute an Interlocal Agreement to transfer jurisdiction over Hollow Lane (4523A), between the City of Leesburg and Lake County, Florida, for the purpose of setting forth the terms and conditions for a transfer of jurisdiction over this roadway from County to City; and providing an effective date.

Staff Recommendation:

Staff recommends approval of Resolution regarding the transfer jurisdiction of Hollow Lane (4523A).

Analysis:

This item is a result of Commissioner Pederson's request to pave Hollow Lane in an effort to prepare for the Lady's Softball Big Ten Tournament. Initially, this street was thought to be owned by the City. However, it is not. In keeping the road maintained to a higher urban standard, the road should be within the corporate limits.

Florida Statutes, Section 335.0415, provides that public roads may be transferred between jurisdictions by mutual agreement. The City accepts any and all of the County's ownership interests, operation and maintenance responsibilities of Hollow Lane (4523A) as identified in the attached Exhibit A. By accepting Hollow Lane, the City's standard for urban roads will be implemented; thereby, better serving the Leesburg residents that live in the Sleepy Hollow Subdivision and those that use the City's sports complex.

Procurement Analysis:

N/A

Options:

1. Adopt Resolution as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time: 12/9/2020 1:30:01 PM

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT TO TRANSFER JURISDICTION OVER HOLLOW LANE (4523A), BETWEEN THE CITY OF LEESBURG AND LAKE COUNTY, FLORIDA, FOR THE PURPOSE OF SETTING FORTH THE TERMS AND CONDITIONS FOR A TRANSFER OF JURISDICTION OVER THIS ROADWAY FROM COUNTY TO CITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized and directed to execute an Interlocal Agreement to Transfer Jurisdiction over Hollow Lane (4523A) between the City of Leesburg and Lake County, Post Office Box 7800, Tavares, Florida 32778, for the purpose of setting forth the terms and conditions for the transfer by Lake County to Leesburg of jurisdiction and maintenance responsibility over the roadway referred to as "Hollow Lane".

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

**INTERLOCAL AGREEMENT TO TRANSFER JURISDICTION
HOLLOW LANE (4523A)**

THIS INTERLOCAL AGREEMENT (“agreement”) is by and between Lake County, Florida, a political subdivision of the State of Florida (the “County”) and the City of Leesburg, Florida, a municipal corporation organized under the laws of the State of Florida, hereinafter the (“City”) regarding the transfer jurisdiction of Hollow Lane (4523A)

WHEREAS, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

WHEREAS, Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions by mutual agreement of the affected governmental entities; and

WHEREAS, it is in both the County and City’s best interest to transfer the jurisdiction, operation and maintenance responsibilities of Hollow Lane from the County to the City.

NOW, THEREFORE the County and the City agree as follows:

1. Recitals. The foregoing recitals are incorporated herein by reference.
2. County Obligations. In accordance with Section 335.0415, Florida Statutes, the County transfers to the City any and all ownership interests, operation and maintenance responsibilities that the County has or may have had in and for Hollow Lane (4523A) from its connection with Sleepy Hollow Lane to its eastern terminus at Sleepy Hollow Sports Complex, as identified in the Location Map attached hereto as **Exhibit A** and incorporated herein, effective on the date the last party hereto executes this agreement (“effective date”).
3. City Obligations. Upon the effective date, the City accepts any and all of the County’s ownership interests, operation and maintenance responsibilities of Hollow Lane (4523A) as identified in **Exhibit A** attached.
4. Amendment. Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by both the City and the County.
5. Notices.
 - A. All notices or other writings required to be given or made or sent in this agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

COUNTY
County Manager
P.O. Box 7800
Tavares, Florida 32778

CITY
City Manager
P.O. Box 490630
Leesburg, Florida 34744-0630

cc: Public Works Operations Manager
Post Office Box 7800
Tavares, Florida 32778

B. All notices required, or which may be given hereunder, shall be considered properly given if (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices shall be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.

D. Parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, to the other party in a manner designated for the filing of notice hereunder.

6 Entire Agreement. This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.

7. Severability. If any provision of this agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

8. Effective Date. This agreement shall become effective upon the date the last party hereto executes it ("effective date").

Interlocal Agreement between Lake County and the City of Leesburg to Transfer Jurisdiction Hollow Lane

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, and by the City of Leesburg, Florida, through its City Commission, signing by and through its Mayor.

ATTEST:

LAKE COUNTY, FLORIDA through its
BOARD OF COUNTY COMMISSIONERS

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

_____, Chairman

This ____ of _____, 2020.

Approved as to form and legality:

Melanie Marsh, County Attorney

CITY OF LEESBURG, FLORIDA

_____, Mayor

This ____ day of _____, 2020.

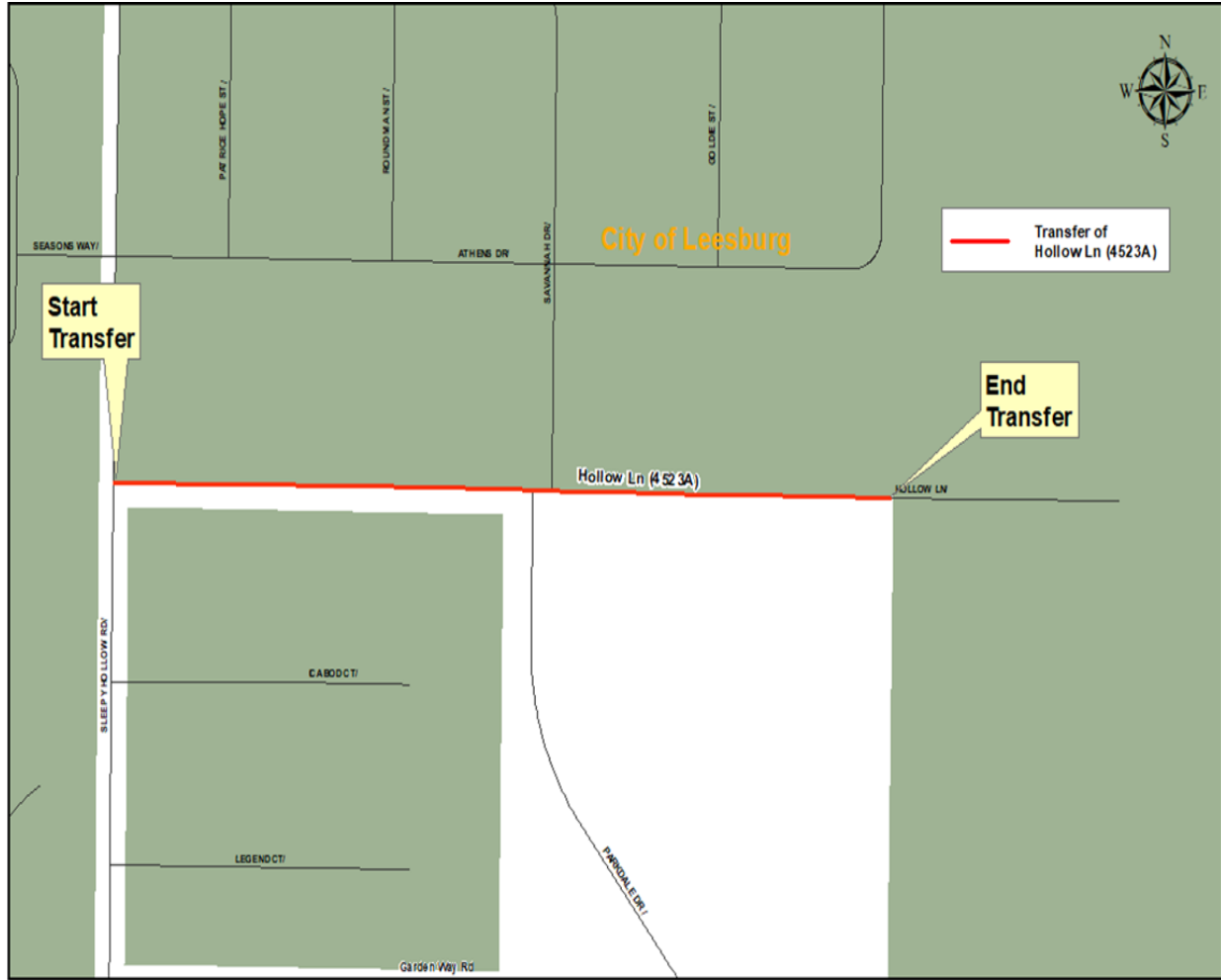
ATTEST:

City Clerk

Approved as to form and legality:

_____, City Attorney

**Exhibit A – Location Map
Hollow Lane (4523A)**



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.5.

Meeting Date: December 14, 2020

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Second Amendment to the Reservation and Provision of Wastewater Services with South Sumter Utility Company, LLC; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the Second Amendment to Agreement for Reservation and Provision of Wastewater Services with South Sumter Utility Company, LLC.

Analysis:

The City entered into the initial Agreement for Reservation and Provision of Wastewater Services with South Sumter Utility Company, LLC on November 13, 2017; and the First Amendment was executed on October 8, 2018. This amendment address a more accurate way to measure SSUC wastewater flow into the Turnpike Wastewater Facility and allows for portions of the agreement to be transfer to different Village entities.

Procurement Analysis:

N/A

Options:

1. Adopt Resolution as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time: 12/9/2020 1:30:47 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
SECOND AMENDMENT TO THE RESERVATION AND PROVISION OF
WASTEWATER SERVICES WITH SOUTH SUMTER UTILITY COMPANY,
LLC; AND PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute a Second Amendment to the Agreement for Reservation and Provision of Wastewater Services with South Sumter Utility Company, LLC, whose address is 3619 Kiessel Road, The Villages, Florida 32163.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

**SECOND AMENDMENT TO
AGREEMENT FOR RESERVATION AND PROVISION OF WASTEWATER
SERVICES**

THIS SECOND AMENDMENT TO AGREEMENT FOR RESERVATION AND PROVISION OF WASTEWATER SERVICES ("Second Amendment") is entered into this _____ day of November, 2020 ("Second Amendment Effective Date") by and between the **CITY OF LEESBURG, FLORIDA**, a Florida municipal corporation ("Leesburg"), and **SOUTH SUMTER UTILITY COMPANY, LLC**, a Florida limited liability company ("SSUC").

RECITALS:

A. On November 13, 2017, Leesburg and SSUC entered into an Agreement for Reservation and Provision of Wastewater Services as amended by that certain First Amendment to Agreement for Reservation and Provision of Wastewater Services dated October 8, 2018 (collectively "Agreement").

B. Leesburg and SSUC agree that the existing meter located on Leesburg's existing force main at the Turnpike Plant that is used to measure flow from SSUC is not reporting accurate flow, and the field conditions are such that the accuracy cannot be improved.

C. At this time, to resolve the above stated issue, Leesburg and SSUC wish to amend certain terms and provisions of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the parties hereto agree as follows:

1. The last sentence of Section B.4. of the Agreement is hereby amended and restated as follows:

"Any adjustment made to the SSUC rate as provided herein shall be noticed to SSUC in writing on or before March 1st of the applicable year, with an effective date for the rate change of June 1st. In the event of a partial assignment, the base fee and per gallon fee described in subsections (i) and (ii) of this Section shall apply separately to SSU and the assigned to Affiliate, defined below."

2. The first two sentences of Section B.5. of the Agreement is hereby amended and restated as follows:

"SSUC shall, at its sole expense, construct or cause to be constructed by developers or other third parties, the sanitary sewer force main and lift stations needed to transmit wastewater from SSUC's collection system to Leesburg's existing force main. The ~~existing~~ master lift stations in the SSUC service area are Lift Stations 11, ~~and 28, and Lift Station 31, 52 and 56 will be in service in the near future.~~ The location of these lift stations are shown on Exhibit "B" attached hereto and incorporated herein. ~~It is estimated that 2 or 3 additional master lift stations will be added to the SSUC service area at build out. The parties agree to update Exhibit "B" to include future master lift stations upon buildout.~~

Leesburg and SSUC agree that the flow from SSUC to Leesburg, which is used to calculate the billing to SSUC, will be determined by the summation of the flow from each of the master lift stations located in the SSUC service area. SSUC shall install a meter on the force main exiting each SSUC master lift station to measure the volume of wastewater transmitted to Leesburg's Turnpike Plant. Each meter will be calibrated annually by SSUC, at SSUC's expense, to ensure the accuracy of the meters for billing purposes. SSUC hereby affirms that all wastewater flow delivered to the Turnpike Plant will be metered, and no unmetered connections will be made."

3. The second sentence of Section 8 shall be amended and restated as follows:

"The amount to be billed shall be based on the summation of flow from each of the master lift stations as provided in Paragraph 5 above."

4. Section 17 is hereby added as follows:

"This Agreement, or a portion thereof, may be assigned by SSU, without the consent of Leesburg, to: (i) an Affiliate, as defined below, of SSU, (ii) a Florida Statutes Chapter 189 special district or (iii) Gibson Place Utility Company, LLC. Such assignment shall not be effective until notice of the assignment is provided to Leesburg. "**Affiliate**" shall mean any individual, partnership, company, or corporation, trust, or legal entity: (a) which, directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with SSU; (b) which beneficially owns or holds fifty percent (50%) or more of any class of stock of, or voting equity interest in SSU; or (c) fifty percent (50%) or more of the voting stock or the voting equity interest in which is beneficially owned or held by SSU; or (d) who is an officer or director (or the equivalent) of SSU or the entity described in subsection a through c above."

5. This Second Amendment may be executed in two (2) counterparts, each of which shall be deemed an original, but both of which together shall constitute one and the same instrument.

6. For purposes of this Second Amendment, facsimile or similar electronic signature shall be binding on the signing party as if such signature was an original and each party hereto waives any defenses or evidentiary rule that may relate to the facsimile signature.

7. Other than as amended herein, all other terms and provisions of the Agreement shall remain unchanged.

8.

IN WITNESS WHEREOF the undersigned have executed this Second Amendment as of the date and year first above written.

“LEESBURG”

CITY OF LEESBURG

ATTEST:

Print Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Approved as to legal form:

By: _____
Fred A. Morrison, City Attorney

“SSUC”

WITNESSES:

SOUTH SUMTER UTILITY COMPANY, LLC,
a Florida limited liability company

Print Name: _____

BY: TVL Company, LLC, a Florida limited liability company, its Manager

Print Name: _____

By: _____
Name: _____
Title: Manager

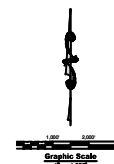


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SSU SANITARY EXHIBIT

NOVEMBER 2020

EXHIBIT B



SSU NO. 11

SSU NO. 31

SSU NO. 28

SSU NO. 52

SSU NO. 56

LEGEND

- | | | | |
|--|--------------------|--|--|
| | = 1.25" FORCE MAIN | | = PLUG VALVE |
| | = 1.5" FORCE MAIN | | = AIR RELEASE VALVE |
| | = 2" FORCE MAIN | | = 8-24" GRAVITY SEWER |
| | = 3" FORCE MAIN | | = EXISTING CITY FORCE MAIN |
| | = 4" FORCE MAIN | | = LIFT STATION TRIBUTARY AREA |
| | = 6" FORCE MAIN | | = WASTEWATER TREATMENT PLANT |
| | = 8" FORCE MAIN | | = FUTURE LIFT STATION |
| | = 10" FORCE MAIN | | = REQUIRES SEWWCA/SSU PRESSURE NODES |
| | = 12" FORCE MAIN | | = INFLOW INCLUDES FLOW FROM OTHER STATIONS |
| | = 16" FORCE MAIN | | |
| | = 20" FORCE MAIN | | |
| | = 24" FORCE MAIN | | |
| | = 30" FORCE MAIN | | |
| | = 36" FORCE MAIN | | |



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.6.

Meeting Date: December 14, 2020

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment to the Interlocal Agreement for Disbursement of CARES ACT Funds with Lake County; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the Amendment to Interlocal Agreement for Disbursement of CARES ACT funds.

Analysis:

The City executed an Interlocal Agreement with Lake County for CARES ACT funding on September 14, 2020. The attached amendment extends the deadline to use the monies until December 30 and adds language that will allow the County Manager to distribute additional funds if those are available in the next few weeks.

Procurement Analysis:

N/A

Options:

1. Adopt Resolution as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE
AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR
DISBURSEMENT OF CARES ACT FUNDS WITH LAKE COUNTY; AND
PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an Amendment to Interlocal Agreement with Lake County, whose address is Post Office Box 7800, Tavares, FL 32778, for Disbursement of CARES ACT Funding.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

AMENDMENT TO INTERLOCAL AGREEMENT FOR
DISBURSEMENT OF CARES ACT FUNDS
(Municipal Funding)

THIS AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter referred to as the “County,” and the City of Leesburg, a municipal corporation organized under the laws of the State of Florida, hereinafter referred to as the “Municipality.”

WHEREAS, the State of Florida has been awarded funds pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES), Public Law No. 116-136, div. A, Title V (March 27, 2020), known as the CARES Act; and

WHEREAS, the State has determined that the County’s share of the CARES Act funding is \$64,059,260; and

WHEREAS, the County and the State of Florida, Division of Emergency Management (“State DEM”), entered into a CARES Act Funding Agreement (the “Funding Agreement”) for the initial 25% of the County’s allocation to disburse funds to Lake County for: (i) necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019; (ii) were not accounted for in the budget most recently approved by the entity; and (iii) were incurred between March 1, 2020, through December 30, 2020; and

WHEREAS, the County received an additional 20% of its allocation on November 5, 2020, with the final 55% available on a reimbursement basis under similar terms and conditions as set forth under the Funding Agreement; and

WHEREAS, the parties entered into an interlocal agreement on September 29, 2020, for the purposes of assisting the Municipality with implementing certain safety improvements or to reimburse certain necessary expenditures incurred due to the public health emergency as identified herein; and

WHEREAS, the parties now desire to amend the agreement to provide for additional time to expend the funds, include additional eligible items, and provide for additional allocations.

NOW THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

- 1. Recitals.** The above recitals are incorporated into this interlocal agreement.
- 2. Amendment.** Article I, Scope of Service and Use of Funds, is hereby amended to extend the date the Grant Funds must be expended from December 1, 2020, to December 30, 2020. Further, in addition to those items identified in the attached Spend Plan, Municipality may utilize the Grant Funds for public safety wages expended between March 1, 2020, and November 30, 2020. Finally, the County Manager may increase Municipality’s Grant Funds prior to December 30,

2020, by notifying Municipality in writing of such increase. The written notification of additional funds may be accompanied by a check. Upon depositing such check, Municipality accepts such additional funds and shall use those funds in accordance with the terms and conditions of this interlocal agreement.

3. Other Provisions. All other terms and conditions of the original interlocal agreement shall remain in full force and effect unless duly modified in writing signed by both parties.

IN WITNESS WHEREOF, the parties through their duly authorized representatives have signed this amendment on the date under each signature.

ATTEST:

MUNICIPALITY

J. Andi Purvis, City Clerk

By: _____
Elise A. Dennison, Mayor
Date: _____

Approved as to form and legality:

City Attorney

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

Sean M. Parks, Chairman

This _____ day of _____, 2020.

ATTEST:

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Approved as to form and legality:

Melanie Marsh
County Attorney

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.7.

Meeting Date: December 14, 2020

From: Cliff Kelsey, (Public Works Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager to enter into a grant agreement with the State of Florida Fish and Wildlife Conservation Commission for the Venetian Gardens Boardwalk and Docks Project; and providing an effective date.

Staff Recommendation:

Staff recommends entering into a grant agreement with the Florida Fish and Wildlife Conservation Commission accepting a cost reimbursement grant in an amount not to exceed \$590,974.87 for the construction of the Venetian Gardens Boardwalk and Docks Project.

Analysis:

The City applied for and was awarded a grant from the State of Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service for the construction of the Venetian Gardens Boardwalk and Docks Project. The project has benefits that will increase the ultimate good of the State of Florida, its resources, wildlife, and public welfare. The grant provides funding for construction of approximately 550 feet of boardwalk and up to 44 boat slips along the Northwest shoreline of Venetian Cove.

Procurement Analysis:

Options:

1. Accept the grant by entering into an agreement with the FWC; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE CITY MANAGER TO ENTER INTO A
GRANT AGREEMENT WITH THE STATE OF FLORIDA FISH AND
WILDLIFE CONSERVATION COMMISSION FOR THE VENETIAN
GARDENS BOARDWALK AND DOCKS PROJECT; AND PROVIDING AN
EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the City Manager is hereby authorized to execute a grant agreement with the State of Florida Fish and Wildlife Conservation Commission, whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, for the construction of the Venetian Gardens Boardwalk and Docks Project.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

**STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION**

AGREEMENT NO. 19023

CFDA Title(s): Sport Fish Restoration - Boating Access	CFDA No(s): 15.605
Name of Federal Agency(s): Department of the Interior, U.S. Fish and Wildlife Service	
Federal Award No(s): F20AF12281	Federal Award Year(s): 2019/2020
Federal Award Name(s): City of Leesburg - Venetian Gardens Dock	
CSFA Title(s): N/A	CSFA No(s): N/A
State Award No(s): N/A	State Award Year(s): N/A
State Award Name(s): N/A	

This Agreement is entered into by and between the Florida Fish and Wildlife Conservation Commission, whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, hereafter “**Commission**,” and City of Leesburg, FEID # 59-6000362, whose address is 550 South 14th Street, Leesburg, FL, 34748, hereinafter “**Grantee**.”

WHEREAS, the Commission and Grantee have partnered together to design, engineer, permit, and construct a boardwalk and dock facility at Venetian Gardens; and,

WHEREAS, Grantee has been awarded U.S. Fish and Wildlife Service grant award #F20AF12281 and FWC grant award #19023; and,

WHEREAS, such benefits are for the ultimate good of the State of Florida, its resources, wildlife, and public welfare.

NOW THEREFORE, the Commission and the Grantee, for the considerations hereafter set forth, agree as follows:

1. PROJECT DESCRIPTION.

The Grantee shall provide the services and perform the specific responsibilities and obligations, as set forth in the Scope of Work, attached hereto as Attachment A and made a part hereof (hereafter, Scope of Work). The Scope of Work specifically identifies project tasks and accompanying deliverables. These deliverables must be submitted and approved by the Commission prior to any payment. The Commission will not accept any deliverable that does not comply with the specified required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable. If this agreement is the result of Grantee responses to the Commission’s request for competitive or other grant proposals, the Grantee’s response is hereby incorporated by reference.

2. **PERFORMANCE.**

The Grantee shall perform the activities described in the Scope of Work in a proper and satisfactory manner. Unless otherwise provided for in the Scope of Work, any and all equipment, products or materials necessary or appropriate to perform under this Agreement shall be supplied by the Grantee. Grantee shall obtain all necessary local, state, and federal authorizations necessary to complete this project, and the Grantee shall be licensed as necessary to perform under this Agreement as may be required by law, rule, or regulation; the Grantee shall provide evidence of such compliance to the Commission upon request. The Grantee shall procure all supplies and pay all charges, fees, taxes and incidentals that may be required for the completion of this Agreement. By acceptance of this Agreement, the Grantee warrants that it has the capability in all respects to fully perform the requirements and the integrity and reliability that will assure good-faith performance as a responsible Grantee. Grantee shall immediately notify the Commission's Grant Manager in writing if its ability to perform under the Agreement is compromised in any manner during the term of the Agreement. The Commission shall take appropriate action, including potential termination of this Agreement pursuant to Paragraph eight (8) below, in the event the Grantee's ability to perform under this Agreement becomes compromised.

3. **AGREEMENT PERIOD.**

A. Agreement Period and Commission's Limited Obligation to Pay. This Agreement is made pursuant to a grant award and shall be effective upon execution by the last Party to sign and shall remain in effect through 05/31/2022. However, as authorized by Rule 68-1.003, F.A.C., referenced grant programs may execute Agreements with a retroactive start date of no more than sixty (60) days, provided that approval is granted from the Executive Director or his/her designee and that it is in the best interest of the Commission and State to do so. For this agreement, the retroactive start date was not approved. The Commission's Grant Manager shall confirm the specific start date of the Agreement by written notice to the Grantee. The Grantee shall not be eligible for reimbursement or compensation for grant activities performed prior to the start date of this Agreement nor after the end date of the Agreement. For this agreement, preaward costs may be eligible for reimbursement. Details of allowable expenses are included in Attachment A (Scope of Work). If necessary, by mutual agreement as evidenced in writing and lawfully executed by the Parties, an Amendment to this Agreement may be executed to lengthen the Agreement period.

4. **COMPENSATION AND PAYMENTS.**

A. Compensation. As consideration for the services rendered by the Grantee under the terms of this Agreement, the Commission shall pay the Grantee on a cost reimbursement basis in an amount not to exceed \$590,974.87.

B. Payments. The Commission shall pay the Grantee for satisfactory performance of the tasks identified in Attachment A, Scope of Work, as evidenced by the completed deliverables, upon submission of invoices, accompanied by supporting documentation sufficient to justify invoiced expenses or fees, and after acceptance of services and deliverables in writing by the Commission's Grant Manager identified in Paragraph ten (10), below. Unless otherwise specified in the Scope of Work, invoices shall be due monthly, commencing from the start date of this Agreement. Invoices must be legible and must clearly reflect the Deliverables that were provided in accordance with the terms of the Agreement for the invoice period. Unless otherwise specified in the Scope of Work, a final invoice shall be submitted to the Commission no later than forty-five (45) days following the expiration date of this Agreement to assure the availability of funds for payment. Further, pursuant to Section 215.971(1)(d), F.S., the Commission may only reimburse the Grantee for

allowable costs resulting from obligations incurred during the agreement period specified in Paragraph three (3).

- C. Invoices.** Each invoice shall include the Commission Agreement Number and the Grantee's Federal Employer Identification (FEID) Number. Invoices, with supporting documentation, may be submitted electronically to the attention of the Commission's Grant Manager identified in Paragraph ten (10), below. If submitting hard copies, an original and two (2) copies of the invoice, plus all supporting documentation, shall be submitted. All bills for amounts due under this Agreement shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof. Grantee acknowledges that the Commission's Grant Manager shall reject invoices lacking documentation necessary to justify invoiced expenses.
- D. Match.** Pursuant to grant program guidelines, the Grantee is required to contribute non-federal match towards this Agreement. If applicable, details regarding specific match requirements are included in Attachment A, Scope of Work.
- E. Travel Expenses.** If authorized in Attachment A, Scope of Work, travel expenses shall be reimbursed in accordance with Section 112.061, F.S.
- F. State Obligation to Pay.** The State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation and authorization to spend by the Legislature. The Parties hereto understand that this Agreement is not a commitment to future appropriations but is subject to appropriation and authority to spend provided by the Legislature. The Commission shall be the final authority as to the availability of funds for this Agreement, and as to what constitutes an "annual appropriation" of funds to complete this Agreement. If such funds are not appropriated or available for the Agreement purpose, such event will not constitute a default on behalf of the Commission or the State. The Commission's Grant Manager shall notify the Grantee in writing at the earliest possible time if funds are not appropriated or available.
- G. Non-Competitive Procurement and Rate of Payment.** Section 216.3475, F.S., requires that under non-competitive procurements, a Grantee may not receive a rate of payment in excess of the competitive prevailing rate for those services unless expressly authorized in the General Appropriations Act. If applicable, Grantee warrants, by execution of this Agreement, that the amount of non-competitive compensation provided in this Agreement is in compliance with Section 216.3475, F.S.
- H. Time Limits for Payment of Invoices.** Payments shall be made in accordance with Sections 215.422 and 287.0585, F.S., which govern time limits for payment of invoices. Section 215.422, F.S. provides that agencies have five (5) working days to inspect and approve Deliverables, unless the Scope of Work specifies otherwise. If payment is not available within forty (40) days, measured from the latter of the date the invoice is received or the Deliverables are received, inspected and approved, a separate interest penalty set by the Department of Financial Services pursuant to Section 55.03(1), F.S., will be due and payable in addition to the invoice amount. Invoices returned to a Grantee due to preparation errors will result in a payment delay. Invoice payment requirements do not start until a properly completed invoice is provided to the agency.
- I. Electronic Funds Transfer.** Grantee agrees to enroll in Electronic Funds Transfer (EFT), offered by the State's Chief Financial Officer, within thirty (30) days of the date the last Party has signed this Agreement. Copies of the Authorization form and a sample blank enrollment letter can be found on the vendor instruction page at:

http://www.fldfs.com/aadir/direct_deposit_web/Vendors.htm

Questions should be directed to the State of Florida's EFT Section at (850) 413-5517. Once enrolled, invoice payments will be made by EFT.

- J. **Vendor Ombudsman.** A Vendor Ombudsman, whose duties include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s) from a State agency, may be contacted at (850) 413-5516 or by calling the Chief Financial Officer's Hotline, (800) 342-2762.

5. **RETURN OR RECOUPMENT OF FUNDS.**

- A. **Overpayment to Grantee.** Pursuant to Section 215.971(1)(e) &(f), F.S., the Grantee shall return to the Commission any overpayments due to unearned funds or funds disallowed pursuant to the terms of this Agreement that were disbursed to Grantee by the Commission. In the event the Grantee or its independent auditor discovers that overpayment has been made, the Grantee shall repay said overpayment within forty (40) calendar days without prior notification from the Commission. In the event the Commission first discovers an overpayment has been made, the Commission will notify the Grantee in writing. Should repayment not be made in a timely manner, the Commission shall be entitled to charge interest at the lawful rate of interest established pursuant to Section 55.03(1), F.S., on the outstanding balance beginning forty (40) calendar days after the date of notification or discovery. Refunds should be sent to the Commission's Grant Manager and made payable to the "The Florida Fish and Wildlife Conservation Commission".
- B. **Additional Costs or Monetary Loss Resulting from Grantee Non-Compliance.** If the Grantee's non-compliance with any provision of the Agreement results in additional cost or monetary loss to the Commission or the State of Florida to the extent allowed by Florida Law, the Commission can recoup that cost or loss from monies owed to the Grantee under this Agreement or any other agreement between Grantee and the Commission. In the event the discovery of this cost or loss arises when no monies are available under this Agreement or any other agreement between the Grantee and the Commission, the Grantee will repay such cost or loss in full to the Commission within thirty (30) days of the date of notice of the amount owed, unless the Commission agrees, in writing, to an alternative timeframe. If the Grantee is unable to repay any cost or loss to the Commission, the Commission shall notify the State of Florida, Department of Financial Services, for resolution pursuant to Section 17.0415, F.S.

6. **COMMISSION EXEMPT FROM TAXES, PROPERTY EXEMPT FROM LIEN.**

- A. **Commission Exempt from Taxes.** The Grantee recognizes that the State of Florida, by virtue of its sovereignty, is not required to pay any taxes on the services or goods purchased under the terms of this Agreement. Grantee is placed on notice that this exemption generally does not apply to nongovernmental entity recipients, subrecipients, contractors, or subcontractors. Any questions regarding this tax exemption should be addressed to the Commission Grant Manager.
- B. **Property Exempt from Lien.** If the Grant involves the improvement of real property titled to the State of Florida, then the following paragraph applies:

The Grantee acknowledges that Property being improved is titled to the State of Florida and is not subject to lien of any kind for any reason. The Grantee shall include notice of such exemptions in any subcontracts and purchase orders issued hereunder.

7. **MONITORING.**

The Commission's Grant Manager shall actively monitor the Grantee's performance and compliance with the terms of this Agreement. The Commission reserves the right for any Commission staff to make scheduled or unscheduled, announced or unannounced monitoring visits. Specific State and Federal monitoring terms and conditions are found in Attachment B, Audit Requirements. Additionally, monitoring terms, conditions, and schedules may be included in Attachment A, Scope of Work.

8. **TERMINATION.**

- A. Commission Termination.** The Commission may unilaterally terminate this Agreement for convenience by providing the Grantee with thirty (30) calendar days of written notice of its intent to terminate. The Grantee shall not be entitled to recover any cancellation charges or lost profits. The Grantee may request termination of the Agreement for convenience.
- B. Termination – Fraud or Willful Misconduct.** This Agreement shall terminate immediately in the event of fraud or willful misconduct. In the event of such termination, the Commission shall provide the Grantee with written notice of termination.
- C. Termination – Other.** The Commission may terminate this Agreement if the Grantee fails to: 1.) comply with all terms and conditions of this Agreement; 2.) produce each deliverable within the time specified by the Agreement or extension; 3.) maintain adequate progress, thus endangering the performance of the Agreement; or, 4.) abide by any statutory, regulatory, or licensing requirement. Rule 60A-1.006(3), F.A.C., governs the procedure and consequences for default. The rights and remedies of the Commission in this clause are in addition to any other rights and remedies provided by law or under the Agreement. The Grantee shall not be entitled to recover any cancellation charges or lost profits.
- D. Termination - Funds Unavailability.** In the event funds to finance this Agreement become unavailable or if federal or state funds upon which this Agreement is dependent are withdrawn or redirected, the Commission may terminate this Agreement upon no less than twenty-four (24) hours' notice in writing to the Grantee. Said notice shall be delivered by certified mail, return receipt requested or in person with proof of delivery. The Commission shall be the final authority as to the availability of funds and will not reallocate funds appropriated for this Agreement to another program thus causing "lack of funds." In the event of termination of this Agreement under this provision, the Grantee will be compensated for any work satisfactorily completed and any non-cancellable obligations properly incurred prior to notification of termination.
- E. Grantee Discontinuation of Activities upon Termination Notice.** Upon receipt of notice of termination, the Grantee shall, unless the notice directs otherwise, immediately discontinue all activities authorized hereunder. Upon termination of this Agreement, the Grantee shall promptly render to the Commission all property belonging to the Commission. For the purposes of this section, property belonging to the Commission shall include, but shall not be limited to, all books and records kept on behalf of the Commission.

9. **REMEDIES.**

- A. Financial Consequences.** In accordance with Sections 215.971(1)(a) &(b), F.S., Attachment A, Scope of Work, contains clearly established tasks in quantifiable units of deliverables that must be

received and accepted in writing by the agency before payment. Each deliverable specifies the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable. If the Grantee fails to produce each deliverable within the time frame specified by the Scope of Work, the budget amount allocated for that deliverable will be deducted from the Grantee's payment. In addition, pursuant to Section 215.971(1)(c), the Commission shall apply any additional financial consequences, identified in the Scope of Work.

- B. Cumulative Remedies.** The rights and remedies of the Commission in this paragraph are in addition to any other rights and remedies provided by law or under the Agreement.

10. NOTICES AND CORRESPONDENCE.

Any and all notices shall be delivered to the individuals identified below. In the event that either Party designates a different Grant Manager after the execution of this Agreement, the Party will provide written notice of the name, address, zip code, telephone and fax numbers, and email address of the newest Grant Manager, or an individual authorized to receive notice on behalf of that Party, to all other Parties as soon as possible, but not later than five (5) business days after the new Grant Manager has been named. A designation of a new Grant Manager shall not require a formal amendment to the Agreement.

FOR THE COMMISSION:

Grant Manager
Andrea Pelton
Grant Specialist IV
FL Fish & Wildlife Conservation Commission
620 S Meridian St
Tallahassee, FL 32399
850-717-2108
850-488-9284
Andrea.Pelton@myfwc.com

FOR THE GRANTEE:

Grant Manager
John Folker
Public Works
City of Leesburg
550 South 14th Street
Leesburg, FL 34748
352-728-9786x2331
352-728-9879
John.Folker@leesburgflorida.gov

11. AMENDMENT.

- A. Waiver or Modification.** No waiver or modification of this Agreement or of any covenant, condition, or limitation herein contained shall be valid unless in writing and lawfully executed by the Parties.
- B. Change Orders.** The Commission may, at any time, by written order, make a change to this Agreement. Such changes are subject to the mutual agreement of both Parties as evidenced in writing. Any change which causes an increase or decrease in the Grantee's cost or time shall require an Amendment. Minor changes, such as those updating a Party's contact information, may be accomplished by a Modification.
- C. Renegotiation upon Change in Law or Regulation.** The Parties agree to renegotiate this Agreement if federal and/or state revisions of any applicable laws or regulations make changes in the Agreement necessary.

12. PROPERTY RIGHTS.

If this Agreement includes Federal funds, the provisions of Sections 200.310-200.316, OMB Uniform Guidance (2 CFR 200), and any language addressing Federal rights, apply.

- A. Intellectual and Other Intangible Property.**

- i. **Grantee's Preexisting Intellectual Property (Proprietary) Rights.** Unless specifically addressed in the Attachment A, Scope of Work, intellectual and other intangible property rights to the Grantee's preexisting property will remain with the Grantee.
- ii. **Proceeds Related to Intellectual Property Rights.** Proceeds derived from the sale, licensing, marketing or other authorization related to any intellectual and other intangible property right created or otherwise developed by the Grantee under this Agreement for the Commission shall be handled in the manner specified by the applicable Florida State Statute and/or Federal program requirements.
- iii. **Commission Intellectual Property Rights.** Where activities supported by this Agreement produce original writing, sound recordings, pictorial reproductions, drawings or other graphic representations and works of any similar nature, the Commission and the State of Florida have the unlimited, royalty-free, nonexclusive, irrevocable right to use, duplicate and disclose such materials in whole or in part, in any manner, for any purpose whatsoever and to have others acting on behalf of the Commission to do so. If this Agreement is supported by federal funds, the federal awarding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes, and to authorize others to do so.

B. Purchase or Improvement of Real Property

This agreement is for the purchase or improvement of real property, therefore the following terms and conditions apply.

- i. **Federal Funds.** Any Federal funds provided for the purchase of or improvements to real property are subject to the Property Standards of Sections 200.310 - 200.316, and 200.329, OMB Uniform Guidance (2 CFR 200), as amended.
- ii. **Title.** If this agreement is supported by state funds, the Grantee shall comply with Section 287.05805, F.S. This section requires the Grantee to grant a security interest in the property to the State of Florida, the type and details of which are provided for in Attachment A, Scope of Work. Title to state-owned real property remains vested in the state. Title to federally-owned real property remains vested in the Federal government in accordance with the provisions of Section 200.312, OMB Uniform Guidance (2 CFR 200), as amended.
- iii. **Use.** Federally-owned real property will be used for the originally authorized purpose as long as needed for that purpose in accordance with Section 200.311, OMB Uniform Guidance (2 CFR 200). State-owned real property will be used as provided in Attachment A, Scope of Work.

C. Non-Expendable Property. The following provisions apply to the extent that the grant allows the acquisition of non-expendable property.

- i. **Non-Expendable Property Defined.** For the requirements of this section of the Agreement, "non-expendable property" is the same as "property" as defined in Section 273.02, F.S. (equipment, fixtures, and other tangible personal property of a non-consumable and non-expendable nature, with a value or cost of **\$1,000.00** or more, and a normal expected life of one (1) year or more; hardback-covered bound books that are circulated to students or the general public, with a value or cost of **\$25.00** or more; and uncirculated hardback-covered bound books, with a value or cost of **\$250.00** or more).

- ii. **Title to Non-Expendable Property.** Title (ownership) to all non-expendable property acquired with funds from this Agreement shall be vested in the Commission and said property shall be transferred to the Commission upon completion or termination of the Agreement unless otherwise authorized in writing by the Commission or unless otherwise specifically provided for in Attachment A, Scope of Work.

D. Equipment and Supplies. The following provisions apply to the extent that the grant allows the acquisition of equipment and supplies.

- i. **Title - Equipment.** Title to equipment acquired under a Federal award will vest upon acquisition in the non-Federal entity in accordance with Sections 200.313 and 200.314, OMB Uniform Guidance (2 CFR 200).
- ii. **Title – Supplies.** Title to supplies will vest in the non-Federal entity upon acquisition. Unused supplies exceeding **\$5,000.00** in total aggregate value upon termination or completion of the project or program are subject to Section 200.314, OMB Uniform Guidance.
- iii. **Use – Equipment.** Equipment must be used by the non-Federal entity in the program or project for which it was acquired as long as needed

13. RELATIONSHIP OF THE PARTIES.

- A. **Independent Grantee.** The Grantee shall perform as an independent grantee and not as an agent, representative, or employee of the Commission. The Grantee covenants that it presently has no interest and shall not acquire any interest that would conflict in any manner or degree with the performance of services required. Each Party hereto covenants that there is no conflict of interest or any other prohibited relationship between the Grantee and the Commission.
- B. **Grantee Training and Qualifications.** Grantee agrees that all Grantee employees, subcontractors, or agents performing work under the Agreement shall be properly trained technicians who meet or exceed any specified training qualifications. Upon request, Grantee shall furnish a copy of technical certification or other proof of qualification.
- C. **Commission Security.** All employees, subcontractors, or agents performing work under the Agreement must comply with all security and administrative requirements of the Commission. The Commission may conduct, and the Grantee shall cooperate in, a security background check or otherwise assess any employee, subcontractor, or agent furnished by the Grantee. The Commission may refuse access to, or require replacement of, any personnel for cause, including, but not limited to, technical or training qualifications, quality of work, change in security status, or non-compliance with the Commission's other requirements. Such refusal shall not relieve Grantee of its obligation to perform all work in compliance with the Agreement. The Commission, in coordination with the Grantee, may reject and bar from any facility for cause any of Grantee's employees, subcontractors, or agents.
- D. **Commission Rights to Assign or Transfer.** The Grantee agrees that the State of Florida shall at all times be entitled to assign or transfer its rights, duties, or obligations under this Agreement to another governmental agency in the State of Florida, upon giving prior written notice to the Grantee.

- E. Commission Rights to Undertake and Award Supplemental Agreements.** Grantee agrees that the Commission may undertake or award supplemental agreements for work related to the Agreement. The Grantee and its subcontractors shall cooperate with such other Grantees and the Commission in all such cases.

14. SUBCONTRACTS.

- A. Authority.** Grantee is permitted to subcontract work under this Agreement, therefore, the following terms and conditions apply. The Grantee shall ensure, and provide assurances to the Commission upon request, that any subcontractor selected for work under this Agreement has the necessary qualifications and abilities to perform in accordance with the terms and conditions of this Agreement. The Grantee must provide the Commission with the names of any subcontractor considered for work under this Agreement; the Commission in coordination with the Grantee reserves the right to reject any subcontractor. The Grantee agrees to be responsible for all work performed and all expenses incurred with the project. Any subcontract arrangements must be evidenced by a written document available to the Commission upon request. The Grantee further agrees that the Commission shall not be liable to the extent allowed by law, to any subcontractor for any expenses or liabilities incurred under the subcontract and the Grantee shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract.
- B. Grantee Payments to Subcontractor.** If subcontracting is permitted pursuant to Paragraph A, above, Grantee agrees to make payments to the subcontractor upon completion of work and submitted invoice in accordance with the contract between the Grantee and subcontractor. Failure to make payment pursuant to any subcontract will result in a penalty charged against Grantee and paid to the subcontractor in the amount of one-half of one percent (0.50%) of the amount due per day from the expiration of the period allowed herein for payment. Such penalty shall be in addition to actual payments owed and shall not exceed fifteen percent (15%) of the outstanding balance due.
- C. Commission Right to Reject Subcontractor Employees.** The Commission in coordination with Grantee shall retain the right to reject any of the Grantee's or subcontractor's employees whose qualifications or performance, in the Commission's judgment, are insufficient.
- D. Subcontractor as Independent Contractor.** If subcontracting is permitted pursuant to Paragraph A above, the Grantee agrees to take such actions as may be necessary to ensure that each subcontractor will be deemed to be an independent contractor and will not be considered or permitted to be an agent, servant, joint venture, or partner of the State of Florida.

15. MANDATORY DISCLOSURE.

These disclosures are required by State law, as indicated, and apply when this Agreement includes State funding; and by Federal law, as indicated, and apply when the Agreement includes a Federal award.

- A. Disclosure of Interested State Employees and Conflict of Interest.** This Agreement is subject to Chapter 112, F.S. Grantee shall provide the name of any officer, director, employee, or other agent who is affiliated with this project and an employee of the State of Florida. If the Agreement includes a Federal award, then the Agreement is also subject to Section 200.112, OMB Uniform Guidance (2 CFR 200). Grantee must disclose, in writing, any potential conflict of interest to the Commission in accordance with applicable Federal awarding agency policy.
- B. Convicted Vendors.** Grantee hereby certifies that neither it, nor any person or affiliate of Grantee, has been convicted of a Public Entity Crime as defined in section 287.133, F.S., nor placed on the convicted vendor list. Grantee shall have a continuing obligation to disclose, to the Commission,

in writing, if it, its principals, recipient, subrecipient, contractor, or subcontractor, are on the convicted vendors list maintained by the Florida Department of Management Services pursuant to Section 287.133(3)(d), F.S.

- i. **Convicted Vendor List.** Pursuant to Subsection 287.133(2)(a), F.S., a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not be awarded or perform work as a Grantee, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list. The State of Florida, Department of Management Services, Division of State Purchasing provides listings for convicted, suspended, discriminatory and federal excluded parties, as well as the vendor complaint list at:

http://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/convicted_suspended_discriminatory_complaints_vendor_lists

- ii. **Notice of Conviction of Public Entity Crime.** Any person must notify the Department of Management Services and the Commission, in writing, within thirty (30) days after conviction of a public entity crime applicable to that person or an affiliate of that person as defined in Section 287.133, F.S.

C. Vendors on Scrutinized Companies List.

- i. **Scrutinized Companies.** Grantee certifies that it and any of its affiliates are not scrutinized companies as identified in Section 287.135, F.S. In addition, Grantee agrees to observe the requirements of Section 287.135, F.S., for applicable sub-agreements entered into for the performance of work under this Agreement. Pursuant to Section 287.135, F.S., the Commission may immediately terminate this Agreement for cause if the Grantee, its affiliates, or its subcontractors are found to have submitted a false certification; or if the Grantee, its affiliates, or its subcontractors are placed on any applicable scrutinized companies list or engaged in prohibited contracting activity during the term of the Agreement. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

- D. **Discriminatory Vendors.** Grantee shall disclose to the Commission, in writing, if they, their subrecipient, contractor, or subcontractor, are on the Discriminatory Vendor List maintained by the Florida Department of Management Services pursuant to Section 287.134(3)(d), F.S. “An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.” Section 287.134(2)(a), F.S. Grantee has a continuing duty to disclose to the Commission whether they appear on the discriminatory vendor list.

- E. **Prompt Disclosure of Litigation, Investigations, Arbitration, or Administrative Proceedings.** Throughout the term of the Agreement, the Grantee has a continuing duty to promptly disclose to the Commission’s Grant Manager, in writing, upon occurrence, all civil or criminal litigation, investigations, arbitration, or administrative proceedings (Proceedings) relating to or affecting the Grantee’s ability to perform under this agreement. If the existence of such Proceeding causes the

Commission concern that the Grantee's ability or willingness to perform the Agreement is jeopardized, the Grantee may be required to provide the Commission with reasonable assurances to demonstrate that: a.) the Grantee will be able to perform the Agreement in accordance with its terms and conditions; and, b.) Grantee and/or its employees or agents have not and will not engage in conduct in performing services for the Commission which is similar in nature to the conduct alleged in such Proceeding.

- F. Certain Violations of Federal Criminal Law.** If this agreement includes a Federal award, then in accordance with Section 200.113, OMB Uniform Guidance (2 CFR 200), Grantee must disclose, in a timely manner, in writing to the Commission all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

16. INSURANCE.

The Grantee warrants and represents that it is insured, or self-insured for liability insurance, in accordance with applicable state law and that such insurance or self-insurance offers protection applicable to the Grantee's officers, employees, servants and agents while acting within the scope of their employment with the Grantee.

17. SPONSORSHIP.

As required by Section 286.25, F.S., if any recipient, subrecipient, contractor or subcontractor under this grant is a nongovernmental organization which sponsors a program financed wholly or in part by state funds, including any funds obtained through this Agreement, it shall, in publicizing, advertising, or describing the sponsorship of the program, state: "Sponsored by (Grantee's name) and the State of Florida, Fish and Wildlife Conservation Commission." If the sponsorship reference is in written material, the words "State of Florida, Fish and Wildlife Conservation Commission" shall appear in the same size letters or type as the name of the Grantee's organization. Additional sponsorship requirements may be specified in Attachment A, Scope of Work.

18. PUBLIC RECORDS.

- A.** This Agreement may be unilaterally canceled by the Commission for refusal by the Grantee to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, F.S., and made or received by the Grantee in conjunction with this Agreement, unless exemption for such records is allowable under Florida law.

- B.** If the Grantee meets the definition of "Contractor" in Section 119.0701(1)(a) F.S., the Grantee shall comply with the following:

- i. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF THE CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT: 850-488-6553, RecordsCustodian@myfwc.com, and 620 South Meridian Street, Tallahassee FL 32399**
- ii. Keep and maintain public records required by the Commission to perform the service.
- iii. Upon request from the Commission's custodian of public records, provide the Commission with a copy of the requested records or allow the records to be inspected

or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, F.S. or as otherwise provided by law.

- iv. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Contractor does not transfer the records to the Commission.
- v. Upon completion of the contract transfer, at no cost, to the Commission all public records in possession of the Contractor or keep and maintain public records required by the Commission to perform the service. If the Contractor transfers all public records to the Commission upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Commission, upon request from the Commission's custodian of public records, in a format that is compatible with the information technology systems of the Commission.

19. COOPERATION WITH INSPECTOR GENERAL.

Pursuant to subsection 20.055(5), F.S., Grantee, and any subcontractor to the Grantee, understand and will comply with their duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing. Upon request of the Inspector General or any other authorized State official, the Grantee shall provide any type of information the Inspector General deems relevant to the Grantee's integrity or responsibility. Such information may include, but shall not be limited to, the Grantee's business or financial records, documents, or files of any type or form that refer to or relate to the Agreement. The Grantee agrees to reimburse the State for the reasonable costs of investigation incurred by the Inspector General or other authorized State official for investigations of the Grantee's compliance with the terms of this or any other agreement between the Grantee and the State which results in the suspension or debarment of the Grantee. Such costs shall include but shall not be limited to: salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees.

20. SECURITY AND CONFIDENTIALITY.

The Grantee shall not divulge to third parties any clearly marked confidential information obtained by the Grantee or its agents, distributors, resellers, subcontractors, officers or employees in the course of performing Grant work. To ensure confidentiality, the Grantee shall take appropriate steps regarding its personnel, agents, and subcontractors. The warranties of this paragraph shall survive the Grant.

21. RECORD KEEPING REQUIREMENTS.

- A. Grantee Responsibilities.** The Grantee shall maintain accurate books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement, in accordance with generally accepted accounting principles.
- B. State Access to Grantee Books, Documents, Papers, and Records.** The Grantee shall allow the Commission, the Chief Financial Officer of the State of Florida, the Auditor General of the State of Florida, the Florida Office of Program Policy Analysis and Government Accountability or authorized representatives of the state or federal government to have access to any of the Grantee's books, documents, papers, and records, including electronic storage media, as they may relate to this Agreement, for the purposes of conducting audits or examinations or making excerpts or transcriptions.

- C. Grantee Records Retention.** Unless otherwise specified in the Scope of Work, these records shall be maintained for five (5) fiscal years following the close of this Agreement, or the period required for this particular type of project by the General Records Schedules maintained by the Florida Department of State (available at: <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>), whichever is longer. Grantee shall cooperate with the Commission to facilitate the duplication and transfer of such records upon the Commission's request.
- D. Grantee Responsibility to Include Records Requirements – Subcontractors.** In the event any work is subcontracted under this Agreement, the Grantee shall include the aforementioned audit and record keeping requirements in all subsequent contracts.
- E. Compliance with Federal Funding Accountability and Transparency.** Any federal funds awarded under this Agreement must comply with the Federal Funding Accountability and Transparency Act (FFATA) of 2006. The intent of the FFATA is to empower every American with the ability to hold the government accountable for each spending decision. The result is to reduce wasteful spending in the government. The FFATA legislation requires that information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website: <http://www.USASpending.gov>. Grant recipients awarded a new Federal grant greater than or equal to **\$25,000.00** awarded on or after October 1, 2010 are subject to the FFATA. The Grantee agrees to provide the information necessary, over the life of this Agreement, for the Commission to comply with this requirement.

22. FEDERAL AND FLORIDA SINGLE AUDIT ACT REQUIREMENTS.

Pursuant to the FSAA (or Federal) Vendor / Recipient Determination Checklist, the Grantee has been determined to be a recipient of state financial assistance and/or a subrecipient of a federal award. Therefore, pursuant to Section 215.97, F.S. and/or OMB Uniform Guidance (2 CFR 200), the Grantee may be subject to the audit requirements of the Florida and/or Federal Single Audit Acts. If applicable, the Grantee shall comply with the audit requirements outlined in Attachment B, "Requirements of the Federal and Florida Single Audit Acts," attached hereto and made a part of the Agreement, as applicable.

23. FEDERAL COMPLIANCE.

As applicable, Grantee shall comply with all federal laws, rules, and regulations, including but not limited to:

- i. **Clean Air Act and Water Pollution Control Act.** All applicable standards, orders, or requirements issued under the Clean Air Act (42 U.S.C. 7401-7671q), and the Water Pollution Control Act (33 U.S.C. 1251-1387, as amended).
- ii. **Lacey Act, 16 U.S.C 3371-3378.** This Act prohibits trade in wildlife, fish and plants that have been illegally taken, possessed, transported or sold.
- iii. **Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801-1884.** This Act governs marine fisheries in Federal waters.
- iv. **Migratory Bird Treaty Act, 16 U.S.C. 703-712.** The Act prohibits anyone, unless permitted, to pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry or cause to be carried by any means whatsoever, receive for shipment, transport of carriage, or export, at any time, or in any manner, any migratory bird, or any part, nest, or egg of such bird.
- v. **Endangered Species Act, 16 U.S.C. 1531, et seq.** The Act provides a program for the conservation of threatened and endangered plants and animals and the habitat in which they

are found. The Act also prohibits any action that cause a “taking” of any listed species of endangered fish or wildlife. Also, generally prohibited are the import, export, interstate, and foreign commerce of listed species.

24. FEDERAL FUNDS. This Agreement relies on federal funds, therefore, the following terms and conditions apply:

- A. Prior Approval to Expend Federal Funds to Federal Agency or Employee.** It is understood and agreed that the Grantee is not authorized to expend any federal funds under this Contract to a federal agency or employee without the prior written approval of the awarding federal agency.
- B. Equal Employment Opportunity.** Executive Order 11246 of September 24, 1965, entitled “Equal Employment Opportunity,” as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60). Applicable, except as otherwise provide under 41 CFR Part 60, to any grant, contract, loan, insurance, or guarantee involving Federal assisted construction.
- C. Davis-Bacon Act.** The Davis-Bacon Act, 40 U.S.C. 3141-3148, as supplemented by Department of Labor regulations at 29 CFR Part 5. Applicable to contractors and subcontractors performing on federally funded or assisted contracts in excess of **\$2,000.00** for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Under this Act, contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.
- D. Copeland “Anti-Kickback Act.”** The Copeland “Anti-Kickback” Act, 40 U.S.C. 3141-3148, and 3146-3148, as supplemented by Department of Labor regulations (29 CFR Part 5). Applicable to contracts awarded by a non-Federal entity in excess of **\$100,000.00** that involve employment of mechanics or labors. Under this Act, contractors and subrecipients are prohibited from inducing, by any mean, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled.
- E. Contract Work Hours and Safety Standards Act.** Sections 103 and 107 of the Agreement Work Hours and Safety Standards Act (40 U.S.C. 327–330) as supplemented by Department of Labor regulations (29 CFR part 5). Applicable to construction contracts awarded by Contractors and subcontractors in excess of **\$2,000.00**, and in excess of **\$2,500.00** for other contracts which involve the employment of mechanics or laborers. Under this Act, contractors and subcontractors must compute wages of mechanics and laborers (workers) on the basis of a standard forty (40) hour work week; provide workers no less than time and a half for hours worked in excess of the forty (40) hour work week; and not require workers to work in surroundings or work conditions that are unsanitary, hazardous, or dangerous.
- F. Rights to Inventions Made Under a Contract or Agreement.** 37 CFR Part 401. If the Federal award meets the definition of “funding agreement” under 37 CFR 401.2(a) and the recipient or Subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under the “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

- G. Energy Efficiency.** Mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94–163, 89 Stat. 871).
- H. Debarment and Suspension Contractor Federal Certification.** In accordance with Federal Executive Order 12549 and 2 CFR Part 1400 regarding Debarment and Suspension, the Grantee certifies that neither it, nor its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency; and, that the Grantee shall not knowingly enter into any lower tier contract, or other covered transaction, with a person who is similarly debarred or suspended from participating in this covered transaction.
- I. Prohibition against Lobbying.**
- i. **Grantee Certification – Payments to Influence.** The Grantee certifies that no Federal appropriated funds have been paid or will be paid, on or after December 22, 1989, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding, renewal, amending or modifying of any Federal contract, grant, or cooperative agreement. The Grantee also certifies that they have not engaged any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the Grantee with respect to this Contract and its related federal contract, grant, loan, or cooperative agreement; or, if the Grantee has engaged any registrant with respect to this Contract and its related Federal contract, grant, loan, or cooperative agreement, the Grantee shall, prior to or upon execution of this Contract, provide the Commission Contract Manager a signed declaration listing the name of any said registrant. During the term of this Contract, and at the end of each Calendar quarter in which any event occurs that materially affects the accuracy of this certification or declaration, the Grantee shall file an updated declaration with the Commission’s Contract Manager. If any non-federal funds are used for lobbying activities as described above in connection with this Contract, the Grantee shall submit Standard Form-LLL, “Disclosure Form to Report Lobbying”, and shall file quarterly updates of any material changes. The Grantee shall require the language of this certification to be included in all subcontracts, and all subcontractors shall certify and disclose accordingly.
 - ii. **Grantee – Refrain from Subcontracting with Certain Organizations.** Pursuant to the Lobbying Disclosure Act of 1995, the Grantee agrees to refrain from entering into any subcontracts under this Contract with any organization described in Section 501(c)(4) of the Internal Revenue Code of 1986, unless such organization warrants that it does not, and will not, engage in lobbying activities prohibited by the Act as a special condition of the subcontract.
- J. Compliance with Office of Management and Budget Circulars.** As applicable, Grantee shall comply with the following Office of Management and Budget (OMB) Uniform Guidance (2 CFR 200).
- K. Drug Free Workplace.** Pursuant to the Drug-Free Workplace Act of 1988, the Grantee attests and certifies that the Grantee will provide a drug-free workplace compliant with 41 U.S.C. 81.

25. CONTRACT-RELATED PROCUREMENT.

- A. PRIDE.** In accordance with Section 946.515(6), F.S., if a product or service required for the performance of this Contract is certified by or is available from Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) and has been approved in accordance with Subsection 946.515(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles which are the subject of, or required to carry out, this contract shall be purchased from [PRIDE] in the same manner and under the same procedures set forth in Subsections 946.515(2) and (4), F.S.; and for purposes of this contract the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for this agency insofar as dealings with such corporation are concerned.

The above clause is not applicable to subcontractors unless otherwise required by law. Additional information about PRIDE and the products it offers is available at <http://www.pride-enterprises.org>.

- B. Respect of Florida.** In accordance with Subsection 413.036(3), F.S., if a product or service required for the performance of this Contract is on the procurement list established pursuant to Subsection 413.035(2), F.S., the following statement applies:

It is expressly understood and agreed that any articles that are the subject of, or required to carry out, this contract shall be purchased from a nonprofit agency for the blind or for the severely handicapped that is qualified pursuant to Chapter 413, F.S., in the same manner and under the same procedures set forth in Subsections 413.036(1) and (2), F.S.; and for purposes of this contract, the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for the state agency insofar as dealings with such qualified nonprofit agency are concerned.

Additional information about the designated nonprofit agency and the products it offers is available at <http://www.respectofflorida.org>.

- C. Procurement of Recycled Products or Materials.** Grantee agrees to procure any recycled products or materials which are the subject of or are required to carry out this Contract in accordance with Section 403.7065, F.S.

26. PROFESSIONAL SERVICES.

- A. Architectural, Engineering, Landscape Architectural, or Survey and Mapping.** If this Agreement is for the acquisition of professional architectural, engineering, landscape architectural, or registered surveying and mapping services, and is therefore subject to Section 287.055, F.S., the following provision applies:

The architect (or registered surveyor and mapper or professional engineer, as applicable) warrants that he or she has not employed or retained any company or person, other than a bona fide employee working solely for the architect (or registered surveyor and mapper, or professional engineer, as applicable) to solicit or secure this Agreement and that he or she has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee

working solely for the architect (or registered surveyor and mapper or professional engineer, as applicable) any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this contract.

- B. Termination for Breach.** For the breach or violation of this provision, the Commission shall have the right to terminate the Agreement without liability and, at its discretion, to deduct from the Agreement price, or otherwise recover, the full amount of such fee, commission, percentage, gift, or consideration.

27. INDEMNIFICATION.

If Grantee is a state agency or subdivision, as defined in Subsection 768.28(2), F.S., pursuant to Subsection 768.28(19), F.S., neither Party indemnifies nor insures the other Party for the other Party's negligence. If Grantee is not a state agency or subdivision as defined above, Grantee shall be fully liable for the actions of its agents, employees, partners, or subcontractors and shall fully indemnify, defend, and hold harmless the State and the Commission, and their officers, agents, and employees, from suits, actions, damages, and costs of every name and description, including attorneys' fees, arising from or relating to personal injury and damage to real or personal tangible property alleged to be caused in whole or in part by Grantee, its agents, employees, partners, or subcontractors, provided, however, that Grantee shall not indemnify for that portion of any loss or damages proximately caused by the negligent act or omission of the State or the Commission. If this is a Professional Services Agreement as defined in Subsection 725.08 F.S., then notwithstanding the provisions of Subsection 725.06 F.S., the design professional shall only be liable for, and fully indemnify, defend, and hold harmless the State, the Commission, and their officers, agents, and employees, for actions caused in whole or in part, by the negligence, recklessness, or intentionally wrongful conduct of the design professional and other persons employed or utilized by the design professional in the performance of the Agreement.

28. NON-DISCRIMINATION.

No person, on the grounds of race, creed, color, national origin, age, sex, or disability, shall be excluded from participation in, be denied the proceeds or benefits of, or be otherwise subjected to discrimination in performance of this Agreement.

29. SEVERABILITY, CHOICE OF LAW, AND CHOICE OF VENUE.

This Agreement has been delivered in the State of Florida and shall be construed in accordance with the laws of Florida. Wherever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement. Any action in connection herewith, in law or equity, shall be brought in Leon County, Florida, to the exclusion of all other lawful venues.

30. NO THIRD-PARTY RIGHTS.

The Parties hereto do not intend, nor shall this Agreement be construed to grant any rights, privileges or interest to any person not a party to this Agreement.

31. JURY TRIAL WAIVER.

As part of the consideration for this Agreement, the Parties hereby waive trial by jury in any action or proceeding brought by any party against any other party pertaining to any matter whatsoever arising out of or in any way connected with this Agreement, or with the products or services provided under this Agreement, including but not limited to any claim by the Grantee of *quantum meruit*.

32. PROHIBITION OF UNAUTHORIZED ALIENS.

In accordance with Federal Executive Order 96-236, the Commission shall consider the employment by the Grantee of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationalization Act. Such violation shall be cause for unilateral cancellation of this Agreement if the Grantee knowingly employs unauthorized aliens.

33. EMPLOYMENT ELIGIBILITY VERIFICATION (E-VERIFY).

- A. Requirement to Use E-Verify.** Executive Order 11-116, signed May 27, 2011, by the Governor of Florida, requires Commission contracts in excess of nominal value to expressly require the Grantee to: 1.) utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by Grantee during the Agreement term; and, 2.) include in all subcontracts under this Agreement, the requirement that subcontractors performing work or providing services pursuant to this Agreement utilize the E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the term of the subcontract.
- B. E-Verify Online.** E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States after the effective date of the required Memorandum of Understanding (MOU); the responsibilities and elections of federal contractors, however, may vary, as stated in Article II.D.1.c. of the MOU. There is no charge to employers to use E-Verify. The Department of Homeland Security's E-Verify system can be found online at http://www.dhs.gov/files/programs/gc_1185221678150.shtm
- C. Enrollment in E-Verify.** If Grantee does not have an E-Verify MOU in effect, the Grantee must enroll in the E-Verify system prior to hiring any new employee after the effective date of this Agreement.
- D. E-Verify Recordkeeping.** The Grantee further agrees to maintain records of its participation and compliance with the provisions of the E-Verify program, including participation by its subcontractors as provided above, and to make such records available to the Commission or other authorized state entity consistent with the terms of the Grantee's enrollment in the program. This includes maintaining a copy of proof of the Grantee's and subcontractors' enrollment in the E-Verify Program (which can be accessed from the "Edit Company Profile" link on the left navigation menu of the E-Verify employer's homepage).
- E. Employment Eligibility Verification.** Compliance with the terms of the Employment Eligibility Verification provision is made an express condition of this Agreement and the Commission may treat a failure to comply as a material breach of the Agreement.

34. FORCE MAJEURE AND NOTICE OF DELAY FROM FORCE MAJEURE.

Neither Party shall be liable to the other for any delay or failure to perform under this Agreement if such delay or failure is neither the fault nor the negligence of the Party or its employees or agents and the delay is due directly to acts of God, wars, acts of public enemies, strikes, fires, floods, or other similar cause wholly beyond the Party's control, or for any of the foregoing that affects subcontractors or suppliers if no alternate source of supply is available. However, in the event of delay from the foregoing causes, the Party shall take all reasonable measures to mitigate any and all resulting delay or disruption in the Party's performance obligation under this Agreement. If the delay is excusable under this paragraph, the delay will not result in any additional charge or cost under the Agreement to either Party. In the case of any delay the Grantee believes is excusable under this paragraph, Grantee shall notify the Commission's Grant Manager in writing of the delay or potential delay and describe the cause of the delay either: (1) within ten (10) calendar days after the cause that creates or will create the delay first arose, if Grantee could reasonably foresee that a delay could occur as a result; or (2) within five (5) calendar days after the date Grantee first had reason to believe that a delay could result, if the delay is not reasonably foreseeable. **THE FOREGOING SHALL CONSTITUTE GRANTEE'S SOLE REMEDY OR EXCUSE WITH RESPECT TO DELAY.** Providing notice in strict accordance with this paragraph is a condition precedent to such remedy. The Commission, in its sole discretion, will determine if the delay is excusable under this paragraph and will notify Grantee of its decision in writing. No claim for damages, other than for an extension of time, shall be asserted against the Commission. Grantee shall not be entitled to an increase in the Agreement price or payment of any kind from the Commission for direct, indirect, consequential, impact, or other costs, expenses or damages, including but not limited to costs of acceleration or inefficiency arising because of delay, disruption, interference, or hindrance from any cause whatsoever. If performance is suspended or delayed, in whole or in part, due to any of the causes described in this paragraph, after the causes have ceased to exist, Grantee shall perform at no increased cost, unless the Commission determines, in its sole discretion, that the delay will significantly impair the value of the Agreement to the Commission or the State, in which case, the Commission may do any or all of the following: (1) accept allocated performance or deliveries from Grantee, provided that Grantee grants preferential treatment to the Commission with respect to products or services subjected to allocation; (2) purchase from other sources (without recourse to and by Grantee for the related costs and expenses) to replace all or part of the products or services that are the subject of the delay, which purchases may be deducted from the Agreement quantity; or (3) terminate the Agreement in whole or in part.

35. TIME IS OF THE ESSENCE.

Time is of the essence regarding the performance obligations set forth in this Agreement. Any additional deadlines for performance for Grantee's obligation to timely provide deliverables under this Agreement including but not limited to timely submittal of reports, are contained in the Scope of Work, Attachment A.

36. ENTIRE AGREEMENT.

This Agreement with all incorporated attachments and exhibits represents the entire Agreement of the Parties. Any alterations, variations, changes, modifications or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, and duly signed by each of the Parties hereto, unless otherwise provided herein. In the event of conflict, the following order of precedence shall prevail; this Agreement and its attachments, the terms of the solicitation and the Grantee's response to the solicitation.

**REMAINDER OF INTENTIONALLY LEFT BLANK
SIGNATURE PAGE TO FOLLOW**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed through their duly authorized signatories on the day and year last written below.

City of Leesburg

Florida Fish and Wildlife Conservation
Commission

Signature

Executive Director (or designee)

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to form and legality:

Brandy E. Elliott

FWC Attorney Signature

Attachments in this Agreement include the following:

Attachment	A	Scope of Work
Attachment	B	Requirements of the Federal and Florida Single Audit Act and Exhibit 1
Attachment	C	Cost Reimbursement Contract Payment Requirement
Attachment	D	Copy of Federal Award Letter: F20AF12281
Attachment	E	50 CFR Part 80 Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Boating Access
Attachment	F	Progress Report Form
Attachment	G	Certificate of Completion Form
Attachment	H	Sample Invoice Form
Attachment	I	Notice of Grant Agreement Form

SCOPE OF WORK

1. PROJECT DESCRIPTION

- A. Purpose and Background:** The City of Leesburg will use grant funds to design, permit, and construct a boardwalk and dock facility at Venetian Gardens. Six years ago, the City of Leesburg started a master plan to revitalize Venetian Gardens. That master plan will be completed this year making the area home to two boat ramps, lakefront beaches, pavilions with grills, restrooms, a massive playground, a splash pad, lakefront swings, lighted volleyball courts, a walking trail connecting 6 islands, a new restaurant (currently in the design phase), and Leesburg's new 20,000 square foot community building (currently in the construction phase). It's because of these amenities that Leesburg hosts major fishing tournaments each year that bring anglers from around the world. Recent events had up to 250 boats entered, including teams from Australia and Europe. Throughout the master planning exercise, the City determined: (1) boaters do not have anywhere to tie-up during major events and enjoy this beautiful lakefront attraction. Currently boaters are forced to put their boats back on the trailer or ground boats on shore, risking damage to property and causing safety issues for park users, and (2) not having sufficient tie-up space, eliminates the convenience of being able to visit Venetian Gardens by boat. With nowhere to dock, boaters are forced to trailer boats to the ramps even if they live on the chain-of-lakes, thereby causing the ramps to become overcrowded.
- B. Project Benefits:** This boardwalk and dock project will provide the facilities necessary for boaters to enjoy Venetian Gardens more efficiently and safely. First, it will solve the issue of boaters having to park on shore or trailering their boat before being able to enjoy the area. Second, it will allow boaters to visit from all over the chain-of-lakes without having to use the boat ramp onsite. It is very common for boaters to hop in their boats and take a ride, eat at a restaurant, or enjoy a day at a park. Venetian Gardens currently offers all these opportunities except for a place for boats to dock.
- C. Type of Agreement:** This is a cost reimbursement agreement in accordance with Comptroller Contract Payment Requirements as shown in the Department of Financial Services, Bureau of Accounting and Auditing, Voucher Processing Handbook, Chapter 4., C., I., attached hereto and made a part of hereof as Attachment C.
- D. Term of Agreement:** The term of the Agreement shall begin upon execution and end on May 31, 2022. Prior to the end of the term, City of Leesburg (Grantee) shall complete the tasks and provide the deliverables described in this Scope of Work. **All activities must be completed by May 31, 2022.**

2. PROJECT DELIVERABLES

Total payments for all deliverables will not exceed the maximum grant award amount of \$590,974.87.

- A. Deliverable 1:** The Grantee will procure contracted services to design, engineer and permit the construction of the boardwalk and dock facility at Venetian Gardens.

Deliverable 1 Tasks:

- Design the boardwalk to consist of a fixed pier and floating boardwalk connected by four ADA accessible gangways;

- Prepare and submit permit applications to U.S. Army Corp of Engineers, Florida Fish and Wildlife Conservation Commission and St. Johns River Water Management District;
- Prepare construction plans, details, sections, and specifications necessary for bidding.

Compensation: Total payment for this deliverable will be \$24,575

Minimum Performance: Minimum performance will be the completion of all Tasks listed above and the completion of all requirements in Section 4 - Performance. The Grantee shall provide electronic copies of final construction plans in a format compatible with Adobe Acrobat, copies of the published bid and copies of all approved required permits.

Documentation: Documentation includes an attestation of activities or services rendered and proof of payment.

- B. Deliverable 2:** The Grantee will use contracted services to construct the fixed portion of the pier to the floating boardwalk with four (4) connection points to land.

Deliverable 2 Tasks:

- Construct three (3) fixed piers that are six (6) feet wide and manufactured of aluminum with composite decking engineered to look like wood;
 - Pier AA Length will be approximately 77'9"
 - Pier BB Length will be approximately 35'8"
 - Pier CC Length will be approximately 39'0"
- Fixed Pier will be secured with 10" round timber pilings and;
- Install four (4) ADA wheelchair compliant aluminum gangways connecting the fixed portion of the pier to the floating portion of the boardwalk.

Compensation: Total payment for this deliverable will be \$143,738.48.

Minimum Performance: Minimum performance will be the completion of all Tasks listed above and the completion of all requirements in Section 4 - Performance. The Grantee shall provide proof of services rendered; invoices; proof of payment; and photographs of the constructed project.

Documentation: Documentation includes an attestation of activities or services rendered and proof of payment.

- C. Deliverable 3:** The Grantee will use contracted services to construct the floating portion of the boardwalk with twenty-two (22) fingers to accommodate up to forty-four (44) boats.

Deliverable 3 Tasks:

- Construct the floating portion of the boardwalk which will be approximately five hundred forty-five (545) feet long, eight (8) feet wide and secured by fourteen (14)" square concrete pilings;
- Construct 22 finger piers that are approximately three (3) feet wide and will accommodate up to 44 boats to tie up at one time, and;

- The floating portion of the boardwalk will be manufactured of aluminum with a composite decking engineered to look like wood.

Compensation: Total payment for this deliverable will be \$422,661.39.

Minimum Performance: Minimum performance will be the completion of all Tasks listed above and the completion of all requirements in Section - 4 Performance. The Grantee shall provide proof of services rendered; invoices; proof of payment; and photographs of the constructed project.

Documentation: Documentation includes an attestation of activities or services rendered and proof of payment.

3. FINANCIAL CONSEQUENCES

- A. Pursuant to 215.971(1)(c), Florida Statutes, the Commission will withhold payment of Program funds for failure to complete the Project as described herein within the timeframe allowed, or for failure to correct any Project deficiencies, as noted in the final Project inspection. Only those deliverables completed, or items purchased and received in accordance with the scope of work and within the agreement period of performance will be eligible for reimbursement. Failure of the Grantee to provide the deliverable shall be considered non-compliance with terms and payment will not be processed.
- B. In addition to nonpayment for deliverables which are not satisfactorily or timely completed, or for failure to correct any project deficiencies, as noted in the final project inspection, the Commission will impose a financial consequence of twenty-five percent (25%) of the total contract amount for failure to complete any deliverables satisfactorily or timely, or for failure to correct any project deficiencies, as noted in the final project inspection. The final project inspection will be done by a Commission employee verifying that the project was completed according to the project scope of work.
- C. Failure of Grantee to have all receipts and evidence of project performance reflecting costs were incurred within the period of performance may jeopardize payment of funds to the Grantee per the Agreement.
- D. Following the end of the term of this Agreement, the Grantee shall repay any Program funds received for the Project for failure to maintain the Project site as a public boating access facility according to the terms and conditions herein for a period of twenty (20) years. This section shall survive any Agreement termination.

4. PERFORMANCE

- A. **Permit Requirements:** The Grantee agrees to adhere to all federal, state, county and city permit requirements of the Project.
- B. **Procurement:** The Grantee shall procure goods and services through a competitive solicitation

process in accordance with Chapter 287, Florida Statutes. The Grantee shall forward one copy of any solicitation to the Commission's grant manager for review prior to soliciting for quotations or commencing any work. The Grantee shall forward one copy of the bid tabulation, or similar list of responses to the solicitation, along with the award recommendation to the Commission's grant manager, to retain in their own records.

- C. Engineering:** If applicable, all engineering must be completed by a professional engineer or architect registered in the State of Florida. All work must meet or exceed minimum design standards and guidelines established by all applicable local, state and federal laws.
- D. Construction:** If applicable, the contractor shall be certified by the Division of Construction Industry Licensing Board of the Florida Department of Business and Professional Regulation for the duration of this Agreement and shall provide evidence of such certification upon request.
- E. Commencement of Work:** The Grantee shall commence work on the Project within 90 days of execution of the Agreement. Failure by the Grantee to begin work shall constitute a breach of the Agreement and may result in termination of the Agreement by the Commission.
- F. Performance Criteria:** The Grantee shall complete the Project as described in this Scope of Work; the Florida Boating Improvement Program Application 19-005 incorporated herein by reference; and the resulting Sport Fish grant award from the US Fish and Wildlife Service, F20AF12281 incorporated herein as Attachment D. Failure to complete the project in a satisfactory manner could result in financial consequences as specified herein.
- G. Sport Fish Restoration Rule:** The Grantee agrees to construct, operate and maintain the Project according to all provisions of Attachment E, Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Hunter Education and Safety Final Rule, 50 CFR Part 80, attached and made part of this Agreement.

The Grantee further agrees to comply with all other applicable federal, state, and local rules and regulations in providing services to the Commission under this Agreement. The Grantee further agrees to include this provision in all subcontracts issued as a result of this Agreement. This section survives any Agreement termination.

- H. Certificate of Completion:** Upon completion of all Project deliverables, the Grantee shall sign and submit to the Commission's grant manager, a Final Progress Report Form, attached hereto and made a part hereof as Attachment F, and a Certification of Completion Form, attached hereto and made a part hereof as Attachment G, which certifies the Project was completed in accordance with the provisions herein. Final photographs shall be submitted with the form.
- I. Site Dedication:** The Grantee agrees to dedicate the Project site as a boat access facility for the use and benefit of the public before any funds are reimbursed under this Agreement. A Notice of Grant Agreement Form is included as Attachment I. The Grantee shall execute and record this document in the official records of the County where the Project is located as proof of the site dedication before submitting the Certificate of Completion. A copy of the recorded Notice of Grant Agreement shall be submitted to the Commission with the Certificate of Completion. Following this initial site dedication, the project site shall remain a boat access facility for a period of not less than twenty (20) years following termination of the Agreement (the site dedication period). Land under control other than by ownership by the Grantee (i.e. lease, management agreement,

cooperative agreement, inter-local agreement or other similar instrument) shall be managed by the Grantee as a boat access facility for the entirety of this site dedication period following the Agreement termination. Grantee agrees to secure all authorizations necessary for continuing use and management of the property for the duration of the site dedication period. Title to all improvements shall be retained by the Grantee upon final payment by the Commission.

The Grantee shall repay all funds received for the Project under this Agreement for failure to maintain the Project site as a public boating access facility according to the terms and conditions herein for the duration of the site dedication period. Should the Grantee convert all or any part of the Project to other than Commission approved uses prior to the end of the site dedication period, or should the Grantee lose authorization to use and manage the property on which the Project is completed before the end of the site dedication period, the Grantee shall replace the area, facilities, resource or site at its own expense with a project acceptable to the Commission of comparable scope and quality. In the event the Project is converted to use for other purposes or the Grantee loses authorization to use and manage the property on which the Project is completed within the site dedication period and Grantee has not replaced the Project with a like project acceptable to the Commission, the Grantee agrees to return to the Commission all funds tendered under this Agreement for the original Project.

Site dedication, the site dedication period, and all terms of this section survive any Agreement termination. If mutually agreed upon by both parties in writing the site dedication may be rescinded. The Commission shall waive the site dedication requirement if no program funds were dispersed.

- J. Acknowledgement:** Upon completion of the Project, the Grantee, at its expense, shall purchase, erect and maintain a permanent sign, not less than three (3) feet by four (4) feet in size, displaying the Commission's logo, acknowledging the Commission and the Sport Fish Restoration Program as a funding source for the Project. Any other form of acknowledgement must be approved by the Commission's grant manager. Such acknowledgement shall be maintained for the duration of the site dedication period described in Section I, Site Dedication, above in Section 4, Performance. Should the Grantee fail to maintain such acknowledgement, the Grantee agrees to return to the Commission all funds tendered under this Agreement for the original Project. The Grantee shall provide a draft copy of the acknowledgement sign for approval by the Commission prior to displaying on site. Language to place on the sign shall include: This Project was funded by the Florida Fish and Wildlife Conservation Commission through the Sport Fish Restoration Program. This section survives any Agreement termination.

5. BUDGET

- A. Project Budget:** For satisfactory completion of the tasks and deliverables described in this Scope of Work, by the Grantee under the terms of this Agreement, the Commission shall pay the Grantee on a cost reimbursement basis in an amount not to exceed \$590,974.87. All amounts noted in the budget are estimates based on preliminary quotes or prior project activities from the application amount. Deviations from this budget that exceed ten percent (10%) of the total amount in any budget category/deliverable must be approved by the Commission grant manager in writing prior to the deviation. The Grantee shall be reimbursed only for budgeted expenses incurred during the term of the Agreement that are directly related to the Project.

Deliverable	Cost Item	TOTAL COST	Local Share	Federal Share
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Number				
	Administrative and legal expenses	\$0	\$0	\$0
	Land, structures, rights-of-way, appraisals	\$0	\$0	\$0
	Relocation expenses and payments	\$0	\$0	\$0
1	Architectural and engineering fees	\$49,150	\$24,575	\$24,575
	Other architectural and engineering fees	\$0	\$0	\$0
	Project inspection fees	\$0	\$0	\$0
	Site work	\$0	\$0	\$0
	Demolition and removal	\$0	\$0	\$0
2 & 3	Construction	\$1,132,799.75	\$566,399.88	\$566,399.87
	Equipment	\$0	\$0	\$0
	Miscellaneous:	\$0	\$0	\$0
	Contingencies (allowed at the time of the grant)	\$0	\$0	\$0
	TOTAL	\$1,181,949.75	\$590,974.88	\$590,974.87
	Percentage	100%	50%	50%

- B. Cost Share:** The Grantee agrees to provide 50% of the total cost for the Project as described in the scope of work. The total compensation by the Commission shall be \$590,974.87 or 50% of the total cost, whichever is less.
- C. Pre-Award Costs:** The City of Leesburg was selected by the Florida Boating Improvement Program Evaluation Committee to move forward in the Sport Fish Restoration application process. In the application, pre-award costs were requested for design, engineering and permitting in the amount of \$49,150. From the activities listed above, the following costs have been incurred since March 2019. These costs will be charged 50% to the federal grant and 50% to local cost share.

6. COMPENSATION AND PAYMENT

- A. Fee Schedule:** This section is not applicable
- B. Travel Expenses:** No travel expenses are authorized under the terms of this Agreement.
- C. Cost Reimbursement:** This is a cost reimbursement agreement. The total approved estimated project cost for the Project is \$1,181,949.75. The Commission agrees to reimburse the Grantee for an amount not to exceed \$590,974.87 or 50% of the total cost, whichever is less for satisfactory completion by the Grantee of the Project. The Grantee agrees to provide a minimum of \$590,974.88 or 50% toward completion of the Project and shall be responsible for any additional costs that exceed the total approved estimated project cost for the Project.
- D. Invoice Schedule and Payment:** Invoices may be submitted upon the completion of at least one deliverable listed in the scope of work. The Commission shall have up to 30-days to inspect and approve the Project's deliverables once reported complete by the Grantee. If there are deficiencies noted in the Project inspection, these shall be corrected by the Grantee prior to payment by the Commission. The Commission shall restrict any or all payment of funds pending correction of such deficiencies.

The Grantee shall report the Project complete by submitting the Certification of Completion Form, attached hereto and made a part hereof as Attachment G. Final payment shall be contingent upon the Commission's grant manager receiving and accepting the Certification of Completion Form, Final Progress Report and final inspection of the Project, as described herein.

Once the final inspection and project deliverables are approved, the Grantee may submit a final request for reimbursement within 30-days after receiving written acceptance by the Commission's grant manager.

- E. Forms and Documentation:** After receiving acceptance of deliverable completion from the Commission's grant manager, the Grantee may submit a request for reimbursement that includes an invoice in a format similar to Attachment H, Sample Invoice Form.

Invoice forms and supporting documentation must clearly identify the dates of services, a description of the specific Agreement deliverables provided during the reporting period, an itemized list of expenditures, the quantity provided, the payment amount specified in the Agreement, the Commission's Agreement Number and the Grantee's Federal Employer Identification (FEID) Number.

The Grantee must submit and maintain original supporting documentation for all funds expended and received under this Agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s) and not eligible for payment under and other state or federal funding source. Supporting documentation includes, but is not limited to, quotes, procurement documents, purchase orders, original receipts, invoices, cancelled checks or EFT records, bank statements or copies of general ledgers.

The Commission's grant manager shall have up to 10 days to review and approve the invoice for payment. Any errors or insufficient supporting documentation included with the invoice will delay payment and the 30 days to review by the Commission may begin again.

7. MONITORING SCHEDULE

- A. Compliance Monitoring and Corrective Actions:** The Commission will monitor the Grantee's service delivery to determine if the Grantee has achieved the required level of performance. If the Commission at its sole discretion determines that the Grantee failed to meet any of the Terms and Conditions of this Agreement, the Grantee will be sent a formal written notice. The Grantee shall correct all identified deficiencies within forty-five (45) days of notice. Failure to meet 100% compliance with all of the Terms and Conditions of this Agreement or failure to correct the deficiencies identified in the notice within the time frame specified may result in delays in payment or termination of this Agreement in accordance with the Termination section.
- B. Site Inspections:** The Commission may inspect the Project site prior to and, if applicable, during the construction of the Project. The Grantee shall notify the Commission's Grant Manager when the Project has reached substantial completion so that inspection may occur in a timeframe allowing for the timely submission and processing of the final invoice. The Commission's grant manager, or designee, shall inspect the work accomplished on the Project and, if deemed complete and in compliance with the terms of the Agreement, approve the request for payment.

The Grantee shall allow unencumbered access to the Project site to the Commission, its employees or agent for the duration of the Agreement and for the duration of the site dedication period described in Section I, Site Dedication, above in Section 4, Performance for the purpose of site visit or inspection to verify the facility is being maintained, in operation and is open and available to the public. As part of the inspection, the Commission may request maintenance and use information from the Grantee to validate the condition of the facility. This section shall survive any Agreement termination.

- C. The Grantee shall provide and be responsible for any and all costs associated with the ordinary and routine operations and maintenance of the Project site, including any and all personnel, equipment or service and supplies costs beyond the costs approved for reimbursement in this Agreement for the duration of the site dedication period described in Section I, Site Dedication, above in Section 4, Performance. This section survives any Agreement termination.
- D. **Project Progress Reports:** Starting the first quarter after the date the Agreement is executed, the Grantee shall submit to the Commission, on a quarterly basis, Project Progress Reports outlining the progress of the Project, identifying any problems that may have arisen, and actions taken to correct such problems. Such reports shall be submitted on the Project Progress Report Form attached hereto and made a part hereof as Attachment F. Progress report are required until the Certification of Completion is submitted. Reports are due to the Commission's grant manager according to the following schedule:

Reporting Period

January through March

April through June

July through September

October through December

Report due by:

April 15th

July 15th

October 15th

January 15th

- E. **Annual Reports:** Following completion of the Project, the Grantee shall submit to the Commission an annual report on June 30th of each year until the end of the site dedication period described in Section I, Site Dedication, above in Section 4, Performance. This annual report shall include a description of the condition of any facilities funded with Program funds including any major repairs to the facilities; the amount of revenue collected from any permits or fees for the use of the facilities; and an estimate of the number of users of the facilities. Should the Grantee fail to complete and submit these annual reports, the Grantee agrees to return to the Commission all funds tendered under this Agreement for the original Project. This section survives any Agreement termination.

8. INTELLECTUAL PROPERTY RIGHTS

No additional requirements. Refer to Section 12 of the Agreement.

9. SUBCONTRACTS

No additional requirements. Refer to Section 14 of the Agreement.

10. INSURANCE

No additional requirements. Refer to Section 16 of the Agreement.

11. SECURITY AND CONFIDENTIALITY

No additional requirements. Refer to Section 20 of the Agreement.

12. RECORD KEEPING REQUIREMENTS

Records shall be maintained for ten (10) years following the completion of the Project. Completion of the Project has occurred when all reporting requirements are satisfied, and final payment has been received by the Grantee. Refer to Section 21 of the Agreement.

13. NON-EXPENDABLE PROPERTY

The Grantee is not authorized to use funds provided herein for the purchase of any non-expendable equipment or personal property valued at \$1,000 or more for performance under this Agreement.

14. PURCHASE OR IMPROVEMENT OF REAL PROPERTY

Refer to Section I, Site Dedication, above in Section 4, Performance.

15. SPECIAL PROVISIONS FOR CONSTRUCTION CONTRACTS

- A. Fees:** The Commission reserves the right to review and approve any and all fees proposed for grant project sites, funded in whole or in part by this Program, for the term of the Agreement as well as the term of the site dedication period described in Section I, Site Dedication, above in Section 4, Performance to ensure that excess collection does not occur and that funds collected are not reallocated or diverted to any non-boating access related purpose. This section survives any Agreement termination.
- B. Drug-Free Workplace Requirement for Construction Contractors:** Pursuant to Section 440.102(15), F.S., any construction contractor regulated under Parts I and II of Chapter 489, F.S., who contracts to perform construction work under a state contract shall implement a drug-free workplace.
- C. Contractor Eligibility:** All contractors shall be certified by the Division of Construction Industry Licensing Board of the Florida Department of Business and Professional Regulation for the duration of this Agreement and shall provide evidence of such certification to the Commission upon request.

(Remainder of page left blank intentionally.)

AUDIT REQUIREMENTS

The administration of resources awarded by the Florida Fish and Wildlife Conservation Commission (Commission) to the Grantee may be subject to audits and/or monitoring by the Commission as described in Part II of this attachment regarding State funded activities. If this Agreement includes a Federal award, then Grantee will also be subject to the Federal provisions cited in Part I. If this Agreement includes both State and Federal funds, then all provisions apply.

MONITORING

In addition to reviews of audits conducted in accordance with Sections 200.500-200.521, Uniform Guidance: Cost Principles, Audit, and Administrative Requirements for Federal Awards (2 CFR 200), as revised, hereinafter "OMB Uniform Guidance" and Section 215.97, F.S., as revised (see "AUDITS" below), the Commission may conduct or arrange for monitoring of activities of the Contractor. Such monitoring procedures may include, but not be limited to, on-site visits by the Commission staff or contracted consultants, limited scope audits as defined by Section 200.331, OMB Uniform Guidance and/or other procedures. By entering into this Agreement, the Grantee agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Commission. The Grantee further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Florida Department of Financial Services or the Florida Auditor General.

AUDITS

PART I: FEDERALLY FUNDED. If this Agreement includes a Federal award, then the following provisions apply:

- A. This part is applicable if the Grantee is a State or local government or a non-profit organization as defined in Sections 200.90, 200.64, or 200.70, respectively, OMB Uniform Guidance.
- B. In the event that the Grantee expends **\$500,000.00 (\$750,000.00** for fiscal years beginning on or after December 26, 2014) or more in Federal awards in its fiscal year, the Grantee must have a single or program-specific audit conducted in accordance with the provisions of the Federal Single Audit Act of 1996 and Sections 200.500-200.521, OMB Uniform Guidance. EXHIBIT 1 to this Attachment indicates Federal resources awarded through the Commission by this Agreement. In determining the Federal awards expended in its fiscal year, the Grantee shall consider all sources of Federal awards, including Federal resources received from the Commission. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by Sections 200.500-200.521, OMB Uniform Guidance. An audit of the Grantee conducted by the Auditor General in the OMB Uniform Guidance, will meet the requirements of this part.
- C. In connection with the audit requirements addressed in Part I, paragraph A. herein, the Grantee shall fulfill the requirements relative to auditee responsibilities as provided in Section 200.508, OMB Uniform Guidance. This includes, but is not limited to, preparation of financial statements, a schedule of expenditure of Federal awards, a summary schedule of prior audit findings, and a corrective action plan.
- D. If the Grantee expends less than **\$500,000.00 (\$750,000.00** for fiscal years beginning on or after December 26, 2014) in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of Sections 200.500-200.521, OMB Uniform Guidance, is not required. In the event that the Grantee expends less than **\$500,000.00 (\$750,000.00** for fiscal years beginning on or after

December 26, 2014) in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of Sections 200.500-200.521, OMB Uniform Guidance, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from Grantee resources obtained from other than Federal entities).

- E. Such audits shall cover the entire Grantee's organization for the organization's fiscal year. Compliance findings related to agreements with the Commission shall be based on the agreement requirements, including any rules, regulations, or statutes referenced in the Agreement. The financial statements shall disclose whether or not the matching requirement was met for each applicable agreement. All questioned costs and liabilities due to the Commission shall be fully disclosed in the audit report with reference to the Commission agreement involved. Additionally, the results from the Commission's annual financial monitoring reports must be included in the audit procedures and the Sections 200.500-200.521, OMB Uniform Guidance audit reports.
- F. If not otherwise disclosed as required by Section 200.510, OMB Uniform Guidance, the schedule of expenditures of Federal awards shall identify expenditures by contract number for each agreement with the Commission in effect during the audit period.
- G. If the Grantee expends less than **\$500,000.00** in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of Sections 200.500-200.521, OMB Uniform Guidance, is not required. In the event that the Grantee expends less than **\$500,000.00** in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of Sections 200.500-200.521, OMB Uniform Guidance, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from the Grantee's resources obtained from other-than Federal entities).
- H. A web site that provides links to several Federal Single Audit Act resources can be found at: <http://harvester.census.gov/sac/sainfo.html>

PART II: STATE FUNDED. If this Agreement includes State funding, then the following provisions apply:

This part is applicable if the Grantee is a non-state entity as defined by Section 215.97, F.S., (the Florida Single Audit Act).

- A. In the event that the Grantee expends a total amount of state financial assistance equal to or in excess of **\$750,000.00** (**\$500,000.00** in fiscal years prior to July 1, 2016) in any fiscal year of such Grantee, the Grantee must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, F.S.; applicable rules of the Executive Office of the Governor and the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this Attachment indicates state financial assistance awarded through the Commission by this Agreement. In determining the state financial assistance expended in its fiscal year, the Grantee shall consider all sources of state financial assistance, including state financial assistance received from the Commission, other state agencies, and other non-state entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a non-state entity for Federal program matching requirements.
- B. In connection with the audit requirements addressed in Part II, paragraph A herein, the Grantee shall ensure that the audit complies with the requirements of Section 215.97(7), F.S. This includes submission of a financial reporting package as defined by Section 215.97(2)(d), F.S., and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

- C. If the Grantee expends less than **\$750,000.00 (\$500,000.00** in fiscal years prior to July 1, 2016) in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of section 215.97, F.S., is not required. In the event that the Grantee expends less than **\$750,000.00 (\$500,000.00** in fiscal years prior to July 1, 2016) in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of section 215.97, F.S., the cost of the audit must be paid from the non-state entity's resources (*i.e.*, the cost of such an audit must be paid from the Grantee's resources obtained from other-than State entities).
- D. Additional information regarding the Florida Single Audit Act can be found at:
<https://apps.fldfs.com/fsaa/>.
- E. Grantee shall provide a copy of any audit conducted pursuant to the above requirements directly to the following address:

**Office of Inspector General
Florida Fish and Wildlife Conservation Commission
Bryant Building
620 S. Meridian St.
Tallahassee, FL 32399-1600**

PART III: REPORT SUBMISSION

- A. Copies of reporting packages, to include any management letter issued by the auditor, for audits conducted in accordance with Sections 200.500-200.521, OMB Uniform Guidance, and required by Part I of this Attachment shall be submitted by or on behalf of the Grantee directly to each of the following at the address indicated:
1. The Commission at the following address:

**Office of Inspector General
Florida Fish and Wildlife Conservation Commission
Bryant Building
620 S. Meridian St.
Tallahassee, FL 32399-1600**
 2. The Federal Audit Clearinghouse designated in Section 200.512, OMB Uniform Guidance (the reporting package required by Section 200.512, OMB Uniform Guidance, should be submitted to the Federal Audit Clearinghouse):

**Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132**
 3. Other Federal agencies and pass-through entities in accordance with Section 200.512, OMB Uniform Guidance.
- B. Copies of audit reports for audits conducted in accordance with Sections 200.500-200.521, OMB Uniform Guidance, and required by Part I of this Attachment (in correspondence accompanying the

audit report, indicate the date that the Grantee received the audit report); copies of the reporting package described in Section 200.512, OMB Uniform Guidance, and any management letters issued by the auditor; copies of reports required by Part II of this Attachment must be sent to the Commission at the addresses listed in paragraph C. below.

- C. Copies of financial reporting packages required by Part II of this Attachment, including any management letters issued by the auditor, shall be submitted by or on behalf of the Grantee directly to each of the following:

1. The Commission at the following address:

**Office of Inspector General
Florida Fish and Wildlife Conservation Commission
Bryant Building
620 S. Meridian St.
Tallahassee, FL 32399-1600**

- 2) The Auditor General's Office at the following address:

**Auditor General's Office
G74 Claude Pepper Building
111 West Madison Street
Tallahassee, FL 32399-1450**

- D. Any reports, management letter, or other information required to be submitted to the Commission pursuant to this Agreement shall be submitted timely in accordance with OMB Sections 200.500-200.521, OMB Uniform Guidance, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

Grantees and sub-Grantees, when submitting financial reporting packages to the Commission for audits done in accordance with Sections 200.500-200.521, OMB Uniform Guidance, or Chapters 10.550 (local governmental entities) or 10.650 (non-profit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Grantee/sub-Grantee in correspondence accompanying the reporting package.

- End of Attachment -

**Exhibit 1
FEDERAL AND STATE FUNDING DETAIL**

**FEDERAL RESOURCES AWARDED TO THE GRANTEE PURSUANT TO THIS AGREEMENT
CONSIST OF THE FOLLOWING:**

Federal Program(s) Funds		
CFDA #	CFDA Title	Amount
15.605	Sport Fish Restoration Program	\$590,974.87
	Total Federal Awards	\$590,974.87

**COMPLIANCE REQUIREMENTS APPLICABLE TO THE FEDERAL RESOURCES
AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:**

Federal Program(s) Compliance Requirements	
CFDA #	Compliance Requirements
15.605	50 CFR Part 80 Financial Assistance: Wildlife Restoration, Sport Fish
	Restoration, Boating Access

**STATE RESOURCES AWARDED TO THE GRANTEE PURSUANT TO THIS AGREEMENT
CONSIST OF THE FOLLOWING:**

MATCHING RESOURCES FOR FEDERAL PROGRAMS:

Matching Funds Provided by CFDA		
CFDA #	CFDA Title	Amount of Matching Funds
	Total Matching Funds Associated with Federal Programs	

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:

State Project(s)		
CSFA #	CSFA Title	Amount
	Total Federal Awards	

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

State Project(s) Compliance Requirements	
CSFA #	Compliance Requirements

NOTE: Section 200.513, OMB Uniform Guidance (2 CFR 200), as revised, and Section 215.97(5), Florida Statutes, require that the information about Federal Programs and State Projects included in Exhibit 1 be provided to the Grantee.

- End of EXHIBIT 1 -

COST REIMBURSEMENT CONTRACT PAYMENT REQUIREMENTS

Pursuant to the February, 2011 *Reference Guide for State Expenditures* published by the Department of Financial Services, invoices for cost reimbursement contracts must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). In addition, supporting documentation must be provided for each amount for which reimbursement is being claimed indicating that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved contract budget should be reimbursed.

Listed below are examples of types of supporting documentation:

- (1) Salaries: A payroll register or similar documentation should be submitted. The payroll register should show gross salary charges, fringe benefits, other deductions and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay will be acceptable.
- (2) Fringe Benefits: Fringe Benefits should be supported by invoices showing the amount paid on behalf of the employee (e.g., insurance premiums paid). If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown.

Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.
- (3) Travel: Reimbursement for travel must be in accordance with Section 112.061, Florida Statutes, which includes submission of the claim on the approved State travel voucher or electronic means.
- (4) Other direct costs: Reimbursement will be made based on paid invoices/receipts. If nonexpendable property is purchased using State funds, the contract should include a provision for the transfer of the property to the State when services are terminated. Documentation must be provided to show compliance with Department of Management Services Rule 60A-1.017, Florida Administrative Code, regarding the requirements for contracts which include services and that provide for the contractor to purchase tangible personal property as defined in Section 273.02, Florida Statutes, for subsequent transfer to the State.
- (5) In-house charges: Charges which may be of an internal nature (e.g., postage, copies, etc.) may be reimbursed on a usage log which shows the units times the rate being charged. The rates must be reasonable.
- (6) Indirect costs: If the contract specifies that indirect costs will be paid based on a specified rate, then the calculation should be shown.

Contracts between state agencies may submit alternative documentation to substantiate the reimbursement request that may be in the form of FLAIR reports or other detailed reports. Additionally, the invoice or submitted documentation must evidence the completion of all tasks required to be performed for the deliverable and must show that the provider met the minimum performance standards established in the agreement.

NOTICE OF AWARD



AUTHORIZATION (Legislation/Regulations)

Dingell-Johnson Sport Fish Restoration Act, 16 U.S.C. § 777 et seq.

1. DATE ISSUED MM/DD/YYYY 09/24/2020		1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded	
2. CFDA NO. 15.605 - Sport Fish Restoration			
3. ASSISTANCE TYPE Formula Grant			
4. GRANT NO. F20AF12281-00 Formerly		5. TYPE OF AWARD Other	
4a. FAIN F20AF12281		5a. ACTION TYPE New	
6. PROJECT PERIOD MM/DD/YYYY From 09/01/2020		Through 08/31/2022	
7. BUDGET PERIOD MM/DD/YYYY From 09/01/2020		Through 08/31/2022	
8. TITLE OF PROJECT (OR PROGRAM) City of Leesburg - Venetian Gardens Boardwalk and Docks			

9a. GRANTEE NAME AND ADDRESS FISH & WILDLIFE CONSERVATION COMMISSION, FLORIDA 620 S Meridian St Tallahassee, FL 32399-6543	9b. GRANTEE PROJECT DIRECTOR Ms. Laura Beagle 620 S MERIDIAN ST TALLAHASSEE, FL 32399-6543 Phone: 850-617-9459
10a. GRANTEE AUTHORIZING OFFICIAL Mr. Eric Sutton 620 South Meridian Street Tallahassee, FL 32399-6543 Phone: 850-487-3796	10b. FEDERAL PROJECT OFFICER Mr. Howard Meister 1875 Century Blvd NE WSFR Atlanta, GA 30345-3325 Phone: 404-679-7180

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)				12. AWARD COMPUTATION																																			
I Financial Assistance from the Federal Awarding Agency Only				a. Amount of Federal Financial Assistance (from Item 11m) \$ 590,974.88																																			
II Total project costs including grant funds and all other financial participation				b. Less Unobligated Balance From Prior Budget Periods \$ 0.00																																			
				c. Less Cumulative Prior Award(s) This Budget Period \$ 0.00																																			
				d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION \$ 590,974.88																																			
				13. Total Federal Funds Awarded to Date for Project Period \$ 590,974.88																																			
				14. RECOMMENDED FUTURE SUPPORT (Subject to the availability of funds and satisfactory progress of the project):																																			
				<table border="1"> <thead> <tr> <th colspan="2">YEAR</th> <th colspan="2">TOTAL DIRECT COSTS</th> <th colspan="2">YEAR</th> <th colspan="2">TOTAL DIRECT COSTS</th> </tr> </thead> <tbody> <tr> <td>a. 2</td> <td>\$</td> <td></td> <td></td> <td>d. 5</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>b. 3</td> <td>\$</td> <td></td> <td></td> <td>e. 6</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>c. 4</td> <td>\$</td> <td></td> <td></td> <td>f. 7</td> <td>\$</td> <td></td> <td></td> </tr> </tbody> </table>				YEAR		TOTAL DIRECT COSTS		YEAR		TOTAL DIRECT COSTS		a. 2	\$			d. 5	\$			b. 3	\$			e. 6	\$			c. 4	\$			f. 7	\$		
YEAR		TOTAL DIRECT COSTS		YEAR		TOTAL DIRECT COSTS																																	
a. 2	\$			d. 5	\$																																		
b. 3	\$			e. 6	\$																																		
c. 4	\$			f. 7	\$																																		
a. Salaries and Wages \$ 0.00				15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:																																			
b. Fringe Benefits \$ 0.00				a. DEDUCTION																																			
c. Total Personnel Costs \$ 0.00				b. ADDITIONAL COSTS																																			
d. Equipment \$ 0.00				c. MATCHING																																			
e. Supplies \$ 0.00				d. OTHER RESEARCH (Add / Deduct Option)																																			
f. Travel \$ 0.00				e. OTHER (See REMARKS)																																			
g. Construction \$ 1,181,949.75																																							
h. Other \$ 0.00																																							
i. Contractual \$ 0.00																																							
j. TOTAL DIRECT COSTS \$ 1,181,949.75																																							
k. INDIRECT COSTS \$ 0.00																																							
l. TOTAL APPROVED BUDGET \$ 1,181,949.75																																							
m. Federal Share \$ 590,974.88																																							
n. Non-Federal Share \$ 590,974.87																																							

REMARKS (Other Terms and Conditions Attached - ☒ Yes ☐ No)
No Program Income anticipated.

GRANTS MANAGEMENT OFFICIAL:

Marilyn Lawal, Program Manager
1875 Century Blvd NE
Atlanta, GA 30345-3325
Phone: 404 679-7277

17. VENDOR CODE 0070105970			18. DUNS 838103893			19. CONG. DIST. 02	
LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION	
1	0051004232-00010	\$590,974.88	09/01/2020	08/31/2022	8151	SFR - 9521 - BA FRESH	

NOTICE OF AWARD (Continuation Sheet)

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GRANT NO. F20AF12281-00	

SCOPE OF WORK

1. Project Description

The Service hereby incorporates the recipient's application submitted to and approved by the Service into these award terms and conditions.

The purpose of this grant award is to construct a public docking facility at Venetian Gardens Park in the City of Leesburg, Florida.

Terms and Conditions

1. U.S. Fish and Wildlife General Award Terms and Conditions (see link <https://www.fws.gov/grants/atc.html>)

2. Mandatory Disclosures

Conflicts of interest: Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR §200.318 apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each conflict of interest disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies for noncompliance described in 2 CFR §200.338, including suspension or debarment (see also 2 CFR Part 180).

Lobbying: The recipient must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. The recipient must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form to the Service Project Officer identified in their notice of award if the Federal share of their award is more than \$100,000 and the recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

Other Mandatory Disclosures: Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies for noncompliance

NOTICE OF AWARD (Continuation Sheet)

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described in [2 CFR §200.338](#), including suspension or debarment.

PAYMENTS

1. Domestic Recipients Enrolled in Treasury's ASAP System

The recipient will request payments under this award in the [U.S. Treasury's Automated Standard Application for Payment \(ASAP\)](#) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the subject line on letter followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

AWARD CONDITIONS

1. Pre-Award Costs

The Service authorizes the recipient to request reimbursement for pre-award expenses incurred for design, engineering, and permitting activities only. Pre-award costs are those incurred prior to the effective date of this award directly pursuant to the negotiation and in anticipation of the award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the award.

SPECIAL TERMS AND REQUIREMENTS

1. Environmental Compliance Reviews

Recipients and sub-recipients of Federal grants and cooperative agreement awards must comply with the requirements of the National Environmental Policy Act (NEPA), Section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

2. Inadvertent Archaeological or Historical Discoveries

In the event any archaeological or historic materials are encountered during project activity, work in the immediate area must stop and the following actions taken:

1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
2. Take reasonable steps to ensure the confidentiality of the discovery sites; and
3. Take reasonable steps to restrict access to the site of discovery.

The recipient must notify the concerned Tribes and all appropriate county, state, and federal agencies, including the State Historic Preservation Office. Agencies and the Tribe(s) will discuss the possible measures to remove or avoid cultural material, and will reach an agreement with the recipient regarding actions to be taken and disposition of material. If Human remains are uncovered, appropriate law enforcement agencies must be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribe(s) will take place in order to mitigate the final disposition of said remains.

NOTICE OF AWARD (Continuation Sheet)

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BUDGET AND PROGRAM REVISIONS

1. Budget and Program Plan Revisions

The recipient must report to the Service Project Officer identified in their notice of award deviations from budget or project scope or objective, and request prior approvals for budget and program plan revisions per [2 CFR §200.308](#), unless otherwise specifically waived in this award.

REPORT

1. Interim Financial Reports

The recipient is required to submit interim financial reports directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "[Federal Financial Report](#)" form. See also our instructional video on "[Completing the Federal Financial Report \(SF-425\)](#)".

2. Interim Performance Reports

The recipient is required to submit interim performance reports directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>FPR.

3. Final Reports

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 90 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "[Federal Financial Report](#)" form. See also our instructional video on "[Completing the Federal Financial Report \(SF-425\)](#)".

The recipient must submit a *final* performance report no later than 90 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

4. Reporting Due Date Extensions

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the

NOTICE OF AWARD (Continuation Sheet)

PAGE 5 of 5	DATE ISSUED 09/24/2020
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requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient's operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

5. Significant Developments Reports

See 2 CFR §200.328(d). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 80

[Docket No. FWS-R9-WSR-2009-0088; 91400-511 0-POLI-7B; 91400-9410-POLI-7B]

RIN 1018-AW65

Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Hunter Education and Safety

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service, are revising regulations governing the Wildlife Restoration, Sport Fish Restoration, and Hunter Education and Safety (Enhanced Hunter Education and Safety) financial assistance programs. We proposed a revision of these regulations on June 10, 2010, to address changes in law, regulation, policy, technology, and practice during the past 25 years. We also proposed a clarification of some provisions of the issue-specific final rule that we published on July 24, 2008. This final rule simplifies specific requirements of the establishing authorities of the three programs and clarifies terms in those authorities as well as terms generally used in grant administration. We organized the final rule to follow the life cycle of a grant, and we reworded and reformatted the regulations following Federal plain language policy and current rulemaking guidance.

DATES: The final rule is effective on August 31, 2011.

FOR FURTHER INFORMATION CONTACT: Joyce Johnson, Wildlife and Sport Fish Restoration Program, Division of Policy and Programs, U.S. Fish and Wildlife Service, 703-358-2156.

SUPPLEMENTARY INFORMATION:

Background

This final rule revises title 50 part 80 of the Code of Federal Regulations (CFR), which is "Administrative Requirements, Pittman-Robertson Wildlife Restoration and Dingell-Johnson Sport Fish Restoration Acts." The primary users of these regulations are the fish and wildlife agencies of the 50 States, the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. We use "State" or "States" in this document to refer to any or all of these jurisdictions,

except the District of Columbia for purposes of the Pittman-Robertson Wildlife Restoration Act and the two grant programs and one subprogram under its authority, because the Act does not authorize funding for the District. The term, "the 50 States," applies only to the 50 States of the United States. It does not include the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, or the territories of Guam, the U.S. Virgin Islands, and American Samoa.

These regulations tell States how they may: (a) Use revenues from hunting and fishing licenses; (b) receive annual apportionments from the Federal Aid to Wildlife Restoration Fund and the Sport Fish Restoration and Boating Trust Fund; (c) receive financial assistance from the Wildlife Restoration program, the Basic Hunter Education and Safety subprogram, and the Enhanced Hunter Education and Safety program; and (d) receive financial assistance from the Sport Fish Restoration program, the Recreational Boating Access subprogram, the Aquatic Resources Education subprogram, and the Outreach and Communications subprogram. These programs provide financial assistance to State fish and wildlife agencies to: (a) Restore or manage wildlife and sport fish; (b) provide hunter-education, hunter-development, and hunter-safety programs; (c) provide recreational boating access; (d) enhance the public's understanding of water resources, aquatic-life forms, and sport fishing; and (e) develop responsible attitudes and ethics toward aquatic and related environments. The Catalog of Federal Domestic Assistance at <https://www.cfda.gov> describes these programs under 15.611, 15.605, and 15.626.

The Pittman-Robertson Wildlife Restoration Act, as amended (50 Stat. 917; 16 U.S.C. 669-669k), and the Dingell-Johnson Sport Fish Restoration Act, as amended (64 Stat. 430; 16 U.S.C. 777-777n, except 777e-1 and g-1), established the programs affected by this final rule in 1937 and 1950 respectively. We refer to these acts in this document and in the final rule as "the Acts." They established a hunting- and angling-based user-pay and user-benefit system in which the State fish and wildlife agencies of the 50 States, the Commonwealths, and the territories receive formula-based funding from a continuing appropriation from a dedicated fund in the Treasury. The District of Columbia also receives funding, but only under the Dingell-Johnson Sport Fish Restoration Act. The Pittman-Robertson Wildlife Restoration

Act does not authorize funding for the District of Columbia. Industry partners pay excise taxes into a dedicated fund in the Treasury on equipment and gear manufactured for purchase by hunters, anglers, boaters, archers, and recreational shooters. The Service distributes these funds to the fish and wildlife agencies of the States that contribute matching funds, generally derived from hunting and fishing license sales. In fiscal year 2010, the States and other eligible jurisdictions received \$384 million in new funding through the Wildlife Restoration and Enhanced Hunter Education and Safety programs and \$363 million in new funding through the Sport Fish Restoration program.

We published a proposed rule in the June 10, 2010, Federal Register [75 FR 32877] to revise the regulations governing 50 CFR part 80. We reviewed and considered all comments that were delivered to the Service's Division of Policy and Directives Management during a 60-day period from June 10 to August 9, 2010, and all comments that were entered on <http://www.regulations.gov> or postmarked during that period. We received 10 comments from State agencies, 2 comments from nonprofit organizations, and 2 comments from one individual. Most commenters addressed several issues, so we reorganized the issues into 33 single-issue comments. This final rule adopts the proposed rule that we published on June 10, 2010, with changes based on the comments received. We discuss these comments in the following section.

Response to Public Comments

We arranged the public comments under the relevant sections of the rule. Each numbered comment is from only one agency, organization, or individual unless it states otherwise. The comments summarize the recommendations or opinions as the commenter presented them. We state in the response to each comment whether we made any changes as a result of the recommendation. We also state how we changed the rule, or we refer the reader to the location of the change in the final rule.

Some public comments led us to reexamine sections beyond those that the public addressed specifically. Based on this reexamination, we made nonsubstantive changes throughout the document to improve clarity, consistency, organization, or comprehensiveness. We addressed any substantive changes that resulted from this reexamination in our responses to the comments.

We use the term "current" to refer to 50 CFR part 80 or any section or paragraph of 50 CFR part 80 that became effective after publication of a final rule in the **Federal Register** at 73 FR 43120, July 24, 2008. The term "proposed" refers to language that was in the proposed rule published in the **Federal Register** at 75 FR 32877, June 10, 2010. The term "new" refers to the language of 50 CFR part 80 as published in this final rule.

Subpart A—General

Section 80.2 What terms do I need to know?

Comment 1: Define personal property and law-enforcement activities.

Response 1: We defined personal property to include intellectual property and gave examples at the new § 80.2. We removed the definition of intellectual property and all examples from the proposed § 80.20. To conform to these changes for personal property, we moved the examples of real property from the proposed § 80.20(b)(1) to the definition at § 80.2. We will consider proposing a definition of law enforcement during the next revision of 50 CFR part 80, so we can receive public comments on a proposed definition.

Comment 2: Three commenters had concerns about the proposed definition of wildlife, which includes only birds and mammals. One commenter said that the narrow definition would cause conflicts with States that define it more broadly. Another commenter requested that we broaden the definition to include alligators. The third commenter noted the proposed definition does not include snapping turtles or bullfrogs, which are part of at least one State's hunting or sportfishing program.

Response 2: We did not make any changes in response to these comments. The proposed rule's definition of wildlife is specific to wild birds and mammals. This is a common element in all State definitions of wildlife, and program regulations since 1956 have limited the benefits of the Pittman-Robertson Wildlife Restoration Act (Act) to wild birds and mammals. The Act did not define wildlife in the original 1937 legislation, and none of its amendments defined wildlife for purposes of projects under the Act. Although Public Law 106-553 (December 21, 2000) amended the Act and defined wildlife, the only effects of the amendment were to authorize fiscal year 2001 funds for the Wildlife Conservation and Restoration program and to clarify the effect of the Federal Advisory Committee Act. Public Law 106-553's definition of wildlife did

not apply to projects under the Act according to section 902(f).

Subpart C—License Revenue

Section 80.20 What does revenue from hunting and fishing licenses include?

Comment 3: The opening statement in § 80.20(a) reads, "Hunting and fishing license revenue includes: (1) Proceeds that the State fish and wildlife agency receives from the sale of State-issued general or special hunting or fishing licenses * * *" This is a change from the current § 80.4, which reads, "Revenues from license fees paid by hunters and fishermen are any revenues the State receives from the sale of licenses * * *" This change could exclude as license revenue any license fees collected by other State agencies on behalf of the State fish and wildlife agencies.

Response 3: We changed the proposed § 80.20(a) to read, "All proceeds from the sale of State-issued general or special hunting and fishing licenses, permits, stamps, tags, access and use fees, and other State charges to hunt or fish for recreational purposes."

Subpart D—Certification of License Holders

Section 80.31 How does an agency certify the number of paid license holders?

Comment 4: Insert "or his or her designee" after "the director of the [State] agency" at § 80.31(b) because another individual may be responsible for submitting annual license-certification data electronically to the Service on behalf of the agency director.

Response 4: We changed § 80.31(b) to incorporate the recommendation.

Section 80.33 How does an agency decide who to count as paid license holders in the annual certification?

Comment 5: One commenter supported the language at § 80.33(a)(1) allowing States to count license holders regardless of whether the licensee engages in the activity. Two other commenters said that the State should not count license holders in the annual certification if the licensee does not hunt or fish.

Response 5: We did not make any changes based on this comment. Some people buy a license because they plan to hunt or fish, but never do. Others buy a license to take part in other outdoor activities on a State Wildlife Management Area where it is required for entry. Some buy a license solely to support wildlife and sport fish programs. Others buy a lifetime license as a gift for a child who is too young to

hunt or fish. The Acts require States to count the number of paid hunting- or fishing-license holders. They do not require States to count those who actually hunt or fish.

Comment 6: Allow a State to verify a license holder in State records using a unique identifier instead of a name. This will accommodate a State that does not record the name of certain categories of license holders, such as minors, out-of-State hunters and anglers, and individuals who do not want to give their names for religious reasons.

Response 6: We accepted the recommendation, but we need to ensure that the agency can associate a license holder with the unique identifier. We changed the proposed § 80.33(a) to read: "A State fish and wildlife agency must count only those people who have a license issued: (1) In the license holder's name, or (2) With a unique identifier that is traceable to the license holder, who must be verifiable in State records."

Comment 7: Section 80.33(a)(4) does not allow a State director to count all persons who have paid licenses to hunt or fish in the State-specified certification period. This is inconsistent with the Acts and the proposed § 80.31(a).

Response 7: We did not make any changes based on this comment. We use data from the annual certification of licenses to divide excise tax revenue among the States. Section 80.33 provides an equitable way to count: (a) Individuals holding licenses for a fixed period corresponding to the license-certification year, and (b) other individuals holding licenses for a period that starts on the date of purchase and ends 365 days later (variable period). A State that sells variable-period licenses should not be able to count them in two annual certification periods if a State that sells only single-year fixed-period licenses can count them in only one annual certification period.

Comment 8: Combination license holders should be counted as both anglers and hunters at § 80.33(a)(6) only if the State offers an option to buy a separate license to hunt or fish. If no such option exists, the State should conduct a survey or use other means to find out how many license holders intend to hunt and how many intend to fish. The same approach should apply to use permits and entrance fees for wildlife management areas, to find out how many enter to hunt or fish, and how many enter for other activities. States should count only those who hunt or fish as paid license holders.

Response 8: The Acts require States to count the number of paid hunting and

fishing license holders. They do not require States to count those who actually hunt or fish, so we will not require surveys as the commenter recommended.

Comment 9: The proposed § 80.33(b) states that, for a multiyear license to be counted in each certification period, a State fish and wildlife agency must receive \$1 per year of net revenue for each year in which the license is valid. Clarify whether the agency can count the multiyear license as a paid license if the agency spends the entire multiyear license fee immediately after receiving it. Without this clarification, an alternative interpretation is that the agency must hold the fee over the lifetime of the license so that \$1 of net revenue is available in each year that the agency will count it as a paid license.

Response 9: We added a new § 80.35 on requirements for multiyear licenses. Paragraph (b) of this new section addresses the commenter's concern: "The agency must receive net revenue from a multiyear license that is in close approximation to the net revenue received for a single-year license providing similar privileges:

(1) Each year during the license period, or

(2) At the time of sale as if it were a single-payment annuity, which is an investment of the license fee that shows the agency would have received at least the minimum required net revenue for each year of the license period."

Section 80.34 (new section 80.36) May an agency count license holders in the annual certification if the agency receives funds from the State to cover their license fees?

Comment 10: One commenter said that senior citizens in his State must pay \$11 for a license, of which the State fish and wildlife agency receives about \$9. The commenter said this \$9 in net revenue allows the State to count the license in only nine annual certification periods. He compared this to the proposed §§ 80.33(b) and 80.34 which would allow a State to provide funds to its fish and wildlife agency to cover fees normally charged for a category of license, such as senior citizens or veterans. The agency would be able to count those license holders in the annual certification for each year that the State covers the fees. The commenter said this change would potentially shift funds from States that offer low-cost licenses to those where the State covers fees normally charged for a category of license. Two other commenters opposed the proposed

§§ 80.33(b) and 80.34, and two commenters supported these sections.

Response 10: We did not make any changes based on this comment. If a State chooses to pay the hunting and fishing license fees for a category of its citizens, it should be able to count the license holders in the annual certification if the State and its fish and wildlife agency satisfy the conditions at the new § 80.36.

Comment 11: The proposed § 80.34(b) requires that any funds that a State provides to its fish and wildlife agency to cover fees for a category of license holder must equal or exceed the fees that the license holder would have paid. Why is this different from the standard at the proposed § 80.33(a)(4), which requires that the agency receive at least \$1 per year of net revenue?

Response 11: Licenses that provide similar privileges should not have a lower fee just because the State is paying for it. We retained this requirement with an additional clarification at the new § 80.36(d).

Subpart E—Eligible Activities

Section 80.50 What activities are eligible for funding under the Pittman-Robertson Wildlife Restoration Act?

Comment 12: Add as an eligible activity, "Obtain data to guide and direct the regulation of hunting."

Response 12: We added the recommended eligible activity at a new paragraph (a)(3).

Comment 13: The use of "or" in the proposed § 80.50(a)(4) allows funding for anything that simply provides public access. The public access should be associated with a wildlife- or habitat-management or conservation purpose.

Response 13: We changed the proposed § 80.50(a)(4) to read, "Acquire real property suitable or capable of being made suitable for: (i) Wildlife habitat, or (ii) Public access for hunting and other wildlife-oriented recreation." We also moved the proposed § 80.50(a)(5)(ii) to the new § 80.50(a)(6)(ii) and changed it to read, "Provide public access for hunting or other wildlife-oriented recreation."

Comment 14: Add coordination of grants as an eligible activity for the Wildlife and Sport Fish Restoration programs. Add technical assistance as an eligible activity for the Wildlife Restoration program.

Response 14: We added "Coordinate grants in the Wildlife Restoration program and related programs and subprograms" as an eligible activity for the Wildlife Restoration program at the new § 80.50(a)(8). We also added "Coordinate grants in the Sport Fish

Restoration program and related programs and subprograms" as an eligible activity for the Sport Fish Restoration program at the new § 80.51(a)(11). We did not add technical assistance because we may need to establish criteria to decide when it is appropriate, and we do not want to do this without the benefit of public comment following a proposed rule. However, the Regional Director may still approve technical assistance as an eligible activity on a case-by-case basis under the new section § 80.52, which we discuss in Response 15.

Comment 15: The "closed list" of eligible activities could exclude some creative projects that may be appropriate under the Act.

Response 15: We added a new section § 80.52 which reads: "An activity may be eligible for funding even if this part does not explicitly designate it as an eligible activity if: (a) The State fish and wildlife agency justifies in the project statement how the activity will help carry out the purposes of the Pittman-Robertson Wildlife Restoration Act or the Dingell-Johnson Sport Fish Restoration Act, and (b) The Regional Director concurs with the justification."

Comment 16: One commenter was pleased that the proposed rule included hunter development and recruitment as eligible for funding under the Enhanced Hunter Education and Safety program. Another commenter said that recruitment has no foundation in the Act. The commenter also said that the Service could consider marketing, promotion, and advertising that may be part of recruitment as public relations, which is an ineligible activity.

Response 16: We disagreed with the commenter's view that recruitment may be an ineligible activity. The Pittman-Robertson Wildlife Restoration Act at 16 U.S.C. 669h-1 specifically allows the use of funds for hunter-development programs, and recruitment may be the first phase of hunter development. We made no changes based on this comment.

Comment 17: The linkage that § 80.50(c)(1) makes between hunter development and target shooting is weak at best.

Response 17: Target shooting is an activity that develops certain hunting skills and supplements hunter education and firearm safety. We made no changes based on this comment.

Comment 18: The proposed rule should have said whether competitive shooting events are eligible activities and more specifically whether a grant could pay for prizes, scholarships, and awards associated with competitive shooting events.

Response 18: If the State fish and wildlife agency, or more typically, the subgrantee, holds the competitive shooting event for the primary purpose of producing income, the event would not be eligible for funding under the Pittman-Robertson Wildlife Restoration Act. We will consider developing Service policy on competitive events in the grant programs and subprograms authorized by the Acts. We made no changes based on this comment.

Section 80.51 What activities are eligible for funding under the Dingell-Johnson Sport Fish Restoration Act?

Comment 19: Add as an eligible activity for the Sport Fish Restoration program, "Stock fish for recreational purposes."

Response 19: We incorporated the recommendation at the new § 80.51(a)(5).

Comment 20: Change the second sentence at § 80.51(b)(1) so that it reads, "A broad range of access facilities and associated amenities can qualify for funding, but they must provide benefits to recreational boaters." This change will align the regulation with the language of the Act. The Service's policy at 517 FW 7.12(B) already ensures that the facilities accommodate stakeholders who buy motorboat fuels or angling gear.

Response 20: We changed the sentence as recommended.

Section 80.52 (80.53 in final rule) What activities are ineligible for funding?

Comment 21: Clarify whether wildlife damage and predator control are eligible for funding from (a) a grant in the Wildlife Restoration program, or (b) license revenue.

Response 21: We will consider this issue during the next revision of 50 CFR 80, so that the public will have the opportunity to offer comments. We made no changes based on this comment.

Subpart F—Allocation of Funds by an Agency

Section 80.60 What is the relationship between the Basic Hunter Education and Safety subprogram and the Enhanced Hunter Education and Safety program?

Comment 22: Explain at § 80.60(c) that the Service reapportions unobligated Enhanced Hunter Education funds to eligible States as Wildlife Restoration funds and not Hunter Education funds.

Response 22: We changed § 80.60(c) to incorporate this recommendation.

Section 80.66 What requirements apply to allocation of funds between marine and freshwater fisheries projects?

Comment 23: The proposed § 80.66(a) requires the use of a proportion based on the ratio of a State's resident marine anglers to the State's total anglers. This ratio must equal the ratio of: (a) The Sport Fish Restoration funds that the State allocates for marine projects, to (b) the total Sport Fish Restoration funds. However, some marine anglers also fish in freshwater, so a State has to allocate this overlap when developing a ratio for marine and a ratio for freshwater anglers. The Service has misinterpreted 16 U.S.C. 777(b)(1) which reads, "[E]ach coastal State * * * shall equitably allocate amounts apportioned to such State * * * between marine fish projects and freshwater fish projects in the same proportion as the estimated number of resident marine anglers and the estimated number of resident freshwater anglers, respectively, bear to the estimated number of all resident anglers in that State." This requires only a comparison of the number of marine anglers to the number of freshwater anglers in the same order as a comparison of the dollars allocated to marine projects and the dollars allocated to freshwater projects. The relationship of the numbers of the two types of anglers is a ratio, just as the relationship of the two dollar amounts is a ratio. The two ratios are in the "same proportion" as required by § 777(b)(1). The proposed rule incorrectly requires a proportion based on: (a) A comparison of the funds allocated to marine fisheries projects with the total funds allocated to marine and freshwater fisheries, and (b) a comparison of marine anglers to the total number of marine and freshwater anglers.

Response 23: The commenter's recommendation would make the allocation of funds simpler, but the proposed § 80.66(a) is the most reasonable interpretation of what the drafters of the legislation intended. In any case, it would not be appropriate to impose a different allocation method based on an alternative interpretation without the benefit of public review. We made no changes based on this comment, but we will review this issue before the next revision of 50 CFR 80.

Subpart G—Application for a Grant

Section 80.83 What is the Federal share of allowable cost?

Comment 24: Section 80.83(a) gives the Regional Director the discretion to reimburse allowable costs on a sliding

scale between 10 and 75 percent, but does not give guidance on how the Regional Director should make that decision.

Response 24: The commenter's general concern was also applicable to the other paragraphs of § 80.83. We changed the proposed § 80.83 to provide more detail on how the Regional Director decides on the Federal share.

Subpart I—Program Income

Section 80.120 What is program income?

Comment 25: Explain at the proposed § 80.120(c)(1) why hunting and fishing license revenue collected as fees for special-area access or recreation cannot be program income.

Response 25: We deleted the proposed § 80.120(c)(1) from the list of examples of revenue that cannot be program income. This deletion is the result of a July 2010 determination that hunter-access fees on lands leased with grant funds for public hunting may qualify as program income under certain conditions.

Comment 26: Explain the basis of the distinction between leases with terms greater than 10 years and leases with terms less than 10 years.

Response 26: Leases are legally complex. Their classification as personal or real property varies significantly among the States and even within a State depending on the type of property. The classification of a lease as real or personal property is important because it determines whether rent earned by a grantee from the lease of real property acquired under a grant is classified as program income or as proceeds from the disposition of real property. We proposed the 10-year threshold to simplify this complexity by adopting a common standard for classifying leases as real or personal property for purposes of the grant programs under the Acts. We chose 10 years because it is a commonly accepted dividing line between long-term and short-term leases, which often affects the lessees' rights and responsibilities. We will present this subject in the context of a future proposed rule that focuses on the acquisition and disposition of all types of real property under a grant. Until we can develop a proposed rule with that focus, we will rely on case-by-case legal interpretations when faced with lease-related issues. We changed the proposed § 80.120(c)(6), which is the new § 80.120(c)(5), to read, "Proceeds from the sale of real property."

Section 80.123 How may an agency use program income?

Comment 27: One commenter stated that we should not require State fish and wildlife agencies to obtain the Regional Director's approval of the matching method for using program income if we do not require the Regional Director's approval for other activities under a grant. This commenter and another stated that all grants qualified for use of the matching method under the criteria at § 80.123(c), and both commenters said that we should consider approving the use of the matching method without conditions or give specific guidance on when its use is appropriate. A third commenter also requested guidance on when the matching method is appropriate.

Response 27: The statement at § 80.123(c) that the Regional Director may approve the use of the matching method is consistent with other prior-approval requirements of this regulation. The Director has delegated the authority to conduct grant programs to the Regional Director with only a few exceptions. The definition of "Regional Director" at § 80.2 includes his or her designated representative, and Regional Directors have generally delegated most decisions on grant programs to the chiefs of their Regional Wildlife and Sport Fish Restoration Program Divisions. We will consider proposing criteria for approval of the matching method of using program income during the next revision of 50 CFR 80 so the public will have the opportunity to offer comments. We made no changes based on these comments.

Subpart J—Real Property

Section 80.130 Does an agency have to hold title to real property acquired under a grant?

Comment 28: Do not restrict a State agency's ability in § 80.130 to carry out a grant-funded project on lands to which it does not have title. States may want to use grant funds to manage wildlife on Federal lands under the terms of a cooperative agreement.

Response 28: Both §§ 80.130 and 80.132 relate to the commenter's concern. We based these sections on 16 U.S.C. 777g(a), 43 CFR 12.71(a) and (b), and the current regulation at § 80.20, which has been part of 50 CFR part 80 with only a minor change since 1982. The final rule does not affect an agency's ability to manage Federal lands cooperatively if this management does not include the completion of a capital improvement.

Section 80.131 Does an agency have to hold an easement acquired under a grant?

Comment 29: Replace "subgrantee" with "third party" because "subgrant" implies that grant funding passes to a subgrantee for use at the subgrantee's discretion.

Response 29: A subgrantee is an entity that receives an award of money or property. A subgrantee is accountable to the grantee for the use of the money or property (see definitions of subgrant and subgrantee at 43 CFR 12.43). The proposed § 80.131(b) allows the grantee to subgrant only a concurrent right to hold the easement or a right of enforcement. The grantee will be able to set the terms of the subgrant agreement and ensure that the subgrantee's right will not supersede and will be concurrent with the agency's right of enforcement. Since a third party is not necessarily a subgrantee, the grantee may not be able to set the terms of any agreement on the right of enforcement or a concurrent right to hold the easement. We made no changes based on this comment.

Comment 30: Define "concurrent right to hold."

Response 30: We defined the term at the new § 80.131(b)(2).

Section 80.132 Does an agency have to control the land or water where it completes capital improvements?

See Comments 31 and 32 and our responses.

Section 80.134 How must an agency use real property?

Comment 31: Instead of requiring a grantee to use real property for the uses in the grant, the regulation should state that the property must continue to serve the purpose of the grant and must be used for the administration of the fish and wildlife programs.

Response 31: The new § 80.134(a) states, "If a grant funds acquisition of an interest in a parcel of land or water, the State fish and wildlife agency must use it for the purpose authorized in the grant." The requirement to use property for the administration of fish and wildlife programs applies only if: (a) The administration of fish and wildlife programs is a purpose of the grant-funded project that acquired, completed, operated, or maintained the real property; or (b) license revenue funded all or part of the project [see the proposed 50 CFR 80.10(c)(2)]. We made no changes based on this comment.

Comment 32: Clarify that grant projects on property other than that acquired with grant funds fall within the requirements of § 80.134.

Response 32: The comment applies to § 80.132 as well as § 80.134. We changed §§ 80.132 and 80.134 to incorporate the recommendation and to clarify in § 80.134 the differences in use requirements for specific types of grant-funded projects.

Section 80.137 What if real property is no longer useful or needed for its original purpose?

Comment 33: The proposed § 80.137 says that if a State fish and wildlife agency's director and the Service's Regional Director jointly decide that grant-funded real property is no longer useful or needed for its original purpose, the State agency's director may request disposition instructions. Provide guidance on how the Service and State agency will cooperatively formulate these instructions.

Response 33: We changed the proposed § 80.137(b) so that it reads: "Request disposition instructions for the real property under the process described at 43 CFR 12.71, 'Administrative and Audit Requirements and Cost Principles for Assistance Programs.'"

Required Determinations

Regulatory Planning and Review (E.O. 12866)

The Office of Management and Budget (OMB) has determined that this rule is not significant and has not reviewed this rule under E.O. 12866. OMB bases its determination on the following four criteria:

- Whether the rule will have an annual effect of \$100 million or more on the economy or adversely affect an economic sector, productivity, jobs, the environment, or other units of the government.
- Whether the rule will create inconsistencies with other Federal agencies' actions.
- Whether the rule will materially affect entitlements, grants, user fees, loan programs, or the rights and obligations of their recipients.
- Whether the rule raises novel legal or policy issues.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

The Regulatory Flexibility Act requires an agency to consider the impact of final rules on small entities, i.e., small businesses, small organizations, and small government jurisdictions. If there is a significant economic impact on a substantial number of small entities, the agency must perform a Regulatory Flexibility Analysis. This is not required if the

head of an agency certifies the rule would not have a significant economic impact on a substantial number of small entities. The Small Business Regulatory Enforcement Fairness Act (SBREFA) amended the Regulatory Flexibility Act to require Federal agencies to state the factual basis for certifying that a rule would not have a significant economic impact on a substantial number of small entities.

We have examined this final rule's potential effects on small entities as required by the Regulatory Flexibility Act. We have determined that the changes in the final rule will not have a significant impact and do not require a Regulatory Flexibility Analysis because the changes:

a. Give information to State fish and wildlife agencies that allows them to apply for and administer grants more easily, more efficiently, and with greater flexibility. Only State fish and wildlife agencies may receive grants in the three programs affected by this regulation, but small entities sometimes voluntarily become subgrantees of agencies. Any impact on these subgrantees would be beneficial.

b. Address changes in law and regulation. This rule helps grant applicants and recipients by making the regulations consistent with current standards. Any impact on small entities that voluntarily become subgrantees of agencies would be beneficial.

c. Change three provisions on license certification adopted in a final rule published on July 24, 2008, based on subsequent experience. These changes would impact only agencies and not small entities.

d. Clarify additional issues in the Pittman-Robertson Wildlife Restoration Act and Dingell-Johnson Sport Fish Restoration Act. This clarification will help agencies comply with statutory requirements and increase awareness of alternatives available under the law. Any impact on small entities that voluntarily become subgrantees of agencies would be beneficial.

e. Clarify that (1) cooperative, farming or grazing arrangements and (2) sales receipts retained by concessioners or contractors are not program income. This clarification allows States to expand projects with small businesses and farmers without making these cooperative arrangements or sales receipts subject to program income restrictions. This clarification would be potentially beneficial to the small entities that voluntarily become cooperative farmers, cooperative ranchers, and concessioners.

f. Add information that allows States to enter into agreements with non-profit

organizations to share rights or responsibilities for easements acquired under grants for the mutual benefit of both parties. This addition would benefit the small entities that enter into these agreements voluntarily.

g. Reword and reorganize the regulation to make it easier to understand. Any impact on the small entities that voluntarily become subgrantees of agencies would be beneficial.

The Service has determined that the changes primarily impact State governments. The small entities affected by the changes are primarily concessioners, cooperative farmers, cooperative ranchers, and subgrantees who voluntarily enter into mutually beneficial relationships with an agency. The impact on small entities would be very limited and beneficial in all cases.

Consequently, we certify that because this final rule would not have a significant economic effect on a substantial number of small entities, a Regulatory Flexibility Analysis is not required.

In addition, this final rule is not a major rule under SBREFA (5 U.S.C. 804(2)) and would not have a significant impact on a substantial number of small entities because it does not:

a. Have an annual effect on the economy of \$100 million or more.

b. Cause a major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions.

c. Have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. Ch. 25; Pub. L. 104-4) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. The Act requires each Federal agency, to the extent permitted by law, to prepare a written assessment of the effects of a final rule with Federal mandates that may result in the expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any one year. We have determined the following under the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*):

a. As discussed in the determination for the Regulatory Flexibility Act, this final rule would not have a significant

economic effect on a substantial number of small entities.

b. The regulation does not require a small government agency plan or any other requirement for expenditure of local funds.

c. The programs governed by the current regulations and enhanced by the changes potentially assist small governments financially when they occasionally and voluntarily participate as subgrantees of an agency.

d. The final rule clarifies and enhances the current regulations allowing State, local, and tribal governments, and the private sector to receive the benefits of grant funding in a more flexible, efficient, and effective manner. They may receive these benefits as a subgrantee of a State fish and wildlife agency, a cooperating farmer or rancher, a concessioner, a concurrent holder of a grant-acquired easement, or a holder of enforcement rights under an easement.

e. Any costs incurred by a State, local, and tribal government, or the private sector are voluntary. There are no mandated costs associated with the final rule.

f. The benefits of grant funding outweigh the costs. The Federal Government provides up to 75 percent of the cost of each grant to the 50 States in the three programs affected by the final rule. The Federal Government may also provide up to 100 percent of the cost of each grant to the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. All 50 States and other eligible jurisdictions voluntarily apply for grants in these programs each year. This rate of participation is clear evidence that the benefits of grant funding outweigh the costs.

g. This final rule would not produce a Federal mandate of \$100 million or greater in any year, i.e., it is not a "significant regulatory action" under the Unfunded Mandates Reform Act.

Takings

This final rule does not have significant takings implications under E.O. 12630 because it does not have a provision for taking private property. Therefore, a takings implication assessment is not required.

Federalism

This final rule does not have sufficient Federalism effects to warrant preparation of a Federalism assessment under E.O. 13132. It will not interfere with the States' ability to manage themselves or their funds. We work

closely with the States in administration of these programs, and they helped us identify those sections of the current regulations in need of change and new issues in need of clarification through regulation. In drafting the final rule, we received comments from committees of the Association of Fish and Wildlife Agencies and from the Joint Federal/State Task Force on Federal Assistance Policy. The Director of the U.S. Fish and Wildlife Service and the President of the Association of Fish and Wildlife Agencies jointly chartered the Joint Federal/State Task Force on Federal Assistance Policy in 2002 to identify issues of national concern in the three grant programs affected by the final rule.

Civil Justice Reform

The Office of the Solicitor has determined under E.O. 12988 that the rule would not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order. The final rule will benefit grantees because it:

- a. Updates the regulations to reflect changes in policy and practice during the past 25 years;
- b. Makes the regulations easier to use and understand by improving the organization and using plain language;
- c. Modifies four provisions in the final rule to amend 50 CFR part 80 published in the *Federal Register* at 73 FR 43120 on July 24, 2008, based on subsequent experience; and
- d. Addresses four new issues that State fish and wildlife agencies raised in response to the proposed rule to amend 50 CFR part 80 published in the *Federal Register* at 73 FR 24523, May 5, 2008.

Paperwork Reduction Act

We examined the final rule under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). We may not collect or sponsor and you are not required to respond to a collection of information unless it displays a current OMB control number. The final rule at 50 CFR 80.160 describes eight information collections. All of these collections request information from State fish and wildlife agencies, and all have current OMB control numbers.

OMB authorized and approved Governmentwide standard forms for four of the eight information collections. These four information collections are for the purposes of: (a) Application for a grant; (b) assurances related to authority, capability, and legal compliance for nonconstruction programs, (c) assurances related to authority, capability, and legal compliance for construction programs;

and (d) reporting on the use of Federal funds, match, and program income.

OMB approved three other information collections in the final rule under control number 1018-0109, but has not approved Governmentwide standard forms for these collections. The purposes of these information collections are to provide the Service with: (a) A project statement in support of a grant application, (b) a report on progress in completing a grant-funded project, and (c) a request to approve an update or another change in information provided in a previously approved application. OMB authorized these information collections in its Circular A-102.

The Acts and the current 50 CFR 80.10 authorize the eighth information collection. This collection allows the Service to learn the number of people who have a paid license to hunt and the number of people who have a paid license to fish in each State during a State-specified certification year. The Service uses this information in statutory formulas to apportion funds in the Wildlife Restoration and Sport Fish Restoration programs among the States. OMB approved this information collection on forms FWS 3-154a and 3-154b under control number 1018-0007. The final rule does not change the information required on forms FWS 3-154a and 3-154b. It merely establishes a common approach for States to assign license holders to a certification year.

National Environmental Policy Act

We have analyzed this rule under the National Environmental Policy Act, 42 U.S.C. 432-437(f) and part 516 of the Departmental Manual. This rule does not constitute a major Federal action significantly affecting the quality of the human environment. An environmental impact statement/assessment is not required due to the categorical exclusion for administrative changes provided at 516 DM 8.5A(3).

Government-to-Government Relationship With Tribes

We have evaluated potential effects on federally recognized Indian tribes under the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22951), E.O. 13175, and 512 DM 2. We have determined that there are no potential effects. This final rule will not interfere with the tribes' ability to manage themselves or their funds.

Energy Supply, Distribution, or Use (E.O. 13211)

E.O. 13211 addresses regulations that significantly affect energy supply, distribution, and use and requires agencies to prepare Statements of Energy Effects when undertaking certain actions. This rule is not a significant regulatory action under E.O. 12866 and will not affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action and no Statement of Energy Effects is required.

List of Subjects in 50 CFR Part 80

Education, Fish, Fishing, Grants administration, Grant programs, Hunting, Natural resources, Real property acquisition, Recreation and recreation areas, Signs and symbols, Wildlife.

Final Regulation Promulgation

For the reasons discussed in the preamble, we amend title 50 of the Code of Federal Regulations, chapter I, subchapter F, by revising part 80 to read as set forth below:

Title 50—Wildlife and Fisheries

PART 80—ADMINISTRATIVE REQUIREMENTS, PITTMAN-ROBERTSON WILDLIFE RESTORATION AND DINGELL-JOHNSON SPORT FISH RESTORATION ACTS

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Authority: 16 U.S.C. 669–669k; 16 U.S.C. 777–777n, except 777e–1 and g–1.

Subpart A—General

§ 80.1 What does this part do?

This part of the Code of Federal Regulations tells States how they may:

(a) Use revenues derived from State hunting and fishing licenses in compliance with the Acts.

(b) Receive annual apportionments from the Federal Aid to Wildlife Restoration Fund (16 U.S.C. 669(b)), if authorized, and the Sport Fish Restoration and Boating Trust Fund (26 U.S.C. 9504).

(c) Receive financial assistance from the Wildlife Restoration program, the Basic Hunter Education and Safety subprogram, and the Enhanced Hunter Education and Safety grant program, if authorized.

(d) Receive financial assistance from the Sport Fish Restoration program, the Recreational Boating Access subprogram, the Aquatic Resources Education subprogram, and the Outreach and Communications subprogram.

(e) Comply with the requirements of the Acts.

§ 80.2 What terms do I need to know?

The terms in this section pertain only to the regulations in this part.

Acts means the Pittman-Robertson Wildlife Restoration Act of September 2, 1937, as amended (16 U.S.C. 669–669k), and the Dingell-Johnson Sport Fish Restoration Act of August 9, 1950, as amended (16 U.S.C. 777–777n, except 777e–1 and g–1).

Agency means a State fish and wildlife agency.

Angler means a person who fishes for sport fish for recreational purposes as permitted by State law.

Capital improvement. (1) *Capital improvement* means:

- (i) A structure that costs at least \$10,000 to build; or
- (ii) The alteration, renovation, or repair of a structure if it increases the structure's useful life or its market value by at least \$10,000.

(2) An agency may use its own definition of capital improvement if its definition includes all capital improvements as defined here.

Comprehensive management system is a State fish and wildlife agency's method of operations that links programs, financial systems, human resources, goals, products, and services. It assesses the current, projected, and

desired status of fish and wildlife; it develops a strategic plan and carries it out through an operational planning process; and it evaluates results. The planning period is at least 5 years using a minimum 15-year projection of the desires and needs of the State's citizens. A comprehensive-management-system grant funds all or part of a State's comprehensive management system.

Construction means the act of building or significantly renovating, altering, or repairing a structure. Acquiring, clearing, and reshaping land and demolishing structures are types or phases of construction. Examples of structures are buildings, roads, parking lots, utility lines, fences, piers, wells, pump stations, ditches, dams, dikes, water-control structures, fish-hatchery raceways, and shooting ranges.

Director means:

- (1) The person whom the Secretary:
 - (i) Appointed as the chief executive official of the U.S. Fish and Wildlife Service, and
 - (ii) Delegated authority to administer the Acts nationally; or
- (2) A deputy or another person authorized temporarily to administer the Acts nationally.

Diversion means any use of revenue from hunting and fishing licenses for a purpose other than administration of the State fish and wildlife agency.

Fee interest means the right to possession, use, and enjoyment of a parcel of land or water for an indefinite period. A fee interest, as used in this part, may be the:

- (1) Fee simple, which includes all possible interests or rights that a person can hold in a parcel of land or water; or
- (2) Fee with exceptions to title, which excludes one or more real property interests that would otherwise be part of the fee simple.

Grant means an award of money, the principal purpose of which is to transfer funds or property from a Federal agency to a grantee to support or stimulate an authorized public purpose under the Acts. This part uses the term grant for both a grant and a cooperative agreement for convenience of reference. This use does not affect the legal distinction between the two instruments. The meaning of grant in the terms *grant funds*, *grant-funded*, *under a grant*, and *under the grant* includes the matching cash and any matching in-kind contributions in addition to the Federal award of money.

Grantee means the State fish and wildlife agency that applies for the grant and carries out grant-funded activities in programs authorized by the Acts. The State fish and wildlife agency acts on behalf of the State government, which is

the legal entity and is accountable for the use of Federal funds, matching funds, and matching in-kind contributions.

Lease means an agreement in which the owner of a fee interest transfers to a lessee the right of exclusive possession and use of an area of land or water for a fixed period, which may be renewable. The lessor cannot readily revoke the lease at his or her discretion. The lessee pays rent periodically or as a single payment. The lessor must be able to regain possession of the lessee's interest (*leasehold interest*) at the end of the lease term. An agreement that does not correspond to this definition is not a lease even if it is labeled as one.

Match means the value of any non-Federal in-kind contributions and the portion of the costs of a grant-funded project or projects not borne by the Federal Government.

Personal property means anything tangible or intangible that is not real property.

(1) Tangible personal property includes:

- (i) Objects, such as equipment and supplies, that are moveable without substantive damage to the land or any structure to which they may be attached;
- (ii) Soil, rock, gravel, minerals, gas, oil, or water after excavation or extraction from the surface or subsurface;
- (iii) Commodities derived from trees or other vegetation after harvest or separation from the land; and
- (iv) Annual crops before or after harvest.

(2) Intangible personal property includes:

- (i) Intellectual property, such as patents or copyrights;
- (ii) Securities, such as bonds and interest-bearing accounts; and
- (iii) Licenses, which are personal privileges to use an area of land or water with at least one of the following attributes:

- (A) Are revocable at the landowner's discretion;
- (B) Terminate when the landowner dies or the area of land or water passes to another owner; or
- (C) Do not transfer a right of exclusive use and possession of an area of land or water.

Project means one or more related undertakings in a project-by-project grant that are necessary to fulfill a need or needs, as defined by a State fish and wildlife agency, consistent with the purposes of the appropriate Act. For convenience of reference in this part, the meaning of project includes an agency's fish and wildlife program

under a comprehensive management system grant.

Project-by-project grant means an award of money based on a detailed statement of a project or projects and other supporting documentation.

Real property means one, several, or all interests, benefits, and rights inherent in the ownership of a parcel of land or water. Examples of real property include fee and leasehold interests, conservation easements, and mineral rights.

(1) A parcel includes (unless limited by its legal description) the air space above the parcel, the ground below it, and anything physically and firmly attached to it by a natural process or human action. Examples include standing timber, other vegetation (except annual crops), buildings, roads, fences, and other structures.

(2) A parcel may also have rights attached to it by a legally prescribed procedure. Examples include water rights or an access easement that allows the parcel's owner to travel across an adjacent parcel.

(3) The legal classification of an interest, benefit, or right depends on its attributes rather than the name assigned to it. For example, a grazing "lease" is often a type of personal property known as a license, which is described in the definition of personal property in this section.

Regional Director means the person appointed by the Director to be the chief executive official of one of the Service's geographic Regions, or a deputy or another person temporarily authorized to exercise the authority of the chief executive official of one of the Service's geographic Regions. This person's responsibility does not extend to any administrative units that the Service's Washington Office supervises directly in that geographic Region.

Secretary means the person appointed by the President to direct the operation of the Department of the Interior, or a deputy or another person who is temporarily authorized to direct the operation of the Department.

Service means the U.S. Fish and Wildlife Service.

Sport fish means aquatic, gill-breathing, vertebrate animals with paired fins, having material value for recreation in the marine and fresh waters of the United States.

State means any State of the United States, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. **State** also includes the District of Columbia for purposes of the Dingell-Johnson Sport Fish Restoration Act, the

Sport Fish Restoration program, and its subprograms. *State* does not include the District of Columbia for purposes of the Pittman-Robertson Wildlife Restoration Act and the programs and subprogram under the Act because the Pittman-Robertson Wildlife Restoration Act does not authorize funding for the District. References to "the 50 States" apply only to the 50 States of the United States and do not include the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, or the territories of Guam, the U.S. Virgin Islands, and American Samoa.

State fish and wildlife agency means the administrative unit designated by State law or regulation to carry out State laws for management of fish and wildlife resources. If an agency has other jurisdictional responsibilities, the agency is considered the State fish and wildlife agency only when exercising responsibilities specific to management of the State's fish and wildlife resources.

Subaccount means a record of financial transactions for groups of similar activities based on programs and subprograms. Each group has a unique number. Different subaccounts also distinguish between benefits to marine or freshwater fisheries in the programs and subprograms authorized by the Dingell-Johnson Sport Fish Restoration Act.

Useful life means the period during which a federally funded capital improvement is capable of fulfilling its intended purpose with adequate routine maintenance.

Wildlife means the indigenous or naturalized species of birds or mammals that are either:

- (1) Wild and free-ranging;
- (2) Held in a captive breeding program established to reintroduce individuals of a depleted indigenous species into previously occupied range; or
- (3) Under the jurisdiction of a State fish and wildlife agency.

Subpart B—State Fish and Wildlife Agency Eligibility

§ 80.10 Who is eligible to receive the benefits of the Acts?

States acting through their fish and wildlife agencies are eligible for benefits of the Acts only if they pass and maintain legislation that:

- (a) Assents to the provisions of the Acts;
- (b) Ensures the conservation of fish and wildlife; and
- (c) Requires that revenue from hunting and fishing licenses be:
 - (1) Controlled only by the State fish and wildlife agency; and

- (2) Used only for administration of the State fish and wildlife agency, which includes only the functions required to manage the agency and the fish- and wildlife-related resources for which the agency has authority under State law.

§ 80.11 How does a State become ineligible to receive the benefits of the Acts?

A State becomes ineligible to receive the benefits of the Acts if it:

- (a) Fails materially to comply with any law, regulation, or term of a grant as it relates to acceptance and use of funds under the Acts;
- (b) Does not have legislation required at § 80.10 or passes legislation contrary to the Acts; or
- (c) Diverts hunting and fishing license revenue from:
 - (1) The control of the State fish and wildlife agency; or
 - (2) Purposes other than the agency's administration.

§ 80.12 Does an agency have to confirm that it wants to receive an annual apportionment of funds?

No. However, if a State fish and wildlife agency does not want to receive the annual apportionment of funds, it must notify the Service in writing within 60 days after receiving a preliminary certificate of apportionment.

Subpart C—License Revenue

§ 80.20 What does revenue from hunting and fishing licenses include?

Hunting and fishing license revenue includes:

- (a) All proceeds from State-issued general or special hunting and fishing licenses, permits, stamps, tags, access and use fees, and other State charges to hunt or fish for recreational purposes. Revenue from licenses sold by vendors is net income to the State after deducting reasonable sales fees or similar amounts retained by vendors.
- (b) Real or personal property acquired with license revenue.
- (c) Income from the sale, lease, or rental of, granting rights to, or a fee for access to real or personal property acquired or constructed with license revenue.
- (d) Income from the sale, lease, or rental of, granting rights to, or a fee for access to a recreational opportunity, product, or commodity derived from real or personal property acquired, managed, maintained, or produced by using license revenue.
- (e) Interest, dividends, or other income earned on license revenue.
- (f) Reimbursements for expenditures originally paid with license revenue.

(g) Payments received for services funded by license revenue.

§ 80.21 What if a State diverts license revenue from the control of its fish and wildlife agency?

The Director may declare a State to be in diversion if it violates the requirements of § 80.10 by diverting license revenue from the control of its fish and wildlife agency to purposes other than the agency's administration. The State is then ineligible to receive benefits under the relevant Act from the date the Director signs the declaration until the State resolves the diversion. Only the Director may declare a State to be in diversion, and only the Director may rescind the declaration.

§ 80.22 What must a State do to resolve a declaration of diversion?

The State must complete the actions in paragraphs (a) through (e) of this section to resolve a declaration of diversion. The State must use a source of funds other than license revenue to fund the replacement of license revenue.

(a) If necessary, the State must enact adequate legislative prohibitions to prevent diversions of license revenue.

(b) The State fish and wildlife agency must replace all diverted cash derived from license revenue and the interest lost up to the date of repayment. It must enter into State records the receipt of this cash and interest.

(c) The agency must receive either the revenue earned from diverted property during the period of diversion or the current market rental rate of any diverted property, whichever is greater.

(d) The agency must take one of the following actions to resolve a diversion of real, personal, or intellectual property:

(1) Regain management control of the property, which must be in about the same condition as before diversion;

(2) Receive replacement property that meets the criteria in paragraph (e) of this section; or

(3) Receive a cash amount at least equal to the current market value of the diverted property only if the Director agrees that the actions described in paragraphs (d)(1) and (d)(2) of this section are impractical.

(e) To be acceptable under paragraph (d)(2) of this section:

(1) Replacement property must have both:

(i) Market value that at least equals the current market value of the diverted property; and

(ii) Fish or wildlife benefits that at least equal those of the property diverted.

(2) The Director must agree that the replacement property meets the requirements of paragraph (e)(1) of this section.

§ 80.23 Does a declaration of diversion affect a previous Federal obligation of funds?

No. Federal funds obligated before the date that the Director declares a diversion remain available for expenditure without regard to the intervening period of the State's ineligibility. See § 80.91 for when a Federal obligation occurs.

Subpart D—Certification of License Holders

§ 80.30 Why must an agency certify the number of paid license holders?

A State fish and wildlife agency must certify the number of people having paid licenses to hunt and paid licenses to fish because the Service uses these data in statutory formulas to apportion funds in the Wildlife Restoration and Sport Fish Restoration programs among the States.

§ 80.31 How does an agency certify the number of paid license holders?

(a) A State fish and wildlife agency certifies the number of paid license

holders by responding to the Director's annual request for the following information:

(1) The number of people who have paid licenses to hunt in the State during the State-specified certification period (certification period); and

(2) The number of people who have paid licenses to fish in the State during the certification period.

(b) The agency director or his or her designee:

(1) Must certify the information at paragraph (a) of this section in the format that the Director specifies;

(2) Must provide documentation to support the accuracy of this information at the Director's request;

(3) Is responsible for eliminating multiple counting of the same individuals in the information that he or she certifies; and

(4) May use statistical sampling, automated record consolidation, or other techniques approved by the Director for this purpose.

(c) If an agency director uses statistical sampling to eliminate multiple counting of the same individuals, he or she must ensure that the sampling is complete by the earlier of the following:

(1) Five years after the last statistical sample; or

(2) Before completing the first certification following any change in the licensing system that could affect the number of license holders.

§ 80.32 What is the certification period?

A certification period must:

(a) Be 12 consecutive months;

(b) Correspond to the State's fiscal year or license year;

(c) Be consistent from year to year unless the Director approves a change; and

(d) End at least 1 year and no more than 2 years before the beginning of the Federal fiscal year in which the apportioned funds first become available for expenditure.

§ 80.33 How does an agency decide who to count as paid license holders in the annual certification?

(a) A State fish and wildlife agency must count only those people who have a license issued:

(1) In the license holder's name; or

(2) With a unique identifier that is traceable to the license holder, who must be verifiable in State records.

(b) An agency must follow the rules in this table in deciding how to count license holders in the annual certification:

Type of license holder	How to count each license holder
(1) A person who has either a paid hunting license or a paid sportfishing license even if the person is not required to have a paid license or is unable to hunt or fish.	Once.
(2) A person who has more than one paid hunting license because the person either voluntarily obtained them or was required to have more than one license.	Once.
(3) A person who has more than one paid sportfishing license because the person either voluntarily obtained them or was required to have more than one license.	Once.
(4) A person who has a paid single-year hunting license or a paid single-year sportfishing license for which the agency receives at least \$1 of net revenue. (Single-year licenses are valid for any length of time less than 2 years.)	Once in the certification period in which the license first becomes valid.
(5) A person who has a paid multiyear hunting license or a paid multiyear sportfishing license for which the agency receives at least \$1 of net revenue for each year in which the license is valid. (Multiyear licenses must also meet the requirements at § 80.35.)	Once in each certification period in which the license is valid.
(6) A person holding a paid single-year combination license permitting both hunting and sportfishing for which the agency receives at least \$2 of net revenue.	Twice in the first certification period in which the license is valid: once as a person who has a paid hunting license, and once as a person who has a paid sportfishing license.
(7) A person holding a paid multiyear combination license permitting both hunting and sportfishing for which the agency receives at least \$2 of net revenue for each year in which the license is valid. (Multiyear licenses must also meet the requirements in § 80.35.)	Twice in each certification period in which the license is valid; once as a person who has a paid hunting license, and once as a person who has a paid sportfishing license.
(8) A person who has a license that allows the license holder only to trap animals or only to engage in commercial fishing or other commercial activities.	Cannot be counted.

§ 80.34 How does an agency calculate net revenue from a license?

The State fish and wildlife agency must calculate net revenue from a license by subtracting the per-license

costs of issuing the license from the revenue generated by the license. Examples of costs of issuing licenses are vendors' fees, automated license-system costs, licensing-unit personnel costs,

and the costs of printing and distribution.

§ 80.35 What additional requirements apply to multiyear licenses?

The following additional requirements apply to multiyear licenses:

(a) A multiyear license may be valid for either a specific or indeterminate number of years, but it must be valid for at least 2 years.

(b) The agency must receive net revenue from a multiyear license that is in close approximation to the net revenue received for a single-year license providing similar privileges:

(1) Each year during the license period; or
(2) At the time of sale as if it were a single-payment annuity, which is an investment of the license fee that results in the agency receiving at least the minimum required net revenue for each year of the license period.

(c) An agency may spend a multiyear license fee as soon as the agency receives it as long as the fee provides the minimum required net revenue for the license period.

(d) The agency must count only the licenses that meet the minimum required net revenue for the license period based on:

(1) The duration of the license in the case of a multiyear license with a specified ending date; or
(2) Whether the license holder remains alive.

(e) The agency must obtain the Director's approval of its proposed technique to decide how many multiyear-license holders remain alive in the certification period. Some examples of techniques are statistical sampling, life-expectancy tables, and mortality tables.

§ 80.36 May an agency count license holders in the annual certification if the agency receives funds from the State to cover their license fees?

If a State fish and wildlife agency receives funds from the State to cover fees for some license holders, the agency may count those license holders in the annual certification only under the following conditions:

(a) The State funds to cover license fees must come from a source other than hunting- and fishing-license revenue.

(b) The State must identify funds to cover license fees separately from other funds provided to the agency.

(c) The agency must receive at least the average amount of State-provided discretionary funds that it received for the administration of the State's fish and wildlife agency during the State's five previous fiscal years.

(1) State-provided discretionary funds are those from the State's general fund

that the State may increase or decrease if it chooses to do so.

(2) Some State-provided funds are from special taxes, trust funds, gifts, bequests, or other sources specifically dedicated to the support of the State fish and wildlife agency. These funds typically fluctuate annually due to interest rates, sales, or other factors. They are not discretionary funds for purposes of this part as long as the State does not take any action to reduce the amount available to its fish and wildlife agency.

(d) The agency must receive State funds that are at least equal to the fees charged for the single-year license providing similar privileges. If the State does not have a single-year license providing similar privileges, the Director must approve the fee paid by the State for those license holders.

(e) The agency must receive and account for the State funds as license revenue.

(f) The agency must issue licenses in the license holder's name or by using a unique identifier that is traceable to the license holder, who must be verifiable in State records.

(g) The license fees must meet all other requirements of 50 CFR 80.

§ 80.37 What must an agency do if it becomes aware of errors in its certified license data?

A State fish and wildlife agency must submit revised certified data on paid license holders within 90 days after it becomes aware of errors in its certified data. The State may become ineligible to participate in the benefits of the relevant Act if it becomes aware of errors in its certified data and does not resubmit accurate certified data within 90 days.

§ 80.38 May the Service recalculate an apportionment if an agency submits revised data?

The Service may recalculate an apportionment of funds based on revised certified license data under the following conditions:

(a) If the Service receives revised certified data for a pending apportionment before the Director approves the final apportionment, the Service may recalculate the pending apportionment.

(b) If the Service receives revised certified data for an apportionment after the Director has approved the final version of that apportionment, the Service may recalculate the final apportionment only if it would not reduce funds to other State fish and wildlife agencies.

§ 80.39 May the Director correct a Service error in apportioning funds?

Yes. The Director may correct any error that the Service makes in apportioning funds.

Subpart E—Eligible Activities**§ 80.50 What activities are eligible for funding under the Pittman-Robertson Wildlife Restoration Act?**

The following activities are eligible for funding under the Pittman-Robertson Wildlife Restoration Act:

(a) *Wildlife Restoration program.*

(1) Restore and manage wildlife for the benefit of the public.

(2) Conduct research on the problems of managing wildlife and its habitat if necessary to administer wildlife resources efficiently.

(3) Obtain data to guide and direct the regulation of hunting.

(4) Acquire real property suitable or capable of being made suitable for:

(i) Wildlife habitat; or
(ii) Public access for hunting or other wildlife-oriented recreation.

(5) Restore, rehabilitate, improve, or manage areas of lands or waters as wildlife habitat.

(6) Build structures or acquire equipment, goods, and services to:

(i) Restore, rehabilitate, or improve lands or waters as wildlife habitat; or
(ii) Provide public access for hunting or other wildlife-oriented recreation.

(7) Operate or maintain:

(i) Projects that the State fish and wildlife agency completed under the Pittman-Robertson Wildlife Restoration Act; or

(ii) Facilities that the agency acquired or constructed with funds other than those authorized under the Pittman-Robertson Wildlife Restoration Act if these facilities are necessary to carry out activities authorized by the Pittman-Robertson Wildlife Restoration Act.

(8) Coordinate grants in the Wildlife Restoration program and related programs and subprograms.

(b) *Wildlife Restoration—Basic Hunter Education and Safety subprogram.*

(1) Teach the skills, knowledge, and attitudes necessary to be a responsible hunter.

(2) Construct, operate, or maintain firearm and archery ranges for public use.

(c) *Enhanced Hunter Education and Safety program.*

(1) Enhance programs for hunter education, hunter development, and firearm and archery safety. Hunter-development programs introduce individuals to and recruit them to take part in hunting, bow hunting, target shooting, or archery.

(2) Enhance interstate coordination of hunter-education and firearm- and archery-range programs.

(3) Enhance programs for education, safety, or development of bow hunters, archers, and shooters.

(4) Enhance construction and development of firearm and archery ranges.

(5) Update safety features of firearm and archery ranges.

§ 80.51 What activities are eligible for funding under the Dingell-Johnson Sport Fish Restoration Act?

The following activities are eligible for funding under the Dingell-Johnson Sport Fish Restoration Act:

(a) *Sport Fish Restoration program.*

(1) Restore and manage sport fish for the benefit of the public.

(2) Conduct research on the problems of managing fish and their habitat and the problems of fish culture if necessary to administer sport fish resources efficiently.

(3) Obtain data to guide and direct the regulation of fishing. These data may be on:

(i) Size and geographic range of sport fish populations;

(ii) Changes in sport fish populations due to fishing, other human activities, or natural causes; and

(iii) Effects of any measures or regulations applied.

(4) Develop and adopt plans to restock sport fish and forage fish in the natural areas or districts covered by the plans; and obtain data to develop, carry out, and test the effectiveness of the plans.

(5) Stock fish for recreational purposes.

(6) Acquire real property suitable or capable of being made suitable for:

(i) Sport fish habitat or as a buffer to protect that habitat; or

(ii) Public access for sport fishing. Closures to sport fishing must be based on the recommendations of the State fish and wildlife agency for fish and wildlife management purposes.

(7) Restore, rehabilitate, improve, or manage:

(i) Aquatic areas adaptable for sport fish habitat; or

(ii) Land adaptable as a buffer to protect sport fish habitat.

(8) Build structures or acquire equipment, goods, and services to:

(i) Restore, rehabilitate, or improve aquatic habitat for sport fish, or land as a buffer to protect aquatic habitat for sport fish; or

(ii) Provide public access for sport fishing.

(9) Construct, renovate, operate, or maintain pumpout and dump stations. A pumpout station is a facility that

pumps or receives sewage from a type III marine sanitation device that the U.S. Coast Guard requires on some vessels. A dump station, also referred to as a "waste reception facility," is specifically designed to receive waste from portable toilets on vessels.

(10) Operate or maintain:

(i) Projects that the State fish and wildlife agency completed under the Dingell-Johnson Sport Fish Restoration Act; or

(ii) Facilities that the agency acquired or constructed with funds other than those authorized by the Dingell-Johnson Sport Fish Restoration Act if these facilities are necessary to carry out activities authorized by the Act.

(11) Coordinate grants in the Sport Fish Restoration program and related programs and subprograms.

(b) *Sport Fish Restoration—Recreational Boating Access subprogram.*

(1) Acquire land for new facilities, build new facilities, or acquire, renovate, or improve existing facilities to create or improve public access to the waters of the United States or improve the suitability of these waters for recreational boating. A broad range of access facilities and associated amenities can qualify for funding, but they must provide benefits to recreational boaters. "Facilities" includes auxiliary structures necessary to ensure safe use of recreational boating access facilities.

(2) Conduct surveys to determine the adequacy, number, location, and quality of facilities providing access to recreational waters for all sizes of recreational boats.

(c) *Sport Fish Restoration—Aquatic Resource Education subprogram.*

Enhance the public's understanding of water resources, aquatic life forms, and sport fishing, and develop responsible attitudes and ethics toward the aquatic environment.

(d) *Sport Fish Restoration—Outreach and Communications subprogram.*

(1) Improve communications with anglers, boaters, and the general public on sport fishing and boating opportunities.

(2) Increase participation in sport fishing and boating.

(3) Advance the adoption of sound fishing and boating practices including safety.

(4) Promote conservation and responsible use of the aquatic resources of the United States.

§ 80.52 May an activity be eligible for funding if it is not explicitly eligible in this part?

An activity may be eligible for funding even if this part does not

explicitly designate it as an eligible activity if:

(a) The State fish and wildlife agency justifies in the project statement how the activity will help carry out the purposes of the Pittman-Robertson Wildlife Restoration Act or the Dingell-Johnson Sport Fish Restoration Act; and

(b) The Regional Director concurs with the justification.

§ 80.53 Are costs of State central services eligible for funding?

Administrative costs in the form of overhead or indirect costs for State central services outside of the State fish and wildlife agency are eligible for funding under the Acts and must follow an approved cost allocation plan. These expenses must not exceed 3 percent of the funds apportioned annually to the State under the Acts.

§ 80.54 What activities are ineligible for funding?

The following activities are ineligible for funding under the Acts, except when necessary to carry out project purposes approved by the Regional Director:

(a) Law enforcement activities.

(b) Public relations activities to promote the State fish and wildlife agency, other State administrative units, or the State.

(c) Activities conducted for the primary purpose of producing income.

(d) Activities, projects, or programs that promote or encourage opposition to the regulated taking of fish, hunting, or the trapping of wildlife.

§ 80.55 May an agency receive a grant to carry out part of a larger project?

A State fish and wildlife agency may receive a grant to carry out part of a larger project that uses funds unrelated to the grant. The grant-funded part of the larger project must:

(a) Result in an identifiable outcome consistent with the purposes of the grant program;

(b) Be substantial in character and design;

(c) Meet the requirements of §§ 80.130 through 80.136 for any real property acquired under the grant and any capital improvements completed under the grant; and

(d) Meet all other requirements of the grant program.

§ 80.56 How does a proposed project qualify as substantial in character and design?

A proposed project qualifies as substantial in character and design if it:

(a) Describes a need consistent with the Acts;

(b) States a purpose and sets objectives, both of which are based on the need;

(c) Uses a planned approach, appropriate procedures, and accepted principles of fish and wildlife conservation and management, research, or education; and

(d) Is cost effective.

Subpart F—Allocation of Funds by an Agency

§ 80.60 What is the relationship between the Basic Hunter Education and Safety subprogram and the Enhanced Hunter Education and Safety program?

The relationship between the Basic Hunter Education and Safety

subprogram (Basic Hunter Education) and the Enhanced Hunter Education and Safety program (Enhanced Hunter Education) is as follows:

	Basic Hunter Education funds	Enhanced Hunter Education funds
(a) Which activities are eligible for funding?	Those listed at § 80.50(a) and (b)	Those listed at 80.50(c), but see 80.60(d) under Basic Hunter Education funds.
(b) How long are funds available for obligation?	Two Federal fiscal years	One Federal fiscal year.
(c) What if funds are not fully obligated during the period of availability?	The Service may use unobligated funds to carry out the Migratory Bird Conservation Act (16 U.S.C. 715 <i>et seq.</i>).	The Service reapportions unobligated funds to eligible States as Wildlife Restoration funds for the following fiscal year. States are eligible to receive funds only if their Basic Hunter Education funds were fully obligated in the preceding fiscal year for activities at § 80.50(b).
(d) What if funds are fully obligated during the period of availability?	If Basic Hunter Education funds are fully obligated for activities listed at 80.50(b), the agency may use that fiscal year's Enhanced Hunter Education funds for eligible activities related to Basic Hunter Education, Enhanced Hunter Education, or the Wildlife Restoration program.	No special provisions apply.

§ 80.61 What requirements apply to funds for the Recreational Boating Access subprogram?

The requirements of this section apply to allocating and obligating funds for the Recreational Boating Access subprogram.

(a) A State fish and wildlife agency must allocate funds from each annual apportionment under the Dingell-Johnson Sport Fish Restoration Act for use in the subprogram.

(b) Over each 5-year period, the total allocation for the subprogram in each of the Service's geographic regions must average at least 15 percent of the Sport Fish Restoration funds apportioned to the States in that Region. As long as this requirement is met, an individual State agency may allocate more or less than 15 percent of its annual apportionment in a single Federal fiscal year with the Regional Director's approval.

(c) The Regional Director calculates Regional allocation averages for separate 5-year periods that coincide with Federal fiscal years 2008–2012, 2013–2017, 2018–2022, and each subsequent 5-year period.

(d) If the total Regional allocation for a 5-year period is less than 15 percent, the State agencies may, in a memorandum of understanding, agree among themselves which of them will make the additional allocations to eliminate the Regional shortfall.

(e) This paragraph applies if State fish and wildlife agencies do not agree on which of them will make additional allocations to bring the average Regional

allocation to at least 15 percent over a 5-year period. If the agencies do not agree:

(1) The Regional Director may require States in the Region to make changes needed to achieve the minimum 15-percent Regional average before the end of the fifth year; and

(2) The Regional Director must not require a State to increase or decrease its allocation if the State has allocated at least 15 percent over the 5-year period.

(f) A Federal obligation of these allocated funds must occur by the end of the fourth consecutive Federal fiscal year after the Federal fiscal year in which the funds first became available for allocation.

(g) If the agency's application to use these funds has not led to a Federal obligation by that time, these allocated funds become available for reapportionment among the State fish and wildlife agencies for the following fiscal year.

§ 80.62 What limitations apply to spending on the Aquatic Resource Education and the Outreach and Communications subprograms?

The limitations in this section apply to State fish and wildlife agency spending on the Aquatic Resource Education and Outreach and Communications subprograms.

(a) Each State's fish and wildlife agency may spend a maximum of 15 percent of the annual amount apportioned to the State from the Sport Fish Restoration and Boating Trust

Fund for activities in both subprograms. The 15-percent maximum applies to both subprograms as if they were one.

(b) The 15-percent maximum for the subprograms does not apply to the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. These jurisdictions may spend more than 15 percent of their annual apportionments for both subprograms with the approval of the Regional Director.

§ 80.63 Does an agency have to allocate costs in multipurpose projects and facilities?

Yes. A State fish and wildlife agency must allocate costs in multipurpose projects and facilities. A grant-funded project or facility is multipurpose if it carries out the purposes of:

(a) A single grant program under the Acts; and

(b) Another grant program under the Acts, a grant program not under the Acts, or an activity unrelated to grants.

§ 80.64 How does an agency allocate costs in multipurpose projects and facilities?

A State fish and wildlife agency must allocate costs in multipurpose projects based on the uses or benefits for each purpose that will result from the completed project or facility. The agency must describe the method used to allocate costs in multipurpose projects or facilities in the project

statement included in the grant application.

§ 80.65 Does an agency have to allocate funds between marine and freshwater fisheries projects?

Yes. Each coastal State's fish and wildlife agency must equitably allocate the funds apportioned under the Dingell-Johnson Sport Fish Restoration Act between projects with benefits for marine fisheries and projects with benefits for freshwater fisheries.

(a) The subprograms authorized by the Dingell-Johnson Sport Fish Restoration Act do not have to allocate funding in the same manner as long as the State fish and wildlife agency equitably allocates Dingell-Johnson Sport Fish Restoration funds as a whole between marine and freshwater fisheries.

(b) The coastal States for purposes of this allocation are:

(1) Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington;

(2) The Commonwealths of Puerto Rico and the Northern Mariana Islands; and

(3) The territories of Guam, the U.S. Virgin Islands, and American Samoa.

§ 80.66 What requirements apply to allocation of funds between marine and freshwater fisheries projects?

The requirements of this section apply to allocation of funds between marine and freshwater fisheries projects.

(a) When a State fish and wildlife agency allocates and obligates funds it must meet the following requirements:

(1) The ratio of total funds obligated for marine fisheries projects to total funds obligated for marine and freshwater fisheries projects combined must equal the ratio of resident marine anglers to the total number of resident anglers in the State; and

(2) The ratio of total funds obligated for freshwater fisheries projects to total funds obligated for marine and freshwater fisheries projects combined must equal the ratio of resident freshwater anglers to the total number of resident anglers in the State.

(b) A resident angler is one who fishes for recreational purposes in the same State where he or she maintains legal residence.

(c) Agencies must determine the relative distribution of resident anglers in the State between those that fish in marine environments and those that fish

in freshwater environments. Agencies must use the National Survey of Fishing, Hunting, and Wildlife-associated Recreation or another statistically reliable survey or technique approved by the Regional Director for this purpose.

(d) If an agency uses statistical sampling to determine the relative distribution of resident anglers in the State between those that fish in marine environments and those that fish in freshwater environments, the sampling must be complete by the earlier of the following:

(1) Five years after the last statistical sample; or

(2) Before completing the first certification following any change in the licensing system that could affect the number of sportfishing license holders.

(e) The amounts allocated from each year's apportionment do not necessarily have to result in an equitable allocation for each year. However, the amounts allocated over a variable period, not to exceed 3 years, must result in an equitable allocation between marine and freshwater fisheries projects.

(f) Agencies that fail to allocate funds equitably between marine and freshwater fisheries projects may become ineligible to use Sport Fish Restoration program funds. These agencies must remain ineligible until they demonstrate to the Director that they have allocated the funds equitably.

§ 80.67 May an agency finance an activity from more than one annual apportionment?

A State fish and wildlife agency may use funds from more than one annual apportionment to finance high-cost projects, such as construction or acquisition of lands or interests in lands, including water rights. An agency may do this in either of the following ways:

(a) Finance the entire cost of the acquisition or construction from a non-Federal funding source. The Service will reimburse funds to the agency in succeeding apportionment years according to a plan approved by the Regional Director and subject to the availability of funds.

(b) Negotiate an installment purchase or contract in which the agency pays periodic and specified amounts to the seller or contractor according to a plan that schedules either reimbursements or advances of funds immediately before need. The Service will reimburse or advance funds to the agency according to a plan approved by the Regional Director and subject to the availability of funds.

§ 80.68 What requirements apply to financing an activity from more than one annual apportionment?

The following conditions apply to financing an activity from more than one annual apportionment:

(a) A State fish and wildlife agency must agree to complete the project even if Federal funds are not available. If an agency does not complete the project, it must recover any expended Federal funds that did not result in commensurate wildlife or sport-fishery benefits. The agency must then reallocate the recovered funds to approved projects in the same program.

(b) The project statement included with the application must have a complete schedule of payments to finish the project.

(c) Interest and other financing costs may be allowable subject to the restrictions in the applicable Federal Cost Principles.

Subpart G—Application for a Grant

§ 80.80 How does an agency apply for a grant?

(a) An agency applies for a grant by sending the Regional Director:

(1) Completed standard forms that are:

(i) Approved by the Office of Management and Budget for the grant application process; and

(ii) Available on the Federal Web site for electronic grant applications at <http://www.grants.gov>; and

(2) Information required for a comprehensive-management-system grant or a project-by-project grant.

(b) The director of the State fish and wildlife agency or his or her designee must sign all standard forms submitted in the application process.

(c) The agency must send copies of all standard forms and supporting information to the State Clearinghouse or Single Point of Contact before sending it to the Regional Director if the State supports this process under Executive Order 12372, Intergovernmental Review of Federal Programs.

§ 80.81 What must an agency submit when applying for a comprehensive-management-system grant?

A State fish and wildlife agency must submit the following documents when applying for a comprehensive-management-system grant:

(a) The standard form for an application for Federal assistance in a mandatory grant program.

(b) The standard forms for assurances for nonconstruction programs and construction programs as applicable. Agencies may submit these standard forms for assurances annually to the

Regional Director for use with all applications for Federal assistance in the programs and subprograms under the Acts.

(c) A statement of cost estimates by subaccount. Agencies may obtain the subaccount numbers from the Service's Regional Division of Wildlife and Sport Fish Restoration.

(d) Supporting documentation explaining how the proposed work complies with the Acts, the provisions of this part, and other applicable laws and regulations.

(e) A statement of the agency's intent to carry out and fund part or all of its comprehensive management system through a grant.

(f) A description of the agency's comprehensive management system including inventory, strategic plan, operational plan, and evaluation. "Inventory" refers to the process or processes that an agency uses to:

- (1) Determine actual, projected, and desired resource and asset status; and
- (2) Identify management problems, issues, needs, and opportunities.

(g) A description of the State fish and wildlife agency program covered by the comprehensive management system.

(h) Contact information for the State fish and wildlife agency employee who is directly responsible for the integrity and operation of the comprehensive management system.

(i) A description of how the public can take part in decisionmaking for the comprehensive management system.

§ 80.82 What must an agency submit when applying for a project-by-project grant?

A State fish and wildlife agency must submit the following documents when applying for a project-by-project grant:

- (a) The standard form for an application for Federal assistance in a mandatory grant program.
- (b) The standard forms for assurances for nonconstruction programs and construction programs as applicable. Agencies may submit these standard forms for assurances annually to the Regional Director for use with all applications for Federal assistance in the programs and subprograms under the Acts.

(c) A project statement that describes each proposed project and provides the following information:

- (1) *Need.* Explain why the project is necessary and how it fulfills the purposes of the relevant Act.
- (2) *Purpose and Objectives.* State the purpose and objectives, and base them on the need. The purpose states the desired outcome of the proposed project in general or abstract terms. The objectives state the desired outcome of

the proposed project in terms that are specific and quantified.

(3) *Results or benefits expected.*

(4) *Approach.* Describe the methods used to achieve the stated objectives.

(5) *Useful life.* Propose a useful life for each capital improvement, and reference the method used to determine the useful life of a capital improvement with a value greater than \$100,000.

(6) *Geographic location.*

(7) *Principal investigator for research projects.* Record the principal investigator's name, work address, and work telephone number.

(8) *Program income.*

(i) Estimate the amount of program income that the project is likely to generate.

(ii) Indicate the method or combination of methods (deduction, addition, or matching) of applying program income to Federal and non-Federal outlays.

(iii) Request the Regional Director's approval for the matching method. Describe how the agency proposes to use the program income and the expected results. Describe the essential need for using program income as match.

(iv) Indicate whether the agency wants to treat program income that it earns after the grant period as license revenue or additional funding for purposes consistent with the grant or program.

(v) Indicate whether the agency wants to treat program income that the subgrantee earns as license revenue, additional funding for the purposes consistent with the grant or subprogram, or income subject only to the terms of the subgrant agreement.

(9) *Budget narrative.* Provide costs by project and subaccount with additional information sufficient to show that the project is cost effective. Agencies may obtain the subaccount numbers from the Service's Regional Division of Wildlife and Sport Fish Restoration. Describe any item that requires the Service's approval and estimate its cost. Examples are preaward costs and capital expenditures for land, buildings, and equipment. Include a schedule of payments to finish the project if an agency proposes to use funds from two or more annual apportionments.

(10) *Multipurpose projects.* Describe the method for allocating costs in multipurpose projects and facilities as described in §§ 80.63 and 80.64.

(11) *Relationship with other grants.* Describe any relationship between this project and other work funded by Federal grants that is planned, anticipated, or underway.

(12) *Timeline.* Describe significant milestones in completing the project and any accomplishments to date.

(13) *General.* Provide information in the project statement that:

- (i) Shows that the proposed activities are eligible for funding and substantial in character and design; and
- (ii) Enables the Service to comply with the applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 and 4331-4347), the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), the National Historic Preservation Act (16 U.S.C. 470s), and other laws, regulations, and policies.

§ 80.83 What is the Federal share of allowable costs?

(a) The Regional Director must provide at least 10 percent and no more than 75 percent of the allowable costs of a grant-funded project to the fish and wildlife agencies of the 50 States. The Regional Director generally approves any Federal share from 10 to 75 percent as proposed by one of the 50 States if the:

- (1) Funds are available; and
- (2) Application is complete and consistent with laws, regulations, and policies.

(b) The Regional Director may provide funds to the District of Columbia to pay 75 to 100 percent of the allowable costs of a grant-funded project in a program or subprogram authorized by the Dingell-Johnson Sport Fish Restoration Act. The Regional Director decides on the specific Federal share between 75 and 100 percent based on what he or she decides is fair, just, and equitable. The Regional Director may reduce the Federal share to less than 75 percent of allowable project costs only if the District of Columbia voluntarily provides match to pay the remaining allowable costs. However, the Regional Director must not reduce the Federal share below 10 percent unless he or she follows the procedure at paragraph (d) of this section.

(c) The Regional Director may provide funds to pay 75 to 100 percent of the allowable costs of a project funded by a grant to a fish and wildlife agency of the Commonwealths of Puerto Rico and the Northern Mariana Islands and the territories of Guam, the U.S. Virgin Islands, and American Samoa. The Regional Director decides on the specific Federal share between 75 and 100 percent based on what he or she decides is fair, just, and equitable. The Regional Director may reduce the Federal share to less than 75 percent of allowable project costs only if the Commonwealth or territorial fish and

wildlife agency voluntarily provides match to pay the remaining allowable costs. However, the Regional Director must not reduce the Federal share below 10 percent unless he or she follows the procedure at paragraph (d) of this section. The Federal share of allowable costs for a grant-funded project for the Commonwealth of the Northern Mariana Islands and the territories of Guam, the U.S. Virgin Islands, and American Samoa may be affected by the waiver process described at § 80.84(c).

(d) The Regional Director may waive the 10-percent minimum Federal share of allowable costs if the State, District of Columbia, Commonwealth, or territory requests a waiver and provides compelling reasons to justify why it is necessary for the Federal government to fund less than 10 percent of the allowable costs of a project.

§ 80.84 How does the Service establish the non-Federal share of allowable costs?

(a) To establish the non-Federal share of a grant-funded project for the 50 States, the Regional Director approves an application for Federal assistance in which the State fish and wildlife agency proposes the specific non-Federal share by estimating the Federal and match dollars, consistent with § 80.83(a).

(b) To establish the non-Federal share of a grant-funded project for the District of Columbia and the Commonwealth of Puerto Rico, the Regional Director:

(1) Decides which percentage is fair, just, and equitable for the Federal share consistent with § 80.83(b) through (d);

(2) Subtracts the Federal share percentage from 100 percent to determine the percentage of non-Federal share; and

(3) Applies the percentage of non-Federal share to the allowable costs of a grant-funded project to determine the match requirement.

(c) To establish the non-Federal share of a grant-funded project for the Commonwealth of the Northern Mariana Islands and the territories of Guam, the U.S. Virgin Islands, and American Samoa, the Regional Director must first calculate a preliminary percentage of non-Federal share in the same manner as described in paragraph (b) of this section. Following 48 U.S.C. 1469a, the Regional Director must then waive the first \$200,000 of match to establish the final non-Federal match requirement for a project that includes funding from only one grant program or subprogram. If a project includes funds from more than one grant program or subprogram, the Regional Director must waive the first \$200,000 of match applied to the funds for each program and subprogram.

§ 80.85 What requirements apply to match?

The requirements that apply to match include:

(a) Match may be in the form of cash or in-kind contributions.

(b) Unless authorized by Federal law, the State fish and wildlife agency or any other entity must not:

(1) Use as match Federal funds or the value of an in-kind contribution acquired with Federal funds; or

(2) Use the cost or value of an in-kind contribution to satisfy a match requirement if the cost or value has been or will be used to satisfy a match requirement of another Federal grant, cooperative agreement, or contract.

(c) The agency must fulfill match requirements at the:

(1) Grant level if the grant has funds from a single subaccount; or

(2) Subaccount level if the grant has funds from more than one subaccount.

Subpart H—General Grant Administration

§ 80.90 What are the grantee's responsibilities?

A State fish and wildlife agency as a grantee is responsible for all of the actions required by this section.

(a) Compliance with all applicable Federal, State, and local laws and regulations.

(b) Supervision to ensure that the work follows the terms of the grant, including:

(1) Proper and effective use of funds;

(2) Maintenance of records;

(3) Submission of complete and accurate Federal financial reports and performance reports by the due dates in the terms and conditions of the grant; and

(4) Regular inspection and monitoring of work in progress.

(c) Selection and supervision of personnel to ensure that:

(1) Adequate and competent personnel are available to complete the grant-funded work on schedule; and

(2) Project personnel meet time schedules, accomplish the proposed work, meet objectives, and submit the required reports.

(d) Settlement of all procurement-related contractual and administrative issues.

(e) Giving reasonable access to work sites and records by employees and contractual auditors of the Service, the Department of the Interior, and the Comptroller General of the United States.

(1) Access is for the purpose of:

(i) Monitoring progress, conducting audits, or other reviews of grant-funded projects; and

(ii) Monitoring the use of license revenue.

(2) Regulations on the uniform administrative requirements for grants awarded by the Department of the Interior describe the records that are subject to these access requirements.

(3) The closeout of an award does not affect the grantee's responsibilities described in this section.

(f) Control of all assets acquired under the grant to ensure that they serve the purpose for which acquired throughout their useful life.

§ 80.91 What is a Federal obligation of funds and how does it occur?

An obligation of funds is a legal liability to disburse funds immediately or at a later date as a result of a series of actions. All of these actions must occur to obligate funds for the formula-based grant programs authorized by the Acts:

(a) The Service sends an annual certificate of apportionment to a State fish and wildlife agency, which tells the agency how much funding is available according to formulas in the Acts.

(b) The agency sends the Regional Director an application for Federal assistance to use the funds available to it under the Acts and commits to provide the required match to carry out projects that are substantial in character and design.

(c) The Regional Director notifies the agency that he or she approves the application for Federal assistance and states the terms and conditions of the grant.

(d) The agency accepts the terms and conditions of the grant in one of the following ways:

(1) Starts work on the grant-funded project by placing an order, entering into a contract, awarding a subgrant, receiving goods or services, or otherwise incurring allowable costs during the grant period that will require payment immediately or in the future;

(2) Draws down funds for an allowable activity under the grant; or

(3) Sends the Regional Director a letter, fax, or e-mail accepting the terms and conditions of the grant.

§ 80.92 How long are funds available for a Federal obligation?

Funds are available for a Federal obligation during the fiscal year for which they are apportioned and until the close of the following fiscal year except for funds in the Enhanced Hunter Education and Safety program and the Recreational Boating Access subprogram. See §§ 80.60 and 80.61 for the length of time that funds are available in this program and subprogram.

§ 80.93 When may an agency incur costs under a grant?

A State fish and wildlife agency may incur costs under a grant from the effective date of the grant period to the end of the grant period except for preaward costs that meet the conditions in § 80.94.

§ 80.94 May an agency incur costs before the beginning of the grant period?

(a) A State fish and wildlife agency may incur costs of a proposed project before the beginning of the grant period (preaward costs). However, the agency has no assurance that it will receive reimbursement until the Regional Director awards a grant that incorporates a project statement demonstrating that the preaward costs conform to all of the conditions in paragraph (b) of this section.

(b) Preaward costs must meet the following requirements:

(1) The costs are necessary and reasonable for accomplishing the grant objectives.

(2) The Regional Director would have approved the costs if the State fish and wildlife agency incurred them during the grant period.

(3) The agency incurs these costs in anticipation of the grant and in conformity with the negotiation of the award with the Regional Director.

(4) The activities associated with the preaward costs comply with all laws, regulations, and policies applicable to a grant-funded project.

(5) The agency must:

(i) Obtain the Regional Director's concurrence that the Service will be able to comply with the applicable laws, regulations, and policies before the agency starts work on the ground; and

(ii) Provide the Service with all the information it needs with enough lead time for it to comply with the applicable laws, regulations, and policies.

(6) The agency must not complete the project before the beginning of the grant

period unless the Regional Director concurs that doing so is necessary to take advantage of temporary circumstances favorable to the project or to meet legal deadlines. An agency completes a project when it incurs all costs and finishes all work necessary to achieve the project objectives.

(c) The agency can receive reimbursement for preaward costs only after the beginning of the grant period.

§ 80.95 How does an agency receive Federal grant funds?

(a) A State fish and wildlife agency may receive Federal grant funds through either:

(1) A request for reimbursement; or

(2) A request for an advance of funds if the agency maintains or demonstrates that it will maintain procedures to minimize time between transfer of funds and disbursement by the agency or its subgrantee.

(b) An agency must use the following procedures to receive a reimbursement or an advance of funds:

(1) Request funds through an electronic payment system designated by the Regional Director; or

(2) Request funds on a standard form for that purpose only if the agency is unable to use the electronic payment system.

(c) The Regional Director will reimburse or advance funds only to the office or official designated by the agency and authorized by State law to receive public funds for the State.

(d) All payments are subject to final determination of allowability based on audit or a Service review. The State fish and wildlife agency must repay any overpayment as directed by the Regional Director.

(e) The Regional Director may withhold payments pending receipt of all required reports or documentation for the project.

§ 80.96 May an agency use Federal funds without using match?

(a) The State fish and wildlife agency must not draw down any Federal funds for a grant-funded project under the Acts in greater proportion to the use of match than total Federal funds bear to total match unless:

(1) The grantee draws down Federal grant funds to pay for construction, including land acquisition;

(2) An in-kind contribution of match is not yet available for delivery to the grantee or subgrantee; or

(3) The project is not at the point where it can accommodate an in-kind contribution.

(b) If an agency draws down Federal funds in greater proportion to the use of match than total Federal funds bear to total match under the conditions described at paragraphs (a)(1) through (a)(3) of this section, the agency must:

(1) Obtain the Regional Director's prior approval, and

(2) Satisfy the project's match requirement before it submits the final Federal financial report.

§ 80.97 May an agency barter goods or services to carry out a grant-funded project?

Yes. A State fish and wildlife agency may barter to carry out a grant-funded project. A barter transaction is the exchange of goods or services for other goods or services without the use of cash. Barter transactions are subject to the Cost Principles at 2 CFR part 220, 2 CFR part 225, or 2 CFR part 230.

§ 80.98 How must an agency report barter transactions?

(a) A State fish and wildlife agency must follow the requirements in the following table when reporting barter transactions in the Federal financial report:

If * * *	Then the agency * * *
(1) The goods or services exchanged have the same market value..	(i) Does not have to report bartered goods or services as program income or grant expenses in the Federal financial report; and
(2) The market value of the goods or services relinquished exceeds the market value of the goods and services received..	(ii) Must disclose that barter transactions occurred and state what was bartered in the Remarks section of the report.
(3) The market value of the goods or services received exceeds the market value of the goods and services relinquished..	Must report the difference in market value as grant expenses in the Federal financial report.
(4) The barter transaction was part of a cooperative farming or grazing arrangement meeting the requirements in paragraph (b) of this section..	Must report the difference in market value as program income in the Federal financial report.
	(i) Does not have to report bartered goods or services as program income or grant expenses in the Federal financial report; and
	(ii) Must disclose that barter transactions occurred and identify what was bartered in the Remarks section of the Federal financial report.

(b) For purposes of paragraph (a)(4) of this section, cooperative farming or grazing is an arrangement in which an agency:

- (1) Allows an agricultural producer to farm or graze livestock on land under the agency's control; and
- (2) Designs the farming or grazing to advance the agency's fish and wildlife management objectives.

§ 80.99 Are symbols available to identify projects?

Yes. The following distinctive symbols are available to identify projects funded by the Acts and products on which taxes and duties have been collected to support the Acts:

(a) The symbol of the Pittman-Robertson Wildlife Restoration Act follows:



(b) The symbol of the Dingell-Johnson Sport Fish Restoration Act follows:



(c) The symbol of the Acts when used in combination follows:



§ 80.100 Does an agency have to display one of the symbols in this part on a completed project?

No. A State fish and wildlife agency does not have to display one of the symbols in § 80.99 on a project

completed under the Acts. However, the Service encourages agencies to display the appropriate symbol following these requirements or guidelines:

(a) An agency may display the appropriate symbol(s) on:

- (1) Areas such as wildlife-management areas, shooting ranges, and sportfishing and boating-access facilities that were acquired, developed, operated, or maintained with funds authorized by the Acts; and
- (2) Printed or Web-based material or other visual representations of project accomplishments.

(b) An agency may require a subgrantee to display the appropriate symbol or symbols in the places described in paragraph (a) of this section.

(c) The Director or Regional Director may authorize an agency to use the symbols in a manner other than as described in paragraph (a) of this section.

(d) The Director or Regional Director may authorize other persons, organizations, agencies, or governments to use the symbols for purposes related to the Acts by entering into a written agreement with the user. An applicant must state how it intends to use the symbol(s), to what it will attach the symbol(s), and the relationship to the specific Act.

(e) The user of the symbol(s) must indemnify and defend the United States and hold it harmless from any claims, suits, losses, and damages from:

- (1) Any allegedly unauthorized use of any patent, process, idea, method, or device by the user in connection with its use of the symbol(s), or any other alleged action of the user; and
- (2) Any claims, suits, losses, and damages arising from alleged defects in the articles or services associated with the symbol(s).

(f) The appearance of the symbol(s) on projects or products indicates that the manufacturer of the product pays excise taxes in support of the respective Act(s), and that the project was funded under the respective Act(s) (26 U.S.C. 4161, 4162, 4181, 4182, 9503, and 9504). The Service and the Department of the Interior make no representation or endorsement whatsoever by the display of the symbol(s) as to the quality, utility, suitability, or safety of any product, service, or project associated with the symbol(s).

(g) No one may use any of the symbols in any other manner unless the Director or Regional Director authorizes it. Unauthorized use of the symbol(s) is a violation of 18 U.S.C. 701 and subjects the violator to possible fines and imprisonment.

Subpart I—Program Income

§ 80.120 What is program income?

(a) Program income is gross income received by the grantee or subgrantee and earned only as a result of the grant during the grant period.

(b) Program income includes revenue from:

- (1) Services performed under a grant;
- (2) Use or rental of real or personal property acquired, constructed, or managed with grant funds;
- (3) Payments by concessioners or contractors under an arrangement with the agency or subgrantee to provide a service in support of grant objectives on real property acquired, constructed, or managed with grant funds;
- (4) Sale of items produced under a grant;
- (5) Royalties and license fees for copyrighted material, patents, and inventions developed as a result of a grant; or
- (6) Sale of a product of mining, drilling, forestry, or agriculture during the period of a grant that supports the:
 - (i) Mining, drilling, forestry, or agriculture; or
 - (ii) Acquisition of the land on which these activities occurred.

(c) Program income does not include:

- (1) Interest on grant funds, rebates, credits, discounts, or refunds;
- (2) Sales receipts retained by concessioners or contractors under an arrangement with the agency to provide a service in support of grant objectives on real property acquired, constructed, or managed with grant funds;
- (3) Cash received by the agency or by volunteer instructors to cover incidental costs of a class for hunter or aquatic-resource education;
- (4) Cooperative farming or grazing arrangements as described at § 80.98; or
- (5) Proceeds from the sale of real property.

§ 80.121 May an agency earn program income?

A State fish and wildlife agency may earn income from activities incidental to the grant purposes as long as producing income is not a primary purpose. The agency must account for income received from these activities in the project records and dispose of it according to the terms of the grant.

§ 80.122 May an agency deduct the costs of generating program income from gross income?

(a) A State fish and wildlife agency may deduct the costs of generating program income from gross income when it calculates program income as long as the agency does not:

- (1) Pay these costs with:
- (i) Federal or matching cash under a Federal grant; or
 - (ii) Federal cash unrelated to a grant.
- (2) Cover these costs by accepting:
- (i) Matching in-kind contributions for a Federal grant; or
 - (ii) Donations of services, personal property, or real property unrelated to a Federal grant.
- (b) Examples of costs of generating program income that may qualify for deduction from gross income if they are consistent with paragraph (a) of this section are:

- (1) Cost of estimating the amount of commercially acceptable timber in a forest and marking it for harvest if the commercial harvest is incidental to a grant-funded habitat-management or facilities-construction project.
- (2) Cost of publishing research results as a pamphlet or book for sale if the publication is incidental to a grant-funded research project.
- § 80.123 How may an agency use program income?**
- (a) A State fish and wildlife agency may choose any of the three methods listed in paragraph (b) of this section for

applying program income to Federal and non-Federal outlays. The agency may also use a combination of these methods. The method or methods that the agency chooses will apply to the program income that it earns during the grant period and to the program income that any subgrantee earns during the grant period. The agency must indicate the method that it wants to use in the project statement that it submits with each application for Federal assistance.

(b) The three methods for applying program income to Federal and non-Federal outlays are in the following table:

Method	Requirements for using the method
(1) Deduction	(i) The agency must deduct the program income from total allowable costs to determine the net allowable costs. (ii) The agency must use program income for current costs under the grant unless the Regional Director authorizes otherwise. (iii) If the agency does not indicate the method that it wants to use in the project statement, then it must use the deduction method.
(2) Addition	(i) The agency may add the program income to the Federal and matching funds under the grant. (ii) The agency must use the program income for the purposes of the grant and under the terms of the grant.
(3) Matching	(i) The agency must request the Regional Director's approval in the project statement. (ii) The agency must explain in the project statement how the agency proposes to use the program income, the expected results, and why it is essential to use program income as match. (iii) The Regional Director may approve the use of the matching method if the requirements of paragraph (c) of this section are met.

(c) The Regional Director may approve the use of the matching method if the proposed use of the program income would:

- (1) Be consistent with the intent of the applicable Act or Acts; and
- (2) Result in at least one of the following:
 - (i) The agency substitutes program income for at least some of the match that it would otherwise have to provide, and then uses this saved match for other fish or wildlife-related projects;
 - (ii) The agency substitutes program income for at least some of the apportioned Federal funds, and then uses the saved Federal funds for additional eligible activities under the program; or
 - (iii) A net benefit to the program.

§ 80.124 How may an agency use unexpended program income?

If a State fish and wildlife agency has unexpended program income on its final Federal financial report, it may use the income under a subsequent grant for any activity eligible for funding in the grant program that generated the income.

§ 80.125 How must an agency treat income that it earns after the grant period?

(a) The State fish and wildlife agency must treat program income that it earns after the grant period as either:

- (1) License revenue for the administration of the agency; or
 - (2) Additional funding for purposes consistent with the grant or the program.
- (b) The agency must indicate its choice of one of the alternatives in paragraph (a) of this section in the project statement that the agency submits with each application for Federal assistance. If the agency does not record its choice in the project statement, the agency must treat the income earned after the grant period as license revenue.

§ 80.126 How must an agency treat income earned by a subgrantee after the grant period?

- (a) The State fish and wildlife agency must treat income earned by a subgrantee after the grant period as:
- (1) License revenue for the administration of the agency;
 - (2) Additional funding for purposes consistent with the grant or the program; or
 - (3) Income subject only to the terms of the subgrant agreement and any subsequent contractual agreements between the agency and the subgrantee.
- (b) The agency must indicate its choice of one of the above alternatives in the project statement that it submits with each application for Federal assistance. If the agency does not indicate its choice in the project

statement, the subgrantee does not have to account for any income that it earns after the grant period unless required to do so in the subgrant agreement or in any subsequent contractual agreement.

Subpart J—Real Property

§ 80.130 Does an agency have to hold title to real property acquired under a grant?

A State fish and wildlife agency must hold title to an ownership interest in real property acquired under a grant to the extent possible under State law.

(a) Some States do not authorize their fish and wildlife agency to hold the title to real property that the agency manages. In these cases, the State or one of its administrative units may hold the title to grant-funded real property as long as the agency has the authority to manage the real property for its authorized purpose under the grant. The agency, the State, or another administrative unit of State government must not hold title to an undivided ownership interest in the real property concurrently with a subgrantee or any other entity.

(b) An ownership interest is an interest in real property that gives the person who holds it the right to use and occupy a parcel of land or water and to exclude others. Ownership interests include fee and leasehold interests but not easements.

§ 80.131 Does an agency have to hold an easement acquired under a grant?

A State fish and wildlife agency must hold an easement acquired under a grant, but it may share certain rights or responsibilities as described in paragraph (b) of this section if consistent with State law.

(a) Any sharing of rights or responsibilities does not diminish the agency's responsibility to manage the easement for its authorized purpose.

(b) The agency may share holding or enforcement of an easement only in the following situations:

(1) The State or another administrative unit of State government may hold an easement on behalf of its fish and wildlife agency.

(2) The agency may subgrant the concurrent right to hold the easement to a nonprofit organization or to a local or tribal government. A concurrent right to hold an easement means that both the State agency and the subgrantee hold the easement and share its rights and responsibilities.

(3) The agency may subgrant a right of enforcement to a nonprofit organization or to a local or tribal government. This right of enforcement may allow the subgrantee to have reasonable access and entry to property protected under the easement for purposes of inspection, monitoring, and enforcement. The subgrantee's right of enforcement must not supersede and must be concurrent with the agency's right of enforcement.

§ 80.132 Does an agency have to control the land or water where it completes capital improvements?

Yes. A State fish and wildlife agency must control the parcel of land and water on which it completes a grant-funded capital improvement. An agency must exercise this control by holding title to a fee or leasehold interest or through another legally binding agreement. Control must be adequate for the protection, maintenance, and use of the improvement for its authorized purpose during its useful life even if the agency did not acquire the parcel with grant funds.

§ 80.133 Does an agency have to maintain acquired or completed capital improvements?

Yes. A State fish and wildlife agency is responsible for maintaining capital improvements acquired or completed under a grant to ensure that each capital improvement continues to serve its authorized purpose during its useful life.

§ 80.134 How must an agency use real property?

(a) If a grant funds acquisition of an interest in a parcel of land or water, the State fish and wildlife agency must use it for the purpose authorized in the grant.

(b) If a grant funds construction of a capital improvement, the agency must use the capital improvement for the purpose authorized in the grant during the useful life of the capital improvement. The agency must do this even if it did not use grant funds to:

(1) Acquire the parcel on which the capital improvement is located; or

(2) Build the structure in which the capital improvement is a component.

(c) If a grant funds management, operation, or maintenance of a parcel of land or water, or a capital improvement, the agency must use it for the purpose authorized in the grant during the grant period. The agency must do this even if it did not acquire the parcel or construct the capital improvement with grant funds.

(d) A State agency may allow commercial, recreational, and other secondary uses of a grant-funded parcel of land or water or capital improvement if these secondary uses do not interfere with the authorized purpose of the grant.

§ 80.135 What if an agency allows a use of real property that interferes with its authorized purpose?

(a) When a State fish and wildlife agency allows a use of real property that interferes with its authorized purpose under a grant, the agency must fully restore the real property to its authorized purpose.

(b) If the agency cannot fully restore the real property to its authorized purpose, it must replace the real property using non-Federal funds.

(c) The agency must determine that the replacement property:

(1) Is of at least equal value at current market prices; and

(2) Has fish, wildlife, and public-use benefits consistent with the purposes of the original grant.

(d) The Regional Director may require the agency to obtain an appraisal and appraisal review to estimate the value of the replacement property at current market prices if the agency cannot support its assessment of value.

(e) The agency must obtain the Regional Director's approval of:

(1) Its determination of the value and benefits of the replacement property; and

(2) The documentation supporting this determination.

(f) The agency may have a reasonable time, up to 3 years from the date of

notification by the Regional Director, to restore the real property to its authorized purpose or acquire replacement property. If the agency does not restore the real property to its authorized purpose or acquire replacement property within 3 years, the Director may declare the agency ineligible to receive new grants in the program or programs that funded the original acquisition.

§ 80.136 Is it a diversion if an agency does not use grant-acquired real property for its authorized purpose?

If a State fish and wildlife agency does not use grant-acquired real property for its authorized purpose, a diversion occurs only if both of the following conditions apply:

(a) The agency used license revenue as match for the grant; and

(b) The unauthorized use is for a purpose other than management of the fish- and wildlife-related resources for which the agency has authority under State law.

§ 80.137 What if real property is no longer useful or needed for its original purpose?

If the director of the State fish and wildlife agency and the Regional Director jointly decide that grant-funded real property is no longer useful or needed for its original purpose under the grant, the director of the agency must:

(a) Propose another eligible purpose for the real property under the grant program and ask the Regional Director to approve this proposed purpose, or

(b) Request disposition instructions for the real property under the process described at 43 CFR 12.71, "Administrative and Audit Requirements and Cost Principles for Assistance Programs."

Subpart K—Revisions and Appeals**§ 80.150 How does an agency ask for revision of a grant?**

(a) A State fish and wildlife agency must ask for revision of a project or grant by sending the Service the following documents:

(1) The standard form approved by the Office of Management and Budget as an application for Federal assistance. The agency may use this form to update or request a change in the information that it submitted in an approved application. The director of the agency or his or her designee must sign this form.

(2) A statement attached to the application for Federal assistance that explains:

(i) How the requested revision would affect the information that the agency

submitted with the original grant application; and

(ii) Why the requested revision is necessary.

(b) An agency must send any requested revision of the purpose or objectives of a project or grant to the State Clearinghouse or Single Point of Contact if the State maintains this process under Executive Order 12372, Intergovernmental Review of Federal Programs.

§ 80.151 May an agency appeal a decision?

An agency may appeal the Director's or Regional Director's decision on any matter subject to this part.

(a) The State fish and wildlife agency must send the appeal to the Director within 30 days of the date that the Director or Regional Director mails or otherwise informs an agency of a decision.

(b) The agency may appeal the Director's decision under paragraph (a) of this section to the Secretary within 30 days of the date that the Director mailed the decision. An appeal to the Secretary must follow procedures in 43 CFR part 4, subpart G, "Special Rules Applicable to other Appeals and Hearings."

Subpart L—Information Collection

§ 80.160 What are the information collection requirements of this part?

(a) This part requires each State fish and wildlife agency to provide the following information to the Service. The State agency must:

(1) Certify the number of people who have paid licenses to hunt and the number of people who have paid licenses to fish in a State during the State-specified certification period (OMB control number 1018-0007).

(2) Provide information for a grant application on a Governmentwide standard form (OMB control number 4040-0002).

(3) Certify on a Governmentwide standard form that it:

(i) Has the authority to apply for the grant;

(ii) Has the capability to complete the project; and

(iii) Will comply with the laws, regulations, and policies applicable to nonconstruction projects, construction projects, or both (OMB control numbers 4040-0007 and 4040-0009).

(4) Provide a project statement that describes the need, purpose and objectives, results or benefits expected, approach, geographic location, explanation of costs, and other information that demonstrates that the project is eligible under the Acts and

meets the requirements of the Federal Cost Principles and the laws, regulations, and policies applicable to the grant program (OMB control number 1018-0109).

(5) Change or update information provided to the Service in a previously approved application (OMB control number 1018-0109).

(6) Report on a Governmentwide standard form on the status of Federal grant funds and any program income earned (OMB control number 0348-0051).

(7) Report as a grantee on progress in completing the grant-funded project (OMB control number 1018-0109).

(b) The authorizations for information collection under this part are in the Acts and in 43 CFR part 12, subpart C, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."

(c) Send comments on the information collection requirements to: U.S. Fish and Wildlife Service, Information Collection Clearance Officer, 4401 North Fairfax Drive, MS 2042-PDM, Arlington, VA 22203.

Dated July 19, 2011.

Rachel Jacobson,
Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2011-19206 Filed 7-29-11; 8:45 am]

BILLING CODE 4310-55-P

PROGRESS REPORT

Grantee:	FWC Agreement #:
Address:	Project Title:
City, State Zip:	Invoice #:
FEID #:	Reporting Quarter:
Date Invoice Submitted:	Invoice Request Amount:

Reports are due to the Commission's Grant Manager by the 15th of October, January, April and July until the end of Phase I. The Grantee shall attest to the progress towards deliverables, percent of work completed and validate minimum acceptable level of service performed.

1. Supporting documentation attached to this report:

☐ Indicate if Final Report

- | | |
|--|---|
| ☐ Permits
☐ Bid documents
☐ Architectural or Engineering reports
☐ Other: _____ | ☐ Project photographs
☐ Third-party agreements
☐ Construction progress reports |
|--|---|

2. Is project currently on schedule for completion by Phase I due date? YES ☐ NO ☐

3. Describe progress of project, including percent completed for each deliverable and task in the Scope of Work:

4. Anticipated Phase I completion date: _____
 If project is not on schedule, explain problems encountered and provide a new timeline.

Project Manager Signature

Date

Print Name

Phone & E-mail



**FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION**
SPORT FISH RESTORATION PROGRAM

**CERTIFICATION OF
COMPLETION STATEMENT**

I, _____
(NAME & TITLE)

representing _____ (GRANTEE) _____ (FWC CONTRACT #)

project funded by FWC Contract No. 19023 has been completed in compliance with all terms and conditions of said Agreement; that all amounts payable for materials, labor and other charges against the project have been paid; and that no liens have been attached against the project.

(SIGNATURE) _____ (DATE)

WARNING: "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083." § 837.06, Florida Statutes.

CERTIFICATE BY COMMISSION

I certify: That, to the best of my knowledge and belief, the work on the above-named project has been satisfactorily completed under the terms of the Agreement.

Division: _____

By: _____ Date: _____

Name: _____

Title: _____

INVOICE

Remit Payment to Grantee:	FWC Agreement #:
Address:	Project Title:
City, State Zip:	Invoice #:
FEID #:	Billing Period/Dates of Service:
Date Invoice Submitted:	Invoice Request Amount:

PROJECT BUDGET

Cost Item	TOTAL COST	Applicant Share	Other	Sport Fish Grant
Administrative and legal expenses				
Land, structures, rights-of-way, appraisals				
Relocation expenses and payments				
Architectural and engineering fees				
Other architectural and engineering fees				
Project inspection fees				
Site work				
Demolition and removal				
Construction				
Equipment				
Miscellaneous				
Contingencies (allowed at the time of the grant)				
TOTAL	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Percentage	0.00%	0.00%	0.00%	0.00%

TOTAL COSTS: \$ _____

Grantee (+ Other) Matching Funds: \$ _____

Less previous invoice amounts: \$ _____

AMOUNT FOR REIMBURSEMENT: \$ _____

I hereby certify that the above costs are true and valid costs incurred as of this date in accordance with the project Agreement, and that the matching funds, in-kind or cash, were utilized toward the project in this Agreement.

Signed: _____

Date: _____

Submitted by: _____

Title: _____

NOTICE OF GRANT AGREEMENT

This Notice of Grant Agreement gives notice that the Real Property identified as described in Exhibit A, Legal Description, attached hereto, (the "Property") has been developed with financial assistance provided by the U.S. Fish and Wildlife Service, through the Fish and Wildlife Conservation Commission, under the grant program called the Sport Fish Restoration Program, Recreational Boating Access sub program. In accordance with Chapter 68-1.003, F.A.C., and the 50 CFR Part 80, the Property is hereby dedicated to the public as a boating access facility for the use and benefit of the general public for a minimum period of twenty (20) years from the date of this dedication.

DEDICATOR

Original signature

Witness

Printed Name

Printed Name

Title

Witness

Date

Printed Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____
by _____, who is personally known to me or who
produced _____ as identification.

Stamp:

Notary Public, State of Florida

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, Rescinding Ordinance 18-19, Amending the City of Leesburg Comprehensive Plan Future Land Use Element to establish the Naval Undersea Warfare Center Okahumpka "Mission Impact Zone" Future Land Use Overlay Area; providing for compatible land uses; providing for appropriate objectives and policies to ensure compatibility and notification; providing for conflict with other ordinances; providing a Savings Clause; and providing an effective date. (Naval Undersea Center Mission Impact Zone - Comp Plan Amendment)

Staff Recommendation:

The Planning and Zoning Staff and Planning Commission recommend approval of the proposed Comprehensive Plan Future Land Use Element amendment.

Analysis:

This request is to provide three geographic rings around the Bugg Springs operation of the U.S. Navy, each allowing differing levels of development. The development proposed by The Villages is considered compatible with this request. The review will be coordinated with the U.S. Navy.

This ordinance was previously approved by the City Commission under Ordinance 18-19. Due to staffing changes, the previous ordinance was not properly forwarded to the Florida Department of Economic Opportunity. The Department requested that staff rescind Ordinance 18-19 and request approval of a new ordinance to ensure legal processing compliance with Chapter 163, Florida Statutes. This ordinance was forwarded to FEDO as requested and returned without additional comment.

The Planning Commission, held a public hearing on this application on February 20, 2020 and by a vote of 7 to 0, recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested comprehensive plan text amendment to limit the intensity of development

around Bugg Spring in support of the Navy's mission, or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No fiscal impact is anticipated as a result of this action.

Submission Date and Time: 12/9/2020 1:32:18 PM

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, RESCINDING
ORDINANCE 18-19, AMENDING THE CITY OF LEESBURG
COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO ESTABLISH
THE NAVAL UNDERSEA WARFARE CENTER OKAHUMPKA "MISSION
IMPACT ZONE" FUTURE LAND USE OVERLAY AREA; PROVIDING FOR
COMPATIBLE LAND USES; PROVIDING FOR APPROPRIATE OBJECTIVES
AND POLICIES TO ENSURE COMPATIBILITY AND NOTIFICATION;
PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING A
SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (NAVAL
UNDERSEA CENTER MISSION IMPACT ZONE - COMP PLAN
AMENDMENT)**

WHEREAS, Chapter 163, Part II, Florida Statutes, governs growth policy, municipal planning and land development regulations in the State of Florida; and

WHEREAS, The Naval Undersea Warfare Center (NUWC) Okahumpka open water facility at Bugg Spring is located in the City of Leesburg and is administered by the United States Navy; and

WHEREAS, the City of Leesburg desires to plan for future development while notifying the United States Navy of proposed development to be located in the proposed Mission Impact Zone (Impact Zone); and

WHEREAS, the City of Leesburg has adopted a zoning district and future land use classification, each entitled ARD (Age Restricted Development) or ARD District, which is within Zone 3 of the Impact Zone; and

WHEREAS, Future Land Use 1.1.6 establishes the permitted uses allowed within the ARD District; and

Whereas, the U.S. Navy wishes to make known its desires to preserve the operations of the NUWC and protecting the facility from incompatible development; and

WHEREAS, the City of Leesburg desires to cooperate with the U.S. Navy in its mission to protect the long term viability of the facility while maintaining autonomy in development review; and

WHEREAS, representatives of the City of Leesburg and the U.S. Navy have met and agree that the uses permitted within the ARD District are compatible with the operations of the NUWC;

WHEREAS, the City of Leesburg believes that an exemption for the ARD District is warranted because the uses permitted within the ARD District are considered acceptable by the U.S. Navy.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

The City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as Exhibit A of this Ordinance.

SECTION I.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

SECTION II.

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

SECTION III.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of December 2020.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: February 5, 2020
OWNER: Various
PETITIONER: City of Leesburg
PROJECT: Naval Undersea Warfare Center Okahumpka – Bugg Spring Overlay Area
REQUEST: Bugg Spring Overlay Area
CASE NO.: CPTA-20-31

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 2/14/20

FIRE

No comments received as of 2/14/20

ELECTRIC

This is out of Leesburg Electric Territory. Steve Davis 1/31/20

GAS

No comments received as of 2/14/20

GIS

No comments received as of 2/14/20

BUILDING

No comments received as of 2/14/20

PUBLIC WORKS

No comments received as of 2/14/20

ADDRESSING

No comments received as of 2/14/20

ECONOMIC DEVELOPMENT

No comments received as of 2/14/20

LAKE COUNTY PUBLIC WORKS

I have no comment. Thanks, Seth 2/7/20

LAKE COUNTY SCHOOLS

The school district does not have any comments or objections to the comprehensive plan text amendment for Bugg Spring Overlay area. Thanks, Helen LaValley 2/13/20

PUBLIC RESPONSES

Approval

approval

Disapproval

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

PUBLIC COMMENTS (UNDECIDED)



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

PROJECT: Naval Undersea Warfare Center Okahumpka -Mission Impact Zone
Future Land Use Overlay
REQUEST: Comprehensive Plan Text Amendment
CASE NO.: CPTA-20-31
MEETING DATE: February 20, 2020

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request to amend the City's Comprehensive Plan Future Land Use Element as shown in *Exhibit A*, is consistent with appropriate legally mandated planning and development practices in Florida, including appropriate land development regulations.
2. The proposed request is consistent with the Comprehensive Plan, Intergovernmental Coordination Element, Future Land Use Element, Goal I, which states "Implement and promote stable working relationships with other government agencies to ensure efficient, effective, and thorough delivery of governmental services."
3. The proposed request will help ensure appropriate land use compatibility with future development in the area and with the operations of the United States Navy at Bugg Springs.

Action Requested:

1. Vote to approve proposed amendment to the City's Comprehensive Plan, Future Land Use Element together with *Exhibit A* attached hereto, and forward to the City Commission for consideration

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE CITY OF LEESBURG
COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT
TO ESTABLISH THE NAVAL UNDERSEA WARFARE
CENTER OKAHUMPKA “MISSION IMPACT ZONE”
FUTURE LAND USE OVERLAY AREA; PROVIDING FOR
COMPATIBLE LAND USES; PROVIDING FOR
APPROPRIATE OBJECTIVES AND POLICIES TO ENSURE
COMPATIBILITY AND NOTIFICATION; PROVIDING FOR
CONFLICT WITH OTHER ORDINANCES; PROVIDING A
SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Chapter 163, Part II, Florida Statutes, governs growth policy, municipal planning and land development regulations in the State of Florida; and

WHEREAS, The Naval Undersea Warfare Center (NUWC) Okahumpka open water facility at Bugg Spring is located in the City of Leesburg and is administered by the United States Navy; and

WHEREAS, the City of Leesburg desires to plan for future development while notifying the United States Navy of proposed development to be located in the proposed Mission Impact Zone (Impact Zone); and

WHEREAS, the City of Leesburg has adopted a zoning district and future land use classification, each entitled ARD (Age Restricted Development) or ARD District, which is within Zone 3 of the Impact Zone; and

WHEREAS, Future Land Use 1.1.6 establishes the permitted uses allowed within the ARD District; and

WHEREAS, the U.S. Navy wishes to make known its desires to preserve the operations of the NUWC and protecting the facility from incompatible development; and

WHEREAS, the City of Leesburg desires to cooperate with the U.S. Navy in its mission to protect the long term viability of the facility while maintaining autonomy in development review; and

WHEREAS, representatives of the City of Leesburg and the U.S. Navy have met and agree that the uses permitted within the ARD District are compatible with the operations of the NUWC;

WHEREAS, the City of Leesburg believes that an exemption for the ARD District is warranted because the uses permitted within the ARD District are considered acceptable by the U.S. Navy.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

The City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as Exhibit A of this Ordinance.

SECTION III.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

SECTION IV.

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

SECTION V.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG, FLORIDA

BY: _____
Elise A. Dennison, MAYOR

Attest: _____
J. Andi Purvis, CITY CLERK

EXHIBIT A – PROPOSED COMPREHENSIVE PLAN AMENDMENTS

Map - NUWC Okahumpka Mission Impact Zone

The City of Leesburg hereby establishes those portions of the community underlying the NUWC Okahumpka Mission Impact Zone (Impact Zone) as an Overlay Area in the Future Land Use Map Series as adopted in Map Exhibit B. The Impact Zone is in the area of the City within which review comments on proposed Comprehensive Plan amendments, Land Development Regulation changes, development orders and permits will be sought from the United States Navy. The ARD portion of the Impact Zone is exempt from Objectives 1.16 and 1.16.1 because the uses are deemed compatible with the NUWC.

NUWC Okahumpka Mission Impact Zone

Objective 1.16: Ensuring Land Use Compatibility with Mission Impact Area

The City shall ensure that future development within the Naval Undersea Warfare Center at Okahumpka (NUWC) Mission Impact Zone Overlay District (Impact Zone) will not impact the current and long-term viability and use of the facility and will protect the public health, safety and welfare by ensuring land use activities are compatible with the testing and training mission of the NUWC. The Impact Zone Map is adopted as Map Exhibit B, as part of the City's Future Land Use Map series.

Policy 1.16.1 Within the Impact Zone, the City will apply growth management policies and regulatory techniques to guide land use activities and construction in a manner compatible with the long-term viability of the facility and the protection of public health and safety.

Policy 1.16.2 The City of Leesburg shall assist in protecting the mission and the long-term viability of the NUWC through managing compatible future land uses within the Impact Zone.

Objective 1.16.1 Planning Coordination in the Military Operations Areas

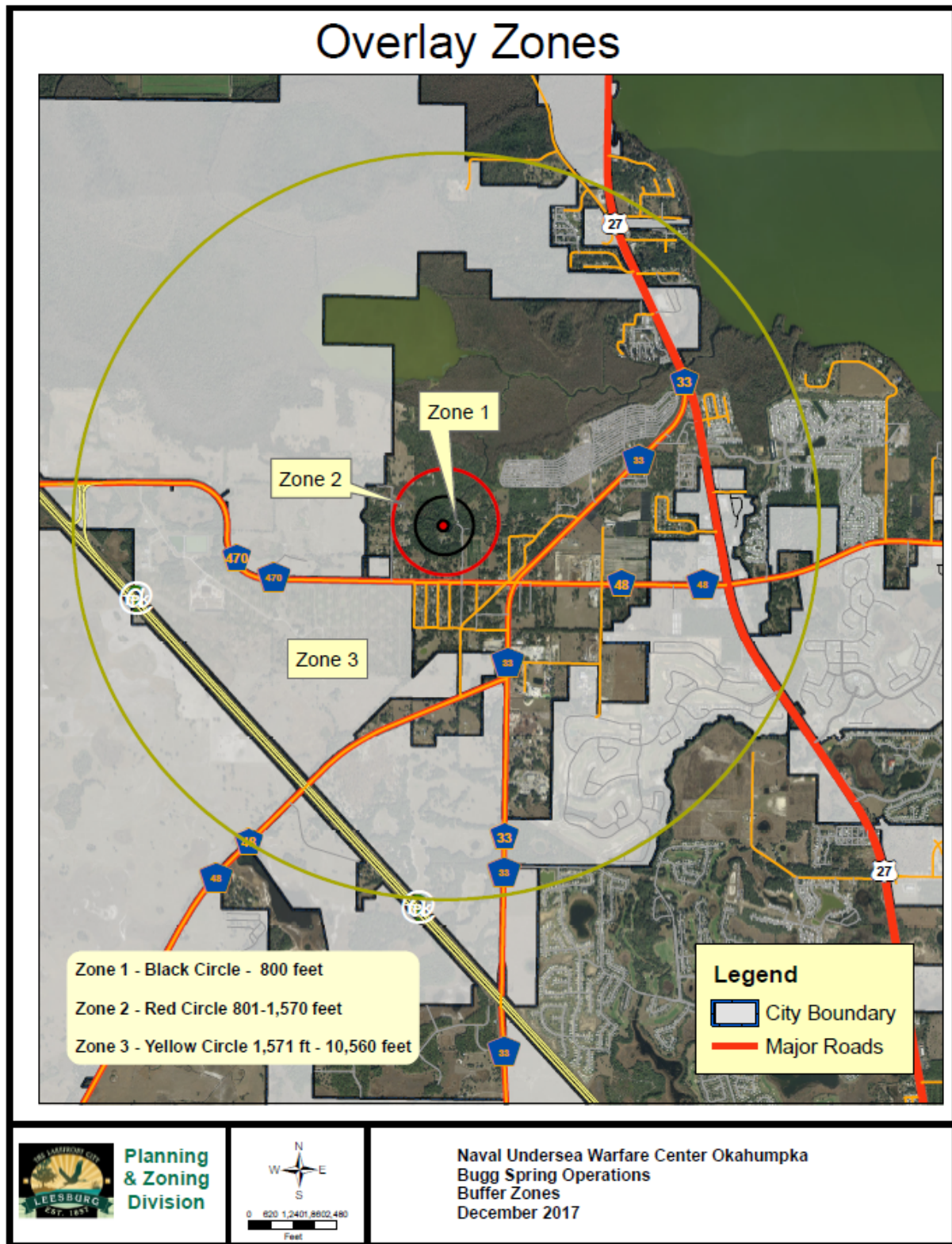
The City of Leesburg shall provide for a high degree of intergovernmental coordination and communication with the US Navy to ensure that the new development within the Impact Zone will promote the continued existence of the NUWC and avoid incompatible land use activities.

Policy 1.16.1.1 City of Leesburg Coordination and Review with NUWC (Naval Undersea Warfare Center)

The City of Leesburg shall refer to the Department of the Navy representatives for review and comment prior to final action by the City, all proposed Comprehensive Plan amendments, proposed Land Development Regulations, rezoning, waivers, variances and similar applications which, if approved, would affect the intensity, density or use of land within the Impact Zone. This referral shall take the form of written notification, for all aforementioned applications, using standard City of Leesburg development review processes, which shall include space for comment and recommendations by representatives of the U.S. Navy.

Policy 1.16.1.2 The portion of the Impact Zone that is designated as ARD on the City's future land use map shall be exempt from Objectives 1.16 and 1.16.1 and the supporting policies as shown on Map Exhibit B – Impact Zone Map. This area is exempt because the uses permitted in ARD have been found to be compatible with the NUWC. Any plan amendment re-designating lands within the Impact Zone from ARD to another land use will subject those properties to Objectives 1.16 and 1.16.1 and the supporting policies.

EXHIBIT B – Naval Undersea Warfare Center (NUWC) Impact Zone



American Planning Association-based Land Use Recommendations for Compatibility with the Buffer Zones

Standard Land Use Coding Manual No.	LAND USE Land Use Name	SUGGESTED LAND USE COMPATIBILITY		
		Zone 1 (Exclusion)	Zone 2 (Red)	Zone 3 (Yellow)

1 Residential

11	Household units	N	Y	Y
11.11	Single units: detached	N	Y	Y
11.12	Single units: semidetached	N	Y	Y
11.13	Single units: attached row	N	N	Y
11.21	Two units: side-by-side	N	N	Y
11.22	Two units: one above the other	N	N	Y
11.31	Apartments: walk-up	N	N	Y
11.32	Apartment: elevator	N	N	Y
12	Group quarters	N	N	Y
13	Residential hotels	N	N	Y
14	Mobile home parks or courts	N	N	Y
15	Transient lodgings	N	N	Y
16	Other residential	N	N	Y

2 Manufacturing

21	Food & kindred products; manufacturing	N	N	Y
22	Textile mill products; manufacturing	N	N	N
23	Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing	N	N	Y
24	Lumber and wood products (except furniture); manufacturing	N	N	N
25	Furniture and fixtures; manufacturing	N	N	Y
26	Paper and allied products; manufacturing	N	N	N
27	Printing, publishing, and allied industries	N	N	Y
28	Chemicals and allied products; manufacturing	N	N	N
29	Petroleum refining and related industries	N	N	N

3 Manufacturing (continued)

31	Rubber and misc. plastic products; manufacturing	N	N	Y
32	Stone, clay and glass products; manufacturing	N	N	N
33	Primary metal products; manufacturing	N	N	N
34	Fabricated metal products; manufacturing	N	N	Y
35	Professional scientific, and controlling instruments; photographic and optical goods; watches and clocks	N	N	Y
39	Miscellaneous manufacturing	N	N	N

4 Transportation, Communication & Utilities

41	Railroad, rapid rail transit, and street railway transportation	N	N	N
42	Motor vehicle transportation	N	N	N
43	Aircraft transportation	N	N	N
44	Marine craft transportation	N	N	N
45	Highway and street right-of-way	N	N	Y
46	Automobile parking	N	Y	Y
47	Communication	N	N	Y
48	Utilities	N	N	N
49	Other transportation, communication and utilities	N	N	Y

Standard Land Use Coding Manual No.	LAND USE Land Use Name	SUGGESTED LAND USE COMPATIBILITY		
		Zone 1 (Exclusion)	Zone 2 (Red)	Zone 3 (Yellow)

5 Trade

51	Wholesale trade	N	N	Y
52	Retail trade - building materials, hardware and farm equipment	N	N	Y
53	Retail trade - shopping centers	N	N	Y
54	Retail trade - food	N	N	Y
55	Retail trade - automotive, marine craft, aircraft and accessories	N	N	Y
56	Retail trade - apparel and accessories	N	N	Y
57	Retail trade - furniture, home furnishings and equipment	N	N	Y
58	Retail trade - eating and drinking establishments	N	N	Y
59	Other retail trade	N	N	Y

6 Services

61	Finance, insurance and real estate services	N	N	Y
62	Personal services	N	N	Y
62.4	Cemeteries	N	Y	Y
63	Business services	N	N	Y
63.7	Warehousing and storage	N	N	N
64	Repair services	N	N	Y
65	Professional services	N	N	Y
65.1	Hospitals, other medical facilities	N	N	Y
65.16	Nursing homes	N	N	Y
66	Contract construction services	N	N	Y
67	Government services	N	Y	Y
68	Educational services	N	N	Y
69	Miscellaneous	N	Y	Y

7 Cultural, Entertainment & Recreation

71	Cultural churches	N	Y	Y
71.2	Nature exhibits	N	Y	Y
72	Public assembly	N	N	Y
72.1	Auditoriums, concert halls	N	N	Y
72.11	Outdoor music shells, amphitheaters	N	N	Y
72.2	Outdoor sports arenas, spectator sports	N	N	N
73	Amusements	N	N	N
74	Recreational activities (include golf courses, riding stables, water rec.)	N	N	Y
75	Resorts and group camps	N	N	Y
76	Parks	N	Y	Y
79	Other cultural, entertainment and recreation	N	N	Y

8 Resource, Production and Extraction

81	Agriculture (except live stock)	N	Y	Y
81.5	Livestock farming	N	Y	Y
81.7	Animal breeding	N	Y	Y
82	Agriculture related activities	N	Y	Y
83	Forestry activities	N	Y	Y
84	Fishing activities	N	Y	Y
85	Mining activities	N	N	N
89	Other resource production or extraction	N	N	N



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY COMMISSION CHAMBERS, CITY HALL
THURSDAY, FEBRUARY 20TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, February 20th, 2020, in the Commission Chambers at City Hall.

Chairman Ted Bowersox called the meeting to order at 4:30 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
Chris Wood
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Ze’Shieca Carter

The following Commission members were absent:

City staff in attendance included Dan Miller, Planning & Zoning Manager, Dianne Pacewicz, Planner, CareyLee Murray, Planner, Kandi Harper, Senior Planner, Adrian Parker, Development Review Coordinator, Sabrina Mitchell, Administrative Assistant II, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, JANUARY 23RD, 2020**

Commissioner Fitzpatrick moved to APPROVE the draft minutes from the JANUARY

23RD, 2020 meeting. Commissioner Wood SECONDED the motion, which PASSED by a vote of 7 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Dan Miller asked permission from Chairman Bowersox to skip the rules of participation, due to not having anyone not associated with the Planning Commission.

Chairman Bowersox stated for the record the first two items on the agenda has been postponed.

1. PUBLIC HEARING CASE # CTPA-20-31 – NUWCOMIZ BUGG SPRING OVERLAY AREA – COMPREHENSIVE PLAN TEXT AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE CITY OF LEESBURG COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO ESTABLISH THE NAVAL UNDERSEA WARFARE CENTER OKAHUMPKA “MISSION IMPACT ZONE” FUTURE LAND USE OVERLAY AREA; PROVIDING FOR COMPATIBLE LAND USES; PROVIDING FOR APPROPRIATE OBJECTIVES AND POLICIES TO ENSURE COMPATIBILITY AND NOTIFICATION; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON APRIL 13TH, 2020 AND SECOND READING ON JUNE 22ND, 2020)** (Bugg)

Dan Miller introduced case number #CPTA-20-31 Naval Undersea Warfare Center Okahumpka – Mission Impact Zone into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps.

Mr. Miller stated the City of Leesburg passed an ordinance regarding development within the area and read into the record the general location of the subject property, gave a background of the subject property, explained the Navy concerns about development within the three rings on the map, and their requests.

Chairman Bowersox stated if we had any comments from the Villages. Mr. Miller replied that the Villages has worked with the Navy directly to amend the wording on two areas; Area A (470) within rings and Area B. The Villages has agreed with the Navy and amended the language in their proposed development agreement.

Dan Miller read into the record the next City Commission meeting for the second reading of the latest Villages project.

Commission O’Kelley expressed concern about the purpose of this agreement. Mr. Miller gave a brief explanation of the different rings; different levels of development, equipment

interference; avoid mining operations, large industrial operations, and mining issue; Area A ring.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Fitzpatrick made a MOTION for APPROVAL of case # CTPA-20-31 – NUWCOMIZ BUGG SPRING OVERLAY AREA – COMPREHENSIVE PLAN TEXT AMENDMENT; Commissioner O’Kelley SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7 - 0.

ANNOUNCEMENTS

Motion made to adjourn meeting by Commissioner O’Kelley and seconded by Commissioner Coleman.

ADJOURNMENT

Approximately 4:50 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

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The City of Leesburg shall refer to the Department of the Navy representatives for review and comment prior to final action by the City, all proposed Comprehensive Plan amendments, proposed Land Development Regulations, rezoning, waivers, variances and similar applications which, if approved, would affect the intensity, density or use of land within the Impact Zone. This referral shall take the form of written notification, for all aforementioned applications, using standard City of Leesburg development review processes, which shall include space for comment and recommendations by representatives of the U.S. Navy.

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OBJECTIVE 1.16 NAVAL UNDERSEA WARFARE CENTER OHAUMPKA "MISSION IMPACT ZONES" OVERLAY DISTRICT
AMERICAN PLANNING ASSOCIATION COMPATIBLE LAND USES

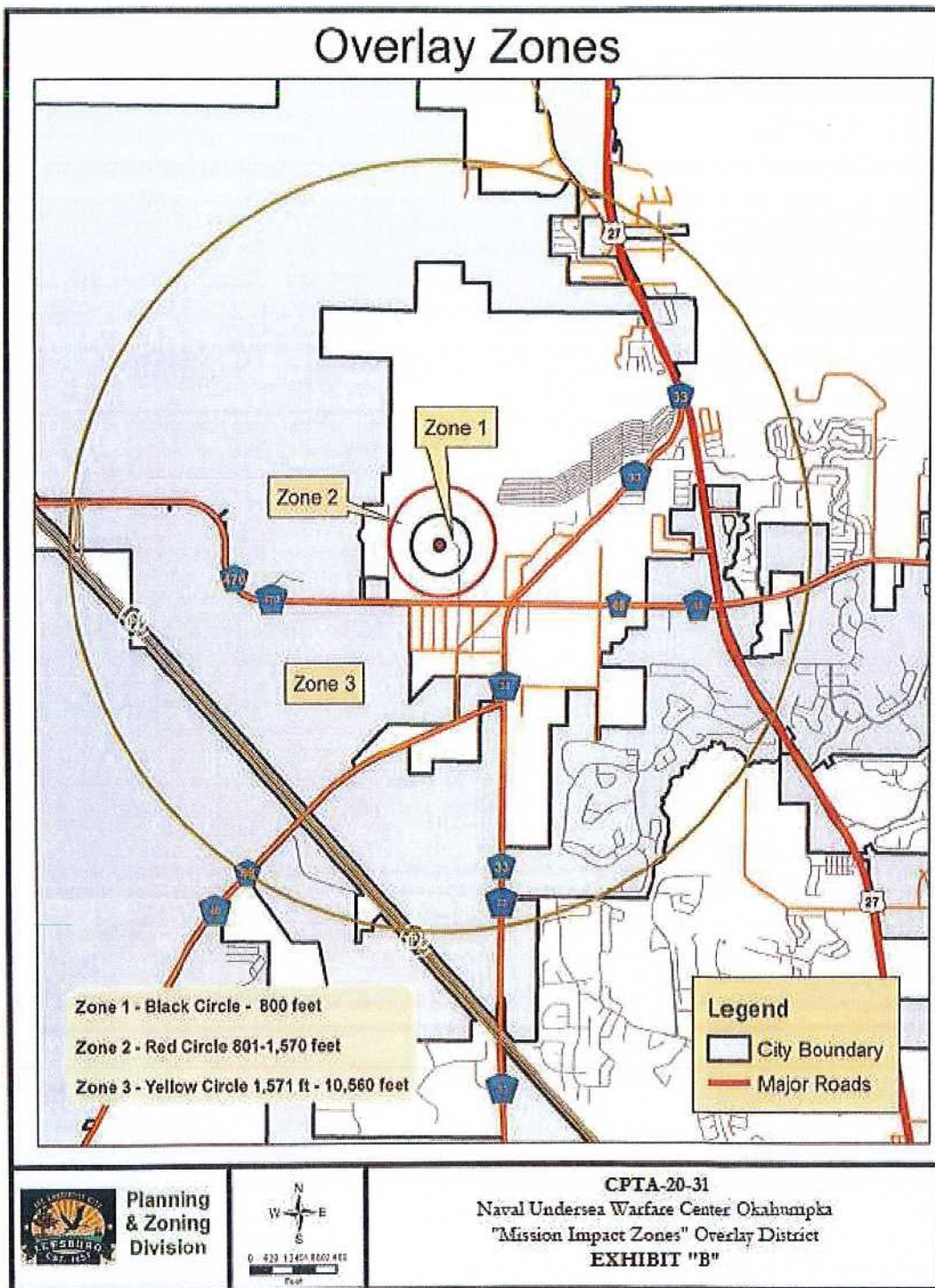
EXHIBIT "A"

American Planning Association-based Land Use Recommendations for Compatibility with the Buffer Zones

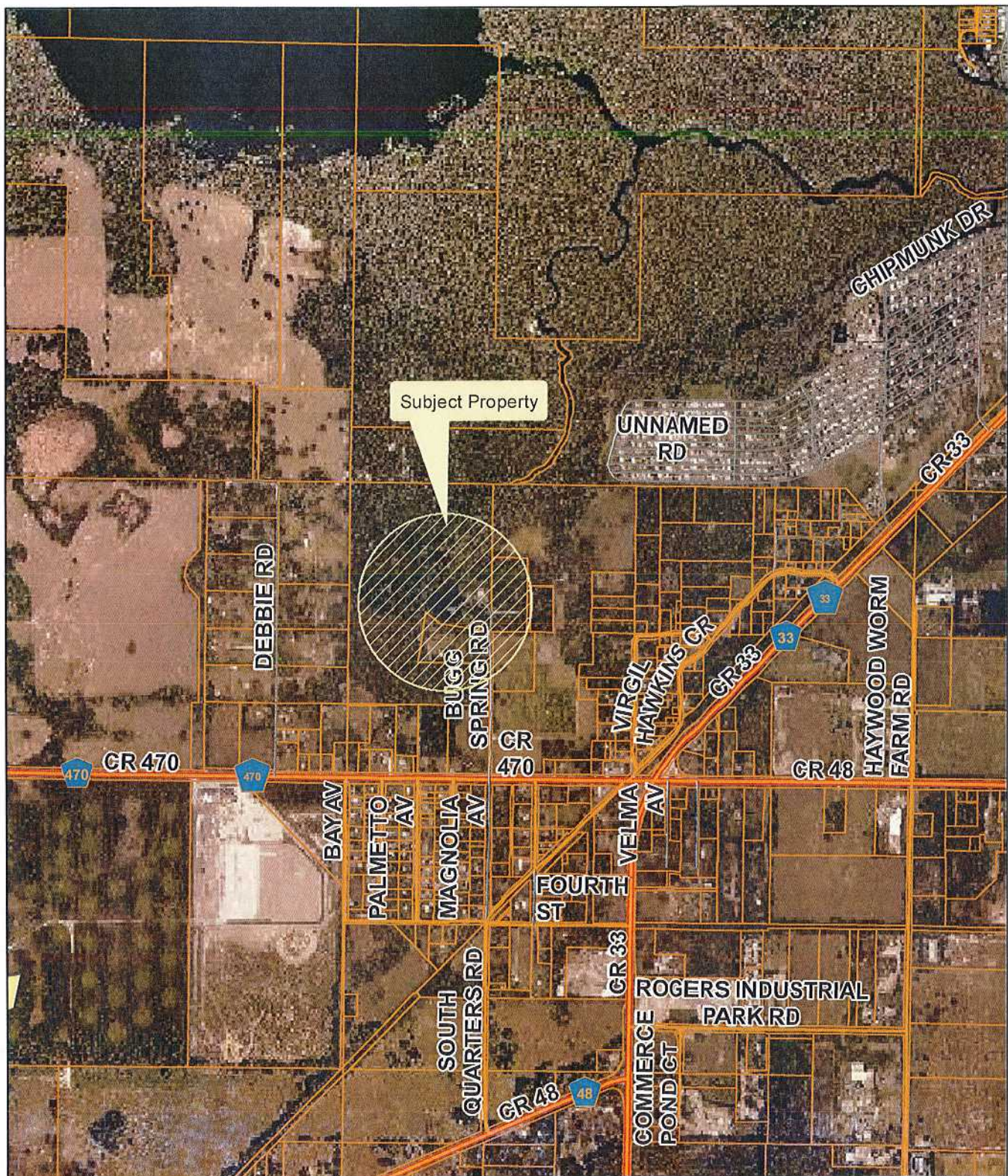
LAND USE		SUGGESTED LAND USE COMPATIBILITY			
Standard Land Use Coding Manual No.	Land Use Name	Zone 1 (Exclusion)	Zone 2 (Restrict)	Zone 3 (Prohibit)	Yellow
1 Residential					
11	Household units	N	Y	Y	Y
11.11	Single units: detached	N	Y	Y	Y
11.12	Single units: semi-detached	N	Y	Y	Y
11.13	Single units: attached row	N	Y	Y	Y
11.21	Two units: side-by-side	N	Y	Y	Y
11.22	Two units: one above the other	N	Y	Y	Y
11.31	Apartment: walk-up	N	Y	Y	Y
11.32	Apartment: elevator	N	Y	Y	Y
12	Group quarters	N	Y	Y	Y
13	Residential hotels	N	Y	Y	Y
14	Mobile home parks or courts	N	Y	Y	Y
15	Transient lodging	N	Y	Y	Y
16	Other residential	N	Y	Y	Y
2 Manufacturing					
21	Food & kindred products: manufacturing	N	N	Y	Y
22	Textile mill products: manufacturing	N	N	Y	Y
23	Wool, fur, and leather products: manufacturing	N	N	Y	Y
24	Stone, clay and glass products: manufacturing	N	N	Y	Y
25	Lumber and wood products: manufacturing	N	N	Y	Y
26	Furniture and fixtures: manufacturing	N	N	Y	Y
27	Paper and allied products: manufacturing	N	N	Y	Y
28	Chemical and allied products: manufacturing	N	N	Y	Y
29	Plastic, rubber, and miscellaneous: manufacturing	N	N	Y	Y
30	Metals: manufacturing	N	N	Y	Y
31	Food and kindred products: manufacturing	N	N	Y	Y
32	Textile mill products: manufacturing	N	N	Y	Y
33	Wool, fur, and leather products: manufacturing	N	N	Y	Y
34	Stone, clay and glass products: manufacturing	N	N	Y	Y
35	Lumber and wood products: manufacturing	N	N	Y	Y
36	Furniture and fixtures: manufacturing	N	N	Y	Y
37	Paper and allied products: manufacturing	N	N	Y	Y
38	Chemical and allied products: manufacturing	N	N	Y	Y
39	Plastic, rubber, and miscellaneous: manufacturing	N	N	Y	Y
40	Metals: manufacturing	N	N	Y	Y
3 Manufacturing (continued)					
41	Food and kindred products: manufacturing	N	N	Y	Y
42	Textile mill products: manufacturing	N	N	Y	Y
43	Wool, fur, and leather products: manufacturing	N	N	Y	Y
44	Stone, clay and glass products: manufacturing	N	N	Y	Y
45	Lumber and wood products: manufacturing	N	N	Y	Y
46	Furniture and fixtures: manufacturing	N	N	Y	Y
47	Paper and allied products: manufacturing	N	N	Y	Y
48	Chemical and allied products: manufacturing	N	N	Y	Y
49	Plastic, rubber, and miscellaneous: manufacturing	N	N	Y	Y
50	Metals: manufacturing	N	N	Y	Y
4 Transportation, Communication & Utilities					
41	Railroad: freight and freight, and street railway	N	N	Y	Y
42	Inter-city	N	N	Y	Y
43	Motor vehicle transportation	N	N	Y	Y
44	Water transportation	N	N	Y	Y
45	Air transportation	N	N	Y	Y
46	Highway and street improvement	N	N	Y	Y
47	Automobile parking	N	N	Y	Y
48	Communication	N	N	Y	Y
49	Utilities	N	N	Y	Y
50	Other transportation, communication and utilities	N	N	Y	Y
5 Trade					
51	Wholesale trade	N	N	Y	Y
52	Retail trade: building materials, hardware and furniture	N	N	Y	Y
53	Retail trade: food and kindred products	N	N	Y	Y
54	Retail trade: clothing and accessories	N	N	Y	Y
55	Retail trade: automobiles, marine craft, aircraft and accessories	N	N	Y	Y
56	Retail trade: apparel and accessories	N	N	Y	Y
57	Retail trade: furniture, home, furnishings and equipment	N	N	Y	Y
58	Retail trade: eating and drinking establishments	N	N	Y	Y
59	Other retail trade	N	N	Y	Y
6 Services					
61	Finance, insurance and real estate services	N	N	Y	Y
62	Personal services	N	N	Y	Y
63	Business services	N	N	Y	Y
64	Recreation	N	N	Y	Y
65	Health services	N	N	Y	Y
66	Education	N	N	Y	Y
67	Government services	N	N	Y	Y
68	Religious services	N	N	Y	Y
69	Other services	N	N	Y	Y
7 Cultural, Entertainment & Recreation					
71	Cultural: churches	N	N	Y	Y
72	Nature exhibits	N	N	Y	Y
73	Public assembly	N	N	Y	Y
74	Auditorium, concert hall	N	N	Y	Y
75	Outdoor music shell, amphitheater	N	N	Y	Y
76	Outdoor sports arena, spectator sports	N	N	Y	Y
77	Amusement	N	N	Y	Y
78	Recreation: facilities (including golf course, swimming pool, etc.)	N	N	Y	Y
79	Public and group camps	N	N	Y	Y
80	Other cultural, entertainment and recreation	N	N	Y	Y
8 Resource, Production and Extraction					
81	Agriculture (except for stock)	N	N	Y	Y
82	Livestock raising	N	N	Y	Y
83	Animal breeding	N	N	Y	Y
84	Aquaculture: saltwater	N	N	Y	Y
85	Aquaculture: freshwater	N	N	Y	Y
86	Fishing activities	N	N	Y	Y
87	Mining activities	N	N	Y	Y
88	Other resource production or extraction	N	N	Y	Y

American Planning Association-based Land Use Recommendations for Compatibility with the Buffer Zones

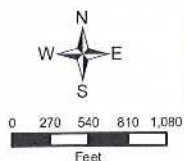
LAND USE		SUGGESTED LAND USE COMPATIBILITY			
Standard Land Use Coding	Land Use Name	Zone 1 (Exclusion)	Zone 2 (Red)	Zone 3 (Yellow)	
1 Residential					
11	Residential units	N	Y	Y	
11.1	Single units, detached	N	Y	Y	
11.1.1	Single units, semi-detached	N	Y	Y	
11.1.2	Single units, row houses	N	N	Y	
11.2	Residential units, multi-unit	N	N	Y	
11.2.1	Residential units, row houses	N	N	Y	
11.2.2	Residential units, townhouses	N	N	Y	
11.2.3	Residential units, other	N	N	Y	
11.3	Residential units, other	N	N	Y	
11.3.1	Residential units, other	N	N	Y	
11.3.2	Residential units, other	N	N	Y	
12	Group quarters	N	N	Y	
13	Residential hotels	N	N	Y	
14	Mobile home parks or courts	N	N	Y	
15	Transient lodging	N	N	Y	
16	Other residential	N	N	Y	
2 Manufacturing					
21	Food & kindred products, manufacturing	N	N	Y	
22	Textile mill products, manufacturing	N	N	Y	
23	Apparel and other finished products, products made from fabrics, leather and similar materials, manufacturing	N	N	Y	
24	Lumber and wood products, except furniture, manufacturing	N	N	Y	
25	Furniture and fixtures, manufacturing	N	N	Y	
26	Paper and allied products, manufacturing	N	N	Y	
27	Printing, publishing, and allied industries	N	N	Y	
28	Chemical and allied products, manufacturing	N	N	Y	
29	Food and kindred products, manufacturing	N	N	Y	
30	Manufacturing (continued)	N	N	Y	
31	Rubber and plastic products, manufacturing	N	N	Y	
32	Stone, clay and glass products, manufacturing	N	N	Y	
33	Primary metal products, manufacturing	N	N	Y	
34	Fabricated metal products, manufacturing	N	N	Y	
35	Nonferrous metal products, manufacturing	N	N	Y	
36	Other manufacturing	N	N	Y	
3 Transportation, Communication & Utilities					
41	Transportation	N	N	Y	
42	Mass transit	N	N	Y	
43	Aviation	N	N	Y	
44	Maritime	N	N	Y	
45	Highway and street improvement	N	N	Y	
46	Automobile parking	N	N	Y	
47	Communication	N	N	Y	
48	Utilities	N	N	Y	
49	Other transportation, communication and utilities	N	N	Y	
4 Cultural, Entertainment & Recreation					
51	Cultural facilities	N	N	Y	
52	Recreation facilities	N	N	Y	
53	Amusement	N	N	Y	
54	Other cultural, entertainment and recreation	N	N	Y	
55	Other cultural, entertainment and recreation	N	N	Y	
56	Other cultural, entertainment and recreation	N	N	Y	
57	Other cultural, entertainment and recreation	N	N	Y	
58	Other cultural, entertainment and recreation	N	N	Y	
59	Other cultural, entertainment and recreation	N	N	Y	
60	Other cultural, entertainment and recreation	N	N	Y	
61	Other cultural, entertainment and recreation	N	N	Y	
62	Other cultural, entertainment and recreation	N	N	Y	
63	Other cultural, entertainment and recreation	N	N	Y	
64	Other cultural, entertainment and recreation	N	N	Y	
65	Other cultural, entertainment and recreation	N	N	Y	
66	Other cultural, entertainment and recreation	N	N	Y	
67	Other cultural, entertainment and recreation	N	N	Y	
68	Other cultural, entertainment and recreation	N	N	Y	
69	Other cultural, entertainment and recreation	N	N	Y	
70	Other cultural, entertainment and recreation	N	N	Y	
71	Other cultural, entertainment and recreation	N	N	Y	
72	Other cultural, entertainment and recreation	N	N	Y	
73	Other cultural, entertainment and recreation	N	N	Y	
74	Other cultural, entertainment and recreation	N	N	Y	
75	Other cultural, entertainment and recreation	N	N	Y	
76	Other cultural, entertainment and recreation	N	N	Y	
77	Other cultural, entertainment and recreation	N	N	Y	
78	Other cultural, entertainment and recreation	N	N	Y	
79	Other cultural, entertainment and recreation	N	N	Y	
80	Other cultural, entertainment and recreation	N	N	Y	
81	Other cultural, entertainment and recreation	N	N	Y	
82	Other cultural, entertainment and recreation	N	N	Y	
83	Other cultural, entertainment and recreation	N	N	Y	
84	Other cultural, entertainment and recreation	N	N	Y	
85	Other cultural, entertainment and recreation	N	N	Y	
86	Other cultural, entertainment and recreation	N	N	Y	
87	Other cultural, entertainment and recreation	N	N	Y	
88	Other cultural, entertainment and recreation	N	N	Y	
89	Other cultural, entertainment and recreation	N	N	Y	
90	Other cultural, entertainment and recreation	N	N	Y	
91	Other cultural, entertainment and recreation	N	N	Y	
92	Other cultural, entertainment and recreation	N	N	Y	
93	Other cultural, entertainment and recreation	N	N	Y	
94	Other cultural, entertainment and recreation	N	N	Y	
95	Other cultural, entertainment and recreation	N	N	Y	
96	Other cultural, entertainment and recreation	N	N	Y	
97	Other cultural, entertainment and recreation	N	N	Y	
98	Other cultural, entertainment and recreation	N	N	Y	
99	Other cultural, entertainment and recreation	N	N	Y	
100	Other cultural, entertainment and recreation	N	N	Y	



Aerial



Planning
& Zoning
Division



CPTA-18-103

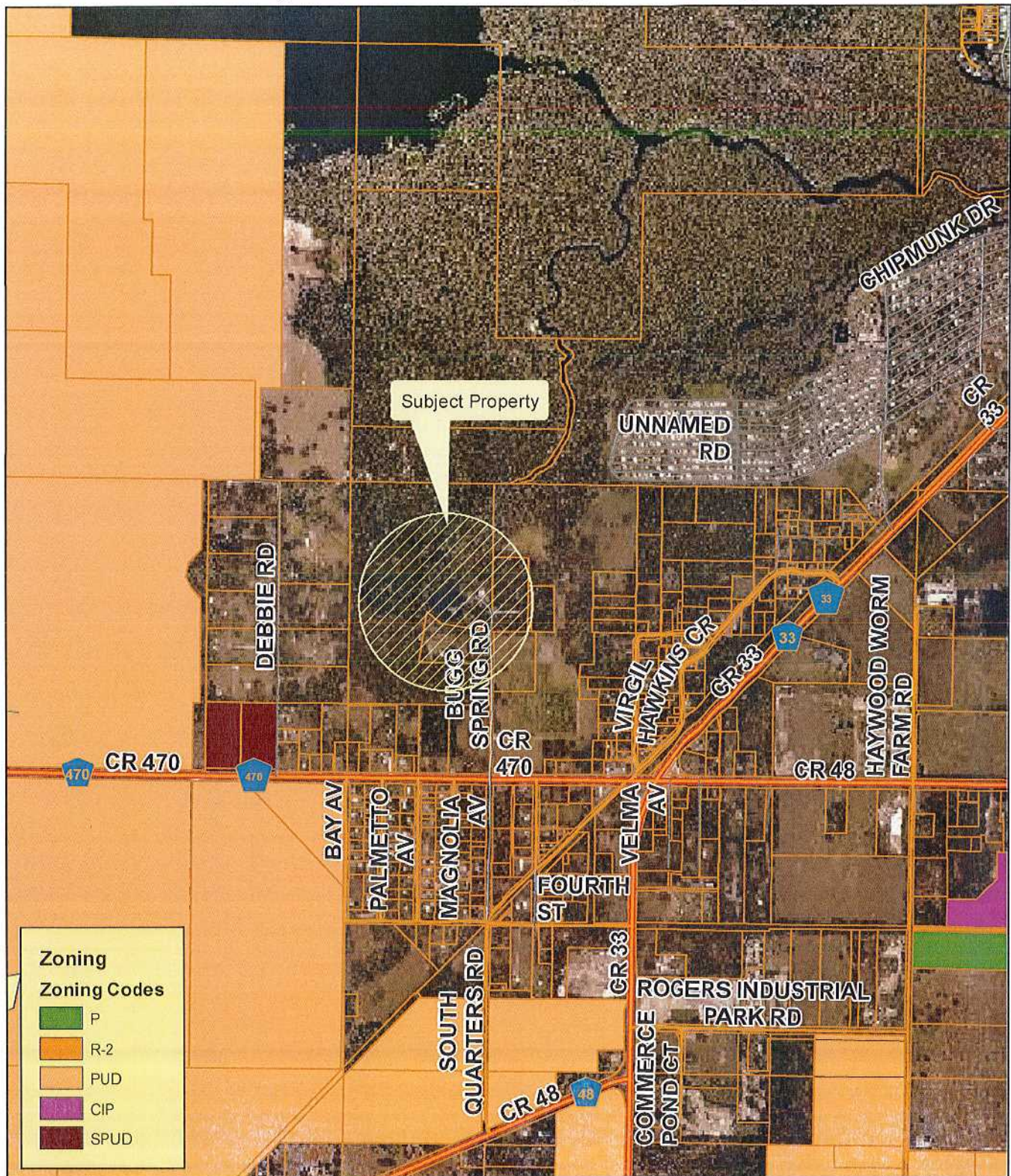
United States of America Department of the Navy

Compatible Use Overlay District

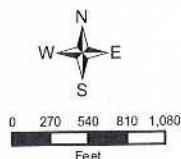
Alternate Key(s): 3883257

Section 15, Township 20 South, Range 24 East

City of Leesburg Zoning



**Planning
& Zoning
Division**



CPTA-18-103

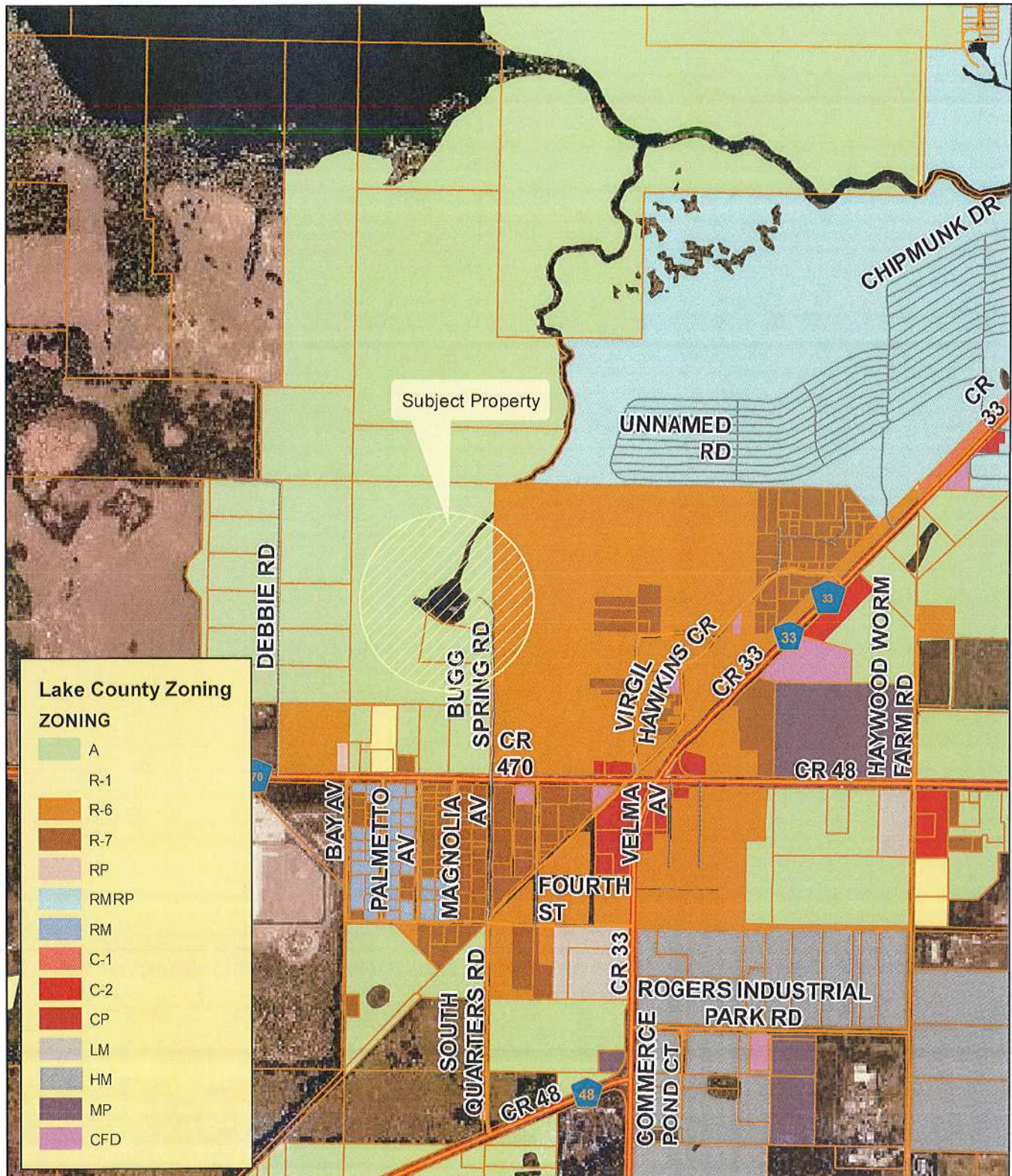
United States of America Department of the Navy

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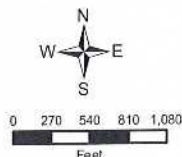
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Section 15, Township 20 South, Range 24 East

Lake County Zoning



**Planning
& Zoning
Division**



CPTA-18-103

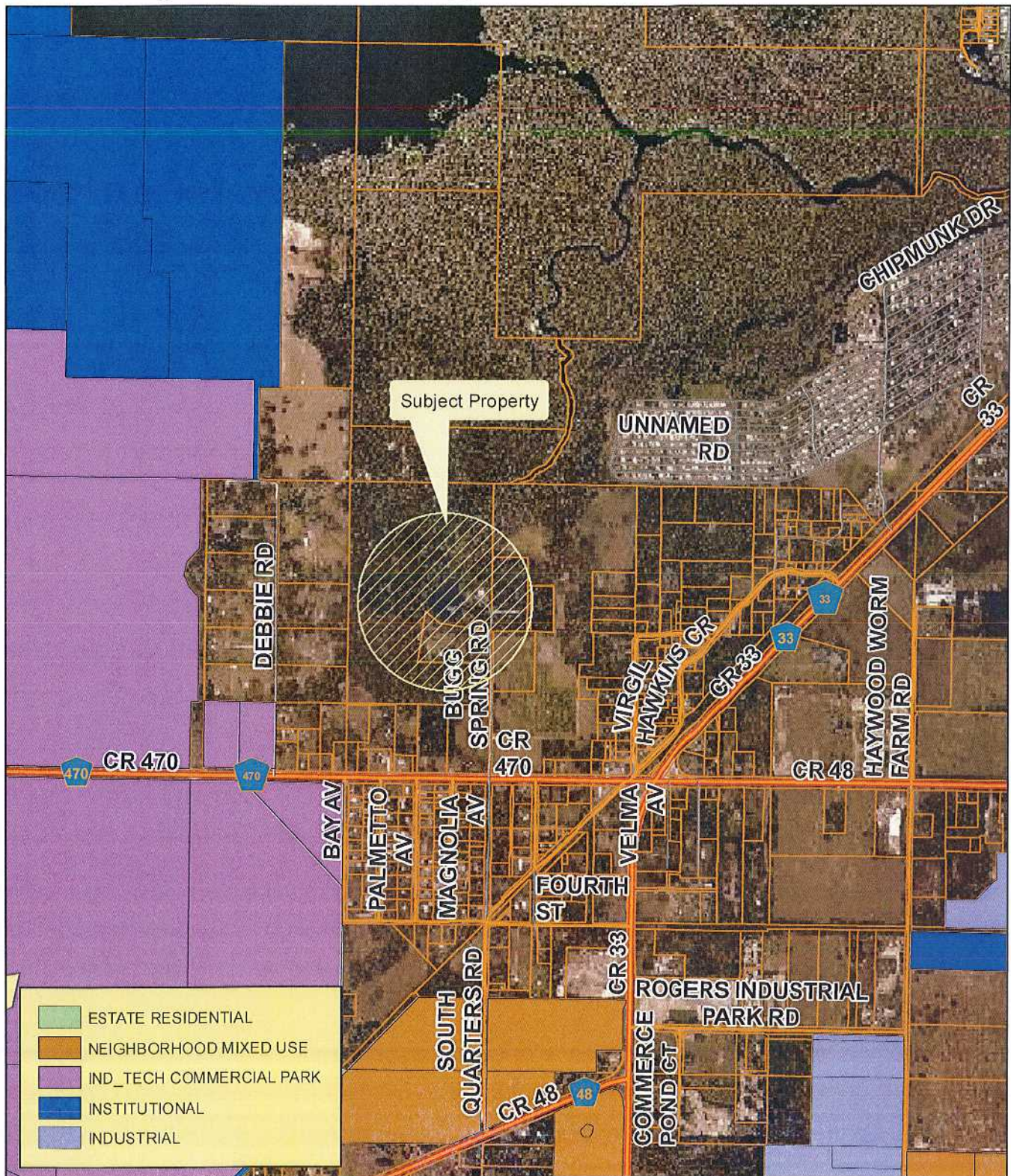
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Compatible Use Overlay District

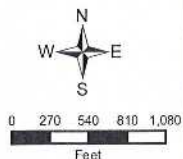
Alternate Key(s): 3883257

Section 15, Township 20 South, Range 24 East

City of Leesburg Future Land Use



**Planning
& Zoning
Division**



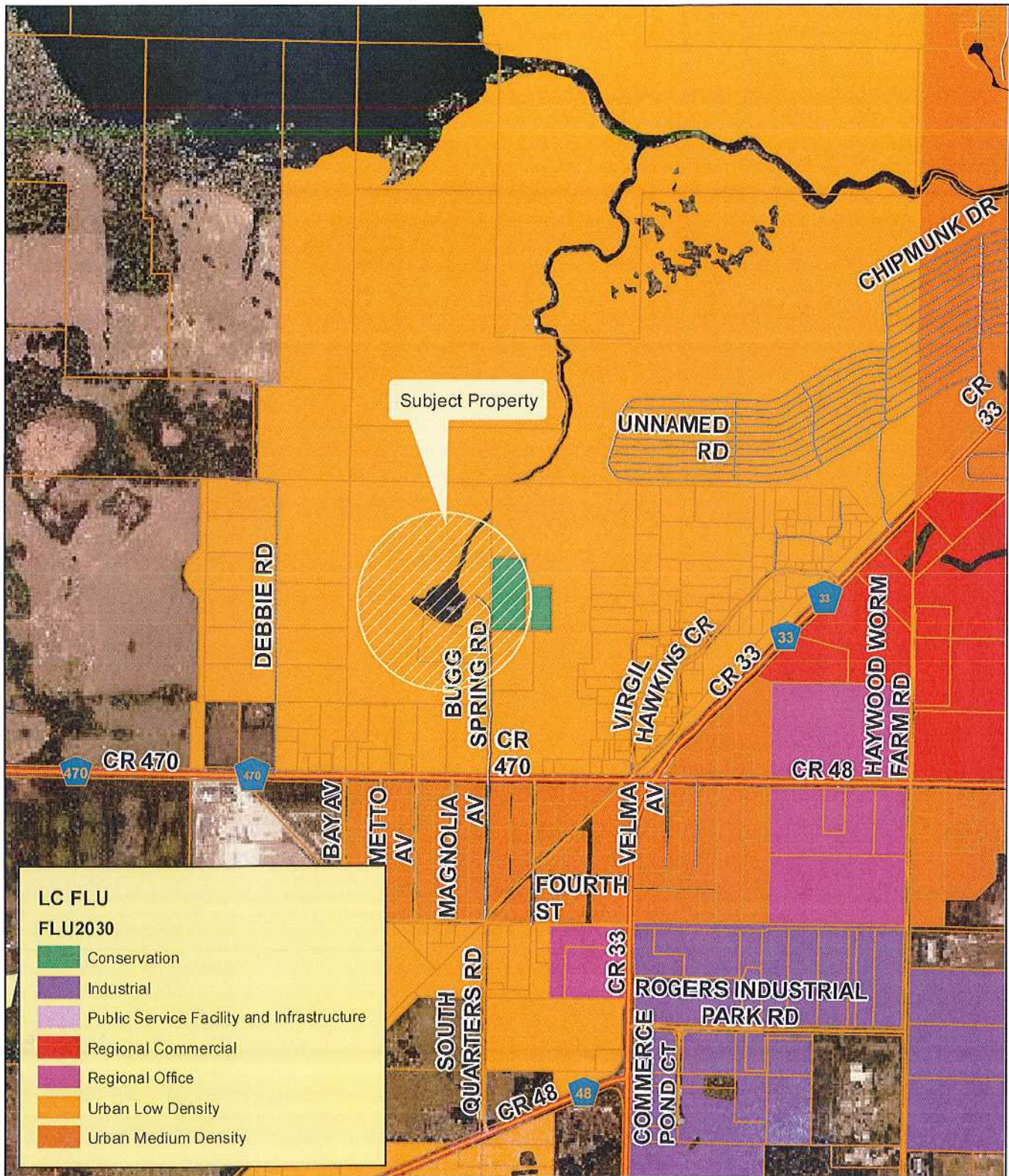
CPTA-18-103

United States of America Department of the Navy
Compatible Use Overlay District

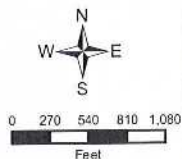
Alternate Key(s): 3883257

Section 15, Township 20 South, Range 24 East

Lake County Future Land Use



**Planning
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Division**



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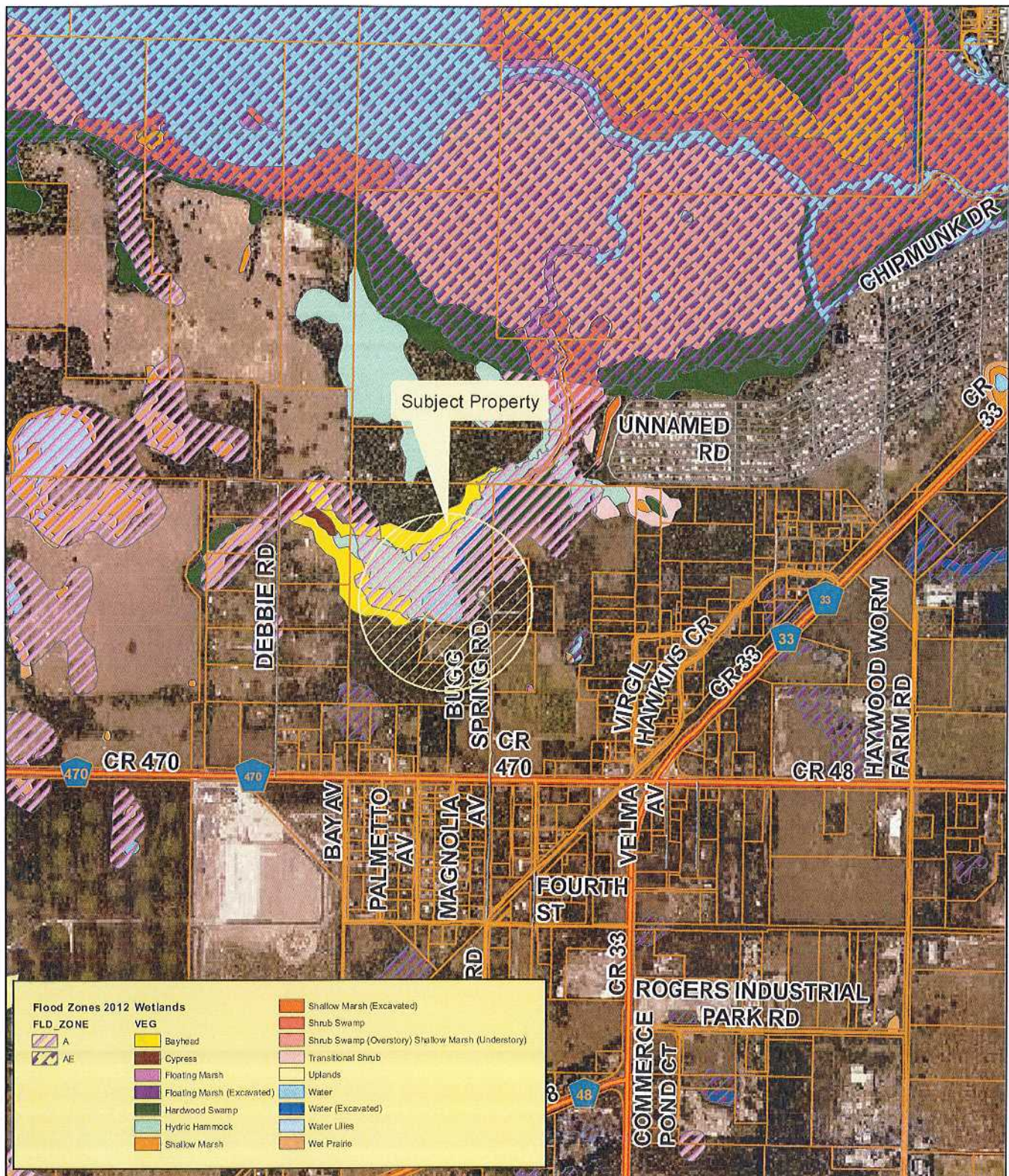
United States of America Department of the Navy

Compatible Use Overlay District

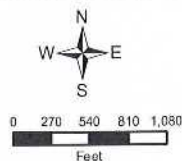
Alternate Key(s): 3883257

Section 15, Township 20 South, Range 24 East

Wetlands and Flood Zones



**Planning
& Zoning
Division**



CPTA-18-103

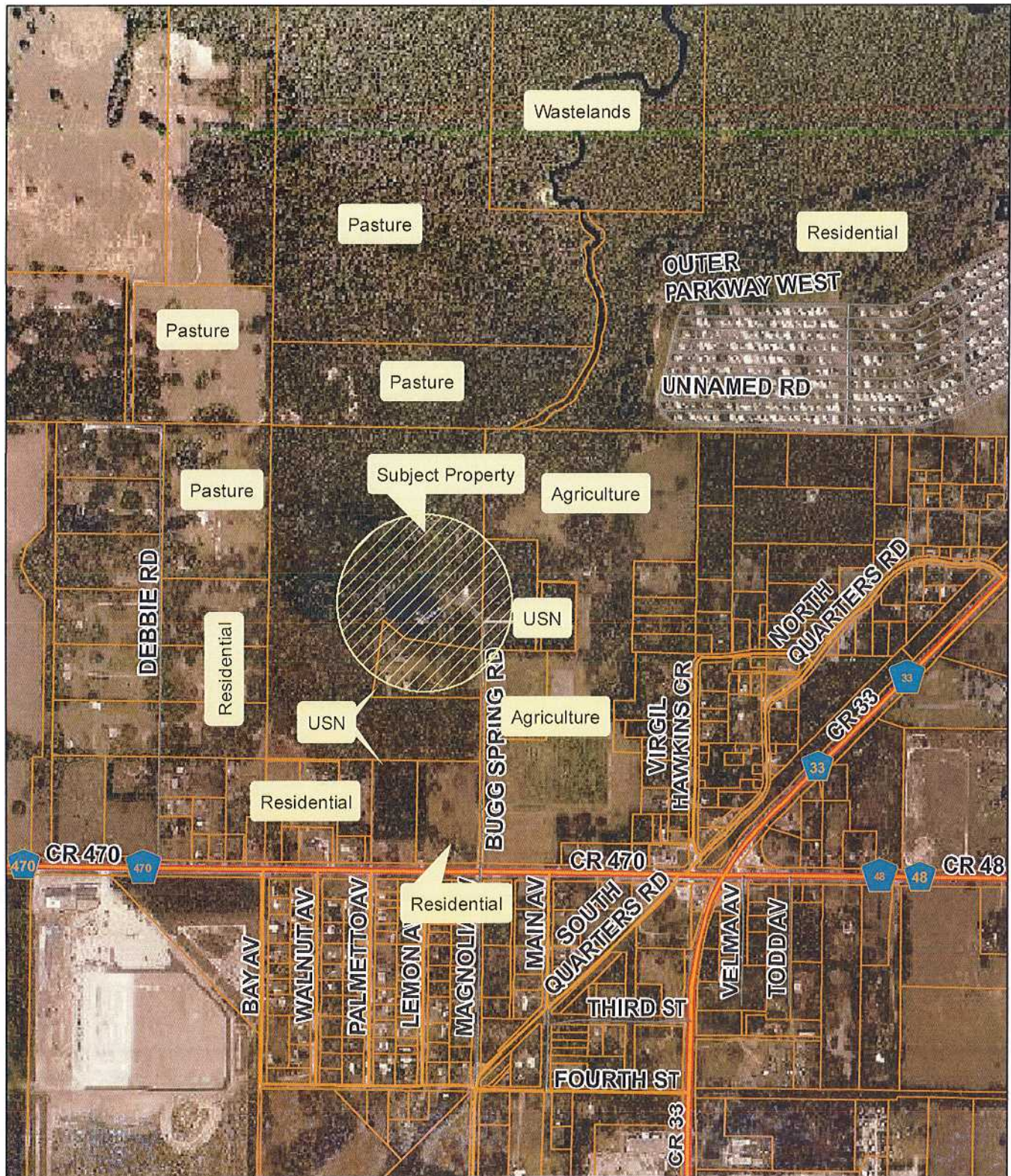
United States of America Department of the Navy

Compatible Use Overlay District

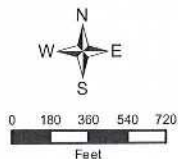
Alternate Key(s): 3883257

Section 15, Township 20 South, Range 24 East

Surrounding Land Uses



**Planning
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Division**



CPTA-18-103

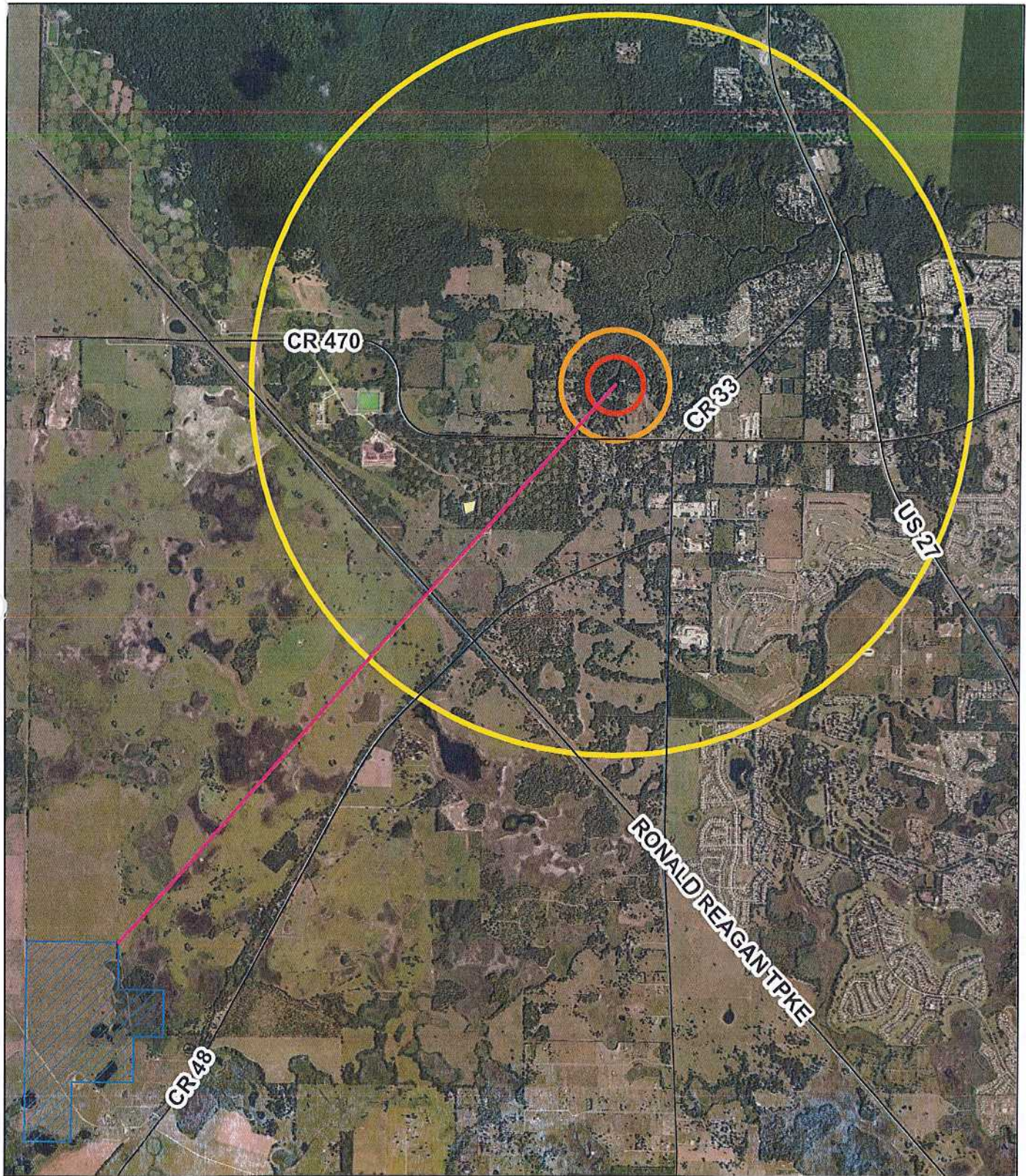
United States of America Department of the Navy

Compatible Use Overlay District

Alternate Key(s): 3883257

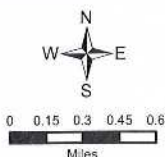
Section 15, Township 20 South, Range 24 East

Bugg Spring - Navy Overlay Aerial Map



**Planning
& Zoning
Division**

02/06/2020



Bugg Springs - Navy Overlay
Area "B" Alternate Key(s): 1775248
Section 31, Township 20, Range 24 and
Section 6, Township 21, Range 24
02, 06, 2020



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, to modify the Chapter 163 Development Agreement between the City of Leesburg and The Villages of West Lake, Area A: for a development of approximately 1,382.31 acres, providing a binding agreement and amendments for long-term development; including but not limited to density, intensity, land uses and process; approving development rights, and land development regulations for a property generally located near Florida's Turnpike, the Lake County and Sumter County Line, and North of County Road 470, as legally described in Sections 6, 7, 8, 9, and 16, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (The Villages of West Lake Area A Amendment)

Staff Recommendation:

Staff recommends approval of the proposed development agreement and exhibits attached hereto for the property owned by the Villages Land Company, LLC.

Analysis:

Chapter 163.3220-163.3243, Florida Statutes, is known as the "Florida Local Government Development Agreement Act." This area of law is intended to authorize local governments to enter into agreements with developers to create provisions for specific long term certainty regarding development rights and responsibilities for all concerned, to include the local government, the developer as well as the general public.

Both the City of Leesburg and the Villages Land Company, LLC, by entering into, or amending such an agreement, incur specific obligations regarding development rights, land uses, density and intensity of development, plus other issues which may address or obligate terms to each party. In the event of an amendment the City Commission has review authority.

In review of this document, staff found only minor wording changes and clarifications which do not substantially alter or impact the overall conditions or terms of the currently approved Chapter 163 Agreement between the City of Leesburg and The Villages Land Company, LLC.

Procurement Analysis:

N/A

Options:

1. Approve the request to amend the Area A Chapter 163 Agreement between the City of Leesburg and The Villages Land Company, LLC, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No specific fiscal impact will occur until such time as The Villages of West Lake is constructed. At that time, a significant positive fiscal impact will come from ad valorem taxes and utility fees.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, TO MODIFY THE CHAPTER 163 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEESBURG AND THE VILLAGES OF WEST LAKE, AREA A: FOR A DEVELOPMENT OF APPROXIMATELY 1,382.31 ACRES, PROVIDING A BINDING AGREEMENT AND AMENDMENTS FOR LONG-TERM DEVELOPMENT; INCLUDING BUT NOT LIMITED TO DENSITY, INTENSITY, LAND USES AND PROCESS; APPROVING DEVELOPMENT RIGHTS, AND LAND DEVELOPMENT REGULATIONS FOR A PROPERTY GENERALLY LOCATED NEAR FLORIDA'S TURNPIKE, THE LAKE COUNTY AND SUMTER COUNTY LINE, AND NORTH OF COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTIONS 6, 7, 8, 9, AND 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (THE VILLAGES OF WEST LAKE AREA A AMENDMENT)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

Section 1.

Based upon the petition of The Villages Land Company, LLC,

THAT the Mayor and City Clerk are hereby authorized to execute an Development Agreement with **THE VILLAGES LAND COMPANY, LLC, whose address is 3619 Kiessel Road, The Villages, Florida 32163**, for a Development Agreement pursuant to Chapter 163.3220-163.3243, Florida Statutes.

THAT this ordinance shall become effective upon approval by the City Commission and execution by the Mayor and City Clerk.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

THE VILLAGES OF WEST LAKE

CHAPTER 163 AGREEMENT – AREA “A” 1382.31 ACRES+/-

LEGAL DESCRIPTION (PARCEL A):

A PORTION OF SECTIONS 6, 7, 8, 9, AND 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE RUN NORTH 00°39'41" EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2360.48 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 30°29'04" EAST, A DISTANCE OF 19.79 FEET; THENCE RUN SOUTH 20°37'14" EAST, A DISTANCE OF 84.19 FEET; THENCE RUN SOUTH 76°53'11" EAST, A DISTANCE OF 47.78 FEET; THENCE RUN SOUTH 36°10'15" EAST, A DISTANCE OF 68.70 FEET; THENCE RUN SOUTH 53°58'30" EAST, A DISTANCE OF 83.28 FEET; THENCE RUN SOUTH 44°52'44" EAST, A DISTANCE OF 70.96 FEET; THENCE RUN SOUTH 03°00'03" WEST, A DISTANCE OF 85.15 FEET; THENCE RUN SOUTH 64°52'10" EAST, A DISTANCE OF 45.25 FEET; THENCE RUN SOUTH 88°04'24" EAST, A DISTANCE OF 34.38 FEET; THENCE RUN NORTH 09°21'14" EAST, A DISTANCE OF 78.78 FEET; THENCE RUN SOUTH 88°37'45" EAST, A DISTANCE OF 36.40 FEET; THENCE RUN NORTH 61°16'45" EAST, A DISTANCE OF 78.67 FEET; THENCE RUN NORTH 79°11'16" EAST, A DISTANCE OF 87.21 FEET; THENCE RUN NORTH 82°04'48" EAST, A DISTANCE OF 69.61 FEET; THENCE RUN NORTH 60°17'41" EAST, A DISTANCE OF 102.77 FEET; THENCE RUN SOUTH 46°03'35" EAST, A DISTANCE OF 89.04 FEET; THENCE RUN SOUTH 25°57'33" EAST, A DISTANCE OF 431.46 FEET; THENCE RUN SOUTH 46°18'25" EAST, A DISTANCE OF 100.01 FEET; THENCE RUN SOUTH 80°46'10" EAST, A DISTANCE OF 82.69 FEET; THENCE RUN SOUTH 82°49'12" EAST, A DISTANCE OF 85.20 FEET; THENCE RUN SOUTH 39°42'02" EAST, A DISTANCE OF 45.75 FEET; THENCE RUN SOUTH 14°23'50" WEST, A DISTANCE OF 70.58 FEET; THENCE RUN SOUTH 29°58'34" EAST, A DISTANCE OF 76.07 FEET; THENCE RUN SOUTH 23°08'46" EAST, A DISTANCE OF 39.04 FEET; THENCE RUN SOUTH 11°00'19" WEST, A DISTANCE OF 95.71 FEET; THENCE RUN SOUTH 09°22'14" WEST, A DISTANCE OF 123.51 FEET; THENCE RUN SOUTH 09°41'56" EAST, A DISTANCE OF 80.26 FEET; THENCE RUN SOUTH 43°34'44" EAST, A DISTANCE OF 98.73 FEET; THENCE RUN NORTH 76°35'25" EAST, A DISTANCE OF 50.82 FEET; THENCE RUN SOUTH 62°33'16" EAST, A DISTANCE OF 86.58 FEET; THENCE RUN SOUTH 64°36'42" EAST, A DISTANCE OF 71.30 FEET; THENCE RUN NORTH 76°42'30" EAST, A DISTANCE OF 44.48 FEET; THENCE RUN SOUTH 32°12'12" EAST, A DISTANCE OF 957.86 FEET; THENCE RUN SOUTH 07°10'01" WEST, A DISTANCE OF 91.08 FEET; THENCE RUN SOUTH 61°21'16" EAST, A DISTANCE OF 47.28 FEET; THENCE RUN SOUTH 40°28'15" EAST, A DISTANCE OF 120.86 FEET; THENCE RUN SOUTH 44°33'11" EAST, A DISTANCE OF 69.24 FEET; THENCE RUN SOUTH 37°26'37" EAST, A DISTANCE OF 89.41 FEET; THENCE RUN SOUTH 07°06'18" EAST, A DISTANCE OF 113.64 FEET; THENCE RUN SOUTH 09°52'34" EAST, A DISTANCE OF 113.85 FEET; THENCE RUN SOUTH 35°28'16" WEST, A DISTANCE OF 89.69 FEET; THENCE RUN SOUTH 64°22'33" EAST, A DISTANCE OF 118.81

THE VILLAGES OF WEST LAKE

CHAPTER 163 AGREEMENT – AREA “A” 1382.31 ACRES+/-

FEET; THENCE RUN SOUTH 52°22'56" EAST, A DISTANCE OF 90.58 FEET; THENCE RUN NORTH 79°20'02" EAST, A DISTANCE OF 136.10 FEET; THENCE RUN NORTH 52°22'55" EAST, A DISTANCE OF 86.83 FEET; THENCE RUN NORTH 36°24'30" EAST, A DISTANCE OF 105.87 FEET; THENCE RUN NORTH 48°55'55" EAST, A DISTANCE OF 45.49 FEET; THENCE RUN SOUTH 89°56'18" EAST, A DISTANCE OF 151.08 FEET; THENCE RUN NORTH 24°38'40" EAST, A DISTANCE OF 110.35 FEET; THENCE RUN NORTH 46°09'26" EAST, A DISTANCE OF 81.02 FEET; THENCE RUN SOUTH 86°18'52" EAST, A DISTANCE OF 62.24 FEET; THENCE RUN SOUTH 27°38'50" EAST, A DISTANCE OF 68.64 FEET; THENCE RUN SOUTH 41°23'00" EAST, A DISTANCE OF 95.74 FEET; THENCE RUN SOUTH 09°19'22" EAST, A DISTANCE OF 161.00 FEET; THENCE RUN SOUTH 22°58'56" EAST, A DISTANCE OF 78.10 FEET; THENCE RUN SOUTH 41°13'52" WEST, A DISTANCE OF 71.83 FEET; THENCE RUN SOUTH 67°32'49" WEST, A DISTANCE OF 60.90 FEET; THENCE RUN SOUTH 22°37'04" WEST, A DISTANCE OF 125.78 FEET; THENCE RUN SOUTH 05°54'07" WEST, A DISTANCE OF 58.17 FEET; THENCE RUN SOUTH 09°17'29" EAST, A DISTANCE OF 113.07 FEET; THENCE RUN SOUTH 17°42'35" WEST, A DISTANCE OF 84.59 FEET; THENCE RUN SOUTH 54°18'47" EAST, A DISTANCE OF 86.37 FEET; THENCE RUN SOUTH 59°31'01" EAST, A DISTANCE OF 114.87 FEET; THENCE RUN SOUTH 62°38'05" EAST, A DISTANCE OF 134.39 FEET; THENCE RUN SOUTH 39°09'25" EAST, A DISTANCE OF 51.70 FEET; THENCE RUN SOUTH 80°59'23" EAST, A DISTANCE OF 80.02 FEET; THENCE RUN NORTH 35°54'34" EAST, A DISTANCE OF 63.23 FEET; THENCE RUN SOUTH 74°27'55" EAST, A DISTANCE OF 81.89 FEET; THENCE RUN SOUTH 04°00'12" EAST, A DISTANCE OF 73.97 FEET; THENCE RUN SOUTH 80°14'56" EAST, A DISTANCE OF 67.06 FEET; THENCE RUN SOUTH 62°54'57" EAST, A DISTANCE OF 47.02 FEET; THENCE RUN SOUTH 80°58'05" EAST, A DISTANCE OF 47.16 FEET; THENCE RUN NORTH 50°24'47" EAST, A DISTANCE OF 52.77 FEET; THENCE RUN NORTH 16°30'08" WEST, A DISTANCE OF 34.10 FEET; THENCE RUN NORTH 00°36'32" WEST, A DISTANCE OF 52.85 FEET; THENCE RUN SOUTH 40°59'45" EAST, A DISTANCE OF 106.23 FEET; THENCE RUN SOUTH 55°44'00" EAST, A DISTANCE OF 86.62 FEET; THENCE RUN SOUTH 33°10'27" EAST, A DISTANCE OF 83.20 FEET; THENCE RUN SOUTH 55°17'24" EAST, A DISTANCE OF 68.84 FEET; THENCE RUN SOUTH 46°21'25" EAST, A DISTANCE OF 101.01 FEET; THENCE RUN NORTH 74°50'26" EAST, A DISTANCE OF 86.17 FEET; THENCE RUN SOUTH 82°04'41" EAST, A DISTANCE OF 120.38 FEET; THENCE RUN NORTH 58°22'49" EAST, A DISTANCE OF 68.80 FEET; THENCE RUN SOUTH 60°56'38" EAST, A DISTANCE OF 75.22 FEET; THENCE RUN SOUTH 03°14'40" WEST, A DISTANCE OF 76.66 FEET; THENCE RUN SOUTH 50°59'10" WEST, A DISTANCE OF 90.51 FEET; THENCE RUN SOUTH 36°37'10" WEST, A DISTANCE OF 76.43 FEET; THENCE RUN SOUTH 12°29'53" EAST, A DISTANCE OF 471.98 FEET; THENCE RUN SOUTH 24°47'34" EAST, A DISTANCE OF 104.62 FEET; THENCE RUN SOUTH 12°21'53" WEST, A DISTANCE OF 65.63 FEET; THENCE RUN SOUTH 18°03'40" EAST, A DISTANCE OF 67.17 FEET; THENCE RUN SOUTH 25°58'11" EAST, A DISTANCE OF 64.57 FEET; THENCE RUN SOUTH 27°55'06" EAST, A DISTANCE OF 100.44 FEET; THENCE RUN SOUTH 35°22'32" WEST, A DISTANCE OF 59.70 FEET; THENCE RUN SOUTH 13°35'06" EAST, A DISTANCE OF 68.53 FEET; THENCE RUN

THE VILLAGES OF WEST LAKE

CHAPTER 163 AGREEMENT – AREA “A” 1382.31 ACRES+/-

SOUTH 51°53'59" EAST, A DISTANCE OF 156.93 FEET; THENCE RUN SOUTH 66°50'45" EAST, A DISTANCE OF 64.60 FEET; THENCE RUN SOUTH 48°38'48" WEST, A DISTANCE OF 54.10 FEET; THENCE RUN SOUTH 08°34'50" WEST, A DISTANCE OF 80.78 FEET; THENCE RUN SOUTH 08°53'51" WEST, A DISTANCE OF 102.76 FEET; THENCE RUN SOUTH 13°03'25" WEST, A DISTANCE OF 64.08 FEET; THENCE RUN SOUTH 27°21'03" WEST, A DISTANCE OF 92.67 FEET; THENCE RUN SOUTH 58°32'05" WEST, A DISTANCE OF 39.73 FEET; THENCE RUN SOUTH 05°28'43" WEST, A DISTANCE OF 111.73 FEET; THENCE RUN SOUTH 12°31'44" WEST, A DISTANCE OF 83.93 FEET; THENCE RUN SOUTH 55°17'54" WEST, A DISTANCE OF 62.16 FEET; THENCE RUN NORTH 84°37'02" WEST, A DISTANCE OF 51.91 FEET; THENCE RUN NORTH 88°34'03" WEST, A DISTANCE OF 32.60 FEET; THENCE RUN SOUTH 42°06'52" WEST, A DISTANCE OF 58.01 FEET; THENCE RUN SOUTH 12°33'12" WEST, A DISTANCE OF 37.53 FEET; THENCE RUN SOUTH 20°36'57" WEST, A DISTANCE OF 33.88 FEET; THENCE RUN SOUTH 20°04'52" EAST, A DISTANCE OF 53.52 FEET; THENCE RUN SOUTH 24°42'25" EAST, A DISTANCE OF 74.30 FEET; THENCE RUN SOUTH 30°43'24" EAST, A DISTANCE OF 665.00 FEET; THENCE RUN SOUTH 76°34'14" EAST, A DISTANCE OF 477.21 FEET; THENCE RUN SOUTH 71°58'41" EAST, A DISTANCE OF 165.94 FEET; THENCE RUN SOUTH 54°48'46" EAST, A DISTANCE OF 79.68 FEET; THENCE RUN SOUTH 62°41'15" EAST, A DISTANCE OF 108.65 FEET; THENCE RUN SOUTH 62°55'30" EAST, A DISTANCE OF 667.14 FEET; THENCE RUN SOUTH 60°27'48" EAST, A DISTANCE OF 87.14 FEET; THENCE RUN SOUTH 64°03'50" EAST, A DISTANCE OF 106.68 FEET; THENCE RUN SOUTH 43°54'25" EAST, A DISTANCE OF 79.20 FEET; THENCE RUN SOUTH 72°01'07" EAST, A DISTANCE OF 124.60 FEET; THENCE RUN SOUTH 60°09'14" EAST, A DISTANCE OF 62.29 FEET; THENCE RUN SOUTH 31°27'02" EAST, A DISTANCE OF 86.64 FEET; THENCE RUN SOUTH 63°57'31" EAST, A DISTANCE OF 63.36 FEET; THENCE RUN NORTH 89°40'02" EAST, A DISTANCE OF 61.47 FEET; THENCE RUN SOUTH 25°03'35" EAST, A DISTANCE OF 41.98 FEET; THENCE RUN SOUTH 58°26'41" EAST, A DISTANCE OF 77.10 FEET; THENCE RUN NORTH 64°51'43" EAST, A DISTANCE OF 59.71 FEET; THENCE RUN NORTH 22°27'00" EAST, A DISTANCE OF 133.33 FEET; THENCE RUN NORTH 52°49'57" EAST, A DISTANCE OF 66.67 FEET; THENCE RUN NORTH 35°29'20" EAST, A DISTANCE OF 82.69 FEET; THENCE RUN NORTH 27°10'34" EAST, A DISTANCE OF 56.95 FEET; THENCE RUN SOUTH 79°02'53" EAST, A DISTANCE OF 94.44 FEET; THENCE RUN NORTH 62°59'52" EAST, A DISTANCE OF 87.39 FEET; THENCE RUN SOUTH 55°10'19" EAST, A DISTANCE OF 51.33 FEET; THENCE RUN SOUTH 56°42'06" EAST, A DISTANCE OF 76.72 FEET; THENCE RUN SOUTH 69°38'47" EAST, A DISTANCE OF 98.62 FEET; THENCE RUN SOUTH 33°07'22" EAST, A DISTANCE OF 66.32 FEET; THENCE RUN SOUTH 12°34'18" EAST, A DISTANCE OF 67.51 FEET; THENCE RUN SOUTH 73°43'09" EAST, A DISTANCE OF 32.57 FEET; THENCE RUN NORTH 88°46'08" EAST, A DISTANCE OF 89.59 FEET; THENCE RUN SOUTH 72°00'24" EAST, A DISTANCE OF 88.54 FEET; THENCE RUN NORTH 82°00'35" EAST, A DISTANCE OF 82.23 FEET; THENCE RUN NORTH 28°08'41" EAST, A DISTANCE OF 77.60 FEET; THENCE RUN SOUTH 79°52'28" EAST, A DISTANCE OF 72.13 FEET; THENCE RUN SOUTH 84°08'18" EAST, A DISTANCE OF 76.52 FEET; THENCE RUN SOUTH 50°04'27" EAST, A

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DISTANCE OF 116.72 FEET; THENCE RUN SOUTH 18°05'38" EAST, A DISTANCE OF 86.72 FEET; THENCE RUN SOUTH 11°26'26" WEST, A DISTANCE OF 91.89 FEET; THENCE RUN SOUTH 29°04'26" EAST, A DISTANCE OF 89.79 FEET; THENCE RUN SOUTH 09°58'55" EAST, A DISTANCE OF 91.28 FEET; THENCE RUN SOUTH 40°14'22" EAST, A DISTANCE OF 56.45 FEET; THENCE RUN SOUTH 43°10'08" EAST, A DISTANCE OF 86.77 FEET; THENCE RUN SOUTH 30°23'40" EAST, A DISTANCE OF 63.23 FEET; THENCE RUN SOUTH 36°06'06" WEST, A DISTANCE OF 69.17 FEET; THENCE RUN SOUTH 49°24'38" EAST, A DISTANCE OF 39.36 FEET; THENCE RUN NORTH 51°47'53" EAST, A DISTANCE OF 66.55 FEET; THENCE RUN SOUTH 18°39'03" EAST, A DISTANCE OF 66.42 FEET; THENCE RUN SOUTH 13°29'51" EAST, A DISTANCE OF 121.98 FEET; THENCE RUN SOUTH 37°08'09" EAST, A DISTANCE OF 78.28 FEET; THENCE RUN SOUTH 18°59'20" EAST, A DISTANCE OF 85.31 FEET; THENCE RUN SOUTH 29°01'05" WEST, A DISTANCE OF 50.31 FEET; THENCE RUN SOUTH 14°39'12" WEST, A DISTANCE OF 122.19 FEET; THENCE RUN SOUTH 18°44'14" EAST, A DISTANCE OF 78.53 FEET; THENCE RUN SOUTH 53°17'25" EAST, A DISTANCE OF 80.53 FEET; THENCE RUN SOUTH 37°24'41" EAST, A DISTANCE OF 83.16 FEET; THENCE RUN SOUTH 55°25'31" EAST, A DISTANCE OF 71.44 FEET; THENCE RUN NORTH 58°27'23" EAST, A DISTANCE OF 43.35 FEET; THENCE RUN SOUTH 19°10'27" EAST, A DISTANCE OF 37.15 FEET; THENCE RUN SOUTH 63°34'27" WEST, A DISTANCE OF 31.07 FEET; THENCE RUN SOUTH 22°20'25" EAST, A DISTANCE OF 134.31 FEET; THENCE RUN SOUTH 08°26'23" WEST, A DISTANCE OF 67.96 FEET; THENCE RUN SOUTH 22°50'36" EAST, A DISTANCE OF 95.16 FEET; THENCE RUN SOUTH 68°08'39" EAST, A DISTANCE OF 101.39 FEET; THENCE RUN SOUTH 84°06'33" EAST, A DISTANCE OF 143.78 FEET; THENCE RUN SOUTH 53°36'32" EAST, A DISTANCE OF 79.23 FEET; THENCE RUN SOUTH 62°30'27" EAST, A DISTANCE OF 79.89 FEET; THENCE RUN SOUTH 80°26'17" EAST, A DISTANCE OF 103.16 FEET; THENCE RUN SOUTH 50°11'10" EAST, A DISTANCE OF 58.15 FEET; THENCE RUN SOUTH 66°52'59" EAST, A DISTANCE OF 72.77 FEET; THENCE RUN SOUTH 63°53'24" EAST, A DISTANCE OF 143.33 FEET; THENCE RUN SOUTH 83°14'16" EAST, A DISTANCE OF 82.39 FEET; THENCE RUN SOUTH 46°01'21" EAST, A DISTANCE OF 132.57 FEET; THENCE RUN SOUTH 30°59'41" EAST, A DISTANCE OF 81.79 FEET; THENCE RUN NORTH 86°11'27" EAST, A DISTANCE OF 73.17 FEET; THENCE RUN NORTH 62°36'40" EAST, A DISTANCE OF 109.25 FEET; THENCE RUN NORTH 76°42'21" EAST, A DISTANCE OF 117.81 FEET TO A POINT ON THE WEST LINE OF A 79.02 ACRE LEESBURG INTERNATIONAL AIRPORT SEA PLANE MITIGATION AREA; THENCE ALONG SAID SEA PLANE MITIGATION AREA THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°30'28" WEST, A DISTANCE OF 58.37 FEET; 2) THENCE RUN NORTH 59°53'32" EAST, A DISTANCE OF 54.81 FEET; 3) THENCE RUN SOUTH 43°52'35" EAST, A DISTANCE OF 38.23 FEET; 4) THENCE RUN SOUTH 75°34'26" EAST, A DISTANCE OF 45.20 FEET; 5) THENCE RUN SOUTH 70°37'50" EAST, A DISTANCE OF 23.34 FEET; 6) THENCE RUN SOUTH 65°59'05" EAST, A DISTANCE OF 142.77 FEET; 7) THENCE RUN SOUTH 71°48'27" EAST, A DISTANCE OF 41.59 FEET; 8) THENCE RUN SOUTH 73°29'01" EAST, A DISTANCE OF 85.77 FEET; 9) THENCE RUN NORTH 83°59'28" EAST, A DISTANCE OF 72.88 FEET; 10)

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THENCE RUN NORTH 82°39'04" EAST, A DISTANCE OF 75.52 FEET; 11) THENCE RUN NORTH 22°53'15" EAST, A DISTANCE OF 49.24 FEET; 12) THENCE RUN NORTH 42°47'28" EAST, A DISTANCE OF 36.32 FEET; 13) THENCE RUN NORTH 66°51'09" EAST, A DISTANCE OF 48.16 FEET; 14) THENCE RUN NORTH 82°25'46" EAST, A DISTANCE OF 75.22 FEET; 15) THENCE RUN NORTH 82°09'15" EAST, A DISTANCE OF 66.23 FEET; 16) THENCE RUN NORTH 72°05'31" EAST, A DISTANCE OF 32.56 FEET TO A POINT ON THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID SEA PLANE MITIGATION AREA, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING FIFTEEN (15) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°30'28" WEST, A DISTANCE OF 107.66 FEET; 2) THENCE RUN SOUTH 89°33'30" EAST, A DISTANCE OF 841.08 FEET; 3) THENCE RUN SOUTH 02°20'16" EAST, A DISTANCE OF 303.39 FEET; 4) THENCE RUN SOUTH 60°11'33" EAST, A DISTANCE OF 535.18 FEET; 5) THENCE RUN SOUTH 00°10'55" WEST, A DISTANCE OF 387.25 FEET; 6) THENCE RUN SOUTH 00°48'18" WEST, A DISTANCE OF 599.91 FEET; 7) THENCE RUN SOUTH 88°56'30" EAST, A DISTANCE OF 2556.25 FEET; 8) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 5.52 FEET; 9) THENCE RUN SOUTH 43°39'58" WEST, A DISTANCE OF 170.17 FEET; 10) THENCE RUN SOUTH 13°50'45" WEST, A DISTANCE OF 147.54 FEET; 11) THENCE RUN SOUTH 26°56'42" EAST, A DISTANCE OF 135.90 FEET; 12) THENCE RUN SOUTH 41°29'44" EAST, A DISTANCE OF 127.17 FEET; 13) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 891.81 FEET; 14) THENCE RUN NORTH 88°56'27" WEST, A DISTANCE OF 65.00 FEET; 15) THENCE RUN SOUTH 00°49'33" WEST, A DISTANCE OF 644.96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 470 (A 100 FOOT WIDE RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 11670-2601); THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, RUN ALONG SAID NORTH AND EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 88°56'30" WEST, A DISTANCE OF 2673.97 FEET TO A POINT OF CURVATURE OF A 1095.82 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; 2) THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°43'22" AN ARC DISTANCE OF 1716.01 FEET TO A POINT OF TANGENCY; 3) THENCE RUN NORTH 00°46'52" EAST, A DISTANCE OF 378.96 FEET TO A POINT OF CURVATURE OF A 1196.40 FOOT RADIUS CURVE CONCAVE TO THE WEST; 4) THENCE RUN NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°37'23" AN ARC DISTANCE OF 347.11 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN NORTH 00°46'52" EAST, ALONG SAID EAST LINE, A DISTANCE OF 807.86 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE RUN NORTH 00°30'28" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4496, PAGE 70, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WEST LINE,

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RUN NORTH 89°24'17" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 807.90 FEET TO THE NORTHWEST CORNER OF SAID LANDS; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°30'28" WEST, ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 99.99 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 470, SAID POINT BEING ON A 1196.40 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE SOUTH WHOSE RADIUS POINT BEARS SOUTH 17°12'59" WEST; THENCE DEPARTING SAID WEST LINE, RUN WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°37'16" AN ARC DISTANCE OF 347.07 FEET TO A POINT OF TANGENCY; 2) THENCE RUN NORTH 89°24'17" WEST, A DISTANCE OF 1259.47 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3316, PAGE 50, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING FIVE (5) COURSES AND DISTANCES) 1) THENCE NORTH 00°35'45" EAST, A DISTANCE OF 88.48 FEET TO A POINT OF CURVATURE OF A 105.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; 2) THENCE RUN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°35'45" AN ARC DISTANCE OF 166.03 FEET TO A POINT OF TANGENCY; 3) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 2533.64 FEET; 4) THENCE RUN SOUTH 00°32'45" WEST, A DISTANCE OF 36.20 FEET; 5) THENCE RUN NORTH 89°23'48" WEST, A DISTANCE OF 232.60 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4556, PAGE 1743, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3316, PAGE 50, RUN NORTH 42°26'19" WEST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 1523.35 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE DEPARTING SAID NORTHEASTERLY LINE, RUN SOUTH 47°33'41" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LANDS, A DISTANCE OF 270.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA TURNPIKE (STATE ROAD NO. 91, A VARIABLE WIDTH RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, STATE PROJECT NO. 190747-2); THENCE DEPARTING SAID NORTHWESTERLY LINE, RUN NORTH 42°26'19" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5966.03 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID NORTHEASTERLY RIGHT-OF-WAY LINE, RUN NORTH 00°45'14" EAST, ALONG SAID WEST LINE, A DISTANCE OF 2487.91 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL B):

A PORTION OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE RUN SOUTH 89°11'07" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 2650.14 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 9; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°45'24" EAST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, A DISTANCE OF 1340.43 FEET TO A POINT ON A LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE, RUN ALONG THE BOUNDARY OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 1427.39 FEET; 2) THENCE RUN NORTH 20°12'05" EAST, A DISTANCE OF 896.56 FEET; 3) THENCE RUN SOUTH 89°45'55" EAST, A DISTANCE OF 1510.88 FEET; 4) THENCE RUN SOUTH 00°00'00" EAST, A DISTANCE OF 538.26 FEET; 5) THENCE RUN NORTH 90°00'00" EAST, A DISTANCE OF 1602.12 FEET TO A POINT ON THE EAST LINE OF THE LANDS DESCRIBED AS PARCEL 2 IN OFFICIAL RECORDS BOOK 2070, PAGE 2098, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, RUN ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2070, PAGE 2098 THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°36'49" WEST, A DISTANCE OF 831.10 FEET; 2) THENCE RUN NORTH 88°50'30" WEST, A DISTANCE OF 192.44 FEET TO A POINT ON THE BOUNDARY OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262; THENCE DEPARTING SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2070, PAGE 2098, RUN ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 74°45'27" WEST, A DISTANCE OF 957.72 FEET; 2) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 631.59 FEET; 3) THENCE RUN NORTH 01°16'27" EAST, A DISTANCE OF 278.48 FEET; 4) THENCE RUN NORTH 90°00'00" WEST, A DISTANCE OF 244.47 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL C):

ALL OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF THE WEST BOUNDARY OF THE SUNSHINE STATE PARKWAY, LESS THE RIGHT-OF-WAY FOR STATE ROAD NO. 470 IN LAKE COUNTY, FLORIDA;

LESS

COMMENCE AT A 3" X 3" LIGHTER WOOD POST MARKING THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 24 EAST, AS SHOWN ON THE SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAP FOR LAKE COUNTY, PROJECT NO. 2, CONTRACT NO. 13.4, SHEET NO. 2; THENCE N01°01'02" WEST ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 18, A DISTANCE OF 2658.28 FEET TO A CONCRETE MONUMENT MARKING

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THE NORTHEAST CORNER OF SAID SECTION 18, AS SHOWN ON THE SAID SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAP; THENCE S89°00'55” WEST ALONG THE NORTH LINE OF THE NE ¼ OF SAID SECTION 18, A DISTANCE OF 593.64 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY; THENCE LEAVING THE NORTH LINE OF THE NE ¼ OF SAID SECTION 18, N44°00'55” WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 95.76 TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 470 AS SHOWN ON STATE ROAD RIGHT-OF-WAY MAP, SECTION 11670-2601, SHEET 2; SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY, S89°00'55” WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 329.45 FEET; THENCE S80°29'04” WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 134.83 FEET; THENCE S89°00'55” WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 1456.67 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE N00°59'05” WEST A DISTANCE OF 130.00 FEET; THENCE N89°00'55” EAST A DISTANCE OF 850.00 FEET; THENCE N00°59'05” WEST A DISTANCE OF 850.00 FEET; THENCE N41°56'49” WEST A DISTANCE OF 738.95 FEET; THENCE N45°59'05” EAST A DISTANCE OF 100.00 FEET TO THE SAID WESTERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S44°00'55” EAST A DISTANCE OF 2170.00 FEET TO THE POINT OF BEGINNING.

LESS

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, THEN N00°55'51” WEST ALONG THE WEST BOUNDARY LINE OF SAID SECTION 7, 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD #470; THENCE N89°02'38” EAST ALONG SAID RIGHT-OF-WAY LINE 1347.80 FEET TO THE POINT OF BEGINNING; THENCE N00°57'22” WEST 350.00 FEET; THENCE N89°02'38” EAST 750.00 FEET; THENCE S00°57'22” EAST 350.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD #470; THENCE S89°02'38” WEST ALONG SAID RIGHT-OF-WAY LINE 750.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL D):

A PARCEL OF LAND LYING THE SOUTH HALF OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6” X 6” CONCRETE MONUMENT INSCRIBED 8, 9, 16 & 17 MARKING THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 24 EAST; THENCE RUN NORTH 89°24'15” WEST, ALONG THE SOUTH LINE OF SECTION 8, A DISTANCE OF 2649.34 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 8;

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THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°31'36" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8, A DISTANCE OF 50.00 FEET FOR A POINT OF BEGINNING; SAID POINT LYING ON THE NORTH EXISTING RIGHT OF WAY OF STATE ROAD 470; THENCE RUN NORTH 89°23'48" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 2315.46 FEET; THENCE RUN NORTH 84°15'10" WEST, ALONG SAID NORTH EXISTING RIGHT OF WAY LINE, A DISTANCE OF 213.34 FEET; THENCE DEPARTING SAID NORTH EXISTING RIGHT OF WAY LINE, RUN NORTH 42°26'19" WEST, A DISTANCE OF 152.54 FEET; THENCE RUN SOUTH 89°23'48" EAST, A DISTANCE OF 232.57 FEET; THENCE RUN NORTH 00°32'45" EAST, A DISTANCE OF 36.20 FEET; THENCE RUN SOUTH 90°00'00" EAST, A DISTANCE OF 2399.39 FEET TO THE AFOREMENTIONED EAST LINE; THENCE CONTINUE SOUTH 90°00'00" EAST, A DISTANCE OF 134.25 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 105.00 FEET AND A CENTRAL ANGLE OF 90°35'45"; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 166.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 00°35'45" WEST, A DISTANCE OF 88.47 FEET TO THE AFOREMENTIONED NORTH EXISTING RIGHT OF WAY LINE; THENCE RUN NORTH 89°24'15" WEST, ALONG SAID NORTH EXISTING RIGHT OF WAY LINE, A DISTANCE OF 240.10 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL E)

THAT PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE NE CORNER OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN THENCE SOUTH 0°18' WEST ALONG THE SECTION LINE FOR 535 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE SOUTH 0°18' WEST ALONG SAID SECTION LINE FOR 274.12 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 470; RUN THENCE NORTHERLY AND WESTERLY ALONG RIGHT-OF-WAY OF STATE ROAD NO. 470 TO A POINT THAT IS NORTH 89°42' WEST OF THE POINT OF BEGINNING, THENCE SOUTH 89°42' EAST FOR 121.2 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL F (INGRESS/EGRESS/UTILITIES EASEMENT)):

A PORTION OF SECTIONS 9 AND 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE RUN SOUTH 89°11'07" EAST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 1325.07 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262, OF THE PUBLIC RECORDS OF

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LAKE COUNTY, FLORIDA; THENCE DEPARTING NORTH LINE, RUN ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 00°48'18" WEST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 599.91 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 2025.07 FEET OF THE NORTH 1/2 OF SAID SECTION 16; 2) THENCE DEPARTING SAID EAST LINE, RUN SOUTH 88°56'30" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2391.25 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 00°49'33" EAST, A DISTANCE OF 666.86 FEET TO A POINT OF CURVATURE OF A 385.00 FOOT RADIUS CURVE CONCAVE TO THE EAST; THENCE RUN NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°00'00" AN ARC DISTANCE OF 235.18 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 35°49'33" EAST, A DISTANCE OF 754.13 FEET TO A POINT ON THE AFORESAID BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 362; THENCE RUN SOUTH 74°45'27" EAST, ALONG SAID BOUNDARY, A DISTANCE OF 213.64 FEET; THENCE DEPARTING SAID BOUNDARY, RUN SOUTH 35°49'33" WEST, A DISTANCE OF 829.24 FEET TO A POINT OF CURVATURE OF A 185.00 FOOT RADIUS CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°00'00" AN ARC DISTANCE OF 113.01 FEET TO A POINT OF TANGENCY, SAID POINT BEING A POINT ON THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 60 FEET OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE RUN SOUTH 00°49'33" WEST, ALONG SAID WEST LINE, A DISTANCE OF 667.67 FEET TO A POINT ON THE SOUTH LINE OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262 AND A POINT ON THE NORTH LINE OF THE SOUTH 2025.07 FEET OF THE NORTH 1/2 OF SAID SECTION 16; THENCE DEPARTING SAID WEST LINE, RUN NORTH 88°56'30" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION (PARCEL G):

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE N00°55'51" WEST ALONG THE WEST BOUNDARY LINE OF SAID SECTION 7, 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD #470; THENCE N89°02'38" EAST ALONG SAID RIGHT-OF-WAY LINE 1347.80 FEET TO THE POINT OF BEGINNING; THENCE N00°57'22" WEST 350.00 FEET; THENCE N89°02'38" EAST 750.00 FEET; THENCE S00°57'22" EAST 350.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD #470; THENCE S89°02'38" WEST ALONG SAID RIGHT-OF-WAY LINE 750.00 FEET TO THE POINT OF BEGINNING.

SKETCH FOR DESCRIPTION

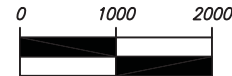
(NOT A FIELD SURVEY)

KEY MAP-AREA "A"
CHAPTER 163 AGREEMENT
TOWNSHIP 20 SOUTH, RANGE 24 EAST
LAKE COUNTY, FLORIDA

EXHIBIT 1 SHEET 11 OF 34



NORTH



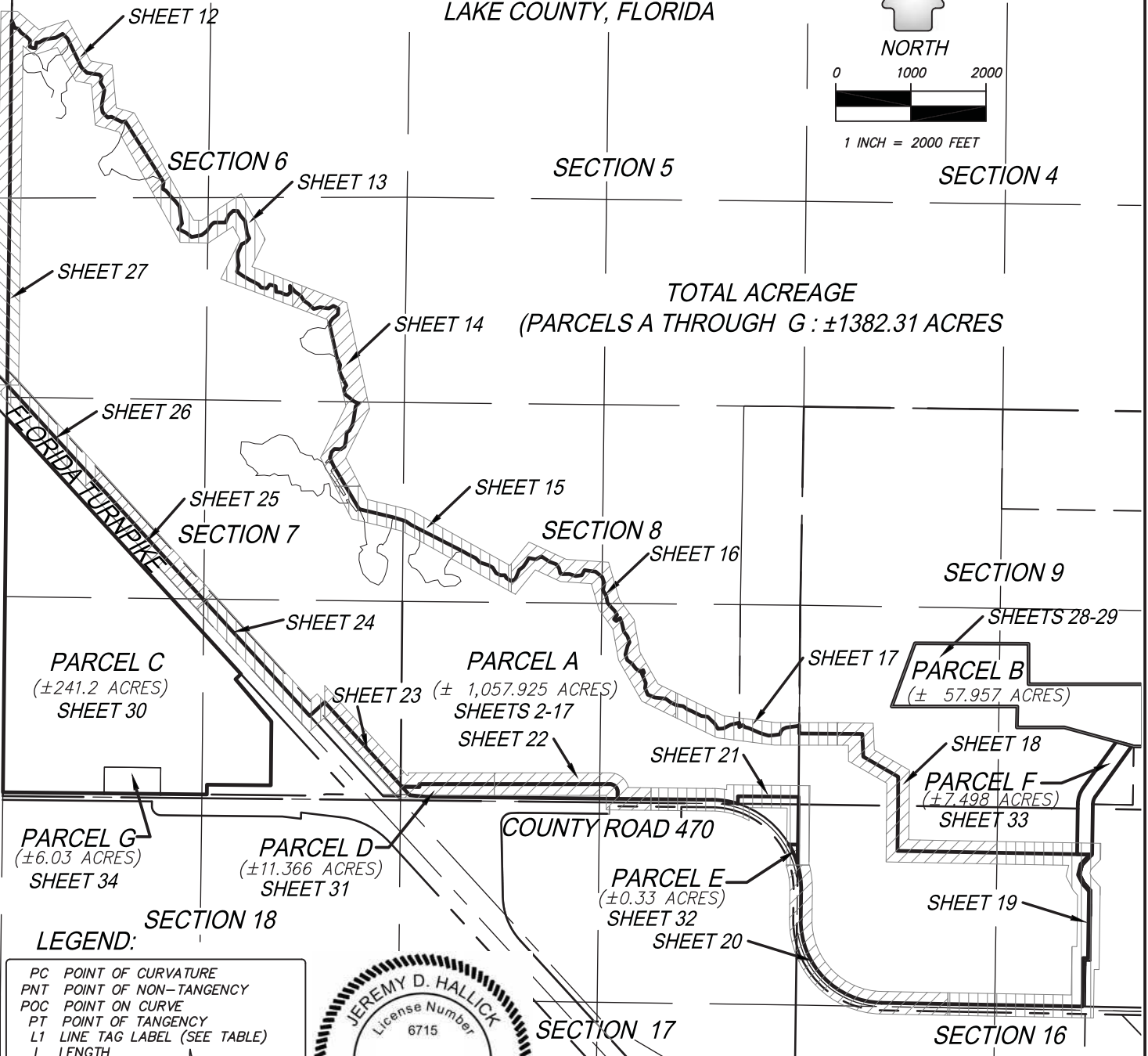
1 INCH = 2000 FEET

SECTION 5

SECTION 4

TOTAL ACREAGE

(PARCELS A THROUGH G : ± 1382.31 ACRES)



LEGEND:

PC	POINT OF CURVATURE
PNT	POINT OF NON-TANGENCY
POC	POINT ON CURVE
PT	POINT OF TANGENCY
L1	LINE TAG LABEL (SEE TABLE)
L	LENGTH
R	RADIUS
Δ	CENTRAL ANGLE
CB	CHORD BEARING
CH	CHORD LENGTH
O	CHANGE IN DIRECTION
	LINE BREAK



07/27/2020

DATE

GENERAL NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE ORIGINAL OR ELECTRIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY. SKETCH IS SUBJECT TO REVISION UPON COMPLETION OF A BOUNDARY SURVEY.
3. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 WITH 2011 ADJUSTMENT. UNLESS OTHERWISE STATED, AS A REFERENCE FOR THIS SKETCH, THE WEST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST HAS A BEARING OF NORTH $00^{\circ}39'41''$ EAST.

JEREMY D. HALLICK PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6715

SEE SHEETS 1-10 FOR DESCRIPTION



CFB

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FARNER
BARLEY**

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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 12 OF 34

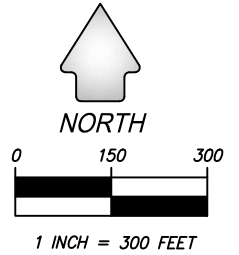
NORTHWEST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

LINE TABLE		
LINE	BEARING	LENGTH
L1	S30°29'04"E	19.79'
L2	S20°37'14"E	84.19'
L3	S76°53'11"E	47.78'
L4	S36°10'15"E	68.70'
L5	S53°58'30"E	83.28'
L6	S44°52'44"E	70.96'
L7	S3°00'03"W	85.15'
L8	S64°52'10"E	45.25'
L9	S88°04'24"E	34.38'
L10	N9°21'14"E	78.78'
L11	S88°37'45"E	36.40'
L12	N61°16'45"E	78.67'
L13	N79°11'16"E	87.21'
L14	N82°04'48"E	69.61'
L15	N60°17'41"E	102.77'
L16	S46°03'35"E	89.04'

LINE TABLE		
LINE	BEARING	LENGTH
L17	S46°18'25"E	100.01'
L18	S80°46'10"E	82.69'
L19	S82°49'12"E	85.20'
L20	S39°42'02"E	45.75'
L21	S14°23'50"W	70.58'
L22	S29°58'34"E	76.07'
L23	S23°08'46"E	39.04'
L24	S11°00'19"W	95.71'
L25	S9°22'14"W	123.51'
L26	S9°41'56"E	80.26'
L27	S43°34'44"E	98.73'
L28	N76°35'25"E	50.82'
L29	S62°33'16"E	86.58'
L30	S64°36'42"E	71.30'
L31	N76°42'30"E	44.48'

PARCEL A
(± 1,057.925 ACRES)

NORTHWEST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST



POINT OF BEGINNING
WEST ¼ CORNER OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

MATCH LINE - SEE SHEET 27

MATCH LINE -
SEE SHEET 13

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

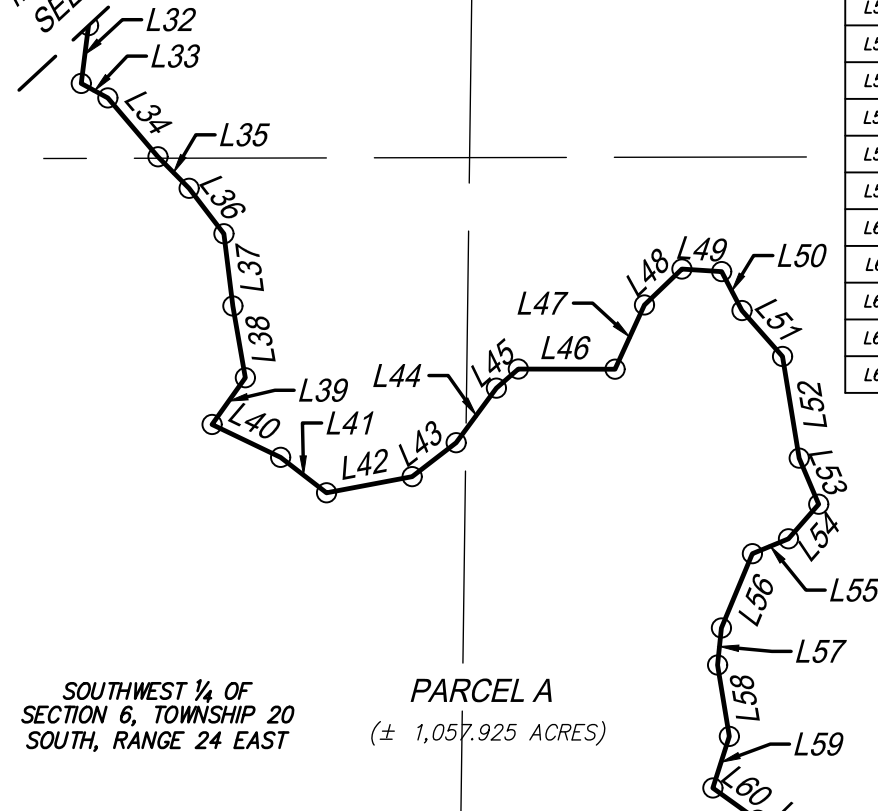
(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 13 OF 34

NORTHWEST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

MATCH LINE -
SEE SHEET 12



LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L54	S41°13'52"W	71.83'	L65	N35°54'34"E	63.23'
L55	S67°32'49"W	60.90'	L66	S74°27'55"E	81.89'
L56	S22°37'04"W	125.78'	L67	S4°00'12"E	73.97'
L57	S5°54'07"W	58.17'	L68	S80°14'56"E	67.06'
L58	S9°17'29"E	113.07'	L69	S62°54'57"E	47.02'
L59	S17°42'35"W	84.59'	L70	S80°58'05"E	47.16'
L60	S54°18'47"E	86.37'	L71	N50°24'47"E	52.77'
L61	S59°31'01"E	114.87'	L72	N16°30'08"W	34.10'
L62	S62°38'05"E	134.39'	L73	N0°36'32"W	52.85'
L63	S39°09'25"E	51.70'	L74	S40°59'45"E	106.23'
L64	S80°59'23"E	80.02'	L75	S55°44'00"E	86.62'

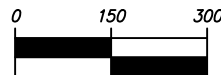
SOUTHWEST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PARCEL A
(± 1,057.925 ACRES)

SOUTHEAST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

LINE TABLE		
LINE	BEARING	LENGTH
L32	S7°10'01"W	91.08'
L33	S61°21'16"E	47.28'
L34	S40°28'15"E	120.86'
L35	S44°33'11"E	69.24'
L36	S37°26'37"E	89.41'
L37	S7°06'18"E	113.64'
L38	S9°52'34"E	113.85'
L39	S35°28'16"W	89.69'
L40	S64°22'33"E	118.81'
L41	S52°22'56"E	90.58'
L42	N79°20'02"E	136.10'

LINE TABLE		
LINE	BEARING	LENGTH
L43	N52°22'55"E	86.83'
L44	N36°24'30"E	105.87'
L45	N48°55'55"E	45.49'
L46	S89°56'18"E	151.08'
L47	N24°38'40"E	110.35'
L48	N46°09'26"E	81.02'
L49	S86°18'52"E	62.24'
L50	S27°38'50"E	68.64'
L51	S41°23'00"E	95.74'
L52	S9°19'22"E	161.00'
L53	S22°58'56"E	78.10'



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



CFB

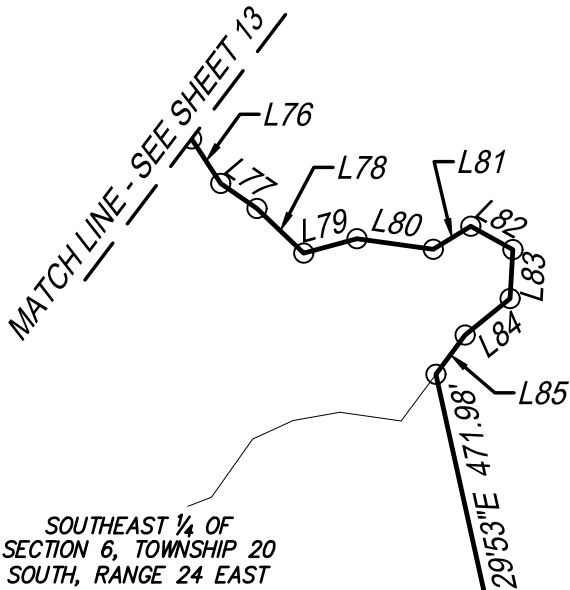
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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 14 OF 34



LINE TABLE		
LINE	BEARING	LENGTH
L76	S33°10'27"E	83.20'
L77	S55°17'24"E	68.84'
L78	S46°21'25"E	101.01'
L79	N74°50'26"E	86.17'
L80	S82°04'41"E	120.38'
L81	N58°22'49"E	68.80'
L82	S60°56'38"E	75.22'
L83	S3°14'40"W	76.66'
L84	S50°59'10"W	90.51'
L85	S36°37'10"W	76.43'
L86	S24°47'34"E	104.62'
L87	S12°21'53"W	65.63'

LINE TABLE		
LINE	BEARING	LENGTH
L88	S18°03'40"E	67.17'
L89	S25°58'11"E	64.57'
L90	S27°55'06"E	100.44'
L91	S35°22'32"W	59.70'
L92	S13°35'06"E	68.53'
L93	S51°53'59"E	156.93'
L94	S66°50'45"E	64.60'
L95	S48°38'48"W	54.10'
L96	S8°34'50"W	80.78'
L97	S8°53'51"W	102.76'
L98	S13°03'25"W	64.08'
L99	S27°21'03"W	92.67'

LINE TABLE		
LINE	BEARING	LENGTH
L100	S58°32'05"W	39.73'
L101	S5°28'43"W	111.73'
L102	S12°31'44"W	83.93'
L103	S55°17'54"W	62.16'
L104	N84°37'02"W	51.91'
L105	N88°34'03"W	32.60'
L106	S42°06'52"W	58.01'
L107	S12°33'12"W	37.53'
L108	S20°36'57"W	33.88'
L109	S24°42'25"E	74.30'

PARCEL A
(± 1,057.925 ACRES)

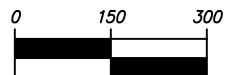
NORTH LINE OF THE
NORTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHWEST ¼ OF
SECTION 5, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST CORNER OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHWEST ¼ OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST



1 INCH = 300 FEET

L106
L107
L108
L109
S20°04'52"E 53.52'
S30°43'24"E 665.00'

MATCH LINE - SEE SHEET 15

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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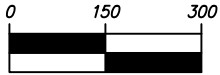
SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 15 OF 34



NORTH



1 INCH = 300 FEET

LINE TABLE		
LINE	BEARING	LENGTH
L110	S71°58'41"E	165.94'
L111	S54°48'46"E	79.68'
L112	S62°41'15"E	108.65'
L113	S60°27'48"E	87.14'
L114	S64°03'50"E	106.68'
L115	S43°54'25"E	79.20'
L116	S72°01'07"E	124.60'

LINE TABLE		
LINE	BEARING	LENGTH
L117	S60°09'14"E	62.29'
L118	S31°27'02"E	86.64'
L119	S63°57'31"E	63.36'
L120	N89°40'02"E	61.47'
L121	S25°03'35"E	41.98'
L122	S58°26'41"E	77.10'

MATCH LINE - SEE SHEET 14

S30°43'24"E
665.00'

S76°34'14"E 477.21'

L110

L111

L112

S62°55'30"E 667.14'

L113

L114

L115

L116

L117

L118

L119

L120

L121

L122

NORTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHWEST ¼ OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PARCEL A
(± 1,057.925 ACRES)

EAST ¼ CORNER OF SECTION 7,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

MATCH LINE - SEE SHEET 16

SOUTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHWEST ¼ OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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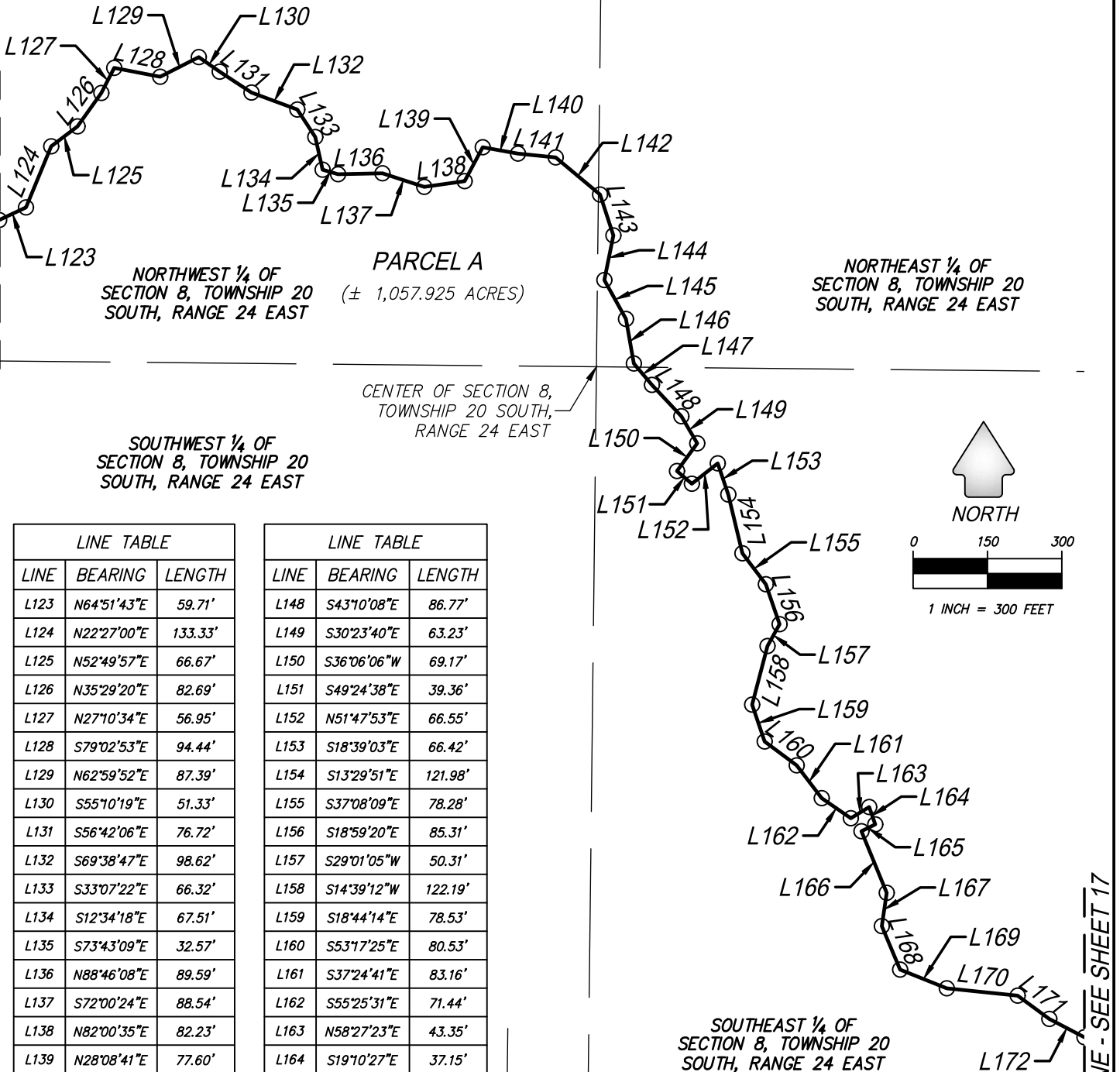
SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 16 OF 34

MATCHLINE - SEE SHEET 15

Drawing name: C:\Users\jrallick\FARNERBARLEY\Documents\FARNER BARLEY\ch 163 AREA A NEW AREA A CHAPTER 163 AGREEMENT SHEETS 11-29.DWG SKETCH Jul 27, 2020 7:54pm by jrallick



LINE TABLE		
LINE	BEARING	LENGTH
L123	N64°51'43"E	59.71'
L124	N22°27'00"E	133.33'
L125	N52°49'57"E	66.67'
L126	N35°29'20"E	82.69'
L127	N27°10'34"E	56.95'
L128	S79°02'53"E	94.44'
L129	N62°59'52"E	87.39'
L130	S55°10'19"E	51.33'
L131	S56°42'06"E	76.72'
L132	S69°38'47"E	98.62'
L133	S33°07'22"E	66.32'
L134	S12°34'18"E	67.51'
L135	S73°43'09"E	32.57'
L136	N88°46'08"E	89.59'
L137	S72°00'24"E	88.54'
L138	N82°00'35"E	82.23'
L139	N28°08'41"E	77.60'
L140	S79°52'28"E	72.13'
L141	S84°08'18"E	76.52'
L142	S50°04'27"E	116.72'
L143	S18°05'38"E	86.72'
L144	S11°26'26"W	91.89'
L145	S29°04'26"E	89.79'
L146	S9°58'55"E	91.28'
L147	S40°14'22"E	56.45'

LINE TABLE		
LINE	BEARING	LENGTH
L148	S43°10'08"E	86.77'
L149	S30°23'40"E	63.23'
L150	S36°06'06"W	69.17'
L151	S49°24'38"E	39.36'
L152	N51°47'53"E	66.55'
L153	S18°39'03"E	66.42'
L154	S13°29'51"E	121.98'
L155	S37°08'09"E	78.28'
L156	S18°59'20"E	85.31'
L157	S29°01'05"W	50.31'
L158	S14°39'12"W	122.19'
L159	S18°44'14"E	78.53'
L160	S53°17'25"E	80.53'
L161	S37°24'41"E	83.16'
L162	S55°25'31"E	71.44'
L163	N58°27'23"E	43.35'
L164	S19°10'27"E	37.15'
L165	S63°34'27"W	31.07'
L166	S22°20'25"E	134.31'
L167	S8°26'23"W	67.96'
L168	S22°50'36"E	95.16'
L169	S68°08'39"E	101.39'
L170	S84°06'33"E	143.78'
L171	S53°36'32"E	79.23'
L172	S62°30'27"E	79.89'

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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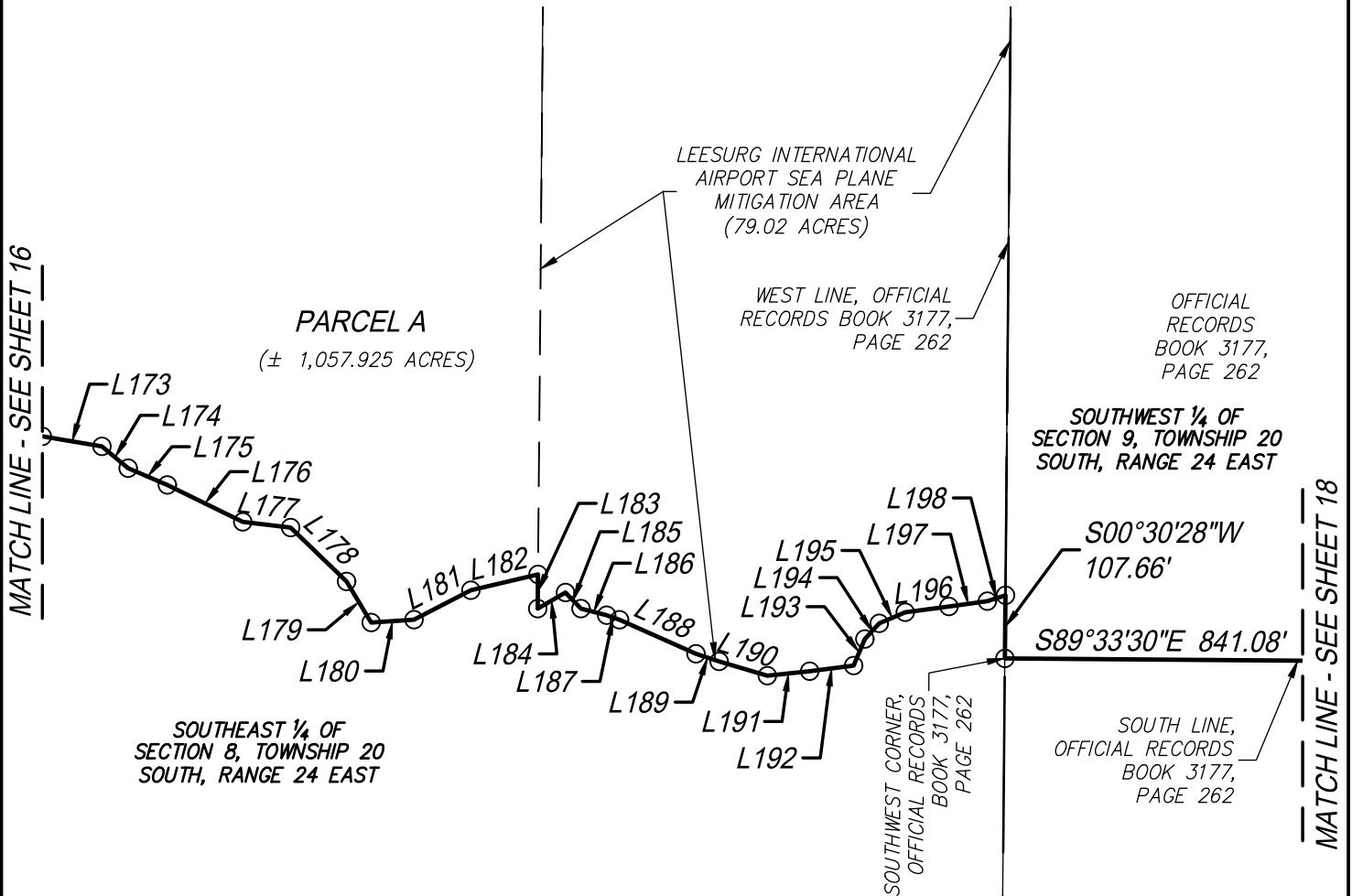
MATCHLINE - SEE SHEET 17

SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 17 OF 34

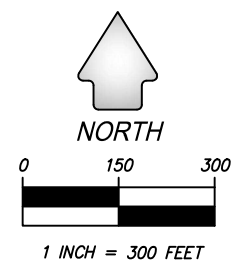
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LINE TABLE		
LINE	BEARING	LENGTH
L173	S80°26'17"E	103.16'
L174	S50°11'10"E	58.15'
L175	S66°52'59"E	72.77'
L176	S63°53'24"E	143.33'
L177	S83°14'16"E	82.39'
L178	S46°01'21"E	132.57'
L179	S30°59'41"E	81.79'
L180	N86°11'27"E	73.17'
L181	N62°36'40"E	109.25'
L182	N76°42'21"E	117.81'

LINE TABLE		
LINE	BEARING	LENGTH
L183	S0°30'28"W	58.37'
L184	N59°53'32"E	54.81'
L185	S43°52'35"E	38.23'
L186	S75°34'26"E	45.20'
L187	S70°37'50"E	23.34'
L188	S65°59'05"E	142.77'
L189	S71°48'27"E	41.59'
L190	S73°29'01"E	85.77'
L191	N83°59'28"E	72.88'
L192	N82°39'04"E	75.52'

LINE TABLE		
LINE	BEARING	LENGTH
L193	N22°53'15"E	49.24'
L194	N42°47'28"E	36.32'
L195	N66°51'09"E	48.16'
L196	N82°25'46"E	75.22'
L197	N82°09'15"E	66.23'
L198	N72°05'31"E	32.56'



SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND

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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 18 OF 34

S89°33'30"E
841.08'

MATCH LINE -
SEE SHEET 17

S02°20'16"E 303.39'

WEST LINE, OFFICIAL
RECORDS BOOK 3177,
PAGE 262

S60°11'33"E 535.18'

OFFICIAL RECORDS
BOOK 3177,
PAGE 262

SOUTHWEST ¼ OF
SECTION 9, TOWNSHIP 20
SOUTH, RANGE 24 EAST

S00°10'55"W 387.25'

WEST LINE, OFFICIAL
RECORDS BOOK 3177,
PAGE 262

SOUTH ¼ CORNER OF
SECTION 9, TOWNSHIP 20
SOUTH, RANGE 24 EAST

OFFICIAL RECORDS
BOOK 3177,
PAGE 262

NORTHWEST ¼ OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST CORNER OF THE
NORTHWEST ¼ OF THE NORTHWEST
¼ OF SECTION 16

S00°48'18"W 599.91'

PARCEL A

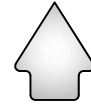
(± 1,057.925 ACRES)

S88°56'30"E 2556.25'
SOUTH LINE, OFFICIAL
RECORDS BOOK 3177,
PAGE 262

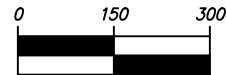
MATCH LINE -
SEE SHEET 19

SOUTHEAST ¼ OF SECTION 9,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

NORTHEAST ¼ OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

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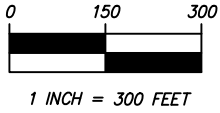


EXHIBIT 1 SHEET 19 OF 34

NORTHEAST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

MATCH LINE -
SEE SHEET 18

PARCEL F
SEE
SHEET 33

S88°56'30"E 2556.25'

S00°49'33"W 5.52'

S43°39'58"W 170.17'

S13°50'45"W 147.54'

SOUTH LINE, OFFICIAL RECORDS
BOOK 3177, PAGE 262

S26°56'42"E 135.90'

S41°29'44"E 127.17'

WEST LINE, OFFICIAL
RECORDS BOOK 3177,
PAGE 262

PARCEL A

(± 1,057.925 ACRES)

LANDS DESCRIBED IN
OFFICIAL RECORDS
BOOK 3177,
PAGE 262

NORTHEAST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

N88°56'27"W 65.00'

WEST LINE OF THE NORTHEAST 1/4 OF
SECTION 16, TOWNSHIP 20 SOUTH, RANGE 24 EAST

CENTER OF
SECTION 16, TOWNSHIP
20 SOUTH, RANGE 24 EAST

SOUTH LINE OF THE
NORTHEAST 1/4 OF
SECTION 16, TOWNSHIP
20 SOUTH, RANGE 24 EAST

NORTH RIGHT-OF-WAY LINE,
COUNTY ROAD NO. 470

N88°56'30"W 2673.97'

COUNTY ROAD NO. 470

(A 100' WIDE RIGHT-OF-WAY PER
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, SECTION 11670-2601)

SOUTH RIGHT-OF-WAY LINE,
COUNTY ROAD NO. 470

SOUTHWEST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHEAST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

MATCH LINE -
SEE SHEET 20

SOUTH LINE OF THE
NORTHWEST 1/4 OF
SECTION 16, TOWNSHIP
20 SOUTH, RANGE 24 EAST



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BARLEY**

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SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND

SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 20 OF 34

MATCH LINE -
SEE SHEET 21

NORTHEAST 1/4 OF
SECTION 17, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PNT

$L=347.11'$
 $R=1196.40'$
 $\Delta=16^{\circ}37'23''$
 $CB=N7^{\circ}31'50''W$
 $CH=345.89'$

50' 50'

PC

$N00^{\circ}46'52''E$ 378.96'

PT

NORTHEAST RIGHT-OF-WAY
LINE, COUNTY ROAD NO. 470

PARCEL A
($\pm$ 1,057.925 ACRES)

NORTHWEST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

$L=1716.01'$
 $R=1095.82'$
 $\Delta=89^{\circ}43'22''$
 $CB=N44^{\circ}04'49''W$
 $CH=1545.97'$

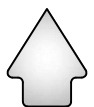
SOUTHWEST RIGHT-OF-WAY
LINE, COUNTY ROAD NO. 470

WEST 1/4 CORNER OF
SECTION 16, TOWNSHIP
20 SOUTH, RANGE 24 EAST

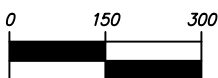
SOUTH LINE OF THE
NORTHWEST 1/4 OF
SECTION 16, TOWNSHIP
20 SOUTH, RANGE 24 EAST

MATCH LINE -
SEE SHEET 19

SOUTHEAST 1/4 OF
SECTION 17, TOWNSHIP 20
SOUTH, RANGE 24 EAST



NORTH



1 INCH = 300 FEET

SOUTHWEST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, RANGE 24 EAST

$N88^{\circ}56'30''W$ 2673.97'
COUNTY ROAD NO. 470
(A 100' WIDE RIGHT-OF-WAY PER
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, SECTION 11670-2601)

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



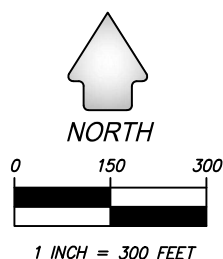
CFB

**CLYMER
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BARLEY**

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(352) 748-3126 LB4709

(NOT A FIELD SURVEY)

Drawing name: C:\Users\jrallick\FARNERBARLEY\Documents\FARNER BARLEY\ch 163\AREA A\NEW\AREA A\CHAPTER 163 AGREEMENT_SHEETS 11-29.DWG SKETCH Jul 27, 2020 8:10pm by: jrallick



 **CFB** | **CLYMER
FARNER
BARLEY**
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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 22 OF 34

SOUTHWEST ¼ OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHEAST ¼ OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTH LINE OF THE
NORTHWEST ¼ OF
SECTION 17, TOWNSHIP
20 SOUTH, RANGE 24 EAST

PARCEL A
(± 1,057.925 ACRES)

NORTH LINE,
OFFICIAL RECORDS BOOK
3316, PAGE 50

$L=166.03'$

$R=105.00'$

$\Delta=90^{\circ}35'45''$

$CB=N44^{\circ}42'08''W$

$CH=149.26'$

$N90^{\circ}00'00''W$ 2533.64'

PARCEL D
SEE SHEET 31

$N00^{\circ}35'45''E$ 88.48'

PT

PC

NORTH 1/4 CORNER OF SECTION
17, TOWNSHIP 20 SOUTH, RANGE 24 EAST

LIMITED ACCESS RIGHT-OF-WAY
LINE, FLORIDA TURNPIKE
(STATE ROAD NO. 91)
PER FLORIDA DEPARTMENT
OF TRANSPORTATION
RIGHT-OF-WAY MAP,
STATE PROJECT NO. 190747-2

SOUTHEAST CORNER,
OFFICIAL RECORDS BOOK
3316, PAGE 50

$N89^{\circ}24'17''W$
1259.47'
COUNTY ROAD NO. 470
(A 100' WIDE RIGHT-OF-WAY
PER FLORIDA DEPARTMENT OF
TRANSPORTATION RIGHT-
OF-WAY MAP, SECTION
11670-2601)

NORTHWEST ¼ OF
SECTION 17, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST ¼ OF
SECTION 17, TOWNSHIP 20
SOUTH, RANGE 24 EAST



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 23 OF 34

MATCH LINE -
SEE SHEET 24

SOUTHEAST 1/4 OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHWEST 1/4 OF
SECTION 8, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEASTERLY
LINE, OFFICIAL RECORDS
BOOK 4556, PAGE 1743

15' INGRESS/EGRESS EASEMENT
PER OFFICIAL RECORDS BOOK
1745, PAGES 646 & 648

PARCEL A

(± 1,057.925 ACRES)

20' EASEMENT PER OFFICIAL
RECORDS BOOK 4282 PAGE 86

NORTH LINE,
OFFICIAL RECORDS BOOK
3316, PAGE 50

MATCH LINE -
SEE SHEET 22

FLORIDA TURNPIKE
(STATE ROAD NO. 91)
(A 100' WIDE RIGHT-OF-WAY PER
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, STATE PROJECT
NO. 190747-2)

170' WIDE PERPETUAL FLORIDA POWER
CORPORATION EASEMENT PER CIVIL ORDER
BOOK 3, PAGE 54

LIMITED ACCESS
RIGHT-OF-WAY
LINE (TYPICAL)

SOUTHWEST CORNER OF
SECTION 8, TOWNSHIP 20 SOUTH, RANGE 24 EAST

NORTHEAST 1/4 OF
SECTION 18, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHWEST 1/4 OF
SECTION 17, TOWNSHIP 20
SOUTH, RANGE 24 EAST

N89°23'48"W 232.60'

N90°00'00"W 2533.64'
PARCEL D
SEE SHEET 31

COUNTY ROAD NO. 470

S00°32'45"W 36.20'



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 24 OF 34

NORTHWEST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PARCEL A
(± 1,057.925 ACRES)

NORTHEAST CORNER,
LINE, OFFICIAL RECORDS
BOOK 4556, PAGE 1743

15' INGRESS/EGRESS EASEMENT
PER OFFICIAL RECORDS BOOK
1745, PAGES 646 & 648

**MATCH LINE -
SEE SHEET 23**

S47°33'41"W 270.00'

170' WIDE PERPETUAL FLORIDA POWER
CORPORATION EASEMENT PER CIVIL ORDER-
BOOK 3, PAGE 54

LIMITED ACCESS
RIGHT-OF-WAY
LINE (TYPICAL)

NORTHWESTERLY
LINE, OFFICIAL RECORDS
BOOK 4556, PAGE 1743

N42°26'19"W 5966.03'

NORTHEASTERLY RIGHT-OF-WAY
LINE, FLORIDA TURNPIKE
(STATE ROAD NO. 91)

FLORIDA TURNPIKE

(STATE ROAD NO. 91)

(A VARIABLE WIDTH RIGHT-OF-WAY PER
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, STATE PROJECT 190747-2)

20' EASEMENT PER OFFICIAL
RECORDS BOOK 4282 PAGE 86

SOUTHWEST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SOUTHWESTERLY RIGHT-OF-WAY
LINE, FLORIDA TURNPIKE
(STATE ROAD NO. 91)

NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



CFB

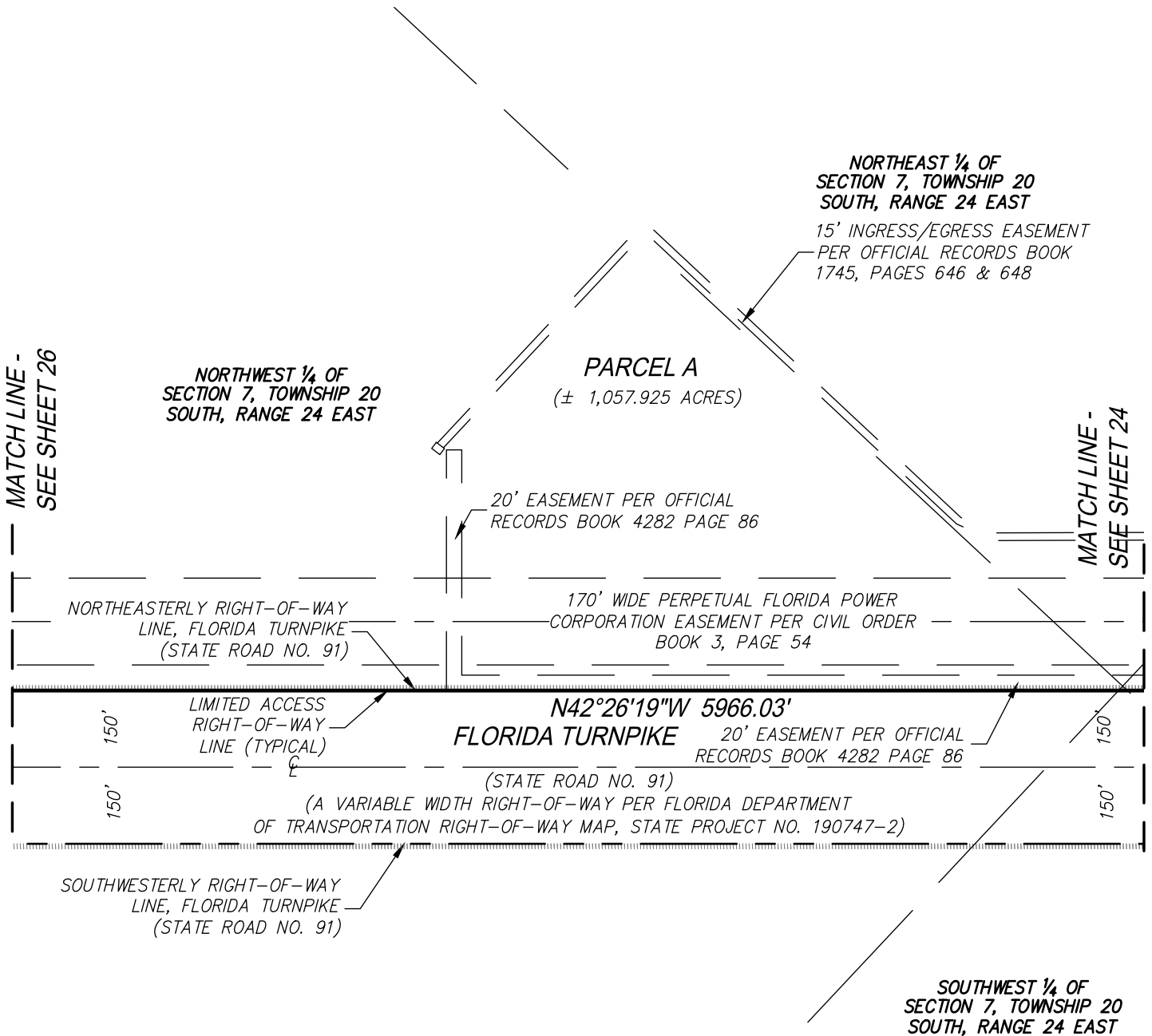
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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 25 OF 34



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 26 OF 34

SOUTHWEST ¼ OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PARCEL A
(± 1,057.925 ACRES)

NORTHWEST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEASTERLY RIGHT-OF-WAY
LINE, FLORIDA TURNPIKE
(STATE ROAD NO. 91)

170' WIDE PERPETUAL FLORIDA POWER
— CORPORATION EASEMENT PER CIVIL ORDER
BOOK 3, PAGE 54

MATCH LINE - SEE SHEET 27

MATCH LINE - SEE SHEET 25

N42°26'19"W 5966.03'

LIMITED ACCESS
RIGHT-OF-WAY
LINE (TYPICAL)

FLORIDA TURNPIKE

(STATE ROAD NO. 91)

(A VARIABLE WIDTH RIGHT-OF-WAY PER FLORIDA DEPARTMENT
OF TRANSPORTATION RIGHT-OF-WAY MAP, STATE PROJECT NO. 190747-2)

NORTHWEST CORNER,
SECTION 7, TOWNSHIP
20 SOUTH, RANGE 24 EAST

SOUTHWESTERLY RIGHT-OF-WAY
LINE, FLORIDA TURNPIKE
(STATE ROAD NO. 91)

NORTHWEST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST

NORTHEAST ¼ OF
SECTION 7, TOWNSHIP 20
SOUTH, RANGE 24 EAST



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

MATCH LINE - SEE SHEET 12

EXHIBIT 1 SHEET 27 OF 34

POINT OF BEGINNING

WEST 1/4 CORNER OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

SUMTER COUNTY

LAKE COUNTY

SOUTHEAST 1/4 OF
SECTION 1, TOWNSHIP 20
SOUTH, RANGE 23 EAST

SOUTHWEST 1/4 OF
SECTION 6, TOWNSHIP 20
SOUTH, RANGE 24 EAST

PARCEL A

(± 1,057.925 ACRES)

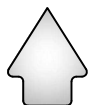
N00°45'14"E 2487.91'

WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6

170' WIDE PERPETUAL
FLORIDA POWER
CORPORATION EASEMENT
PER CIVIL ORDER
BOOK 3, PAGE 54

FLORIDA
TURNPIKE

MATCH LINE - SEE SHEET 26



NORTH



1 INCH = 300 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 28 OF 34

LANDS DESCRIBED IN OFFICIAL
RECORDS BOOK 3177, PAGE 262

S89°45'55"E 1510.88'

N20°12'05"E 896.56'

PARCEL B
(± 57.957 ACRES)

SOUTHWEST ¼ OF
SECTION 9, TOWNSHIP 20
SOUTH, RANGE 24 EAST

POINT OF BEGINNING

SOUTHEAST ¼ OF
SECTION 9, TOWNSHIP 20
SOUTH, RANGE 24 EAST

S00°00'00"E 538.26'

MATCH LINE - SEE SHEET 29

N90°00'00"W 1427.39'

LANDS DESCRIBED IN OFFICIAL
RECORDS BOOK 3177, PAGE 262

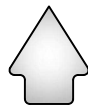
N90°00'00"W 244.47'

N01°16'27"E 278.48'

N90°00'00"W 631.59'

N00°45'24"E 1340.43'

EAST LINE OF THE
SOUTHWEST 1/4 OF
SECTION 9



NORTH



1 INCH = 300 FEET

POINT OF COMMENCEMENT

SOUTHWEST CORNER OF SECTION 9,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

SOUTH 1/4 CORNER OF
SECTION 9

S89°11'07"E 2650.14'

SOUTH LINE OF THE
SOUTHWEST 1/4 OF
SECTION 9

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



CFB

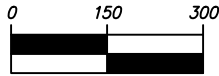
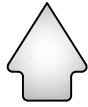
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(352) 748-3126 LB4709

SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 29 OF 34



1 INCH = 300 FEET

MATCH LINE - SEE SHEET 28

LANDS DESCRIBED IN OFFICIAL
RECORDS BOOK 3177, PAGE 262

N90°00'00"E 1602.12'

EAST LINE, PARCEL 2 AS
DESCRIBED IN OFFICIAL
RECORDS BOOK 2070, PAGE 2098

PARCEL B
(± 57.957 ACRES)

SOUTHEAST 1/4 OF
SECTION 9, TOWNSHIP 20
SOUTH, RANGE 24 EAST

OFFICIAL RECORDS
BOOK 3509 PAGE 1088

S00°36'49"W 831.10'

N74°45'27"W 957.72'

LANDS DESCRIBED IN OFFICIAL
RECORDS BOOK 3177, PAGE 262

PARCEL F
SEE
SHEET 33

N88°50'30"W 192.44'

OFFICIAL RECORDS
BOOK 1389, PAGE 362

EAST LINE, PARCEL 2 AS
DESCRIBED IN OFFICIAL
RECORDS BOOK 2070, PAGE 2098

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST

LEGEND:

- LINE BREAK
- L1 LINE TAG LABEL (SEE TABLE)
- CHANGE IN DIRECTION
- (D) DEED MEASUREMENT
- ℄ CENTERLINE

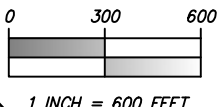
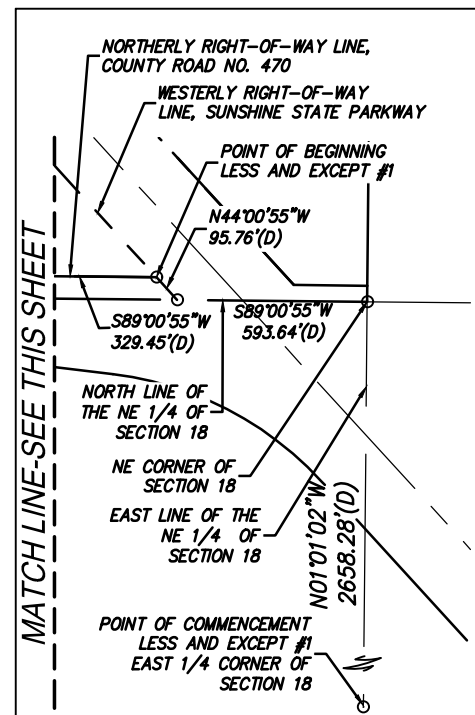


EXHIBIT 1 SHEET 30 OF 34



LINE TABLE

- L1: S00°35'13\"/>

PARCEL C
LAKE COUNTY ALTERNATE
KEY # 3842317
(±241.2 ACRES)

S47°33'41\"/>

NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 24 EAST

S40°22'13\"/>

WEST BOUNDARY OF SECTION 7

N89°23'45\"/>

S00°36'15\"/>

POINT OF BEGINNING LESS AND EXCEPT #2

N89°02'38\"/>

N89°23'45\"/>

N00°36'58\"/>

N00°55'51\"/>

POINT OF COMMENCEMENT LESS AND EXCEPT #2
SOUTHWEST CORNER OF SECTION 7

COUNTY ROAD 470
(RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, STATE PROJECT #190747-2)
(FORMERLY STATE ROAD NO. 470)

NORTHERLY RIGHT-OF-WAY LINE, COUNTY ROAD NO. 470

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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MATCH LINE-SEE THIS SHEET

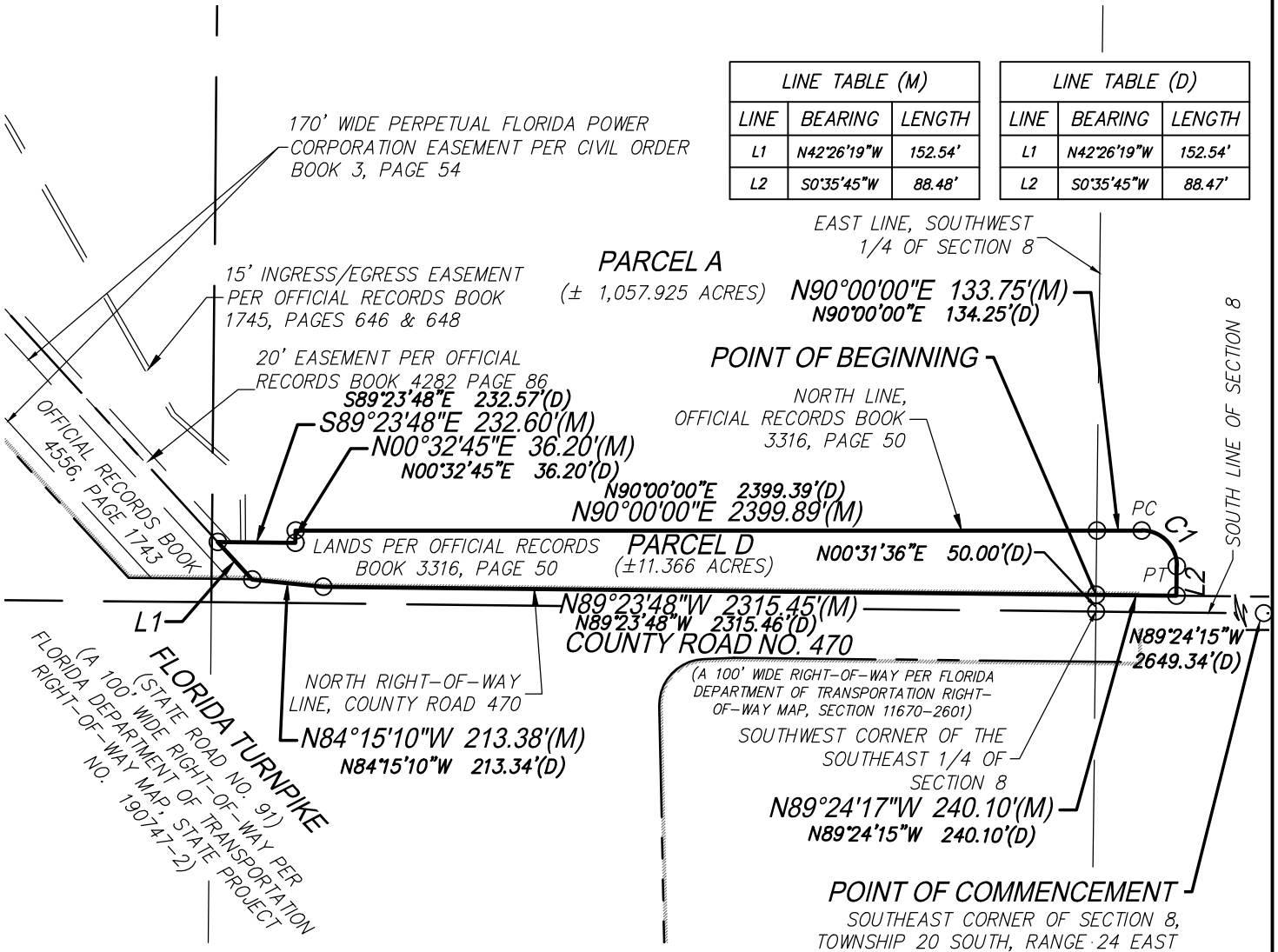
SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 31 OF 34

LINE TABLE (M)		
LINE	BEARING	LENGTH
L1	N42°26'19"W	152.54'
L2	S0°35'45"W	88.48'

LINE TABLE (D)		
LINE	BEARING	LENGTH
L1	N42°26'19"W	152.54'
L2	S0°35'45"W	88.47'



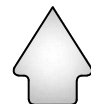
CURVE TABLE (M)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	166.03'	105.00	090°35'45"	149.26'	S44°42'08"E

CURVE TABLE (D)					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	166.03'	105.00	090°35'45"	149.26'	S44°42'07"E

LEGEND:

—	LINE BREAK
(M)	FIELD MEASUREMENT
(D)	DEED MEASUREMENT
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
R/W	RIGHT OF WAY
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
L1	LINE TAG LABEL (SEE TABLE)
C1	CURVE TAG LABEL (SEE TABLE)
○	CHANGE IN DIRECTION

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



NORTH



1 INCH = 500 FEET



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

POINT OF COMMENCEMENT
NORTHEAST CORNER OF SECTION 17,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

EXHIBIT 1
SHEET 32 OF 34

NORTHEASTERLY RIGHT-OF-WAY
LINE, COUNTY ROAD NO. 470

POINT THAT IS NORTH 89°42' WEST OF
THE POINT OF BEGINNING

ALTERNATE KEY NUMBER 1088011
OFFICIAL RECORDS BOOK 4496, PAGE 70

POINT OF BEGINNING

S89°42'E 121.2'(D)

S89°13'08"E 120.19'(C)

PARCEL E

PARCEL #

17-20-24-000100000600

ALTERNATE KEY
NUMBER 1383412
(±0.33 ACRES)

SOUTHWESTERLY RIGHT-OF-WAY
LINE, COUNTY ROAD NO. 470

(A) 100' PUBLIC ROAD NO. 470
RIGHT-OF-WAY MAP, SECTION
(FORMERLY RIGHT-OF-WAY PER STATION
COUNTY ROAD NO. 470)
CH=298.07'
CB=N12°59'58"N
L=298.85'
R=1196.28'
Δ=14°18'48"

NORTHERLY & WESTERLY (D)

SECTION 17
SECTION 16

S00°46'52"W 272.76'(C)
S01°18'W 274.12'(D)

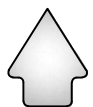
EAST LINE, OF THE NORTHEAST 1/4 OF
SECTION 17, TOWNSHIP 20 SOUTH,
RANGE 24 EAST

ALTERNATE KEY NUMBER 1044146
OFFICIAL RECORDS BOOK 2073, PAGE 491

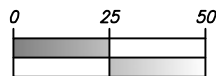
PARCEL A

LEGEND:

- LINE BREAK
- (D) DEED MEASUREMENT
- (C) CALCULATED MEASUREMENT
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- L LENGTH
- R RADIUS
- Δ CENTRAL ANGLE (DELTA)
- CB CHORD BEARING
- CH CHORD LENGTH
- L1 LINE TAG LABEL (SEE TABLE)
- C1 CURVE TAG LABEL (SEE TABLE)
- CHANGE IN DIRECTION



NORTH



1 INCH = 50 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



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BARLEY**

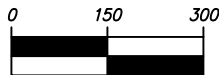
4450 NE 83RD ROAD - WILDWOOD, FL 34785
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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 33 OF 34

PARCEL B



1 INCH = 300 FEET

LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3177, PAGE 262

POINT OF COMMENCEMENT
NORTHWEST CORNER OF SECTION 16,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

NORTH LINE OF THE
NORTHWEST 1/4
OF SECTION 16

LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°45'27"E	213.64'
L2	N88°56'30"W	200.00'

S89°11'07"E
1325.07'

NORTHEAST CORNER OF THE
NORTHWEST 1/4 OF THE NORTHWEST
1/4 OF SECTION 16

EAST LINE OF THE
NORTHWEST 1/4 OF THE
NORTHWEST 1/4 OF SECTION 16

S00°48'18"W 599.91'

SOUTH LINE, OFFICIAL
RECORDS BOOK 3177,
PAGE 262; ALSO THE
NORTH LINE OF THE SOUTH
2025.07 FEET OF THE
NORTH 1/2 OF SAID SECTION 16

S88°56'30"E 2391.25'

**POINT OF BEGINNING
(PARCEL F)**

PARCEL A

SECTION 9
SECTION 16

INGRESS/EGRESS
/UTILITIES EASEMENT

PARCEL F
(±7.498 ACRES)

N00°49'33"E 666.86'

L2

S00°49'33"W 667.67'

NORTH LINE OF THE
SOUTH 60' OF THE SOUTHEAST
1/4 OF SECTION 9, TOWNSHIP 20
SOUTH, 24 EAST

WEST LINE OF THE
EAST 60' OF THE WEST 1/2 OF
THE NORTHEAST 1/4 OF
SECTION 16, TOWNSHIP 20
SOUTH, 24 EAST AND ITS
NORTHERLY EXTENSION THEREOF

EAST LINE, 35' PARCEL
DESCRIBED IN OFFICIAL RECORDS
BOOK 3177, PAGE 262

NORTH LINE,
OFFICIAL RECORDS
BOOK 1389, PAGE 362

WEST LINE,
OFFICIAL RECORDS
BOOK 1389, PAGE 362

NORTHWEST CORNER,
OFFICIAL RECORDS
BOOK 1389, PAGE 362
OFFICIAL RECORDS
BOOK 1389, PAGE 362

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	235.18'	385.00	035°00'00"	231.54'	N18°19'33"E
C2	113.01'	185.00	035°00'00"	111.26'	S18°19'33"W

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND



CFB

**CLYMER
FARNER
BARLEY**

4450 NE 83RD ROAD - WILDWOOD, FL 34785
(352) 748-3126 LB4709

SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT 1 SHEET 34 OF 34

SOUTHWEST 1/4 OF SECTION 7

PARCEL C

WEST BOUNDARY
LINE OF SECTION 7

N89°02'38"E 750.00'

N00°57'22"W 350.00'

PARCEL G

OFFICIAL RECORDS BOOK
5257, PAGE 78
±6.03 ACRES

POINT OF BEGINNING

N89°02'38"E 1347.80'

N00°55'51"W 50.00'

S89°02'38"W 750.00'

NORTH RIGHT-
OF-WAY LINE

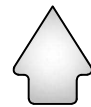
POINT OF COMMENCEMENT

SOUTHWEST CORNER OF SECTION 7,
TOWNSHIP 20 SOUTH, RANGE 24 EAST

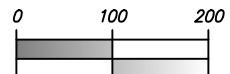
COUNTY ROAD NO. 470 (SIGN)

(A VARIABLE WIDTH RIGHT-OF-WAY
PER FLORIDA DEPARTMENT OF
TRANSPORTATION RIGHT-OF-WAY
MAP, STATE PROJECT #190747-2)

SOUTH LINE OF THE
SOUTHWEST 1/4 OF
SECTION 7



NORTH



1 INCH = 200 FEET

SEE SHEETS 1-10 FOR DESCRIPTION
SEE SHEET 11 FOR KEY MAP AND LEGEND

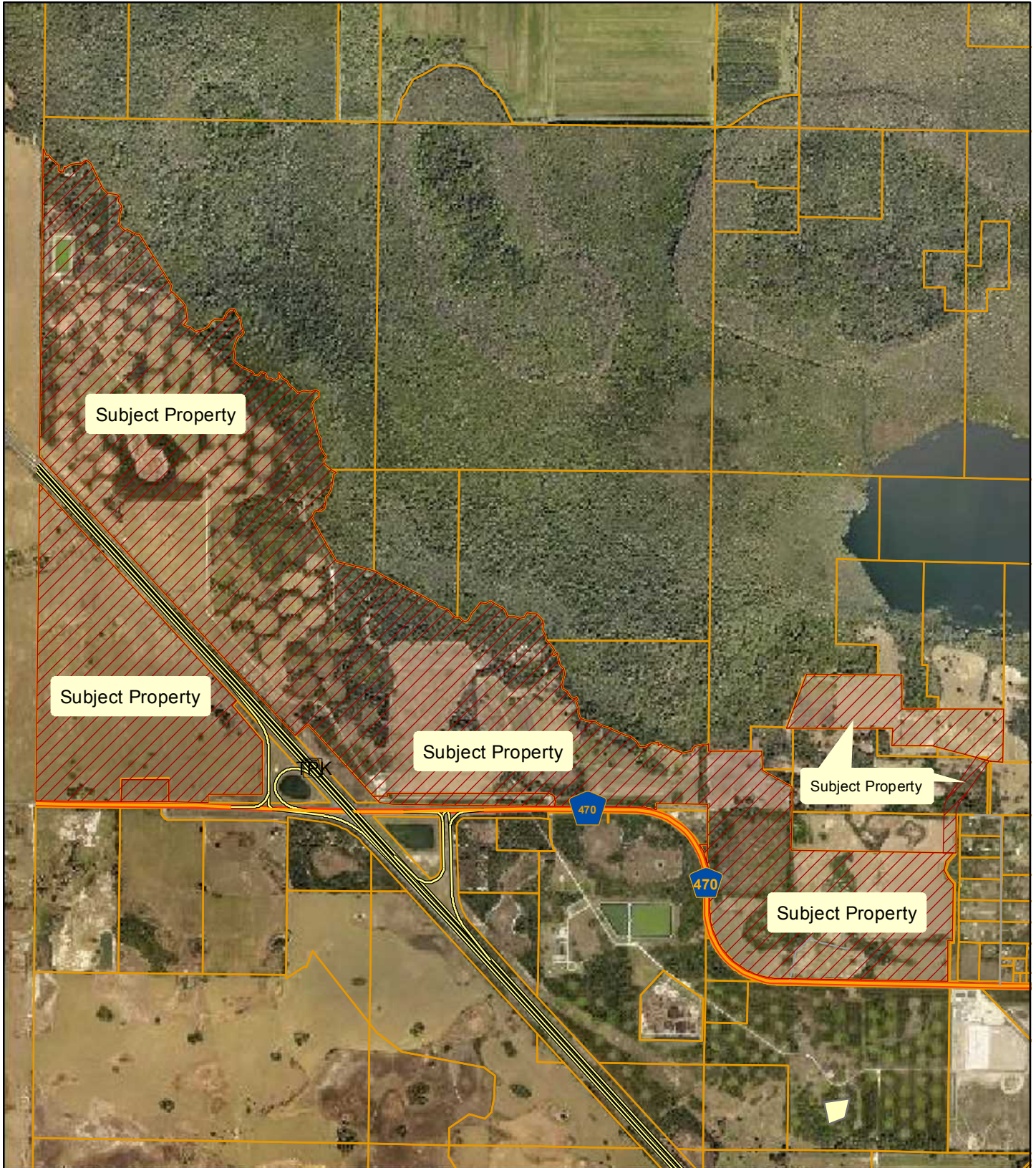


CFB

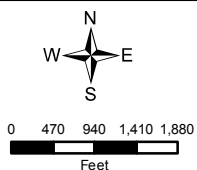
**CLYMER
FARNIER
BARLEY**

4450 NE 83RD ROAD - WILDWOOD, FL 34785
(352) 748-3126 LB4709

Aerial



**Planning
& Zoning
Division**



AMDT-20-188 VWL Chapter 163 Area "A" Agreement
(Florida's Turnpike and CR-470)
Sections 6, 7, 8, 9, 16 & 17, Township 20 South, Range 24 East
August 21, 2020



June 3, 2020

Mr. Martin L. Dzuro
The Villages Land Company, LLC
3619 Kiessel Road
The Villages, Florida 32163

RE: *The Villages of West Lake - Updated Land Use Conversion Table - Revised June 2020*

Dear Martin:

Enclosed with this letter is a revised land use conversion (LUC) table for future use to allow conversion between land uses in The Villages of West Lake development with neutral net trip impact. The revised table has been updated to reflect several new land uses, including those for non-age restricted residential houses and apartments.

The LUC table is based on average PM peak hour trip generation rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. The table is consistent with previously provided LUC tables for developments within The Villages to allow flexibility in the future as market conditions change.

Below are two example calculations using the LUC table to help understand its application.

If the developer would like to develop 200 non-age restricted single-family dwelling units, for example, the developer would need to reduce the number of Villages single-family dwelling units by 565 to remain trip neutral (using the calculation of 1 non-age restricted single-family dwelling unit is equivalent to 0.354 Villages single-family dwelling units, $200 / 0.354 = 564.97$, or 565 dwelling units). The conversion would result in equivalent roadway impacts based on the most recent analysis for The Villages of West Lake.

If the developer would like to develop 150 non-age restricted single-family dwelling units, for example, the developer would need to reduce the commercial square footage by 38,981 to remain trip neutral (using the calculation of 1,000 square feet of retail is equal to 3.848 non-age restricted single family dwelling units, $150 / 3.848 = 38.981$ ksf, or 38,981 square feet). The conversion would result in equivalent roadway impacts based on the most recent analysis for The Villages of West Lake.

If you have any questions regarding this table or additional calculations, please feel free to contact me.

Sincerely,

Richard R. Barr, AICP
Senior Vice President

Attachment: Land Use Conversion Table, Revised June 2020

Land Use Conversion Table																							
The Villages of West Lake																							
Revised June 2020																							
Land Use Conversion			TO:																	ITE Trip Generation Manual 10 th Edition PM Peak Hour Trip Generation			
			Villages Single-Family Residential	Villages Multi-family Residential	Non-Age Restricted Housing - Single Family	Non-Age Restricted Housing - Multi-family (1-2 stories)	Non-Age Restricted Housing - Multi-family (3+ stories)	Congregate Care/Independent Living Facility	Assisted Living Facility	Nursing Home/Skilled Nursing Facility	Hospital	Medical Office	Research & Development Center	Educational (University/ College)	General Office	Commercial/ Retail	Hotel	School	Light Industrial				Government Office
		Units	DU	DU	DU	DU	DU	DU	Beds	Beds	Beds	KSF	KSF	KSF	KSF	KSF	Rooms	Students	KSF	KSF	Land use	ITE Code	Trip Generation Rate
FROM:	Villages Single-Family Residential	DU	1.000	1.750	0.354	0.625	0.795	1.750	1.346	1.591	0.185	0.101	0.714	2.333	0.304	0.092	0.583	2.059	0.556	0.205	Villages Single-Family Residential ¹	N/A	T= 0.35 *(X), X is # of Dwelling Units
	Villages Multi-family Residential	DU	0.571	1.000	0.202	0.357	0.455	1.000	0.769	0.909	0.106	0.058	0.408	1.333	0.174	0.052	0.333	1.176	0.317	0.117	Villages Multi-family Residential ¹	N/A	T= 0.20 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Single Family	DU	2.829	4.950	1.000	1.768	2.250	4.950	3.808	4.500	0.524	0.286	2.020	6.600	0.861	0.260	1.650	5.824	1.571	0.579	Non-Age Restricted Housing - Single Family	210	T= 0.99 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Multi-family (1-2 stories)	DU	1.600	2.800	0.566	1.000	1.273	2.800	2.154	2.545	0.296	0.162	1.143	3.733	0.487	0.147	0.933	3.294	0.889	0.327	Non-Age Restricted Housing - Multi-family (1-2 stories)	220	T= 0.56 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Multi-family (3+ stories)	DU	1.257	2.200	0.444	0.786	1.000	2.200	1.692	2.000	0.233	0.127	0.898	2.933	0.383	0.115	0.733	2.588	0.698	0.257	Non-Age Restricted Housing - Multi-family (3+ stories)	221	T= 0.44 *(X), X is # of occupied sites
	Congregate Care/Independent Living Facility	DU	0.571	1.000	0.202	0.357	0.455	1.000	0.769	0.909	0.106	0.058	0.408	1.333	0.174	0.052	0.333	1.176	0.317	0.117	Congregate Care/Independent Living Facility	253	T= 0.20 *(X), X is # of Dwelling Units
	Assisted Living Facility	Beds	0.743	1.300	0.263	0.464	0.591	1.300	1.000	1.182	0.138	0.075	0.531	1.733	0.226	0.068	0.433	1.529	0.413	0.152	Assisted Living Facility	254	T= 0.26 *(X), X is # of Beds
	Nursing Home/Skilled Nursing Facility	Beds	0.629	1.100	0.222	0.393	0.500	1.100	0.846	1.000	0.116	0.064	0.449	1.467	0.191	0.058	0.367	1.294	0.349	0.129	Nursing Home/Skilled Nursing Facility	620	T= 0.22 *(X), X is # of Beds
	Hospital	Beds	5.400	9.450	1.909	3.375	4.295	9.450	7.269	8.591	1.000	0.546	3.857	12.600	1.643	0.496	3.150	11.118	3.000	1.105	Hospital	610	T= 1.89 *(X), X is # of Beds
	Medical Office	KSF	9.886	17.300	3.495	6.179	7.864	17.300	13.308	15.727	1.831	1.000	7.061	23.067	3.009	0.908	5.767	20.353	5.492	2.023	Medical Office	720	T= 3.46 *(X), X is 1,000 Square Feet
	Research & Development Center	KSF	1.400	2.450	0.495	0.875	1.114	2.450	1.885	2.227	0.259	0.142	1.000	3.267	0.426	0.129	0.817	2.882	0.778	0.287	Research & Development Center	760	T= 0.49 *(X), X is 1,000 Square Feet
	Educational (University/College)	KSF	0.429	0.750	0.152	0.268	0.341	0.750	0.577	0.682	0.079	0.043	0.306	1.000	0.130	0.039	0.250	0.882	0.238	0.088	Educational (University/College)	550	T= 0.15 *(X), X is 1,000 Square Feet
	General Office	KSF	3.286	5.750	1.162	2.054	2.614	5.750	4.423	5.227	0.608	0.332	2.347	7.667	1.000	0.302	1.917	6.765	1.825	0.673	General Office	710	T= 1.15 *(X), X is 1,000 Square Feet
	Commercial/Retail	KSF	10.886	19.050	3.848	6.804	8.659	19.050	14.654	17.318	2.016	1.101	7.776	25.400	3.313	1.000	6.350	22.412	6.048	2.228	Commercial/Retail	820	T= 3.81 *(X), X is 1,000 Square Feet
	Hotel	Rooms	1.714	3.000	0.606	1.071	1.364	3.000	2.308	2.727	0.317	0.173	1.224	4.000	0.522	0.157	1.000	3.529	0.952	0.351	Hotel	310	T= 0.60 *(X), X is # of Rooms
School	Students	0.486	0.850	0.172	0.304	0.386	0.850	0.654	0.773	0.090	0.049	0.347	1.133	0.148	0.045	0.283	1.000	0.270	0.099	School	520	T= 0.17 *(X), X is # of Students	
Light Industrial	KSF	1.800	3.150	0.636	1.125	1.432	3.150	2.423	2.864	0.333	0.182	1.286	4.200	0.548	0.165	1.050	3.706	1.000	0.368	Light Industrial	110	T= 0.63 *(X), X is 1,000 Square Feet	
Government Office	KSF	4.886	8.550	1.727	3.054	3.886	8.550	6.577	7.773	0.905	0.494	3.490	11.400	1.487	0.449	2.850	10.059	2.714	1.000	Government Office	730	T= 1.71 *(X), X is 1,000 Square Feet	

¹ Source: Villages O-D Survey

² ITE Land Use Code 520 (Elementary School) was conservatively used as the basis for School in this conversion table

PERMITTED USES IN THE VILLAGES OF WEST LAKE

- a. **PURSUANT TO FUTURE LAND USE POLICY 1.1.1:** RESIDENTIAL – SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED AND MULTI-FAMILY
- b. NON-RESIDENTIAL INCLUDING MEDICAL CAMPUS AND TOWN CENTER.

2. PURSUANT TO FUTURE LAND USE ELEMENT Objective 1.1K:

- a. RESIDENTIAL (AGE RESTRICTED AND NON-AGE RESTRICTED)
- b. COMMERCIAL INCLUDING BUT NOT LIMITED TO RETAIL, OFFICE, HOTEL, CONVENTION/PERFORMING ARTS CENTER AND THEATER, INDEPENDENT LIVING FACILITY, ASSISTED LIVING FACILITY, SKILLED NURSING FACILITY, MEMORY CARE FACILITY, HOSPICE AND OTHER SIMILAR USES
- c. INSTITUTIONAL/EDUCATIONAL/GOVERNMENTAL/RECREATIONAL INCLUDING BUT NOT LIMITED TO CIVIC AND COMMUNITY FACILITIES, STORMWATER FACILITIES, WASTEWATER, WATER TREATMENT PLANTS AND WELL SITE, RECREATION, PARKS, GOLF COURSE AND MULTI-USE TRAILS AND OTHER SIMILAR USES
- d. MEDICAL CAMPUS INCLUDING BUT NOT LIMITED TO HOSPITAL, CLINIC, PROFESSIONAL OFFICES, PHARMACY, ASSISTED LIVING FACILITY/SKILLED NURSING FACILITY, HOSPICE AND CONTINUING CARE RETIREMENT COMMUNITY (CCRC) AND OTHER SIMILAR USES

3. PURSUANT TO FUTURE LAND USE ELEMENT POLICY 1.1.6:

- a. RESIDENTIAL (AGE RESTRICTED AND NON-AGE RESTRICTED), OFFICE, COMMERCIAL/RETAIL, HOTEL, MEDICAL, RESEARCH AND DEVELOPMENT, LIGHT INDUSTRIAL, INSTITUTIONAL, EDUCATION, RECREATION, URBAN AGRICULTURE AND COMMUNITY FARMING, RECREATIONAL VEHICLE DEVELOPMENT AND OTHER SIMILAR USES AS WELL AS SUPPORTING INFRASTRUCTURE (E.G. ROADS, WATER, SEWER, ETC.)
- b. AGRICULTURAL USES PERMITTED IN THE CITY'S AGRICULTURAL LAND USE AND ZONING ARE PERMITTED ON UNDEVELOPED LAND, BEFORE URBAN DEVELOPMENT COMMENCES PROVIDED SUCH ACTIVITIES ARE NOT IN CONFLICT WITH THE CITY'S COMPREHENSIVE PLAN. PERMITTED USES MAY INCLUDE BUT ARE NOT LIMITED TO SILVICULTURAL, FARMING AND ANIMAL HUSBANDRY.

4. WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

The Villages®

The Villages of West Lake

Land Development Regulations

~~January~~August 2020



Prepared by:



FARNER BARLEY & ASSOCIATES INC.

4450 NE 83rd Road, Wildwood FL 34785

Phone: 352-748-3126 Website: farnerbarley.com



CFB

CLYMER
FARNER
BARLEY

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Chapter 1: General Provisions and Procedures

1.1. Statement of Intent

(A) Purpose

The purpose and intent of this Land Development Regulation (~~Code~~LDR) is to create a customized set of regulations that applies only to The Villages development(s) located within the City of Leesburg (~~the~~ City), Florida, which is only a portion of and supports the larger Villages community, located within Sumter County, Lake County, ~~the~~ City of Wildwood, ~~the~~ Town of Lady Lake, and the City of Fruitland Park. The regulations and requirements contained herein have been made in accordance with the City's comprehensive plan while providing the Developer ~~with~~ a reasonable assurance that The Villages development principles can be achieved and maintained. The ~~Leesburg City's~~ portion of the overall development needs to maintain continuity with the remainder of The Villages, as it is a mature development with most of the residential units, street system, parks, recreation, and amenities in place to serve its residents. Thus, any requirements must consider The Villages as a whole, and not simply the ~~Leesburg~~ portion within the City. In addition, this Code provides clarity and continuity for future development of The Villages within the City. ~~These Land Development Regulations~~This LDR, along with The Villages Construction and Development Manual ~~to establish,~~ establishes the development standards that apply to this project, as amended by the ~~developer~~Developer. The City of Leesburg's Code of Ordinances shall not be used to govern the development of this project. Any item omitted from this code shall be established and/or resolved by The Villages Development Review Committee ~~— (DRC).~~

(B) Requirements

In their interpretation and application, the provisions of this ~~Code~~LDR require the following:

- (1) Promote the public health, safety, and general welfare of the residents;
- (2) Protect the character and maintain the stability of residential, commercial, industrial, agricultural, educational, cultural, recreational, historical, and environmental areas within the development;
- (3) Protect natural and environmentally significant resources;
- (4) Provide adequate open spaces and recreation facilities, which meet the needs of the residents;
- (5) Promote transportation choices to reduce traffic congestion and to improve mobility;
- (6) Define the powers and duties of the ~~Development Review Committee (DRC);~~DRC;
- (7) Define the powers and duties of the Architectural Review Committee (ARC);
- (8) Ensure that all future development approvals and permits for both new and existing projects comply with this ~~Code.~~LDR;
- (9) Accomplish a more desirable community and environment than would be possible through the strict application of ~~Code~~LDR requirements~~;~~;
- (10) Create functional and aesthetic developments~~;~~;
- (11) Preserve the natural resources of the land by providing scenic, functional, and interconnected open areas~~;~~;
- (12) Minimize infrastructure and cost of streets and utilities throughout the development due to an efficient use of land.

1.2. General Development Provisions

(A) Conformity with ~~regulations~~Regulations

Following, and upon adoption of, the Chapter 163 Agreement and this ~~Code~~LDR:

- (1) The regulations contained within this ~~CodeLDR~~ shall be adhered to on all lands contained within the Age-Restricted Development (ARD) zoning classification known as The Villages of West Lake; ~~(VOWL);~~
- (2) No building, structure, or land shall be used or occupied unless in conformity with all of the regulations specified by this ~~CodeLDR~~;
- (3) No building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified by this ~~CodeLDR~~;
- (4) No building or other structure shall be erected or altered in such a manner as to exceed the permitted density or intensity provisions or occupy a greater portion of the lot area than allowed.

(B) Permit Required

No site plan or subdivision shall be approved, no plat shall be recorded, nor shall any building permit, ~~certificate~~Certificate of ~~occupancy~~Occupancy (CO), or any other type of development order or permit be executed, unless the project meets all the requirements of, and has been approved in accordance with, this ~~CodeLDR~~.

1.3. The Villages Development Review Committee

The Villages ~~Development Review Committee (DRC)~~ is a representative committee designated by the Developer to enforce the design standards that cover the commercial portion of the development. The design standards control the architectural, layout, and landscaping within the Project and provide for the authority of the Developer to enforce the design and intent of the commercial development. No commercial construction shall occur without approval from the City and the DRC.

1.4. The Villages Architectural Review Committee

The Villages ~~Architectural Review Committee (ARC)~~ ~~is a representative designated by the Developer to or its designee shall~~ enforce the design standards and deed restrictions ~~of the Developer~~ that cover the residential portion of the development. ~~The restrictions control changes to homes and home sites and provide for the authority of the Developer to enforce the design and intent of the residential development. Residential dwelling units or minor appurtenances thereto, such as private swimming pools, fences, yards, etc., shall be reviewed and approved by the ARC and permitted with the City of Leesburg.~~

1.5. Project Approval Process and Closeout Procedures

The purpose of this section is to establish consistent requirements and procedures for reviewing applications for site plan and/or subdivision approval.

(A) Projects required to obtain permits from the City shall ~~follow~~adhere to the following process:

- (1) Application for development plan approval (Appendix 2) shall be made to the City Manager or designee and include the appropriate review fee. Application shall contain electronic plans (Appendix 4), signed and sealed by a registered professional engineer. Plans shall be prepared according to the standards of this ~~CodeLDR~~. No pre-application meeting is required. However, a Developer or land owner may request a meeting with staff for the purpose of discussing the proposed development prior to the formal application for approval as requested.
- (2) Within two (2) working days of the receipt of an application, the City shall determine whether the submittal is complete. Applicant will be notified immediately of an incomplete submittal.
- (3) When an application is determined to be complete, it shall be distributed for staff review no later than one (1) week from the date the application was determined to be complete.

- (4) All applications shall be reviewed by the staff and comments shall be delivered to the Applicant within 10 working days after application is determined complete.
- (5) The City Manager or designee shall issue a development order/permit within five (5) working days of unconditional staff approval or verification that the City Commission conditions for approval have been met. No site plan or improvement plan shall go before the Planning and Zoning Board and City Commission.
- (6) All site plan approvals shall terminate and become null and void automatically without notice if construction has not commenced within ~~12~~24 months from the date of approval unless the Developer, City, and DRC agree to extend the approval.
- (7) The City agrees to initiate a Residential Building Permit Plan Review and issue a Residential Building Permit within 24 hours of submission, excluding weekends and holidays. The City agrees to initiate a nonresidential Building Plan Review and issue a nonresidential Building Permit within five (5) days of submission, excluding weekends and holidays. The City also agrees to issue residential and nonresidential Certificates of Occupancy within 24 hours of final inspection.
- (8) The City shall not review or comment on utilities that are not owned or maintained by the City. Dry utility designs are not required to be provided to the City for review. ~~Easement~~Easements and/or tract widths for utilities not owned by the City shall be determined by the utility having ownership and maintenance responsibilities.
- ~~(8)~~(9) Building elevations are not required for ~~site~~residential or commercial plan approval.
- ~~(9)~~(10) Plan changes made to the approved plans during construction shall be provided to the City's Planning and Zoning manager and Building Department to be placed into the file of record to update their records. A modification to the permit will not be required, unless required by the Planning and Zoning manager.

(B) Closeout Procedures

Unless a later date is requested by the Developer, final inspection of site improvements shall be scheduled no more than five (5) working days after receipt of the following information:

- (1) Upon completion of the public improvements, the Developer's Engineer shall submit a certificate stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of the ~~Code~~LDR (see Appendix 3: Engineer's Certification of Satisfactory Completion and Final Construction Clearance Procedure).
- (2) Prior to the acceptance of any privately or ~~publically~~publicly maintained improvements, a registered Professional Engineer must certify in writing that the improvements were completed in accordance with the approved improvement plans and construction specifications. The Engineer will provide the Engineer's Certification of Completion and Record Drawings to the City for approval. Record drawings will be provided by the Engineer to the City for approval prior to issuance of site approval. Landscaping, screen walls, entry signage, and fencing is not required to be completed to obtain record drawing approval. The record drawings shall include all plan changes during construction, and shall include the following certification on the submitted plans from the Engineer including signature and date:
 - (a) "I hereby certify that the pavement, curbing, sidewalks, water, sewer, and storm drainage systems have been built in accordance with these "record" drawings. This certification is based on visual inspections. The record drawings are believed to be correct to the best of the Engineer's knowledge and the accuracy of the information cannot be guaranteed."

- (b) Within 90 days of approval of the Record ~~Drawing~~Drawings by the City, the Engineer will provide Final As-Built Plans, and Final Clearance of Potable Water, and Sanitary Sewer Systems by FDEP. The ~~engineer~~Engineer of ~~record~~Record (EOR) shall provide a letter to the City certifying that the constructed stormwater ponds have adequate volume for the development being certified complete. The Developer shall have perimeter walls and perimeter landscaping substantially complete except for where construction access is required or in areas where the buffer shall be installed with the ~~home-dwelling unit~~. AutoCAD files of the final As-Built will be provided to the City.
- (c) The water and sewer utility provider will review and sign off on FDEP Clearance forms for submittal. The utility clearance process shall not hold up or delay in any way the Record Drawing approval process. The potable water and sanitary sewer ~~systems~~ shall be cleared prior to the ~~certificate of occupancy~~CO of a given ~~homedwelling unit~~.
- (3) All building structures and site improvements must be permitted by the City pursuant to Site Plans submitted to and approved by the City. The Developer shall install and complete all required site improvements with documentation including record drawings prior to the City issuing a ~~Certificate of Occupancy~~CO for any permitted structure. Partial clearance may be obtained when proof is provided to the City that life safety items have been completed for ~~Certificate of Occupancy~~CO.

1.6. Community Development Districts

It is anticipated that the development will include one or more Community Development Districts (CDDs) created by the City pursuant to Chapter 190, F.S. It is understood and agreed between the parties that any obligations or requirements placed on the Developer may be transferred to one (1) or more CDDs for implementation and operation, pursuant to the authority in Chapter 190.

1.7. Utility Providers

~~Water, Sewer, and Reuse Services~~

The Developer or ~~assigns~~assignees shall be the provider for water, sewer, ~~effluent~~reuse, and irrigation services.

1.8. Additional Studies

No environmental, archaeological, or transportation studies are required once the ARD zoning and Chapter 163 Agreement have been adopted. Additionally, there shall be no zoning review/compliance applications for site or building permits. All notice of commencements and certification of completions shall be reviewed and approved immediately once received by the City.

Chapter 2: Definitions and Interpretations

2.1. Interpretations of Certain Terms and Words

The terminology and words within this CodeLDR shall be interpreted as follows:

- (A) The singular includes the plural and vice versa.
- (B) The masculine includes the feminine and neuterneutral and vice versa.
- (C) The present tense includes the future.
- (D) The word "shall" is mandatory and the word "may" is permissive.
- (E) The word "person" includes an individual, child, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, and all other groups or combinations.
- (F) The word "writing" includes handwriting, printing, word processed, and all other methods and means of forming letters and characters upon paper.
- (G) The word "land" includes the words water, marsh, swamp, gross land area, and gross acre of land.
- (H) All words defined in this CodeLDR shall carry their customary meaning as found in Merriam-Webster's latest published edition unabridged dictionary.
- (I) Unless otherwise specified at the outset of a Chapter, the definitions listed in section 2.2 shall apply within this CodeLDR.
- (J) Any abbreviations or acronyms used within this CodeLDR are identified after the definition in parenthesis after the term below.

2.2. Definitions

ACOE: U. S. Army Corp of Engineers

Accessory use or structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Administrator: -The City Manager or his designee.

Addition (to an existing building):- Any walled and/or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and/or roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Age-Restricted Development: (ARD): A community/development project that meets the requirements for an age restricted community pursuant to the Federal and Florida Fair Housing requirements and where the land is planned and developed to provide housing with a mixture of housing types, plans for a mixed-use development pattern, provides for the recreational needs of its residents with amenities such as community centers, golf courses, trails, and other similar facilities, supports multiple modes of internal transportation such as bicycles, golf carts, pedestrians, and ensures protection of the environment and natural resources on-site. An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Alley:- A private or public paved passageway between buildings or a passageway permitting access from a street to a garage or storage area.

Alteration of building: Any change in the supporting members of a building (such as load bearing walls, beams, columns and girders), any addition to a building, or any change in a building resulting from the movement of the building from one location to another.

Apartment or Condominium Building (ACB): A structure containing multiple dwelling units (DUs) in which other dwelling units DUs may be located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar dwelling units DUs. Units within apartment or condominium buildings are considered attached dwelling units DUs.

Applicant: A person who has submitted an application to the City.

Architect: Means an architect licensed to do business by the State of Florida.

Arterial street: A street or roadway which is used primarily for fast or heavy volume traffic.

As-built plans: The final plans amended to include horizontal and/or vertical dimensional data of actual construction with data obtained and provided by a Florida licensed surveyor and mapper.

Assisted Living Facility (ALF): A facility where residents live in private units and receive assistance with limited aspects of personal care, such as: taking medication, bathing, or dressing. Units do not contain private kitchens, and meals are provided from a common dining area. Staff is on duty 24 hours per day. This definition does not include nursing homes, convalescent centers, community residential homes, or independent living facilities (ILFs).

Base flood: means the flood having a one percent chance of being equaled or exceeded in any given year (also, Also called the "100-year flood" and the "regulatory flood") by the Federal Emergency Management Agency (FEMA).

Buffer: A natural or landscaped area which acts as a separation area between two (2) or more land uses, parcels, buildings, stormwater management areas, or paved areas.

Building: Any structure having a roof supported by columns or walls that is used or intended to be used for the enclosure, housing, or shelter of animals, persons, or property.

Building height: The vertical distance from the mean elevation of the finished grade of a building to the highest point of the roof surface. Building height shall be stated in feet.

Building permit: A formal notice of authorization required to be obtained from the City of Leesburg before any new construction or major alteration or expansion of existing structures is allowed.

Building setback: The distance between a given lot line, face of building, normal water line, right-of-way line, and any portion or part of any structure.

Building setback line: A line which represents the required building setback for a given building on a given lot.

Building site: A parcel of land upon which a building or structure has been, or is intended to be, constructed.

City: The City of Leesburg, Florida.

City Commission: The governing body of the City of Leesburg officially known as the Leesburg City Commission, including the mayor and other Commission members.

Clinic: A health facility, or portion of a health facility, where patients are not lodged overnight, but are examined and/or treated by licensed dentists, physicians, and/or other health care personnel.

Code: The Villages of West Lake Land Development Regulations (LDRs).

Code of Ordinances: The Code of Ordinances of the City of Leesburg, Florida.

Collector Roadway: A street which carries traffic from local streets to the arterial streets in residential and business areas. Such streets serve as linkages between land access and mobility. Traffic volumes and speeds are usually moderate. Collector streets shall allow golf carts.

Community Development District: (CDD): A local, special-purpose government framework authorized by Chapter 190, Florida Statutes as amended, and is an alternative to municipal incorporation for managing and financing infrastructure required to support development of a community.

Community residential home: A dwelling unit DU licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for seven (7) to fourteen unrelated

residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes with six (6) or fewer residents, which otherwise meet the definition of a community residential home, shall be deemed a single-family unit and a noncommercial, residential use. See F.S. § 419.001 (a).

~~Comprehensive plan:~~ Plan: The City of Leesburg ~~comprehensive plan~~ Comprehensive Plan adopted by the City Commission and amendments thereto in compliance with the requirements of Florida statute.

Condominium:- See "Apartment or ~~condominium building~~ Condominium Building."

Conforming lot:- Any lawful lot which complies with the provisions of this ~~Code~~ LDR and other applicable City ordinances.

Conservation easement:- A right or interest in real property, which is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition, retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses; and which prohibits or limits the activities as described in Florida statute.

Construction:- Shall mean the building, assembling, expansion, modification, or alteration of the existing contours of the site, the erection of buildings or other structures, or any part thereof, or land clearing (unless an agricultural operation).

Corner lot:- A lot or parcel of land which is located at the intersection of, and abutting on, at least two (2) streets.

County:- Lake County, Florida.

Cul-de-sac:- A local, dead-end street which has a turn-around at the closed end and is used primarily for access to the abutting properties.

Datum: A reference surface used to ensure that all elevation records are properly related. The current national datum is the National Geodetic Vertical Datum of 1929, which is expressed in relation to mean sea level, or the North American Vertical Datum of 1988. Density: means the maximum amount of DUs allowed on a project site. This relationship is identified on a unit per gross developable acre basis.

~~Density: means the maximum amount of dwelling units allowed on a project site. This relationship is identified on an unit per gross developable acre basis.~~

Developer:- Any person who engages in or proposes to engage in development either as the owner or as the agent of an owner of property.

Development:- All construction activity within the limits of the ARD zoning and land use category.

Development order: ~~Means any~~ Any order, permit, or other official action of the City granting, or granting with conditions, an application for development.

Ditch:- An artificial waterway for irrigation or stormwater conveyance.

Dwelling:- Any building, or portion thereof, which is designed to be used, or is actually used, as living quarters for one or more persons, families, or households. Such a building must be supported by, at a minimum, walls which are complete from the bottom floor to roof.

Dwelling unit:- (DU): A room or group of rooms which is equipped for independent housekeeping and is occupied, or is intended to be occupied, by not more than one (1) person, household, or family.

Easement:- A grant by the property owner to the public, a corporation, person, or other legal entity, of the use of a specific portion of land for a specific purpose.

Enclosed use:- A use which is located entirely within a structure.

Excavation:- The reducing or lowering of the natural level of ground.

~~Florida Department of Environmental Protection: FDEP~~

~~Florida Department of Transportation: FDOT~~

~~Federal Emergency Management Agency: FEMA~~

Flood Insurance Rate Map (FIRM):- An official map of the City on which ~~the Federal Emergency Management Agency (FEMA)~~ FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the City.

Floor:- The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area:- The gross horizontal area of all the floors in a building (including attics, basements, and penthouses). It is measured from the exterior faces or columns of the exterior walls of a building.

Floor Area Ratio (FAR): The ratio of a building's gross floor area to the area of the ~~lot on which the building is located. For example, a floor area ratio of 1.0 applied to a 20,000 square foot piece of property would permit a single-story building of 20,000 square feet (20K/20K=1) or a building of any number of floors whose cumulative square footage does not exceed 20,000 square feet.~~ Project.

Florida Department of Environmental Protection: FDEP

Florida Department of Transportation: FDOT

Future Land Use Map (FLUM): The map within the future land use (FLU) element of the comprehensive plan that delineates the City's ~~future land use~~ FLU designations pursuant to Florida statute.

Garage: An accessory building primarily used for the parking of one (1) or more motor ~~vehicle~~ vehicles.

Grade:- The elevation of the ground surface.

Home Owner's Association (HOA) or Property Owner's Association (HOA)(POA): An organization in a subdivision, condominium, or other similar development that makes and enforces rules for the properties ~~in~~ within its jurisdiction.

Hotel:- a commercial establishment providing lodging and, usually, meals and other services for the public, especially for travelers. This definition also includes motels.

Household:- One (1) or more persons, not necessarily related by blood, marriage, or other legal action, who occupy a single ~~dwelling unit~~ DU and live as a single, non-profit housekeeping unit.

Independent Living Facility (ILF): A living arrangement in which people with special needs, especially seniors with disabilities, reside in independent living units which may contain a private kitchen. The facility may provide help with everyday tasks such as bathing, dressing, and taking medication. This definition does not include ~~assisted living facilities~~ ALFs, nursing homes, or community residential homes.

Institution:- The structure or land occupied by a group, cooperative, board, agency, or organization created for the purpose of carrying on functions of a public or semi-public nature. Examples of an institution include a hospital, health clinic, school, church, fraternal order, civic club, and orphanage.

Intensity: The maximum amount of building square footage allowed ~~on a project site~~ within the Project. This relationship is identified in FAR: "Floor Area Ratio".

Interior lot:- A lot other than a corner lot or double frontage lot.

Karst features: Physical features in limestone such as sinkholes, depressions, and solution tubes that act as conduits reducing the travel time of water through limestone as compared to soil or to limestone lacking karst features.

Land Development Regulations (LDR): The Villages of West Lake Land Development Regulations (LDR).

Landscaping:- Living plant material and non-living durable material used in outdoor environmental design that enhances the appearance of land.

Legal Description: A "courses and distances" legal description, often referred to as a "metes and bounds" legal description, which maps the desired property when transferred to GIS mapping software.

Local street:- A street which connects properties to collector streets. These roads provide service which is of low average traffic volume and of high land access for abutting properties. Local streets shall allow golf ~~cart~~ cars.

Lot:- Any tract or parcel being the least fractional part of a subdivision having limited fixed boundaries. A lot may be identified by an assigned number. Furthermore, a lot is capable of being lawfully occupied and utilized for a structure and/or use as defined in this Code LDR.

Lot depth:- The horizontal distance (excluding surface or ground depressions) between the front lot line and the rear lot line.

Lot lines:- The lines bounding a lot as defined in this [CodeLDR](#).

Lot width:- The distance between the side lot lines, measured at point where the front setback is taken.

Main or principal building:- The building in which the principal use of the lot is conducted.

Maintenance:- The action taken to restore or preserve the functional design or intent of any facility, system, or structure.

~~Mass Grading: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the engineer of record and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is an approved use.~~

Mining: An area of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade. Additionally, mining shall be considered all excavation not considered Stormwater Earthworks. Excavated mined materials can be transported offsite.

Mixed use building: A building which includes two [\(2\)](#) or more use categories, one [\(1\)](#) of which should be residential.

Motel:- see "[hotelHotel](#)".

Multi-family residential: A structure containing multiple [dwelling-unitsDUs](#) in which other [dwelling-unitsDUs](#) are located above or below it, and which any architectural feature integral to its design is connected with at least two [\(2\)](#) or more adjacent similar [dwelling-units-DUs](#). Units within apartment or condominium buildings are considered attached [dwelling-unitsDUs](#).

New construction:- Structures for which the start of construction commenced on or after the effective date of this [CodeLDR](#).

Nonresidential Building (NRB): Any structure not containing a residential [dwelling-unitDU](#) or residential use.

Nursing home: A facility for patients who are recovering health and strength after illness or injury, or receiving long-term care for chronic conditions, disabilities, or terminal illnesses. Facilities provide 24-hour supervised nursing care and feature extended treatment that is administered by a skilled nursing staff. The residents do not live in private units and the residents typically do not leave the facility until well enough to do so. The facilities provide personal care, room, board, laundry service, and organized activities. This definition does not include community residential facilities, ~~assisted living facilities, or independent living facilities-ALFs, or ILFs~~. This definition does include convalescent centers and skilled nursing facilities.

Office:- A building, room, or space where clerical, professional, or administrative activities are performed. Such a building, room, or space may be the principal structure, a portion of the principal structure, an accessory structure, or a portion of an accessory structure on a lot.

Open space: Shall include wetlands, preservation areas, greenspace, stormwater ponds, floodplain compensation areas, and landscape buffers. Open space may include areas such as trails, golf, plazas, courtyards, and other similar public areas. Open space may also include recreation areas and amenities, provided said amenities or ~~area-is~~ areas are not enclosed with conditioned space. Open space shall not include areas within a right-of-way. Open space shall be calculated for the entire ARD area as a whole, not per individual projects.

Owner:- The person in who is vested the fee ownership, dominion, or title of property (i.e., the proprietor). This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

Parking space:- A portion of a parking area which is clearly marked as being intended for the storage of one [\(1\)](#) vehicle or golf ~~cart~~car(s).

Permitted use:- A use which is lawful under the terms of this [CodeLDR](#).

Person:- Any and all persons including any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

Planning and Zoning Board:- The City of Leesburg Planning and Zoning Board as provided for in this CodeLDR.

Premises:- A parcel of land and any structures occupying the parcel of land.

Principal building:- See "mainMain or principal building."

Principal use:- The actual primary function for which a lot and buildings upon it are used.

Private club:- A building or portion thereof, owned and/or operated by a corporation, association, person, or group for a civic, educational, recreational, social, or other public or semi-public purpose.

Professional Surveyor and Mapper:- A surveyor and mapper licensed by the State of Florida.

~~Project: Improvements related to existing residential or nonresidential sites in which this Code requires a permit or application approval.~~

Project: The Project is the entire Villages of West Lake.

Recreational Vehicle Development (RVD):- An area set aside primarily for temporary travel trailers, campers, and other recreational vehicles- (RVs). This facility is intended to provide temporary, non-permanent water, sewer, and electrical hook-ups for such vehicles in exchange for a specified rate of compensation. This is considered a commercial use.

Reuse: Wastewater that is treated to meet public access standards.

Right-of-Way (ROW):- An area of land over which people and goods have the right to pass or travel. A public right-of-way grants passage to all and may grant the right to park registered vehicles in accordance with City parking restrictions. ~~PublicA public~~ right-of-way is a form of easement dedicated to the City during subdivision or site plan for public use. ~~RightRights~~-of-way ~~isare~~ not part of the adjacent parcels; the right-of-way boundary usually coincides with adjacent parcel property lines or tracts.

School:- A building and/or property utilized for the purpose of providing formal primary, secondary, and/or post-secondary education/training.

Service street:- A local street or alley used to provide rear-yard access to businesses, institutions, and residences for the purpose of providing services (for example, garbage collection or delivery services).

Sidewalk:- A path that is intended for pedestrians and non-motorized vehicles. Sidewalks may be located on private property or within a right-of-way.

Sign:- Any display device which is designed to visually or graphically inform, or attract the attention of, persons passing by the device.

Single Family Attached (SFA): A ~~dwelling-unitDU~~ connected to at least one (1) adjacent ~~dwelling unitDU~~ by any architectural feature integral to its design or the design of its garage, excluding fences, posts, utility screen walls, stoops, driveways, walkways, and air conditioning pads.

Single ~~family-detachedFamily Detached~~ (SFD): A traditional stand-alone ~~dwelling-unitDU~~ that houses a single family and shares no connection to another ~~dwelling-unitDU~~.

Site plan:- The drawing(s) which put forth an applicant's proposal for the development of a particular piece of land that is certified by a registered professional engineer.

SJRWMD: Southwest Florida Water Management District: SWFWMD

St. Johns River Water Management District: SJRWMD

Stormwater Earthworks: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the ~~engineer-of-recordEOR~~ and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is ~~aan approved and~~ common use. ~~Excavation-ofExcavated~~ material can be exported offsite.

Story:- That portion of a building included between the surface of any floor and the surface of the next floor above it. In the event there is not a floor above the former, then the story is that portion of a building between the top floor and the ceiling above it.

Street:- A public or private thoroughfare which affords the principal means of access to abutting property. Alleys shall not be considered streets.

Structure:- A man-made object having a relatively stationary location on or in land or water whether or not it is affixed to the land or on a permanent foundation.

Subdivider:- Any firm, corporation, partnership, person, or other legal entity who, acting as a unit, voluntarily engages in or proposes to engage in, the division of a parcel (or parcels) of land into smaller parcels of land.

Subdivision (residential):

(a)- The division of any parcel of land into three (3) or more contiguous lots for the purpose of building, development, or transfer of ownership; or any division of a parcel of land requiring a new street or modification to an existing public street, or the provision of other public facilities or improvements, including but not limited to, drainage facilities and utilities. This term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

(b)- Subdivision shall not mean:

- (1) The transfer of property by sale, gift, or testate or intestate succession from the property owner to his or her spouse or lineal descendants, provided that all required utilities are in place prior to the issuance of a development permit,
- (2) The transfer of property between tenants in common or joint tenants for the purpose of dissolving the tenancy in common or joint tenancy,
- (3) The sale or exchange of parcels of land between owners of adjoining properties provided that additional lots are not thereby created and that the parcels remaining are not reduced below the minimum sizes required by the CodeLDR.

Substantial improvement:- ~~Means any~~ Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure in which the cumulative costs equals or exceeds 50 percent of the market value of the structure.

The market value of the structure should be:

- (a) The appraised value of the structure prior to the start of the initial repair or improvement, or;
- (b) In the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety Codecode specifications, which are solely necessary to assure safe living conditions.

SWFWMD: Southwest Florida Water Management District

Tower:- shall mean a structure, greater than 35 feet in height (including any antennas attached thereto), which supports one (1) or more antennas, not including however any amateur radio operator antenna as licensed for that purpose by the Federal Communications Commission- (FCC).

U.S. Army Corp of Engineers: ACOE

Utility: Entity providing potable water, irrigation, and/or sanitary sewer services.

Wetlands:- Lands which are identified by being inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and noncontiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bogs, wet prairies, and freshwater marshes.

Chapter 3: Zoning and Architectural Standards

3.1. General

The approved zoning for the project is Age-Restricted Development (ARD) as amended from time to time.

3.2. Principal Uses

The principle or main use(s) and associated structures of a property shall be allowed as one of the following:

A) Permitted Use

This use is hereby established as the general use(s) in the ARD zoning category as specified below and is a use of right when in compliance with the requirements of this ~~Code~~DR.

- (1) Conservation uses: wetlands, forested lands, pastures, environmental ~~habitat~~habitats, karst areas, open water, ~~and~~ lands set aside to be protected and other similar uses;
- (2) Agricultural uses: citrus/~~field~~ crop production; keeping and/~~or~~ grazing of livestock; agricultural product transfer ~~station~~stations; silviculture; aquaculture; horticulture, greenhouses and nurseries (commercial); urban agriculture and other similar uses;
- (3) Residential uses:~~single family detached (SFD); single family attached (SFA); multi-family residential; apartment or condominium building (ACB); dwelling~~ units (DUs) located above the ground floor in a mixed use building (MUB); community club ~~house, pool~~houses, pools, or other amenities associated with residential projects; independent living ~~facility (ILF); facilities (ILFs)~~ and other similar uses;
- (4) Institutional, governmental, tourism, civic, and recreational uses: public recreation ~~facility~~facilities or ~~park~~parks; bed and ~~breakfast~~breakfasts; hotels and motels; golf courses and driving ranges; commercial recreation ~~facility~~facilities such as skating rinks, movie theaters, and other similar uses; health clubs and fitness centers; community residential ~~home~~homes; assisted living ~~facility (ALF)~~facilities (ALFs); nursing ~~home~~homes; skilled nursing ~~facility~~facilities; child care facilities/day care; professional, business, and technical schools; public schools and private schools offering curricula similar to that of public schools; colleges and universities containing dormitories; churches and places of worship; museums and other cultural facilities; hospitals; veterinary ~~clinic~~clinics or temporary pet boarding; cemeteries and mausoleums; funeral homes, crematories, and other similar service establishments; private clubs and lodges; public buildings owned, operated, and used by a government entity such as city ~~hall~~halls, city hall annexes, police and fire stations, libraries, post ~~office~~offices, and other similar uses; street and highway department ~~garage~~garages or maintenance ~~facility~~facilities; utility facilities such as electric sub stations, water and wastewater treatment plants, well sites, and other similar uses; ~~skilled nursing facilities; independent living facilities~~;
- (5) Commercial office and business park uses: business technology ~~park~~parks, medical or dental ~~office~~offices, professional service establishments and offices; banks, credit unions, and financial institutions and other similar uses;
- (6) Commercial retail uses: retail sales establishments such as department, electronic, office supply, grocery, and other similar stores; restaurants and cafes (without alcohol consumption or sales); ~~bar, tavern~~bars, taverns, restaurants, or cafes serving alcohol (on- and off-site consumption); liquor ~~store~~stores (sales of hard alcohol for off-site consumption); copy centers; beauty ~~shop~~shops, dry cleaning, pet grooming, and other similar personal service establishments; specialty shops such as antique shops, art showrooms, boutiques, and other similar shops; service and repair shops for automobiles, small engines, and other similar uses; retail and wholesale commercial establishments for lumber, building, and landscaping

supplies, farm equipment, and other similar uses with potential outside storage of products; auto ~~dealership~~dealerships, golf ~~cart~~car and similar sales; convenience ~~store~~stores; fuel stations; food trucks, temporary or permanent; indoor and outdoor commercial recreational uses; storage facilities (indoor); outdoor storage facilities for RVs, boats, campers, vehicles, machinery, equipment, or other similar items; ~~recreational vehicle development~~RV developments and other similar uses;

- (7) Industrial uses: wholesaling, warehousing, bulk storage, or distribution establishments, and similar uses; research laboratories and associated activities; light manufacturing, assembling, processing, packaging, or fabricating; outdoor storage yards and similar uses such as junkyards, scrap yards, and salvage yards; building or landscape ~~contractor~~contractors with on-site equipment storage; concrete or asphalt plants; concrete block ~~plant~~plants; manufacturing of nonhazardous materials; manufacturing or warehousing of chemicals, fertilizers, hazardous, or biohazardous materials; electric, gas, or energy generating ~~facility~~facilities; solid waste transfer stations; landfills; tower and wireless communication services; mining and excavation; and other similar uses;
- (8) Mining: No permitting or zoning approvals within the City is required. The developer shall provide the City with the approved FDEP and ~~Water Management District~~water management district permit as applicable prior to construction.

B) Agricultural

The property has historically been used for agricultural activities and the Developer may pursue bona fide agricultural and ~~silvacultural~~silvicultural uses on the property. For purposes of this ~~Code~~LDR, Site Plan is defined as either a commercial site plan approval or a residential improvement plan approval from the City. There may be numerous site plans on the property. However, site plan approval is specific and does not necessarily apply to other areas on the property.

3.3. Accessory Uses and Structures

All accessory uses and structures shall be approved by The Villages DRC or ARC as applicable.

3.4. Temporary Uses

Temporary uses may be approved by the DRC.

3.5. Variances

All variances to this ~~Code~~LDR shall be approved by The Villages DRC or ARC as applicable.

3.6. Recreational Vehicle Developments

(A) Purpose

The purpose of this section, applying to ~~Recreational Vehicle Developments (RVD)~~RVDs, is to provide an environment in which ~~recreational vehicles~~RVs or dwellings may be located to enhance the enjoyment of leisure time activities and to provide a means whereby the use occurring upon the land will be made more compatible with the surrounding properties. The following provisions shall apply to RVDs permitted by this ~~Code~~LDR.

(B) Definition

An RVD shall include a parcel of land under unified management which has been planned, designed, and constructed for the placement of units for short-term, long-term, or permanent occupancy for recreational purposes.

(C) ~~A recreational vehicle (An RV)~~ shall include:

- (1) Travel trailer - A vehicular, portable structure built on a chassis, designed as temporary living quarters for travel, recreation, and vacation. This includes, but is not limited to: bumper pull, 5th wheel, sport utility, and various styles as pulled by a vehicle.
- (2) Truck camper - A structure designed to be mounted on a truck chassis for use as temporary living quarters for travel, recreation, and vacation.
- (3) Motor home - Constructed on a commercial truck chassis, a specially designed motor vehicle chassis, or a commercial bus chassis.
- (4) Camping trailer - A canvas or other collapsible folding structure, such as pop-up, or tent trailer, mounted on wheels, designed as temporary living quarters for travel, recreation, and vacation-use.
- (5) Park model (or park trailer) - A transportable unit, which has a body width not exceeding 14 feet, which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Units constructed to ANAI A-19.5 shall not exceed 399 square feet. Units constructed to the U.S. Department of Housing and Urban Development (HUD) standard shall not exceed 500 square feet. All measurements are to be taken along the exterior when in a setup mode. All "park trailers" must be set up and anchored as established by the Florida Building Code.
- (6) Houseboat - A ~~houseboat is a~~ boat that has been designed or modified to be used primarily as a functional dwelling. Houseboats may or may not be motorized, and can be permanently moored to a fixed point attached to the land.

(D) A recreational dwelling shall include:

- (1) Cabin - A cabin is a small, permanent structure of no more than ~~1500~~1,500 square feet designed to provide lodging in a recreational area.
- (2) Tiny house - A tiny house is a small, permanent structure of no more than 500 square feet designed to provide lodging in a recreational area.
- (3) Glamping dwelling - A glamping dwelling may include, but is not limited to, a permanent or semi-permanent structure with a membranous exterior that may or may not be connected to utilities, but is securely fastened to the ground.
- (4) Tree house - An elevated, permanent platform structure used for lodging in a ~~recreation~~recreational area when connected to utilities necessary for operation of installed fixtures and appliances in or around treed areas.
- (5) Hill House - A permanent structure set at or just below earth plain used for lodging in a ~~recreation~~recreational area when connected to utilities necessary for operation of installed fixtures and appliances and cover with earth.

(E) Permit Process

- ~~(6)~~(1) RVDs must go through the site plan approval process in this ~~code~~LDR.
- ~~(7)~~(2) RVDs where units will be sold must also follow the Record Plat process.

(F) General provisions

- ~~(8)~~(1) RVDs shall be classified as a tourism-oriented mixed-use development, with a combination of residential, commercial, and support uses in the ARD zoning district.
- ~~(9)~~(2) As a condition of the site plan approval, the following uses may be permitted, but not limited to: commercial and non-commercial, recreation facilities (such as pavilions, sports courts, gathering spaces and structures, etc.), entertainment facilities, park offices, maintenance facilities, dumping stations, toilets, showers, laundry facilities, tourist-oriented retail developments, such as: retail sales establishments, personal service establishments, food service establishments with or without alcohol sales, child care centers, RV model units, or sales and service establishments, mobile ~~home~~homes, single

family detached or attached ~~dwelling~~dwellings, enclosed storage structures and storage garage facilities. No such structures shall be located within any required setback, any required perimeter buffer, or any utility or drainage easement.

- (a) Such uses shall be conducted for the convenience of the occupants and guests of the RVD, and the public;
- (b) Such retail establishments may be oriented to the interior or exterior of the RVD.

(G) Specific provisions

~~(10)~~(1) All RVDs shall contain a minimum of 10 acres.

~~(11)~~(2) There shall be a building setback of 10 feet from any road right-of-way for any commercial building or accessory building.

~~(12)~~(3) Property adjacent to federal, state, or county highways shall maintain a minimum building setback of 50 feet from the highway right-of-way for any structure or RV. The minimum building setback for property adjacent to interior roads is 10 feet.

~~(13)~~(4) All RVs and additions shall have no side or rear setback, but must maintain 10 feet of building/RV separation.

~~(14)~~(5) A well-maintained, landscaped buffer of at least five (5) feet is required around the perimeter of the RVD.

~~(15)~~(6) There is no minimum lot size, lot width, or lot depth.

~~(16)~~(7) The density of 30 lots per acre may not be exceeded.

~~(17)~~(8) Internal roadways must have a minimum width of 12 feet for one-way drives or 24 feet for two-way drives.

~~(18)~~(9) Adequate trash disposal facilities or services shall be provided with easy access from each site.

~~(19)~~(10) Each lot shall be identified by a marker clearly visible at a minimum distance of 20 feet.

~~(20)~~(11) All structures, additions, and attachments located in the RVD must be constructed to meet standard building codes. Such additions and attachments shall include, but are not limited to: carports, storage sheds, cabanas, screen rooms, pull-out or tip-out units, skirting and awnings, pergolas, gazebos, and shall be permitted, except as qualified below:

- (a) No such addition or attachment shall be attached to any RV having a vehicular body length less than ~~twenty~~20 feet.
- (b) Additions and attachments may be designed to be removable. They may be attached to the RV and parking or patio pad.
- (c) No such addition or attachment shall be located within any setback, any perimeter buffer of the RVD, or any utility or drainage easement.
- (d) Additions or attachments may be connected to utilities, including, but not limited to: sewer, water, electric, and gas.
- (e) All additions and attachments must be properly permitted as required by state and local law.

~~(21)~~(12) All "park trailers" or "park models" shall be required to obtain permits prior to set-up or connection to utilities, as pursuant to this code.

3.7. Buffer Requirements

Table 3-1 lists the density, intensity, lot standards, buffers, and setbacks.

Table 3-1: Density, Intensity Lot Standards, Buffers, Setbacks

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units / ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ³ (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	50 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50	50	50	50	50
* Per Florida Building Code criteria					
1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner's association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.					
2. Up to a 3.0 FAR may be used in a town center or similar use.					
3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.					
4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.					
5. The maximum building height applies unless adequate fire protection is available.					
6. RVDs are considered non-residential units.					
7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.					

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units/ ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ^{3,7} (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	20 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50' **	50' **	50' **	50' **	50' **
* Per Florida Building Code criteria					
**Unless adequate fire protection is provided.					
1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner's association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.					
2. Up to a 3.0 FAR may be used in a town center, medical campus and similar use areas.					
3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.					
4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.					
5. The maximum building height applies unless adequate fire protection is available.					
6. RVDs are considered non-residential units.					
7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.					

(A) Perimeter Buffer

The development shall include a 20-foot perimeter landscape buffer easement or tract along ~~The Villages of West Lake~~the VOWL boundary lines. No perimeter landscape buffer is required where landscaped open space, recreation, golf, stormwater ponds, compensating storage areas, wetlands, upland buffers, or other conservation areas are located along the property boundary. In addition, no perimeter buffer shall be required for portions of the property that are adjacent to compatible uses being constructed by the same developer.

(B) Walls/ Fence

The 20-foot perimeter landscape buffer may be eliminated if an approximate six-foot high wall or opaque fence is installed, for which no landscaping is required. Walls or opaque fences may be constructed within project setbacks.

(C) Internal Parcels

No onsite landscape buffer shall be required between internal parcels or uses. No landscape buffer shall be required along perimeters of the project abutting properties not owned by the Developer with similar land uses.

(D) Stormwater Ponds

Stormwater ponds, existing topographic depressions, grading, and compensating storage areas shall be allowed within the perimeter landscape buffer.

(E) Residential ~~Home~~Dwelling Unit Site

Where a 20-foot perimeter landscape buffer or wall/fence is required on residential ~~homedwelling unit~~ sites, the landscape and irrigation or wall/fence shall be installed with each individual ~~homedwelling unit~~ being constructed.

3.8. Commercial Architectural Standards

(A) Building Design

The design of individual buildings will be representative of the architectural style established by the Developer for the community and will be subject to review and approval by the DRC. These buildings may exhibit individual detailing for harmonious diversity and may vary in specific materials, finishes, and color palettes.

(B) Specific Architectural Design Standards

- (1) All commercial electrical controls, meters, etc. shall be mounted on building walls, free standing walls, or dumpster enclosure walls. Freestanding electrical “racks” shall be prohibited, unless specifically approved by The Villages DRC.
- (2) All commercial building-mounted boxes (i.e., electrical, irrigation control boxes, gas meters, etc.) and associated conduit and piping shall be painted to match the wall to which they are mounted, as permitted by the utility companies.
- (3) Exterior building lighting is permissible if the effect is compliant with the objective of achieving a soft glow rather than brilliant or glaring effect. Architectural lighting (fixtures attached to or integral with a building or structure) shall be selected or approved by the DRC.
- (4) Where dumpsters are required, enclosures shall be finished with materials, color, and detailing similar to the associated building. Dumpster enclosures that serve facilities that dispose of food waste or other organic materials shall be constructed with a drain and hose bib for wash down. Drains shall be connected to a grease interceptor.
- (5) Where required, Fire Department Connections (FDCs) must be located ~~on the building structure wall (no remote FDCs)~~per governing fire department specifications and near

other critical utilities (i.e., power disconnect, gas, etc.) that may need to be turned off in case of a fire, unless specifically approved by The Villages DRC.

- (6) Buildings that require a fire sprinkler system shall have backflow preventers located inside the building.
- (7) All commercial rooftop equipment shall be screened with parapets, landscape, or architectural features.
- (8) All commercial ground-mounted HVAC heating, ventilation, and air conditioning (HVAC) equipment shall be screened with a structural and/or landscaped screen wall.
- (9) All project sign locations and design elements are exempt from the City's sign requirements and sign permits and shall be determined and approved by the DRC. These include the following:
 - (a) Project "Welcome" signs
 - (b) Primary entry wall features and signs
 - (c) Secondary entry wall features and identification signs
 - (d) Directional signs
 - (e) Occupant identification signs
- (10) All project lighting shall be designed to meet the guidelines established by the Illumination Engineer's Society of North America (IES) to provide safe lighting levels, to the maximum extent possible as determined by the Florida-licensed design professional who prepares the lighting layout.

(C) Landscape Design Objectives

The overall objective of landscape design in the development is to create a unique and instantly recognizable setting with a consistent sense of design character for the various uses, facilities, and common areas within the community. The landscape may vary in character based on the specific architectural design. The scale and extent of the landscaping will reflect that of the building, site, and setting, as well as that of other sites in the vicinity. The consistency of the landscaping is intended to add an image of quality to the community and to unite the various uses and facilities within the project through consistency of materials and continuity of design.

The design of all landscaping and irrigation within the community will occur via a review and approval process administrated by the DRC. For optimum creativity and quality, this process must be somewhat subjective, thus a limited amount number of specific criteria can be cited herein. The design effect will be defined and perpetuated by completed areas within the community as they are built. The DRC will require the same design approach for all subsequent facilities in the project, including outparcels developed by others.

(D) Maintenance of Common Areas

Maintenance of structures and common areas, including landscape maintenance, within the development shall be owned and maintained by the POA, HOA, and/or a CDD, at no cost or obligation to the City. The Developer/owner shall create guidelines for the maintenance of common areas.

3.9. Street Names and Address Numbers

Street names and address numbers for dwelling units and places of business on all public and private streets shall be assigned by The Villages.

Chapter 4: Site Plan Regulations

4.1. Site Plan Review Process and Permits

(A) Site Plan Requirement

An approved site plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop land for which a site plan is required except in accordance with an approved site plan.

(B) Applicability

The requirement for site plan approval applies to all sites located within the ARD zoning classification.

(C) Pre-Design Meeting

It is recommended that each applicant have a pre-design conference with The Villages DRC prior to preparing plans and permit applications.

(D) Site Plan Application

Applicants seeking site plan approval shall submit an application to the City and The Villages DRC for a concurrent review.

(E) Permits

The applicant shall obtain permits from the City, The Villages DRC, ~~Water Management District~~the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(F) Expiration of Approvals

The approval of the site plan shall be valid for a period of 12 months. If the applicant has not obtained a permit for construction of the site within 12 months and if an extension of time has not been approved by the City Commission and The Villages DRC on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this ~~Code~~LDR.

(G) Plan Approval

The approved site plan shall be the governing document for all such development. Where there are conflicts or discrepancies with other city policies, procedures, ordinances, or regulations, the Villages DRC shall govern.

(H) Minor Site Plans

Minor site plans are required for nonresidential development that has been determined by the City to have limited potential for off-site impacts. Minor site plans may be approved by the Planning and Zoning Manager. Due to the limited off-site impacts, submittals are not required to provide all required information listed below. Refer to the minor site plan application for required submittals.

Minor site plans may apply to the following:

- (1) Additions to existing structures that are less than 50 percent of the total square footage of the existing structure and do not exceed 2,500 square feet,
- (2) Changes in use without addition to existing structures but require other on-site improvements such as stormwater or parking improvements, and/or

- (3) Accessory structures such as restroom facilities, dumpsters, pavilions, amenities, golf starter facilities, guard houses, etc. that adhere to the following criteria:
 - (a) Does not exceed 2,500 square feet;
 - (b) Restricted to one (1) story;
 - (c) Consistent construction and architectural style as the primary structure.

4.2. Site Plan Requirements

(A) Layout

Site plans shall be prepared on sets of sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following minimum standards:

- ~~(22)~~(1) Each applicable site plan sheet shall be prepared by a Florida licensed engineer or surveyor as the context requires.
- ~~(23)~~(2) All applications must be accompanied by proof of property ownership in the form of a copy of a deed or the most current property tax bill.
- ~~(24)~~(3) A topographic survey showing existing contour intervals of one foot for the site, extending 50 feet beyond the site boundary, where practical, and including water surface elevations for all water bodies and the date obtained; and proposed finished elevations based on the most recent United States Geodetic Survey topographic data (NAVD88), prepared by a professional surveyor licensed to do business in the State of Florida.
- ~~(25)~~(4) The scale must be no smaller than one inch equals 100 feet. Information may be combined in the drawings so long as they remain uncluttered and readable.
- ~~(26)~~(5) A vicinity map showing the location of the proposed site plan with relationships to surrounding streets and thoroughfares.
- ~~(27)~~(6) Title sheet must include:
 - (a) Location Map;
 - (b) Legal Description;
 - (c) Owner/consultant contact information including name, address, and phone numbers;
 - (d) Index list of sheets.
- ~~(28)~~(7) Geometry Plan must include – as applicable to the project:
 - (a) Site data:
 - Parcel area, pavement and building area, and open space area
 - Zoning
 - Proposed land use
 - Required and actual parking to be provided
 - Flood zones, if applicable
 - (b) Dimensions (including building dimensions);
 - (c) Sign locations;
 - (d) Dumpster pads with solid enclosures and solid gates are required. Food preparation businesses must install a dumpster pad drain connected to a grease interceptor;
 - (e) Boundary bearing and distances;

- (f) Building setbacks;
- (g) Handicap spaces and signs;
- (h) Traffic signs and striping - All traffic control signs (including handicap parking signs) must be installed on “decorative” posts in accordance with The Villages standards;
- (i) Driveway pavement radii - All driveway entrance radii must be a minimum of 35 feet and all driveway exit radii must be 25 feet;
- (j) Utility contacts.

~~(29)~~(8) Joint use easements for shared driveways, if applicable.

~~(30)~~(9) Grading and Drainage Plan must include:

- (a) Existing topography - topographic surveys must be based on NAVD 88 datum;
- (b) Proposed grades;
- (c) Wetlands and/or surface waters;
- (d) Storm sewer ~~lines & mains and~~ inlets, including pipe lengths and percent grade;
- (e) Finished floor elevations;
- (f) Roof drains - downspouts are not allowed to discharge onto grass or landscape areas;
- (g) Landscape berms;
- (h) Proposed grading to streets, property lines, etc.

~~(31)~~(10) Utility Plan must include the following as applicable to the site:

- (a) Water mains and service lines;
- (b) Sanitary sewer system;
- (c) Water meter and backflow prevention assembly locations and sizes;
- (d) Street lights;
- (e) Nearest fire hydrant location(s);
- (f) FDC, if applicable - Above-ground backflow preventers are not permitted. ~~Backflow~~Fire sprinkler system backflow preventers should be located in the vertical riser within the building;
- (g) Grease interceptors – required in an external location for any business supplying food services.

~~(32)~~(11) Erosion and Sediment Control Plan – must include:

- (a) Silt fencing;
- (b) Inlet protection (on-site and off-site);
- (c) Temporary gravel construction entrance.

4.3. Site Plan Permit Exemptions

The following project improvements are not required to obtain a permit from the City:

- (A) ~~Mass grading/stormwater~~Stormwater earthwork plans;
- (B) Monument or directional signs;
- (C) Clearing and tree removal;
- (D) Site debris removal and burning;
- (E) Non-potable wells;
- (F) Onsite water, sewer, irrigation, and ~~effluent~~reuse infrastructure;
- (G) Walls/fences;
- (H) Lighting (photometric plans);

- (I) Landscape plans;
- (J) Demolition.

Chapter 5: Subdivision Regulations

5.1. General

(A) Subdivision Plan Requirement

An approved subdivision plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop or improve land for which a permit is required except in accordance with an approved subdivision/improvement plan. The requirement for a subdivision/improvement plan approval applies to all subdivisions located within the ARD zoning classification.

(B) Subdivision/-Improvement Plan and Plat Application

Applicants seeking subdivision/improvement plan and/or plat approval shall submit an application to the City. The Developer may submit multiple projects for approval under a single application. The cover sheet shall state all projects seeking approval.

(C) Permits

The applicant shall obtain permits from the City, ~~Water Management District~~ the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(D) Expiration of Approvals

The approval of the subdivision/improvement plan shall be valid for a period of 60 months. If the applicant has not obtained a permit for construction of the site within 60 months and if an extension of time has not been approved by the City Commission on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this ~~Code~~ LDR or any subsequent code in effect.

(E) Garage or Carport

Minimum one (1) car parking shall be provided per residential unit. ~~A one-car garage or carport and driveway combination shall count as off-street parking spaces.~~ for single family dwelling units

(F) Landscape or Photometric Plans

No landscape or photometric plans are required.

(G) Commercial Roadways and Subdivisions

Non-publicly dedicated roadways and non-residential subdivisions may be constructed from time to time pursuant to individual site plan approval without the need for platting.

5.2. Procedure for Subdividing Land

~~All submittals of plans and applications will be made to the City. 5.2. Procedure for Subdividing Land~~

~~All submittals of plans and applications will be made to the City.~~ There shall be two (2) stages for the approval of all subdivision plats. These stages are intended to allow for a full and adequate review by the City in order to ensure and protect the public interest. These two (2) stages include a subdivision/improvement plan and final plat.

The mylar, or equivalent material copy of the approved final plat, will be retained by the City for the purpose of recording with the Clerk of the Courts of Lake County after approval by the City Commission. All fees and documents required by the Clerk for filing and recording of the approved final plat shall be

transmitted through the Community Development Department to the County Clerk within three (3) days when final approval is received. No plat of lands in Leesburgthe City subject to this CodeLDR shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the City Commission.

5.3. Lot Split~~/~~Lot Line Deviation

(A) Application Process

The following items and application fees are required when applying for a lot split or deviation. All submittals are to be sent to the City of Leesburg, Community Development Department: for approval. All information must be supplied in digital format in accordance with the City's digital submittal standards.

(B) Submission Requirements

- (1) Application form provided by City (Appendix 2)
- (2) A boundary survey for all parcels that includes and identifies the following:
 - (a) Overall legal description of the original parcel
 - (b) Legal description of each parcel created
 - (c) Legal description of all existing and created easements
 - (d) All existing structures and improvements
 - (e) 100-year flood zone and elevation
 - (f) Jurisdictional wetland line and/or environmental easement
- (3) Copy of the property record card or recorded warranty deed(s)
- (4) Lot split review fee

~~(A) Submission of Final Recorded Deeds~~

~~Deeds must be prepared and recorded with the Lake County Clerk of Circuit Court for each parcel created at the time of conveyance. A copy of the recorded deeds must be submitted to the Community Development Department prior to final approval of the Lot Split/Lot Line Deviation. No building permits will be issued until the final approval is granted.~~

5.4. Subdivision/Improvement Plan Submittal Requirements

(A) Layout

Subdivision/improvement plans shall be prepared on sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following at a minimum:

~~(33)~~(1) Title with the following information:

- (a) Proposed subdivision name;
- (b) Section, township, and range of the property;
- (c) Date of preparation.

~~(34)~~(2) Scale and north arrow;

~~(35)~~(3) Vicinity map showing relationship between area proposed for development and surrounding properties, streets, and landmarks;

- ~~(36)~~(4) Legend showing information such as zoning, acreage to be subdivided, number of lots, phase number, and datum;
- ~~(37)~~(5) Legal description and tax identification of the lands to be subdivided; if multiple subdivisions are submitted under a single application, the overall legal description including all projects shall be provided~~;~~_;
- ~~(38)~~(6) Certification of registered professional engineer;
- ~~(39)~~(7) Contact information of the property owner, surveyor, and engineer;
- ~~(40)~~(8) Bearings and distances of boundary lines with a thicker line;
- ~~(41)~~(9) Location, width_; and purpose of existing and proposed easements and rights-of-way;
- ~~(42)~~(10) The lot lines, typical lot dimensions, and lot numbers shall be shown;
- ~~(43)~~(11) Identification of existing and proposed streets on and adjacent to the tract to be subdivided including: the name, right-of-way width and location; approximate grades and gradients; type, width, and elevation of surfacing; and legally established centerline elevations, sidewalks, paths, curbs, gutters, culverts, etc., as applicable. Locations of all median openings in the vicinity and access points on both sides of all abutting roadways must also be shown;
- ~~(44)~~(12) Identification of existing and proposed utilities on and adjacent to the tract to be subdivided, including storm, sanitary sewer, water, irrigation_; and reuse plans as applicable;
- ~~(45)~~(13) Contours at a minimum of one-foot intervals for the tract being subdivided and extending 25 feet beyond the property line;
- ~~(46)~~(14) The pipe utility systems (i.e. potable water, sanitary sewer, reuse, irrigation) for each project shall be shown on a master plan. The master plan shall indicate the general locations of all easements, mains, manholes, valves, hydrants, services_; and service laterals with respect to the proposed development improvements and the existing systems. Main sizes shall be indicated on the master plan;

5.5. Final Plat Submittal Requirements

(A) Final Plat Map

The required submittals, meeting the legal requirements of platting, of the final plat shall consist of a fully-executed, correct plat map, meeting all state and City standards. The final plat shall be drawn with black drawing ink on mylar, using sheets sized 24 inches by 36 inches at a scale of sufficient size to show all detail. Each sheet shall have a marginal line completely around the sheet placed to leave three-inch binding margin on the left and one-half inch margin on the other three ~~(3)~~ sides. Final plats shall meet all the requirements of F.S. Chapter 177 and shall be so certified by the Professional Surveyor/~~Mapper~~.

(B) Additional Required Submittals

Approval of the final plat shall be made only pursuant to certification of adequacy of the following list of required submittals by the City:

- ~~(47)~~(1) Copies of the maps shall be submitted to the Community Development Department. The sheet size shall be 24 inches by 36 inches unless another size is approved. In lieu of as-built construction drawings_; one ~~(1)~~ of the following may be submitted: escrow agreement, performance bond, Developer's surety company completion bond, or Developer's cash completion bond.
- ~~(48)~~(2) The approval of any subdivision plan shall be subject to the applicant guaranteeing the installation and maintenance of the required improvements, where facilities are to be conveyed to the City, by filing a performance bond or bonds executed by an approved

surety company in the amount of 120 percent of the construction costs, including landfill costs. Costs for construction shall be determined by an estimate by the applicant's engineer, or a copy of the actual construction contracts as provided. Subdivisions being developed in a CDD shall be exempt from performance bonds.

~~(49)~~(3) In all cases where public improvements occur, a two-year maintenance bond in the amount of 20 percent of the construction costs must be submitted. In lieu of a surety, a cashier's check or certified check may be used as the form of guaranty when accompanied by a maintenance bond agreement. The amounts of the performance and maintenance bond must be approved as adequate by the City. At the conclusion of the two-year maintenance period, the Developer may petition the City to release the maintenance bond. The City will inspect the public improvements and issue a determination of any public improvements covered by the bond that are in need of repair. Upon verification that all repairs have been made, the City will release the maintenance bond. Subdivisions and roadways being developed in a CDD shall be exempt from maintenance bonds.

~~(50)~~(4) Upon submittal by the Developer's engineer of a Certification of Completion stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of this CodeLDR; the City will have five (5) working days to provide Developer with a letter of approval. The date of the letter of approval from the City will begin the two-year maintenance period. Ninety90 days before the two-year maintenance period is up, the Developer will notice the City that the two-year maintenance period is up. Thirty30 days before the ninety90 day period ends, the City will inspect and either provide a punch list items or approval and begin maintenance of the roadway at the end of the two-~~(2)~~-year period.

~~(51)~~(5) Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.

~~(52)~~(6) A certificate of ownership, signed by a licensed attorney-at-law or an abstract company, in accordance with Florida statute in a form approved by the City Attorney.

~~(53)~~(7) If there is a HOA, then an agreement outlining the supervision and maintenance of all common areas within the subdivision.

~~(54)~~(8) Copies of all applicable permits (i.e. driveway, Water Management Districtwater management district, County, FDOT, etc) shall be provided.

(C) Clerk of Circuit Court Recording

Within the legal timeframe~~three~~ (3) days, the approved plat shall be submitted to the Clerk of Circuit Court for recording with the recording fee. At the time of recording, the following shall be submitted to the Clerk for distribution:

~~(55)~~(9) The original mylar, final plat and three (3) mylar copies ~~-to be contained within the Clerk's original plat book,~~ and

~~(56)~~(10) An additional copy of the final plat for public record.

5.6. Completion and Inspection of Improvements

All physical improvements (including all utilities) shall be installed in accordance with the approved improvement plan. The applicant shall notify the City as to all plan modifications during construction if field conditions, or other circumstances, necessitate changes. The improvements may be completed by one (1) of the following:

(A) Prior to the filing of the final plat for approval;

(B) Surety performance bond, if applicable;

With the City Commission's approval, the Developer, in lieu of completing the improvements as stated above, shall furnish a surety performance bond to the Commission for and on behalf of the City. The bond should be sufficient to cover the cost of ~~all~~remaining uncompleted improvements required to be installed by the subdivider. ~~The actual construction and installation of such improvements shall be done immediately after approval of the final plat, or at such a time as may be established by the City Commission.~~ Subdivisions and roadways being developed in a CDD shall be exempt from performance bonds.

(C) Permanent Reference Monuments (PRMs), Permanent Control Points (PCPs), and other corners set in accordance with chapter 177 Florida Statutes; and/or

(D) The plat shall be reviewed for conformity to F.S. Chapter 177 by a Professional Surveyor and Mapper either employed by the City or under contract to the City, and evidence of such review shall be placed on the plat. Field verification of any points or measurements shown on the plat will not be required for said review.

5.7. Model Homes

Except as otherwise provided for in this section, no building permit shall be issued until such time as a certificate of completion has been issued by the City Engineer and final plat approval has been obtained. A developer may be allowed to obtain building permits on up to 49 percent of the approved lots within a proposed subdivision prior to the issuance of a certificate of completion by the City and final plat approval. ~~A certificate of occupancy~~ A CO will not be issued on any model home permitted by this section until the City has issued a certificate of completion.

Chapter 6: Technical Standards

6.1. Potable Water

The specifications for the construction of the potable water system can be found within the latest edition of The Villages Construction and Development Manual (Appendix 1). The specifications shall meet FDEP criteria. The level of service for an Equivalent Residential Unit (ERU) for the potable water system is 86 gallons per day (gpd) on an average annual basis. The design criteria for the potable water system include the following:

(A) Water Valves

Water valves shall be provided as stated below for all branch connections, loop ends, fire hydrant stubs, or other locations, as required to provide an operable, easily maintained, and repaired water distribution system.

- ~~(1) Valves shall be located in order that no more than 30 homes would be out of service should a break occur.~~
- ~~(2)~~(1) Valves are to be placed so that the maximum allowable length of the water main required to be shut down for repair work is ~~1,000 feet~~500 feet for pipe sections with customer services or 1,000 feet for pipe sections without customer services.
- ~~(2) Valves are to be placed on all new fire hydrant stubs; at both ends of all jack and bore crossings; and at both ends of crossings of streets classified as major collector roads, arterial roads, or with three (3) or more thru lanes of traffic.~~
- ~~(3) As a general rule, the placement of the valves at a branch connection shall be downstream of the source of water.~~
- ~~(4) Gate valves shall be used for water mains with a diameter up to and including 12 inches and butterfly valves shall be used for water mains with a diameter of 16 inches or greater.~~
- ~~(5) Air release valves (ARVs) shall be installed on all transmission mains where the change in elevation is equal to or greater than 0.5 times the diameter of the water main.~~
- ~~(6) Two-inch blow off valves shall be installed on all terminating mains that do not include a fire hydrant.~~

(B) Water Mains

- (1) Water mains shall be sized appropriately to meet the minimum design pressure and required fire flow.
- (2) Minimum depth of all water mains shall be three ~~feet~~ from the top of pipe to finished grade.
- (3) All water mains, other than individual service lines, shall be looped where practical.

(C) Fire Hydrants

Where fire hydrants or fire systems are to be installed, the minimum diameter water main serving the hydrant shall be six ~~(6)~~ inches for looped lines and eight ~~(8)~~ inches for dead end lines. A maximum of two ~~(2)~~ fire hydrants shall be allowed on a looped six-inch water main and no more than one ~~(1)~~ hydrant on a dead end eight-inch water main. All hydrant connections off the water mains shall be six ~~(6)~~ inches in diameter. Fire hydrants shall be provided and approved by the appropriate fire department having jurisdiction over the project area.

(D) Design Calculations

Design calculations, prepared by a registered professional engineer, shall be submitted to the utility provider for review concurrent with the plans that demonstrate the capability of the proposed potable water system of providing the required fire hydrant flow (minimum 1,000 gpm) plus maximum ~~daily~~ day customer demand flow at all parts of the system. The design calculations

shall demonstrate the expected operating pressures for the water system. The working pressures within the system shall not exceed the pressure class of the pipe with a 1.5 safety factor. All pressure connections on the existing system used for calculation purposes shall be based upon a recent fire hydrant flow test, water treatment plant operating data, etc. Water main capacity shall be designed to maintain a minimum pressure of ~~20~~25 pounds per square inch (psi) at street level under all fire flow conditions.

(E) Water Services

Water services shall be installed on each lot and may be either single or double type services for subdivision lots, both residential and commercial.

(F) Separation Between Sanitary Sewers and Water Mains

The minimum horizontal separation between sanitary sewers and existing or proposed water mains shall in accordance with FDEP regulations.

6.2. Sanitary Sewer

The specifications for the construction of the sanitary sewer system can found within The Villages Construction and Development Manual, latest edition. The level of service for an ERU for the sanitary sewer system is 86 gpd on an average annual basis. The specifications shall meet FDEP criteria and minimum pipe slopes listed in Table 6-1. The design criterion for the sanitary sewer system is as follows:

(A) Manhole Connection

A drop manhole connection shall be required for all inverts ~~over~~ 24 inches or more above the floor of the manhole.

(B) Service Lines

Unless otherwise approved by the Utility, service lines from the property line to the collection sewer shall be at a minimum depth of three (3) feet at the property line and shall be laid to straight alignment and uniform slope compliant with FDEP regulations. All service lines shall be at least four (4) inches in diameter. Cleanouts shall be provided as determined by the engineer of record, but shall not be spaced greater than ~~75~~100 feet.

(C) Air Release Valves

~~Air release valves~~ARVs shall be provided in high spots of force mains as shown on the drawings or as directed. If obstructions are encountered during construction that cause a dip and a consequent sharp rise in the force main, then an air release valve shall be installed at the newly created high point upstream from the dip.

(D) Design Considerations

(1) Sewers 24 inches in diameter or less shall be installed with straight alignment and grade between manholes, ~~with manhole.~~

(1)(2) Manhole spacing shall not ~~to~~ exceed 400 feet for ~~sewers~~sewer mains 15 inches or less, and 500 feet for sizes larger.

(2)(3) All sanitary sewer mains shall terminate in manholes.

(3)(4) All manholes and sewers shall be located in public rights-of-way or assigned easements.

(E) Sanitary Sewer Easements

Sanitary sewer easements shall be required for all gravity sanitary sewer lines which are not in a public right-of-way. Easements shall be a minimum of 10 feet wide for sanitary sewers that are not more than 10 feet deep. For sewers that are more than 10 feet deep, the easement shall be a minimum of 20 feet wide. The utility provider may approve a narrower easement.

(F) Sewer Main Dimensions

Sewer main pipe diameters shall be a minimum of eight (8) inches in diameter. Sewer service laterals shall be a minimum of four (4) inches in diameter.

(G) Mean Velocities

Sewer mains and laterals shall be designed and constructed to give mean velocities, when flowing full, of not less than 2.0two feet per second based on the Manning formula using an “n” value of 0.013.

Table 6-1: Minimum Pipe Slopes

Pipe Diameter	Minimum Slope (%)
4-in (building sewer or sewer lateral)	2.00
<u>4/6-in (building sewer or sewer lateral)</u>	1.00
8-in (gravity sewer main)	0.40
10-in (gravity sewer main)	0.28
12-in (gravity sewer main)	0.22

(H) Sewer Main Cover

Sewer mains shall maintain a minimum cover of 36 inches. The depth of cover shall be measured from the top of sewer main to the finished grade directly above the pipe.

(I) Manholes

Manholes shall have a maximum spacing between sewer manholes shall not exceed 400 feet: for sewer mains 15 inches or less and 500 feet for sizes larger. A manhole shall be required for all changes in slope or alignment.

(J) Lateral Length

Lateral length shall be limited to a maximum of 150 feet. Cleanouts shall be provided at a minimum of every ~~75~~100 feet.

(K) Force Mains

Force mains shall be designed to maintain a minimum velocity of two feet per second. Temporary conditions may allow lower velocities with approval from the utility provider. The working pressures within the system shall not exceed the pressure class of the pipe with a 2.0 safety factor.

(L) Valves

Valves shall be installed on all subsidiary force mains at the point of connection to the major main.

(M) Generators

Generators at sanitary lift stations shall be installed per the utility provider’s discretion.

(N) Grease Interceptors

Grease interceptors shall be installed in exterior locations per MEP recommendations and subject to The Villages DRC approval.

(O) Irrigation/~~Effluent~~Reuse/Stormwater Force mains

The City acknowledges that the applicable utility may utilize the public stormwater conveyance system to transfer captured stormwater and treated ~~effluent~~reuse within the stormwater basins via gravity flow and pressure pipes to improve water conservation.

6.3. Drainage and Stormwater Management

The Stormwater Management System shall meet the criteria of the ~~Water Management District~~water management district and The Villages DRC.

(A) Types and Requirements

Where drainage pipes are utilized, the following standards apply:

- (1) Storm sewers shall be constructed with FDOT approved material in areas owned and maintained by the City. An inlet or manhole is required at each change of alignment or grade; ~~(not to include yard drainage systems);~~

- ~~(2) Where any storm pipe terminates at an earthen slope a mitered end section and concrete collar, or approved equal, is required;~~

- ~~(3)~~(2) The following maximum lengths of pipe listed in Table 6-2 shall be used when spacing access structures of any type:

Table 6-2: Pipe Lengths

Pipe Diameter (in)	Maximum Pipe Length (ft)
Less than 18	300
24 - 36	400
Greater than 42	500

(B) Minimum Requirements for Stormwater Conveyance System Design

- ~~(57)~~(1) All storm sewer systems and culverts shall be designed taking into consideration the tailwater of the receiving facility or water body. The tailwater elevation used shall be based on the tailwater elevation of the receiving water body at the peak time of the design storm. Alternatively, the tailwater may be assumed to be the design high water elevation of the receiving water body for the design storm. Table 6-3 lists the minimum requirements for conveyance system design.

Table 6-3: Minimum Requirements for On-Site Stormwater Conveyance Systems

Facility	Frequency and Duration
Principal arterial bridges and evacuation routes	100-year 24 hours
Canals, ditches, swales, storm drains or culverts for drainage internal to the development	10-year 24 hours

- ~~(58)~~(2) The hydraulic gradient line for the storm sewer system shall be computed taking into consideration the design tailwater on the system and the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.

~~(59)~~(3) The minimum design criteria to be utilized for the design of pavement drainage are listed in Table 6-4.

Table 6-4: Pavement and Drainage Criteria

Facility	Frequency and Duration
Arterial streets	10-year, 24-hour, hydraulic gradient line 1.0 foot below the gutter flowline
Collector and local streets	10-year, 24-hour, hydraulic gradient line 0.5 feet below the gutter flowline

(C) Erosion protection

Standard practices shall be used to prevent erosion and the depositing of soil off-site pursuant to the requirements of the FDEP Generic Permit for Stormwater Discharge from Large and Small Construction Activities.

(D) Maintenance

Except for those stormwater management systems with the City's right-of-way, the City shall have no obligation for the maintenance of stormwater management systems and the Developer, or ~~it~~its assignees, hereby assumes maintenance of all improvements.

6.4. Roads and Sidewalks

(A) Roads

Roads within a subdivision or other development shall be classified as public roads. All roadways and road rights-of-way will be dedicated to the City. The City will maintain all improvements within the right-of-way which include, but are not limited to, pavement, pavers, bridges, tunnels, storm drains, sidewalks, curbing, street lights, traffic signals, and all required Manual on Uniform Traffic Control Devices (MUTCD) street signs.

~~(60)~~(1) Public Roads

- (a) As part of the review and approval of a public road subdivision, the City shall require that roads be designed, constructed, and paved to specifications within the latest edition of The Villages Construction and Development Manual.
- (b) The access points to the project may be gated with resident-only gates by the Developer or its successors or ~~assigns~~assignees. All gates will open with a push button system allowing vehicular traffic to enter the development. All gates will allow public access.
- (c) Roadways within ~~The Villages of West Lake~~the VOWL will not be required to connect to any properties or project not owned by the same developer.

~~(61)~~(2) Commercial Roadway Projects

~~Non-publicly dedicated roadways may be constructed from time to time pursuant to individual site plan approval without the need for platting.~~ The layout for roadways within the property shall be depicted and approved on an individual basis. No minimum road centerline gradient is required where roadway drainage is provided that will prevent excess buildup of stormwater runoff and protect public safety. For non-residential access to Major Collector Roadways see Table 6.5 below.

Table 6-5: Non-Residential Access to Collector/Arterial Roadways

Speed Limit (mph)	Spacing (Ft)
35 or less	245
36-45	440
Over 45	660

(62)(3) Golf Carts

Golf ~~cart~~cars are allowed to utilize the roadways within the project for all roadways signed 30 miles per hour or less. Golf ~~cart~~car access to or from city streets or multimodal paths outside the development are prohibited unless explicitly approved by the Developer or its successors or ~~assigns~~assignees.

(B) Design Standards

- (1) Cul-de-sac diameters to the right-of-way line shall not be less than 100 feet with a pavement radius of 40 feet.
- (2) Dead end rights-of-way with a cul-de-sac at the terminal end shall not exceed 1,500 feet. Subdivisions with a dead end shall not require a turnaround for 250 feet.
- (3) Corner radii at the intersection of two rights-of-way shall be not less than ~~20~~10 feet. Minimum edge of pavement radii shall be 25 feet for residential subdivisions and 35 feet for commercial or industrial subdivisions.
- (4) A paved approach apron shall be constructed where a non-paved drive or road intersects with a paved road. Driveway grade shall be a maximum of ~~ten~~10 percent for commercial and 25 percent for residential.
- (5) Roadway centerline radii in residential subdivisions shall be designed in accordance with Table 6-6. Minimum centerline radii and other geometric design criteria shall be in accordance with Chapter 16 of the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

Table 6-6: Minimum Centerline Radius Criteria

Roadway	Minimum Posted Speed Limit (mph)*	Minimum Intersection Spacing (Ft)	Minimum Centerline Radius (Ft)
Local Residential	10	<20 or >100	25
Local Collector	30	100	275
Arterial Road	35	330	**

*unless otherwise posted

** Per the FDOT Design Manual

- (6) Minimum intersection spacing shall be 100 feet.
- (7) Tracts, easements, and other similar areas that are adjacent to the right of way can be combined with the right of way to meet minimum ROW width criteria as stated in Table 6-7 below.
- (8) Roadways with inverted crown are not required to have curb.

Table 6-7: ~~Rights~~Right-Of-Way Widths

Street Type	ROW Width (ft)	Roadway Lane Widths (ft)	Width of Pavement (ft)	Sidewalk
Local Residential	35	10	20	*
Local Collector	35	10	20	*
Arterial	80	11	22	*
Note: This table applies for new construction. Maintenance projects shall attempt to satisfy these requirements as deemed practical. *Sidewalk widths and locations shall be per developer.				

(C) Driveway Access

- (1) There are no restrictions on the placement of residential driveways near intersections. However, residential driveways shall be placed on the minor street.
- ~~(2) No portion of the driveway apron may extend beyond the frontage of the property being served by the driveway (i.e., it may not encroach into the frontage of adjacent property), unless shared access is mandated as a provision of the development approval or by agreement between adjoining property owners.~~

(D) Sidewalk and trail placement is per the Developer's discretion.

(E) Sign and Pavement Markings

- (1) Signing and marking plans shall be required to show size, location, materials, and message of all devices.
- (2) The design engineer shall design the project plans providing for installation of signs as per the requirements of this ~~Code~~LDR. Street signs are required at every intersection ~~are required~~. Stop signs and stop bars requiring vehicles to stop are required on the minor street at all intersections. All stop signs shall be high intensity grade. Stop signs may be 30" inches on arterial/collector roadways and 24" inches on local streets. A 30" inch stop sign shall be used when transitioning from a local street to an arterial/collector street. Signs establishing maximum speed limit are required on collector roads at intervals not to exceed 2,000 feet and at the entrance to the subdivision. Project wide speed limit signs on major roadways (i.e. ~~CR470~~CR 470) are an acceptable replacement for speed limit signs within each subdivision. The speed limit shall be determined by the project engineer in accordance with Section 316.183 and 316.18, Florida Statutes, and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Highways, Roads, and Streets in Florida, Florida D.O.T., latest edition. Dead end signs shall be erected at the beginning intersection of all discontinuous roads. No outlet signs shall be erected at the entrance intersection when an intersection is the only outlet from a street network.
- (3) All sign sizes, colors, mounting heights, etc. shall be in accordance with the latest edition of The Villages Construction and Development Manual.
- (4) All pavement centerline and edge markings Private or Public Roads shall be four ~~inches~~ inch wide paint, in accordance with FDOT specifications. Stop bars shall be 24 inches wide. All other pavement marking dimensions shall comply with the MUTCD and FDOT Standard Index, latest revision.

6.5. Parking Requirements

Table 6-9 lists the minimum standards for off-street parking within the development.

Table 6-9: Minimum Standards for Off-Street Parking Requirements for Nonresidential Land Uses

Non-Residential Land Use	Required Parking Spaces Per Indicated Areas
Bowling Alley	3.0 Per lane
Church/Synagogue	1.0 Per 3 seats
Fiduciary Institutions	1.0 Per 300 sq.-ft. <u>square feet gross floor area (GFA)</u>
Hotel	1.1 per sleeping room or rental unit
Industrial	1.0 Per 750 sq.-ft. <u>square feet</u> GFA
Manufacturing	1.0 Per 750 sq.-ft. <u>square feet</u> GFA devoted to manufacturing
Medical Center	1.0 Per 250 sq.-ft. <u>square feet</u> GFA
Assisted Living/Skilled Nursing Facility/Memory Care	1.0 Per 4 beds
Independent Living Facility	To be determined by specific occupancy
Nightclub/Bar	1.0 Per 2.5 seats
Offices	3.0 Per 1,000 sq.-ft. <u>square feet</u> GFA
Restaurant and Fast Food Establishment	1.0 Per 125 sq.-ft. <u>square feet</u> of gross leasable area or 1 Per 2.5 seats, whichever is greater
<u>Multi-Family Residential Units</u>	<u>1.5 Per 1.0 units</u>
Commercial or general retail independently located	1.0 Per 250 sq.-ft. <u>square feet</u> of gross leasable area
Golf Driving Range	1.0 space per tee
Recreational Use	To be determined by specific occupancy
Public/Institutional Use	To be determined by specific occupancy
Mixed Use Shopping Center Under 400,000 sq.-ft. <u>square feet gross leasable area (GLA)</u>	3.5 Per 1,000 sq.-ft. <u>square feet</u> GLA
Mixed Use Shopping Center Over 400,000 sq.-ft. <u>square feet</u> GLA	3.0 Per 1,000 sq.-ft. <u>square feet</u> GLA
Storage areas	1.0 Per 2,000 sq.-ft. <u>square feet</u> GLA
Theater	1.0 Per 4 seats
Warehouse	1.0 Per 3,000 sq.-ft. <u>square feet</u> GFA

(A) Habitable Building Area

Habitable Building Area shall not include stairways, alcoves, elevator and elevator shafts, mechanical closets, and similar areas of a building. Parking within the development shall be measured on an aggregate basis, and at the time of site plan submittal. The owner shall also supply documentation indicating that sufficient parking is currently provided, or will be constructed, pursuant to the project depicted in the site plan.

(B) Reconstruction

Once a structure has been constructed and parking provided pursuant to the requirements set forth in this ~~Code~~ LDR, any subsequent reconstruction of the building not increasing the square

footage of Habitable Building Area will not be required to document or comply with any parking requirement.

(C) Loading ~~and~~, Unloading Zones and Stacking

Parking areas may be used as loading and unloading zones without striping or demarcation. Appropriate stacking distances shall be provided for drive thru facilities.

(D) On-Street Parking

On-street parallel parking may be constructed with a minimum width of eight (8) feet and a length of 22 feet.

(E) Modification of Parking Requirements

Historical parking criteria can be used to modify the parking requirements and shall be approved by The Villages DRC. No approval from the City ~~of Leesburg~~ is required to modify parking criteria within this ~~Code~~LDR.

(F) Parking Space Dimensions

The minimum parking space shall be 10 feet in width by 18 feet in length. Parking spaces for the physical handicapped shall comply with the requirements of the Florida Building Code.

(G) Garage or Carport

Minimum one ~~-car~~ parking shall be provided per residential unit. A one-car garage or carport and driveway combination shall count as off-street parking spaces.

(H) All Other Proposed Uses

Any proposed use not found within this section shall defer to The Villages DRC.

6.6. Tree Protection

The Developer is exempt from tree protection criteria.

Appendix 1: The Villages Construction and Development Manual, Latest Edition

[UNDER SEPARATE COVER]

Appendix 2: Development and Plat Application

**Appendix 3: Engineer's Certification of Satisfactory Completion and
Final Construction Clearance Procedure**

Appendix 4: Electronic Application Submittal

The Villages®

The Villages of West Lake

Land Development Regulations

August 2020



Prepared by:



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Appendix 4: Electronic Application Submittal

Chapter 1: General Provisions and Procedures

1.1. Statement of Intent

(A) Purpose

The purpose and intent of this Land Development Regulation (LDR) is to create a customized set of regulations that applies only to The Villages development(s) located within the City of Leesburg (City), Florida, which is only a portion of and supports the larger Villages community, located within Sumter County, Lake County, the City of Wildwood, the Town of Lady Lake, and the City of Fruitland Park. The regulations and requirements contained herein have been made in accordance with the City's comprehensive plan while providing the Developer a reasonable assurance that The Villages development principles can be achieved and maintained. The City's portion of the overall development needs to maintain continuity with the remainder of The Villages, as it is a mature development with most of the residential units, street system, parks, recreation, and amenities in place to serve its residents. Thus, any requirements must consider The Villages as a whole, and not simply the portion within the City. In addition, this Code provides clarity and continuity for future development of The Villages within the City. This LDR, along with The Villages Construction and Development Manual, establishes the development standards that apply to this project, as amended by the Developer. The City of Leesburg's Code of Ordinances shall not be used to govern the development of this project. Any item omitted from this code shall be established and/or resolved by The Villages Development Review Committee (DRC).

(B) Requirements

In their interpretation and application, the provisions of this LDR require the following:

- (1) Promote the public health, safety, and general welfare of the residents;
- (2) Protect the character and maintain the stability of residential, commercial, industrial, agricultural, educational, cultural, recreational, historical, and environmental areas within the development;
- (3) Protect natural and environmentally significant resources;
- (4) Provide adequate open spaces and recreation facilities, which meet the needs of the residents;
- (5) Promote transportation choices to reduce traffic congestion and to improve mobility;
- (6) Define the powers and duties of the DRC;
- (7) Define the powers and duties of the Architectural Review Committee (ARC);
- (8) Ensure that all future development approvals and permits for both new and existing projects comply with this LDR;
- (9) Accomplish a more desirable community and environment than would be possible through the strict application of LDR requirements;
- (10) Create functional and aesthetic developments;
- (11) Preserve the natural resources of the land by providing scenic, functional, and interconnected open areas;
- (12) Minimize infrastructure and cost of streets and utilities throughout the development due to an efficient use of land.

1.2. General Development Provisions

(A) Conformity with Regulations

Following, and upon adoption of, the Chapter 163 Agreement and this LDR:

- (1) The regulations contained within this LDR shall be adhered to on all lands contained within the Age-Restricted Development (ARD) zoning classification known as The Villages of West Lake (VOWL);
- (2) No building, structure, or land shall be used or occupied unless in conformity with all of the regulations specified by this LDR;
- (3) No building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified by this LDR;
- (4) No building or other structure shall be erected or altered in such a manner as to exceed the permitted density or intensity provisions or occupy a greater portion of the lot area than allowed.

(B) Permit Required

No site plan or subdivision shall be approved, no plat shall be recorded, nor shall any building permit, Certificate of Occupancy (CO), or any other type of development order or permit be executed, unless the project meets all the requirements of, and has been approved in accordance with, this LDR.

1.3. The Villages Development Review Committee

The Villages DRC is a representative committee designated by the Developer to enforce the design standards that cover the commercial portion of the development. The design standards control the architectural, layout, and landscaping within the Project and provide for the authority of the Developer to enforce the design and intent of the commercial development. No commercial construction shall occur without approval from the City and the DRC.

1.4. The Villages Architectural Review Committee

The Villages ARC or its designee shall enforce the design standards and deed restrictions of the Developer that cover the residential portion of the development. The restrictions control changes to homes and home sites and provide for the authority of the Developer to enforce the design and intent of the residential development. Residential dwelling units or minor appurtenances thereto, such as private swimming pools, fences, yards, etc., shall be reviewed and approved by the ARC and permitted with the City.

1.5. Project Approval Process and Closeout Procedures

The purpose of this section is to establish consistent requirements and procedures for reviewing applications for site plan and/or subdivision approval.

(A) Projects required to obtain permits from the City shall adhere to the following process:

- (1) Application for development plan approval (Appendix 2) shall be made to the City Manager or designee and include the appropriate review fee. Application shall contain electronic plans (Appendix 4), signed and sealed by a registered professional engineer. Plans shall be prepared according to the standards of this LDR. No pre-application meeting is required. However, a Developer or land owner may request a meeting with staff for the purpose of discussing the proposed development prior to the formal application for approval as requested.
- (2) Within two (2) working days of the receipt of an application, the City shall determine whether the submittal is complete. Applicant will be notified immediately of an incomplete submittal.
- (3) When an application is determined to be complete, it shall be distributed for staff review no later than one (1) week from the date the application was determined to be complete.

- (4) All applications shall be reviewed by the staff and comments shall be delivered to the Applicant within 10 working days after application is determined complete.
- (5) The City Manager or designee shall issue a development order/permit within five (5) working days of unconditional staff approval or verification that the City Commission conditions for approval have been met. No site plan or improvement plan shall go before the Planning and Zoning Board and City Commission.
- (6) All site plan approvals shall terminate and become null and void automatically without notice if construction has not commenced within 24 months from the date of approval unless the Developer, City, and DRC agree to extend the approval.
- (7) The City agrees to initiate a Residential Building Permit Plan Review and issue a Residential Building Permit within 24 hours of submission, excluding weekends and holidays. The City agrees to initiate a nonresidential Building Plan Review and issue a nonresidential Building Permit within five (5) days of submission, excluding weekends and holidays. The City also agrees to issue residential and nonresidential Certificates of Occupancy within 24 hours of final inspection.
- (8) The City shall not review or comment on utilities that are not owned or maintained by the City. Dry utility designs are not required to be provided to the City for review. Easements and/or tract widths for utilities not owned by the City shall be determined by the utility having ownership and maintenance responsibilities.
- (9) Building elevations are not required for residential or commercial plan approval.
- (10) Plan changes made to the approved plans during construction shall be provided to the City's Planning and Zoning manager and Building Department to be placed into the file of record to update their records. A modification to the permit will not be required, unless required by the Planning and Zoning manager.

(B) Closeout Procedures

Unless a later date is requested by the Developer, final inspection of site improvements shall be scheduled no more than five (5) working days after receipt of the following information:

- (1) Upon completion of the public improvements, the Developer's Engineer shall submit a certificate stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of the LDR (see Appendix 3: Engineer's Certification of Satisfactory Completion and Final Construction Clearance Procedure).
- (2) Prior to the acceptance of any privately or publicly maintained improvements, a registered Professional Engineer must certify in writing that the improvements were completed in accordance with the approved improvement plans and construction specifications. The Engineer will provide the Engineer's Certification of Completion and Record Drawings to the City for approval. Record drawings will be provided by the Engineer to the City for approval prior to issuance of site approval. Landscaping, screen walls, entry signage, and fencing is not required to be completed to obtain record drawing approval. The record drawings shall include all plan changes during construction, and shall include the following certification on the submitted plans from the Engineer including signature and date:
 - (a) "I hereby certify that the pavement, curbing, sidewalks, water, sewer, and storm drainage systems have been built in accordance with these "record" drawings. This certification is based on visual inspections. The record drawings are believed to be correct to the best of the Engineer's knowledge and the accuracy of the information cannot be guaranteed."
 - (b) Within 90 days of approval of the Record Drawings by the City, the Engineer will provide Final As-Built Plans, and Final Clearance of Potable Water and Sanitary Sewer Systems

by FDEP. The Engineer of Record (EOR) shall provide a letter to the City certifying that the constructed stormwater ponds have adequate volume for the development being certified complete. The Developer shall have perimeter walls and perimeter landscaping substantially complete except for where construction access is required or in areas where the buffer shall be installed with the dwelling unit. AutoCAD files of the final As-Builts will be provided to the City.

- (c) The water and sewer utility provider will review and sign off on FDEP Clearance forms for submittal. The utility clearance process shall not hold up or delay in any way the Record Drawing approval process. The potable water and sanitary sewer systems shall be cleared prior to the CO of a given dwelling unit.
- (3) All building structures and site improvements must be permitted by the City pursuant to Site Plans submitted to and approved by the City. The Developer shall install and complete all required site improvements with documentation including record drawings prior to the City issuing a CO for any permitted structure. Partial clearance may be obtained when proof is provided to the City that life safety items have been completed for CO.

1.6. Community Development Districts

It is anticipated that the development will include one or more Community Development Districts (CDDs) created by the City pursuant to Chapter 190, F.S. It is understood and agreed between the parties that any obligations or requirements placed on the Developer may be transferred to one (1) or more CDDs for implementation and operation, pursuant to the authority in Chapter 190.

1.7. Utility Providers

The Developer or assignees shall be the provider for water, sewer, reuse, and irrigation services.

1.8. Additional Studies

No environmental, archaeological, or transportation studies are required once the ARD zoning and Chapter 163 Agreement have been adopted. Additionally, there shall be no zoning review/compliance applications for site or building permits. All notice of commencements and certification of completions shall be reviewed and approved immediately once received by the City.

Chapter 2: Definitions and Interpretations

2.1. Interpretations of Certain Terms and Words

The terminology and words within this LDR shall be interpreted as follows:

- (A) The singular includes the plural and vice versa.
- (B) The masculine includes the feminine and neutral and vice versa.
- (C) The present tense includes the future.
- (D) The word "shall" is mandatory and the word "may" is permissive.
- (E) The word "person" includes an individual, child, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, and all other groups or combinations.
- (F) The word "writing" includes handwriting, printing, word processed, and all other methods and means of forming letters and characters upon paper.
- (G) The word "land" includes the words water, marsh, swamp, gross land area, and gross acre of land.
- (H) All words defined in this LDR shall carry their customary meaning as found in Merriam-Webster's latest published edition unabridged dictionary.
- (I) Unless otherwise specified at the outset of a Chapter, the definitions listed in section 2.2 shall apply within this LDR.
- (J) Any abbreviations or acronyms used within this LDR are identified after the definition in parenthesis after the term below.

2.2. Definitions

Accessory use or structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Administrator: The City Manager or his designee.

Addition (to an existing building): Any walled and/or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and/or roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Age-Restricted Development (ARD): A community/development project that meets the requirements for an age restricted community pursuant to the Federal and Florida Fair Housing requirements and where the land is planned and developed to provide housing with a mixture of housing types, plans for a mixed-use development pattern, provides for the recreational needs of its residents with amenities such as community centers, golf courses, trails, and other similar facilities, supports multiple modes of internal transportation such as bicycles, golf carts, pedestrians, and ensures protection of the environment and natural resources on-site. An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Alley: A private or public paved passageway between buildings or a passageway permitting access from a street to a garage or storage area.

Alteration of building: Any change in the supporting members of a building (such as load bearing walls, beams, columns and girders), any addition to a building, or any change in a building resulting from the movement of the building from one location to another.

Apartment or Condominium Building (ACB): A structure containing multiple dwelling units (DUs) in which other DUs may be located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar DUs. Units within apartment or condominium buildings are considered attached DUs.

Applicant: A person who has submitted an application to the City.

Architect: Means an architect licensed to do business by the State of Florida.

Arterial street: A street or roadway which is used primarily for fast or heavy volume traffic.

As-built plans: The final plans amended to include horizontal and/or vertical dimensional data of actual construction with data obtained and provided by a Florida licensed surveyor and mapper.

Assisted Living Facility (ALF): A facility where residents live in private units and receive assistance with limited aspects of personal care, such as: taking medication, bathing, or dressing. Units do not contain private kitchens and meals are provided from a common dining area. Staff is on duty 24 hours per day. This definition does not include nursing homes, convalescent centers, community residential homes, or independent living facilities (ILFs).

Base flood: means the flood having a one percent chance of being equaled or exceeded in any given year. Also called the "100-year flood" and the "regulatory flood" by the Federal Emergency Management Agency (FEMA).

Buffer: A natural or landscaped area which acts as a separation area between two (2) or more land uses, parcels, buildings, stormwater management areas, or paved areas.

Building: Any structure having a roof supported by columns or walls that is used or intended to be used for the enclosure, housing, or shelter of animals, persons, or property.

Building height: The vertical distance from the mean elevation of the finished grade of a building to the highest point of the roof surface. Building height shall be stated in feet.

Building permit: A formal notice of authorization required to be obtained from the City before any new construction or major alteration or expansion of existing structures is allowed.

Building setback: The distance between a given lot line, face of building, normal water line, right-of-way line, and any portion or part of any structure.

Building setback line: A line which represents the required building setback for a given building on a given lot.

Building site: A parcel of land upon which a building or structure has been, or is intended to be, constructed.

City: The City of Leesburg, Florida.

City Commission: The governing body of the City officially known as the Leesburg City Commission, including the mayor and other Commission members.

Clinic: A health facility, or portion of a health facility, where patients are not lodged overnight, but are examined and/or treated by licensed dentists, physicians, and/or other health care personnel.

Code of Ordinances: The Code of Ordinances of the City.

Collector Roadway: A street which carries traffic from local streets to the arterial streets in residential and business areas. Such streets serve as linkages between land access and mobility. Traffic volumes and speeds are usually moderate. Collector streets shall allow golf cars.

Community Development District (CDD): A local, special-purpose government framework authorized by Chapter 190, Florida Statutes as amended, and is an alternative to municipal incorporation for managing and financing infrastructure required to support development of a community.

Community residential home: A DU licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for seven (7) to fourteen unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes with six (6) or fewer residents, which otherwise meet the definition of a community residential home, shall be deemed a single-family unit and a noncommercial, residential use. See F.S. § 419.001 (a).

Comprehensive Plan: The City of Leesburg Comprehensive Plan adopted by the City Commission and amendments thereto in compliance with the requirements of Florida statute.

Condominium: See "Apartment or Condominium Building."

Conforming lot: Any lawful lot which complies with the provisions of this LDR and other applicable City ordinances.

Conservation easement: A right or interest in real property, which is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition, retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses; and which prohibits or limits the activities as described in Florida statute.

Construction: Shall mean the building, assembling, expansion, modification, or alteration of the existing contours of the site, the erection of buildings or other structures, or any part thereof, or land clearing (unless an agricultural operation).

Corner lot: A lot or parcel of land which is located at the intersection of, and abutting on, at least two (2) streets.

County: Lake County, Florida.

Cul-de-sac: A local, dead-end street which has a turn-around at the closed end and is used primarily for access to the abutting properties.

Datum: A reference surface used to ensure that all elevation records are properly related. The current national datum is the National Geodetic Vertical Datum of 1929, which is expressed in relation to mean sea level, or the North American Vertical Datum of 1988. Density: means the maximum amount of DUs allowed on a project site. This relationship is identified on a unit per gross developable acre basis.

Developer: Any person who engages in or proposes to engage in development either as the owner or as the agent of an owner of property.

Development: All construction activity within the limits of the ARD zoning and land use category.

Development order: Any order, permit, or other official action of the City granting, or granting with conditions, an application for development.

Ditch: An artificial waterway for irrigation or stormwater conveyance.

Dwelling: Any building, or portion thereof, which is designed to be used, or is actually used, as living quarters for one or more persons, families, or households. Such a building must be supported by, at a minimum, walls which are complete from the bottom floor to roof.

Dwelling unit (DU): A room or group of rooms which is equipped for independent housekeeping and is occupied, or is intended to be occupied, by not more than one (1) person, household, or family.

Easement: A grant by the property owner to the public, a corporation, person, or other legal entity, of the use of a specific portion of land for a specific purpose.

Enclosed use: A use which is located entirely within a structure.

Excavation: The reducing or lowering of the natural level of ground.

Federal Emergency Management Agency: FEMA

Flood Insurance Rate Map (FIRM): An official map of the City on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the City.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area: The gross horizontal area of all the floors in a building (including attics, basements, and penthouses). It is measured from the exterior faces or columns of the exterior walls of a building.

Floor Area Ratio (FAR): The ratio of a building's gross floor area to the area of the Project.

Florida Department of Environmental Protection: FDEP

Florida Department of Transportation: FDOT

Future Land Use Map (FLUM): The map within the future land use (FLU) element of the comprehensive plan that delineates the City's FLU designations pursuant to Florida statute.

Garage: An accessory building primarily used for the parking of one (1) or more motor vehicles.

Grade: The elevation of the ground surface.

Home Owner's Association (HOA) or Property Owner's Association (POA): An organization in a subdivision, condominium, or other similar development that makes and enforces rules for the properties within its jurisdiction.

Hotel: a commercial establishment providing lodging and, usually, meals and other services for the public, especially for travelers. This definition also includes motels.

Household: One (1) or more persons, not necessarily related by blood, marriage, or other legal action, who occupy a single DU and live as a single, non-profit housekeeping unit.

Independent Living Facility (ILF): A living arrangement in which people with special needs, especially seniors with disabilities, reside in independent living units which may contain a private kitchen. The facility may provide help with everyday tasks such as bathing, dressing, and taking medication. This definition does not include ALFs, nursing homes, or community residential homes.

Institution: The structure or land occupied by a group, cooperative, board, agency, or organization created for the purpose of carrying on functions of a public or semi-public nature. Examples of an institution include a hospital, health clinic, school, church, fraternal order, civic club, and orphanage.

Intensity: The maximum amount of building square footage allowed within the Project. This relationship is identified in "Floor Area Ratio".

Interior lot: A lot other than a corner lot or double frontage lot.

Karst features: Physical features in limestone such as sinkholes, depressions, and solution tubes that act as conduits reducing the travel time of water through limestone as compared to soil or to limestone lacking karst features.

Land Development Regulations (LDR): The Villages of West Lake Land Development Regulations (LDR).

Landscaping: Living plant material and non-living durable material used in outdoor environmental design that enhances the appearance of land.

Legal Description: A "courses and distances" legal description, often referred to as a "metes and bounds" legal description, which maps the desired property when transferred to GIS mapping software.

Local street: A street which connects properties to collector streets. These roads provide service which is of low average traffic volume and of high land access for abutting properties. Local streets shall allow golf cars.

Lot: Any tract or parcel being the least fractional part of a subdivision having limited fixed boundaries. A lot may be identified by an assigned number. Furthermore, a lot is capable of being lawfully occupied and utilized for a structure and/or use as defined in this LDR.

Lot depth: The horizontal distance (excluding surface or ground depressions) between the front lot line and the rear lot line.

Lot lines: The lines bounding a lot as defined in this LDR.

Lot width: The distance between the side lot lines, measured at point where the front setback is taken.

Main or principal building: The building in which the principal use of the lot is conducted.

Maintenance: The action taken to restore or preserve the functional design or intent of any facility, system, or structure.

Mining: An area of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade. Additionally, mining shall be considered all excavation not considered Stormwater Earthworks. Excavated mined materials can be transported offsite.

Mixed use building: A building which includes two (2) or more use categories, one (1) of which should be residential.

Motel: see "Hotel".

Multi-family residential: A structure containing multiple DUs in which other DUs are located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar DUs. Units within apartment or condominium buildings are considered attached DUs.

New construction: Structures for which the start of construction commenced on or after the effective date of this LDR.

Nonresidential Building (NRB): Any structure not containing a residential DU or residential use.

Nursing home: A facility for patients who are recovering health and strength after illness or injury, or receiving long-term care for chronic conditions, disabilities, or terminal illnesses. Facilities provide 24-hour supervised nursing care and feature extended treatment that is administered by a skilled nursing staff. The residents do not live in private units and the residents typically do not leave the facility until well enough to do so. The facilities provide personal care, room, board, laundry service, and organized activities. This definition does not include community residential facilities, ALFs, or ILFs. This definition does include convalescent centers and skilled nursing facilities.

Office: A building, room, or space where clerical, professional, or administrative activities are performed. Such a building, room, or space may be the principal structure, a portion of the principal structure, an accessory structure, or a portion of an accessory structure on a lot.

Open space: Shall include wetlands, preservation areas, greenspace, stormwater ponds, floodplain compensation areas, and landscape buffers. Open space may include areas such as trails, golf, plazas, courtyards, and other similar public areas. Open space may also include recreation areas and amenities, provided said amenities or areas are not enclosed with conditioned space. Open space shall not include areas within a right-of-way. Open space shall be calculated for the entire ARD area as a whole, not per individual projects.

Owner: The person in who is vested the fee ownership, dominion, or title of property (i.e., the proprietor). This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

Parking space: A portion of a parking area which is clearly marked as being intended for the storage of one (1) vehicle or golf car(s).

Permitted use: A use which is lawful under the terms of this LDR.

Person: Any and all persons including any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

Planning and Zoning Board: The City of Leesburg Planning and Zoning Board as provided for in this LDR.

Premises: A parcel of land and any structures occupying the parcel of land.

Principal building: See "Main or principal building."

Principal use: The actual primary function for which a lot and buildings upon it are used.

Private club: A building or portion thereof, owned and/or operated by a corporation, association, person, or group for a civic, educational, recreational, social, or other public or semi-public purpose.

Professional Surveyor and Mapper: A surveyor and mapper licensed by the State of Florida.

Project: The Project is the entire Villages of West Lake.

Recreational Vehicle Development (RVD): An area set aside primarily for temporary travel trailers, campers, and other recreational vehicles (RVs). This facility is intended to provide temporary, non-permanent water, sewer, and electrical hook-ups for such vehicles in exchange for a specified rate of compensation. This is considered a commercial use.

Reuse: Wastewater that is treated to meet public access standards.

Right-of-Way (ROW): An area of land over which people and goods have the right to pass or travel. A public right-of-way grants passage to all and may grant the right to park registered vehicles in accordance with City parking restrictions. A public right-of-way is a form of easement dedicated to the

City during subdivision or site plan for public use. Rights-of-way are not part of the adjacent parcels; the right-of-way boundary usually coincides with adjacent parcel property lines or tracts.

School: A building and/or property utilized for the purpose of providing formal primary, secondary, and/or post-secondary education/training.

Service street: A local street or alley used to provide rear-yard access to businesses, institutions, and residences for the purpose of providing services (for example, garbage collection or delivery services).

Sidewalk: A path that is intended for pedestrians and non-motorized vehicles. Sidewalks may be located on private property or within a right-of-way.

Sign: Any display device which is designed to visually or graphically inform, or attract the attention of, persons passing by the device.

Single Family Attached (SFA): A DU connected to at least one (1) adjacent DU by any architectural feature integral to its design or the design of its garage, excluding fences, posts, utility screen walls, stoops, driveways, walkways, and air conditioning pads.

Single Family Detached (SFD): A traditional stand-alone DU that houses a single family and shares no connection to another DU.

Site plan: The drawing(s) which put forth an applicant's proposal for the development of a particular piece of land that is certified by a registered professional engineer.

Southwest Florida Water Management District: SWFWMD

St. Johns River Water Management District: SJRWMD

Stormwater Earthworks: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the EOR and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is an approved and common use. Excavated material can be exported offsite.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it. In the event there is not a floor above the former, then the story is that portion of a building between the top floor and the ceiling above it.

Street: A public or private thoroughfare which affords the principal means of access to abutting property. Alleys shall not be considered streets.

Structure: A man-made object having a relatively stationary location on or in land or water whether or not it is affixed to the land or on a permanent foundation.

Subdivider: Any firm, corporation, partnership, person, or other legal entity who, acting as a unit, voluntarily engages in or proposes to engage in, the division of a parcel (or parcels) of land into smaller parcels of land.

Subdivision (residential):

(a) The division of any parcel of land into three (3) or more contiguous lots for the purpose of building, development, or transfer of ownership; or any division of a parcel of land requiring a new street or modification to an existing public street, or the provision of other public facilities or improvements, including but not limited to, drainage facilities and utilities. This term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

(b) Subdivision shall not mean:

- (1) The transfer of property by sale, gift, or testate or intestate succession from the property owner to his or her spouse or lineal descendants, provided that all required utilities are in place prior to the issuance of a development permit,
- (2) The transfer of property between tenants in common or joint tenants for the purpose of dissolving the tenancy in common or joint tenancy,
- (3) The sale or exchange of parcels of land between owners of adjoining properties provided that additional lots are not thereby created and that the parcels remaining are not reduced below the minimum sizes required by the LDR.

Substantial improvement: Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure in which the cumulative costs equals or exceeds 50 percent of the market value of the structure.

The market value of the structure should be:

- (a) The appraised value of the structure prior to the start of the initial repair or improvement, or;
- (b) In the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications, which are solely necessary to assure safe living conditions.

Tower: shall mean a structure, greater than 35 feet in height (including any antennas attached thereto), which supports one (1) or more antennas, not including however any amateur radio operator antenna as licensed for that purpose by the Federal Communications Commission (FCC).

U.S. Army Corp of Engineers: ACOE

Utility: Entity providing potable water, irrigation, and/or sanitary sewer services.

Wetlands: Lands which are identified by being inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and noncontiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bogs, wet prairies, and freshwater marshes.

Chapter 3: Zoning and Architectural Standards

3.1. General

The approved zoning for the project is Age-Restricted Development (ARD) as amended from time to time.

3.2. Principal Uses

The principle or main use(s) and associated structures of a property shall be allowed as one of the following:

A) Permitted Use

This use is hereby established as the general use(s) in the ARD zoning category as specified below and is a use of right when in compliance with the requirements of this LDR.

- (1) Conservation uses: wetlands, forested lands, pastures, environmental habitats, karst areas, open water, lands set aside to be protected and other similar uses;
- (2) Agricultural uses: citrus/field crop production; keeping and/or grazing of livestock; agricultural product transfer stations; silviculture; aquaculture; horticulture, greenhouses and nurseries (commercial); urban agriculture and other similar uses;
- (3) Residential uses: single family detached (SFD); single family attached (SFA); multi-family residential; apartment or condominium building (ACB); dwelling units (DUs) located above the ground floor in a mixed use building (MUB); community club houses, pools, or other amenities associated with residential projects; independent living facilities (ILFs) and other similar uses;
- (4) Institutional, governmental, tourism, civic, and recreational uses: public recreation facilities or parks; bed and breakfasts; hotels and motels; golf courses and driving ranges; commercial recreation facilities such as skating rinks, movie theaters, and other similar uses; health clubs and fitness centers; community residential homes; assisted living facilities (ALFs); nursing homes; skilled nursing facilities; child care facilities/day care; professional, business, and technical schools; public schools and private schools offering curricula similar to that of public schools; colleges and universities containing dormitories; churches and places of worship; museums and other cultural facilities; hospitals; veterinary clinics or temporary pet boarding; cemeteries and mausoleums; funeral homes, crematories, and other similar service establishments; private clubs and lodges; public buildings owned, operated, and used by a government entity such as city halls, city hall annexes, police and fire stations, libraries, post offices, and other similar uses; street and highway department garages or maintenance facilities; utility facilities such as electric sub stations, water and wastewater treatment plants, well sites, and other similar uses;
- (5) Commercial office and business park uses: business technology parks, medical or dental offices, professional service establishments and offices; banks, credit unions, and financial institutions and other similar uses;
- (6) Commercial retail uses: retail sales establishments such as department, electronic, office supply, grocery, and other similar stores; restaurants and cafes (without alcohol consumption or sales); bars, taverns, restaurants, or cafes serving alcohol (on and off-site consumption); liquor stores (sales of hard alcohol for off-site consumption); copy centers; beauty shops, dry cleaning, pet grooming, and other similar personal service establishments; specialty shops such as antique shops, art showrooms, boutiques, and other similar shops; service and repair shops for automobiles, small engines, and other similar uses; retail and wholesale commercial establishments for lumber, building, and landscaping supplies, farm equipment, and other similar uses with potential outside storage of products; auto dealerships, golf car and similar

sales; convenience stores; fuel stations; food trucks, temporary or permanent; indoor and outdoor commercial recreational uses; storage facilities (indoor); outdoor storage facilities for RVs, boats, campers, vehicles, machinery, equipment, or other similar items; RV developments and other similar uses;

- (7) Industrial uses: wholesaling, warehousing, bulk storage, or distribution establishments, and similar uses; research laboratories and associated activities; light manufacturing, assembling, processing, packaging, or fabricating; outdoor storage yards and similar uses such as junkyards, scrap yards, and salvage yards; building or landscape contractors with on-site equipment storage; concrete or asphalt plants; concrete block plants; manufacturing of nonhazardous materials; manufacturing or warehousing of chemicals, fertilizers, hazardous, or biohazardous materials; electric, gas, or energy generating facilities; solid waste transfer stations; landfills; tower and wireless communication services; mining and excavation and other similar uses;
- (8) Mining: No permitting or zoning approvals within the City is required. The developer shall provide the City with the approved FDEP and water management district permit as applicable prior to construction.

B) Agricultural

The property has historically been used for agricultural activities and the Developer may pursue bona fide agricultural and silvicultural uses on the property. For purposes of this LDR, Site Plan is defined as either a commercial site plan approval or a residential improvement plan approval from the City. There may be numerous site plans on the property. However, site plan approval is specific and does not necessarily apply to other areas on the property.

3.3. Accessory Uses and Structures

All accessory uses and structures shall be approved by The Villages DRC or ARC as applicable.

3.4. Temporary Uses

Temporary uses may be approved by the DRC.

3.5. Variances

All variances to this LDR shall be approved by The Villages DRC or ARC as applicable.

3.6. Recreational Vehicle Developments

(A) Purpose

The purpose of this section, applying to RVDs, is to provide an environment in which RVs or dwellings may be located to enhance the enjoyment of leisure time activities and to provide a means whereby the use occurring upon the land will be made more compatible with the surrounding properties. The following provisions shall apply to RVDs permitted by this LDR.

(B) Definition

An RVD shall include a parcel of land under unified management which has been planned, designed, and constructed for the placement of units for short-term, long-term, or permanent occupancy for recreational purposes.

(C) An RV shall include:

- (1) Travel trailer - A vehicular, portable structure built on a chassis, designed as temporary living quarters for travel, recreation, and vacation. This includes, but is not limited to: bumper pull, 5th wheel, sport utility, and various styles as pulled by a vehicle.
- (2) Truck camper - A structure designed to be mounted on a truck chassis for use as temporary living quarters for travel, recreation, and vacation.

- (3) Motor home - Constructed on a commercial truck chassis, a specially designed motor vehicle chassis, or a commercial bus chassis.
- (4) Camping trailer - A canvas or other collapsible folding structure, such as pop-up, or tent trailer, mounted on wheels, designed as temporary living quarters for travel, recreation, and vacation.
- (5) Park model (or park trailer) - A transportable unit, which has a body width not exceeding 14 feet, which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Units constructed to ANAI A-19.5 shall not exceed 399 square feet. Units constructed to the U.S. Department of Housing and Urban Development (HUD) standard shall not exceed 500 square feet. All measurements are to be taken along the exterior when in a setup mode. All "park trailers" must be set up and anchored as established by the Florida Building Code.
- (6) Houseboat - A boat that has been designed or modified to be used primarily as a functional dwelling. Houseboats may or may not be motorized, and can be permanently moored to a fixed point attached to the land.

(D) A recreational dwelling shall include:

- (1) Cabin - A cabin is a small, permanent structure of no more than 1,500 square feet designed to provide lodging in a recreational area.
- (2) Tiny house - A tiny house is a small, permanent structure of no more than 500 square feet designed to provide lodging in a recreational area.
- (3) Glamping dwelling - A glamping dwelling may include, but is not limited to, a permanent or semi-permanent structure with a membranous exterior that may or may not be connected to utilities, but is securely fastened to the ground.
- (4) Tree house - An elevated, permanent platform structure used for lodging in a recreational area when connected to utilities necessary for operation of installed fixtures and appliances in or around treed areas.
- (5) Hill House - A permanent structure set at or just below earth plain used for lodging in a recreational area when connected to utilities necessary for operation of installed fixtures and appliances and cover with earth.

(E) Permit Process

- (1) RVDs must go through the site plan approval process in this LDR.
- (2) RVDs where units will be sold must also follow the Record Plat process.

(F) General provisions

- (1) RVDs shall be classified as a tourism-oriented mixed-use development, with a combination of residential, commercial, and support uses in the ARD zoning district.
- (2) As a condition of the site plan approval, the following uses may be permitted, but not limited to: commercial and non-commercial, recreation facilities (such as pavilions, sports courts, gathering spaces and structures, etc.), entertainment facilities, park offices, maintenance facilities, dumping stations, toilets, showers, laundry facilities, tourist-oriented retail developments, such as: retail sales establishments, personal service establishments, food service establishments with or without alcohol sales, child care centers, RV model units, or sales and service establishments, mobile homes, single family detached or attached dwellings, enclosed storage structures and storage garage facilities. No such structures shall be located within any required setback, any required perimeter buffer, or any utility or drainage easement.
 - (a) Such uses shall be conducted for the convenience of the occupants and guests of the RVD, and the public;

(b) Such retail establishments may be oriented to the interior or exterior of the RVD.

(G) Specific provisions

- (1) All RVDs shall contain a minimum of 10 acres.
- (2) There shall be a building setback of 10 feet from any road right-of-way for any commercial building or accessory building.
- (3) Property adjacent to federal, state, or county highways shall maintain a minimum building setback of 50 feet from the highway right-of-way for any structure or RV. The minimum building setback for property adjacent to interior roads is 10 feet.
- (4) All RVs and additions shall have no side or rear setback, but must maintain 10 feet of building/RV separation.
- (5) A well-maintained, landscaped buffer of at least five (5) feet is required around the perimeter of the RVD.
- (6) There is no minimum lot size, lot width, or lot depth.
- (7) The density of 30 lots per acre may not be exceeded.
- (8) Internal roadways must have a minimum width of 12 feet for one-way drives or 24 feet for two-way drives.
- (9) Adequate trash disposal facilities or services shall be provided with easy access from each site.
- (10) Each lot shall be identified by a marker clearly visible at a minimum distance of 20 feet.
- (11) All structures, additions, and attachments located in the RVD must be constructed to meet standard building codes. Such additions and attachments shall include, but are not limited to: carports, storage sheds, cabanas, screen rooms, pull-out or tip-out units, skirting and awnings, pergolas, gazebos, and shall be permitted, except as qualified below:
 - (a) No such addition or attachment shall be attached to any RV having a vehicular body length less than 20 feet.
 - (b) Additions and attachments may be designed to be removable. They may be attached to the RV and parking or patio pad.
 - (c) No such addition or attachment shall be located within any setback, any perimeter buffer of the RVD, or any utility or drainage easement.
 - (d) Additions or attachments may be connected to utilities, including, but not limited to: sewer, water, electric, and gas.
 - (e) All additions and attachments must be properly permitted as required by state and local law.
- (12) All “park trailers” or “park models” shall be required to obtain permits prior to set-up or connection to utilities, as pursuant to this code.

3.7. Buffer Requirements

Table 3-1 lists the density, intensity, lot standards, buffers, and setbacks.

Table 3-1: Density, Intensity Lot Standards, Buffers, Setbacks

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units/ ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ^{3,7} (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	20 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50' **	50' **	50' **	50' **	50' **

* Per Florida Building Code criteria
**Unless adequate fire protection is provided.

1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner’s association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.

2. Up to a 3.0 FAR may be used in a town center, medical campus and similar use areas.

3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.

4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.

5. The maximum building height applies unless adequate fire protection is available.

6. RVDs are considered non-residential units.

7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.

(A) Perimeter Buffer

The development shall include a 20-foot perimeter landscape buffer easement or tract along the VOWL boundary lines. No perimeter landscape buffer is required where landscaped open space, recreation, golf, stormwater ponds, compensating storage areas, wetlands, upland buffers, or other conservation areas are located along the property boundary. In addition, no perimeter buffer shall be required for portions of the property that are adjacent to compatible uses being constructed by the same developer.

(B) Walls/ Fence

The 20-foot perimeter landscape buffer may be eliminated if an approximate six-foot high wall or opaque fence is installed, for which no landscaping is required. Walls or opaque fences may be constructed within project setbacks.

(C) Internal Parcels

No onsite landscape buffer shall be required between internal parcels or uses. No landscape buffer shall be required along perimeters of the project abutting properties not owned by the Developer with similar land uses.

(D) Stormwater Ponds

Stormwater ponds, existing topographic depressions, grading, and compensating storage areas shall be allowed within the perimeter landscape buffer.

(E) Residential Dwelling Unit Site

Where a 20-foot perimeter landscape buffer or wall/fence is required on residential dwelling unit sites, the landscape and irrigation or wall/fence shall be installed with each individual dwelling unit being constructed.

3.8. Commercial Architectural Standards

(A) Building Design

The design of individual buildings will be representative of the architectural style established by the Developer for the community and will be subject to review and approval by the DRC. These buildings may exhibit individual detailing for harmonious diversity and may vary in specific materials, finishes, and color palettes.

(B) Specific Architectural Design Standards

- (1) All commercial electrical controls, meters, etc. shall be mounted on building walls, free standing walls, or dumpster enclosure walls. Freestanding electrical “racks” shall be prohibited, unless specifically approved by The Villages DRC.
- (2) All commercial building-mounted boxes (i.e., electrical, irrigation control boxes, gas meters, etc.) and associated conduit and piping shall be painted to match the wall to which they are mounted, as permitted by the utility companies.
- (3) Exterior building lighting is permissible if the effect is compliant with the objective of achieving a soft glow rather than brilliant or glaring effect. Architectural lighting (fixtures attached to or integral with a building or structure) shall be selected or approved by the DRC.
- (4) Where dumpsters are required, enclosures shall be finished with materials, color, and detailing similar to the associated building. Dumpster enclosures that serve facilities that dispose of food waste or other organic materials shall be constructed with a drain and hose bib for wash down. Drains shall be connected to a grease interceptor.
- (5) Where required, Fire Department Connections (FDCs) must be located per governing fire department specifications and near other critical utilities (i.e., power disconnect, gas, etc.)

that may need to be turned off in case of a fire, unless specifically approved by The Villages DRC.

- (6) Buildings that require a fire sprinkler system shall have backflow preventers located inside the building.
- (7) All commercial rooftop equipment shall be screened with parapets, landscape, or architectural features.
- (8) All commercial ground-mounted heating, ventilation, and air conditioning (HVAC) equipment shall be screened with a structural and/or landscaped screen wall.
- (9) All project sign locations and design elements are exempt from the City's sign requirements and sign permits and shall be determined and approved by the DRC. These include the following:
 - (a) Project "Welcome" signs
 - (b) Primary entry wall features and signs
 - (c) Secondary entry wall features and identification signs
 - (d) Directional signs
 - (e) Occupant identification signs
- (10) All project lighting shall be designed to meet the guidelines established by the Illumination Engineer's Society (IES) to provide safe lighting levels, to the maximum extent possible as determined by the Florida-licensed design professional who prepares the lighting layout.

(C) Landscape Design Objectives

The overall objective of landscape design in the development is to create a unique and instantly recognizable setting with a consistent sense of design character for the various uses, facilities, and common areas within the community. The landscape may vary in character based on the specific architectural design. The scale and extent of the landscaping will reflect that of the building, site, and setting, as well as that of other sites in the vicinity. The consistency of the landscaping is intended to add an image of quality to the community and to unite the various uses and facilities within the project through consistency of materials and continuity of design.

The design of all landscaping and irrigation within the community will occur via a review and approval process administrated by the DRC. For optimum creativity and quality, this process must be somewhat subjective, thus a limited number of specific criteria can be cited herein. The design effect will be defined and perpetuated by completed areas within the community as they are built. The DRC will require the same design approach for all subsequent facilities in the project, including outparcels developed by others.

(D) Maintenance of Common Areas

Maintenance of structures and common areas, including landscape maintenance, within the development shall be owned and maintained by the POA, HOA, and/or a CDD, at no cost or obligation to the City. The Developer/owner shall create guidelines for the maintenance of common areas.

3.9. Street Names and Address Numbers

Street names and address numbers for dwelling units and places of business on all public and private streets shall be assigned by The Villages.

Chapter 4: Site Plan Regulations

4.1. Site Plan Review Process and Permits

(A) Site Plan Requirement

An approved site plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop land for which a site plan is required except in accordance with an approved site plan.

(B) Applicability

The requirement for site plan approval applies to all sites located within the ARD zoning classification.

(C) Pre-Design Meeting

It is recommended that each applicant have a pre-design conference with The Villages DRC prior to preparing plans and permit applications.

(D) Site Plan Application

Applicants seeking site plan approval shall submit an application to the City and The Villages DRC for a concurrent review.

(E) Permits

The applicant shall obtain permits from the City, The Villages DRC, the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(F) Expiration of Approvals

The approval of the site plan shall be valid for a period of 12 months. If the applicant has not obtained a permit for construction of the site within 12 months and if an extension of time has not been approved by the City Commission and The Villages DRC on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this LDR.

(G) Plan Approval

The approved site plan shall be the governing document for all such development. Where there are conflicts or discrepancies with other city policies, procedures, ordinances, or regulations, the Villages DRC shall govern.

(H) Minor Site Plans

Minor site plans are required for nonresidential development that has been determined by the City to have limited potential for off-site impacts. Minor site plans may be approved by the Planning and Zoning Manager. Due to the limited off-site impacts, submittals are not required to provide all required information listed below. Refer to the minor site plan application for required submittals.

Minor site plans may apply to the following:

- (1) Additions to existing structures that are less than 50 percent of the total square footage of the existing structure and do not exceed 2,500 square feet,
- (2) Changes in use without addition to existing structures but require other on-site improvements such as stormwater or parking improvements, and/or
- (3) Accessory structures such as restroom facilities, dumpsters, pavilions, amenities, golf starter facilities, guard houses, etc. that adhere to the following criteria:

- (a) Does not exceed 2,500 square feet;
- (b) Restricted to one (1) story;
- (c) Consistent construction and architectural style as the primary structure.

4.2. Site Plan Requirements

(A) Layout

Site plans shall be prepared on sets of sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following minimum standards:

- (1) Each applicable site plan sheet shall be prepared by a Florida licensed engineer or surveyor as the context requires.
- (2) All applications must be accompanied by proof of property ownership in the form of a copy of a deed or the most current property tax bill.
- (3) A topographic survey showing existing contour intervals of one foot for the site, extending 50 feet beyond the site boundary, where practical, and including water surface elevations for all water bodies and the date obtained; and proposed finished elevations based on the most recent United States Geodetic Survey topographic data (NAVD88), prepared by a professional surveyor licensed to do business in the State of Florida.
- (4) The scale must be no smaller than one inch equals 100 feet. Information may be combined in the drawings so long as they remain uncluttered and readable.
- (5) A vicinity map showing the location of the proposed site plan with relationships to surrounding streets and thoroughfares.
- (6) Title sheet must include:
 - (a) Location Map;
 - (b) Legal Description;
 - (c) Owner/consultant contact information including name, address, and phone numbers;
 - (d) Index list of sheets.
- (7) Geometry Plan must include – as applicable to the project:
 - (a) Site data;
 - Parcel area, pavement and building area, and open space area
 - Zoning
 - Proposed land use
 - Required and actual parking to be provided
 - Flood zones, if applicable
 - (b) Dimensions (including building dimensions);
 - (c) Sign locations;
 - (d) Dumpster pads with solid enclosures and solid gates are required. Food preparation businesses must install a dumpster pad drain connected to a grease interceptor;
 - (e) Boundary bearing and distances;
 - (f) Building setbacks;
 - (g) Handicap spaces and signs;

- (h) Traffic signs and striping - All traffic control signs (including handicap parking signs) must be installed on “decorative” posts in accordance with The Villages standards;
 - (i) Driveway pavement radii - All driveway entrance radii must be a minimum of 35 feet and all driveway exit radii must be 25 feet;
 - (j) Utility contacts.
- (8) Joint use easements for shared driveways, if applicable.
- (9) Grading and Drainage Plan must include:
 - (a) Existing topography - topographic surveys must be based on NAVD 88 datum;
 - (b) Proposed grades;
 - (c) Wetlands and/or surface waters;
 - (d) Storm sewer mains and inlets, including pipe lengths and percent grade;
 - (e) Finished floor elevations;
 - (f) Roof drains - downspouts are not allowed to discharge onto grass or landscape areas;
 - (g) Landscape berms;
 - (h) Proposed grading to streets, property lines, etc.
- (10) Utility Plan must include the following as applicable to the site:
 - (a) Water mains and service lines;
 - (b) Sanitary sewer system;
 - (c) Water meter and backflow prevention assembly locations and sizes;
 - (d) Street lights;
 - (e) Nearest fire hydrant location(s);
 - (f) FDC, if applicable - Above-ground backflow preventers are not permitted. Fire sprinkler system backflow preventers should be located in the vertical riser within the building;
 - (g) Grease interceptors – required in an external location for any business supplying food services.
- (11) Erosion and Sediment Control Plan – must include:
 - (a) Silt fencing;
 - (b) Inlet protection (on-site and off-site);
 - (c) Temporary gravel construction entrance.

4.3. Site Plan Permit Exemptions

The following project improvements are not required to obtain a permit from the City:

- (A) Stormwater earthwork plans;
- (B) Monument or directional signs;
- (C) Clearing and tree removal;
- (D) Site debris removal and burning;
- (E) Non-potable wells;
- (F) Onsite water, sewer, irrigation, and reuse infrastructure;
- (G) Walls/fences;
- (H) Lighting (photometric plans);
- (I) Landscape plans;
- (J) Demolition.

Chapter 5: Subdivision Regulations

5.1. General

(A) Subdivision Plan Requirement

An approved subdivision plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop or improve land for which a permit is required except in accordance with an approved subdivision/improvement plan. The requirement for a subdivision/improvement plan approval applies to all subdivisions located within the ARD zoning classification.

(B) Subdivision/Improvement Plan and Plat Application

Applicants seeking subdivision/improvement plan and/or plat approval shall submit an application to the City. The Developer may submit multiple projects for approval under a single application. The cover sheet shall state all projects seeking approval.

(C) Permits

The applicant shall obtain permits from the City, the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(D) Expiration of Approvals

The approval of the subdivision/improvement plan shall be valid for a period of 60 months. If the applicant has not obtained a permit for construction of the site within 60 months and if an extension of time has not been approved by the City Commission on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this LDR or any subsequent code in effect.

(E) Garage or Carport

Minimum one (1) car parking shall be provided per residential unit for single family dwelling units

(F) Landscape or Photometric Plans

No landscape or photometric plans are required.

(G) Commercial Roadways and Subdivisions

Non-publicly dedicated roadways and non-residential subdivisions may be constructed from time to time pursuant to individual site plan approval without the need for platting.

5.2. Procedure for Subdividing Land

All submittals of plans and applications will be made to the City. There shall be two (2) stages for the approval of all subdivision plats. These stages are intended to allow for a full and adequate review by the City in order to ensure and protect the public interest. These two (2) stages include a subdivision/improvement plan and final plat.

The mylar, or equivalent material copy of the approved final plat, will be retained by the City for the purpose of recording with the Clerk of the Courts of Lake County after approval by the City Commission. All fees and documents required by the Clerk for filing and recording of the approved final plat shall be transmitted through the Community Development Department to the County Clerk within three (3) days when final approval is received. No plat of lands in the City subject to this LDR shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the City Commission.

5.3. Lot Split/Lot Line Deviation

(A) Application Process

The following items and application fees are required when applying for a lot split or deviation. All submittals are to be sent to the City of Leesburg, Community Development Department for approval. All information must be supplied in digital format in accordance with the City's digital submittal standards.

(B) Submission Requirements

- (1) Application form provided by City (Appendix 2)
- (2) A boundary survey for all parcels that includes and identifies the following:
 - (a) Overall legal description of the original parcel
 - (b) Legal description of each parcel created
 - (c) Legal description of all existing and created easements
 - (d) All existing structures and improvements
 - (e) 100-year flood zone and elevation
 - (f) Jurisdictional wetland line and/or environmental easement
- (3) Copy of the property record card or recorded warranty deed(s)
- (4) Lot split review fee

5.4. Subdivision/Improvement Plan Submittal Requirements

(A) Layout

Subdivision/improvement plans shall be prepared on sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following at a minimum:

- (1) Title with the following information:
 - (a) Proposed subdivision name;
 - (b) Section, township, and range of the property;
 - (c) Date of preparation.
- (2) Scale and north arrow;
- (3) Vicinity map showing relationship between area proposed for development and surrounding properties, streets, and landmarks;
- (4) Legend showing information such as zoning, acreage to be subdivided, number of lots, phase number, and datum;
- (5) Legal description and tax identification of the lands to be subdivided; if multiple subdivisions are submitted under a single application, the overall legal description including all projects shall be provided;
- (6) Certification of registered professional engineer;
- (7) Contact information of the property owner, surveyor, and engineer;
- (8) Bearings and distances of boundary lines with a thicker line;
- (9) Location, width, and purpose of existing and proposed easements and rights-of-way;
- (10) The lot lines, typical lot dimensions, and lot numbers shall be shown;

- (11) Identification of existing and proposed streets on and adjacent to the tract to be subdivided including: the name, right-of-way width and location; approximate grades and gradients; type, width, and elevation of surfacing; and legally established centerline elevations, sidewalks, paths, curbs, gutters, culverts, etc., as applicable. Locations of all median openings in the vicinity and access points on both sides of all abutting roadways must also be shown;
- (12) Identification of existing and proposed utilities on and adjacent to the tract to be subdivided, including storm, sanitary sewer, water, irrigation, and reuse plans as applicable;
- (13) Contours at a minimum of one-foot intervals for the tract being subdivided and extending 25 feet beyond the property line;
- (14) The pipe utility systems (i.e. potable water, sanitary sewer, reuse, irrigation) for each project shall be shown on a master plan. The master plan shall indicate the general locations of all easements, mains, manholes, valves, hydrants, services, and service laterals with respect to the proposed development improvements and the existing systems. Main sizes shall be indicated on the master plan;

5.5. Final Plat Submittal Requirements

(A) Final Plat Map

The required submittals, meeting the legal requirements of platting, of the final plat shall consist of a fully-executed, correct plat map, meeting all state and City standards. The final plat shall be drawn with black drawing ink on mylar, using sheets sized 24 inches by 36 inches at a scale of sufficient size to show all detail. Each sheet shall have a marginal line completely around the sheet placed to leave three-inch binding margin on the left and one-half inch margin on the other three (3) sides. Final plats shall meet all the requirements of F.S. Chapter 177 and shall be so certified by the Professional Surveyor/Mapper.

(B) Additional Required Submittals

Approval of the final plat shall be made only pursuant to certification of adequacy of the following list of required submittals by the City:

- (1) Copies of the maps shall be submitted to the Community Development Department. The sheet size shall be 24 inches by 36 inches unless another size is approved. In lieu of as-built construction drawings, one (1) of the following may be submitted: escrow agreement, performance bond, Developer's surety company completion bond, or Developer's cash completion bond.
- (2) The approval of any subdivision plan shall be subject to the applicant guaranteeing the installation and maintenance of the required improvements, where facilities are to be conveyed to the City, by filing a performance bond or bonds executed by an approved surety company in the amount of 120 percent of the construction costs, including landfill costs. Costs for construction shall be determined by an estimate by the applicant's engineer, or a copy of the actual construction contracts as provided. Subdivisions being developed in a CDD shall be exempt from performance bonds.
- (3) In all cases where public improvements occur, a two-year maintenance bond in the amount of 20 percent of the construction costs must be submitted. In lieu of a surety, a cashier's check or certified check may be used as the form of guaranty when accompanied by a maintenance bond agreement. The amounts of the performance and maintenance bond must be approved as adequate by the City. At the conclusion of the two-year maintenance period, the Developer may petition the City to release the maintenance

bond. The City will inspect the public improvements and issue a determination of any public improvements covered by the bond that are in need of repair. Upon verification that all repairs have been made, the City will release the maintenance bond. Subdivisions and roadways being developed in a CDD shall be exempt from maintenance bonds.

- (4) Upon submittal by the Developer's engineer of a Certification of Completion stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of this LDR; the City will have five (5) working days to provide Developer with a letter of approval. The date of the letter of approval from the City will begin the two-year maintenance period. 90 days before the two-year maintenance period is up, the Developer will notice the City that the two-year maintenance period is up. 30 days before the 90 day period ends, the City will inspect and either provide a punch list items or approval and begin maintenance of the roadway at the end of the two-year period.
- (5) Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.
- (6) A certificate of ownership, signed by a licensed attorney-at-law or an abstract company, in accordance with Florida statute in a form approved by the City Attorney.
- (7) If there is a HOA, then an agreement outlining the supervision and maintenance of all common areas within the subdivision.
- (8) Copies of all applicable permits (i.e. driveway, water management district, County, FDOT, etc) shall be provided.

(C) Clerk of Circuit Court Recording

Within three (3) days, the approved plat shall be submitted to the Clerk of Circuit Court for recording with the recording fee. At the time of recording, the following shall be submitted to the Clerk for distribution:

- (9) The original mylar, final plat and three (3) mylar copies to be contained within the Clerk's original plat book, and
- (10) An additional copy of the final plat for public record.

5.6. Completion and Inspection of Improvements

All physical improvements (including all utilities) shall be installed in accordance with the approved improvement plan. The applicant shall notify the City as to all plan modifications during construction if field conditions, or other circumstances, necessitate changes. The improvements may be completed by one (1) of the following:

- (A) Prior to the filing of the final plat for approval;
- (B) Surety performance bond, if applicable;
With the City Commission's approval, the Developer, in lieu of completing the improvements as stated above, shall furnish a surety performance bond to the Commission for and on behalf of the City. The bond should be sufficient to cover the cost of remaining uncompleted improvements required to be installed by the subdivider. Subdivisions and roadways being developed in a CDD shall be exempt from performance bonds.
- (C) Permanent Reference Monuments (PRMs), Permanent Control Points (PCPs), and other corners set in accordance with chapter 177 Florida Statutes; and/or
- (D) The plat shall be reviewed for conformity to F.S. Chapter 177 by a Professional Surveyor and Mapper either employed by the City or under contract to the City, and evidence of such review

shall be placed on the plat. Field verification of any points or measurements shown on the plat will not be required for said review.

5.7. Model Homes

Except as otherwise provided for in this section, no building permit shall be issued until such time as a certificate of completion has been issued by the City Engineer and final plat approval has been obtained. A developer may be allowed to obtain building permits on up to 49 percent of the approved lots within a proposed subdivision prior to the issuance of a certificate of completion by the City and final plat approval. A CO will not be issued on any model home permitted by this section until the City has issued a certificate of completion.

Chapter 6: Technical Standards

6.1. Potable Water

The specifications for the construction of the potable water system can be found within the latest edition of The Villages Construction and Development Manual (Appendix 1). The specifications shall meet FDEP criteria. The level of service for an Equivalent Residential Unit (ERU) for the potable water system is 86 gallons per day (gpd) on an average annual basis. The design criteria for the potable water system include the following:

(A) Water Valves

Water valves shall be provided as stated below for all branch connections, loop ends, fire hydrant stubs, or other locations, as required to provide an operable, easily maintained, and repaired water distribution system.

- (1) Valves are to be placed so that the maximum allowable length of the water main required to be shut down for repair work is 500 feet for pipe sections with customer services or 1,000 feet for pipe sections without customer services.
- (2) Valves are to be placed on all new fire hydrant stubs; at both ends of all jack and bore crossings; and at both ends of crossings of streets classified as major collector roads, arterial roads, or with three (3) or more thru lanes of traffic.
- (3) As a general rule, the placement of the valves at a branch connection shall be downstream of the source of water.
- (4) Gate valves shall be used for water mains with a diameter up to and including 12 inches and butterfly valves shall be used for water mains with a diameter of 16 inches or greater.
- (5) Air release valves (ARVs) shall be installed on all transmission mains where the change in elevation is equal to or greater than 0.5 times the diameter of the water main.
- (6) Two-inch blow off valves shall be installed on all terminating mains that do not include a fire hydrant.

(B) Water Mains

- (1) Water mains shall be sized appropriately to meet the minimum design pressure and required fire flow.
- (2) Minimum depth of all water mains shall be three-feet from the top of pipe to finished grade.
- (3) All water mains, other than individual service lines, shall be looped where practical.

(C) Fire Hydrants

Where fire hydrants or fire systems are to be installed, the minimum diameter water main serving the hydrant shall be six (6) inches for looped lines and eight (8) inches for dead end lines. A maximum of two (2) fire hydrants shall be allowed on a looped six-inch water main and no more than one (1) hydrant on a dead end eight-inch water main. All hydrant connections off the water mains shall be six (6) inches in diameter. Fire hydrants shall be provided and approved by the appropriate fire department having jurisdiction over the project area.

(D) Design Calculations

Design calculations, prepared by a registered professional engineer, shall be submitted to the utility provider for review concurrent with the plans that demonstrate the capability of the proposed potable water system of providing the required fire hydrant flow (minimum 1,000 gpm) plus maximum day customer demand flow at all parts of the system. The design calculations shall demonstrate the expected operating pressures for the water system. The working pressures within the system shall not exceed the pressure class of the pipe with a 1.5 safety factor. All

pressure connections on the existing system used for calculation purposes shall be based upon a recent fire hydrant flow test, water treatment plant operating data, etc. Water main capacity shall be designed to maintain a minimum pressure of 25 pounds per square inch (psi) at street level under all fire flow conditions.

(E) Water Services

Water services shall be installed on each lot and may be either single or double type services for subdivision lots, both residential and commercial.

(F) Separation Between Sanitary Sewers and Water Mains

The minimum horizontal separation between sanitary sewers and existing or proposed water mains shall in accordance with FDEP regulations.

6.2. Sanitary Sewer

The specifications for the construction of the sanitary sewer system can found within The Villages Construction and Development Manual, latest edition. The level of service for an ERU for the sanitary sewer system is 86 gpd on an average annual basis. The specifications shall meet FDEP criteria and minimum pipe slopes listed in Table 6-1. The design criterion for the sanitary sewer system is as follows:

(A) Manhole Connection

A drop manhole connection shall be required for all inverts 24 inches or more above the floor of the manhole.

(B) Service Lines

Unless otherwise approved by the Utility, service lines from the property line to the collection sewer shall be at a minimum depth of three (3) feet at the property line and shall be laid to straight alignment and uniform slope compliant with FDEP regulations. All service lines shall be at least four (4) inches in diameter. Cleanouts shall be provided as determined by the engineer of record, but shall not be spaced greater than 100 feet.

(C) Air Release Valves

ARVs shall be provided in high spots of force mains as shown on the drawings or as directed. If obstructions are encountered during construction that cause a dip and a consequent sharp rise in the force main, then an air release valve shall be installed at the newly created high point upstream from the dip.

(D) Design Considerations

- (1) Sewers 24 inches in diameter or less shall be installed with straight alignment and grade between manholes.
- (2) Manhole spacing shall not exceed 400 feet for sewer mains 15 inches or less, and 500 feet for sizes larger.
- (3) All sanitary sewer mains shall terminate in manholes.
- (4) All manholes and sewers shall be located in public rights-of-way or assigned easements.

(E) Sanitary Sewer Easements

Sanitary sewer easements shall be required for all gravity sanitary sewer lines which are not in a public right-of-way. Easements shall be a minimum of 10 feet wide for sanitary sewers that are not more than 10 feet deep. For sewers that are more than 10 feet deep, the easement shall be a minimum of 20 feet wide. The utility provider may approve a narrower easement.

(F) Sewer Main Dimensions

Sewer main pipe diameters shall be a minimum of eight (8) inches in diameter. Sewer service laterals shall be a minimum of four (4) inches in diameter.

(G) Mean Velocities

Sewer mains and laterals shall be designed and constructed to give mean velocities, when flowing full, of not less than two feet per second based on the Manning formula using an “n” value of 0.013.

Table 6-1: Minimum Pipe Slopes

Pipe Diameter	Minimum Slope (%)
4/6-in (building sewer or sewer lateral)	1.00
8-in (gravity sewer main)	0.40
10-in (gravity sewer main)	0.28
12-in (gravity sewer main)	0.22

(H) Sewer Main Cover

Sewer mains shall maintain a minimum cover of 36 inches. The depth of cover shall be measured from the top of sewer main to the finished grade directly above the pipe.

(I) Manholes

Manholes shall have a maximum spacing between sewer manholes shall not exceed 400 feet for sewer mains 15 inches or less and 500 feet for sizes larger. A manhole shall be required for all changes in slope or alignment.

(J) Lateral Length

Lateral length shall be limited to a maximum of 150 feet. Cleanouts shall be provided at a minimum of every 100 feet.

(K) Force Mains

Force mains shall be designed to maintain a minimum velocity of two feet per second. Temporary conditions may allow lower velocities with approval from the utility provider. The working pressures within the system shall not exceed the pressure class of the pipe with a 2.0 safety factor.

(L) Valves

Valves shall be installed on all subsidiary force mains at the point of connection to the major main.

(M) Generators

Generators at sanitary lift stations shall be installed per the utility provider’s discretion.

(N) Grease Interceptors

Grease interceptors shall be installed in exterior locations per MEP recommendations and subject to The Villages DRC approval.

(O) Irrigation/Reuse/Stormwater Force mains

The City acknowledges that the applicable utility may utilize the public stormwater conveyance system to transfer captured stormwater and treated reuse within the stormwater basins via gravity flow and pressure pipes to improve water conservation.

6.3. Drainage and Stormwater Management

The Stormwater Management System shall meet the criteria of the water management district and The Villages DRC.

(A) Types and Requirements

Where drainage pipes are utilized, the following standards apply:

- (1) Storm sewers shall be constructed with FDOT approved material in areas owned and maintained by the City. An inlet or manhole is required at each change of alignment or grade (not to include yard drainage systems);
- (2) The following maximum lengths of pipe listed in Table 6-2 shall be used when spacing access structures of any type:

Table 6-2: Pipe Lengths

Pipe Diameter (in)	Maximum Pipe Length (ft)
Less than 18	300
24 - 36	400
Greater than 42	500

(B) Minimum Requirements for Stormwater Conveyance System Design

- (1) All storm sewer systems and culverts shall be designed taking into consideration the tailwater of the receiving facility or water body. The tailwater elevation used shall be based on the tailwater elevation of the receiving water body at the peak time of the design storm. Alternatively, the tailwater may be assumed to be the design high water elevation of the receiving water body for the design storm. Table 6-3 lists the minimum requirements for conveyance system design.

Table 6-3: Minimum Requirements for On-Site Stormwater Conveyance Systems

Facility	Frequency and Duration
Principal arterial bridges and evacuation routes	100-year 24 hours
Canals, ditches, swales, storm drains or culverts for drainage internal to the development	10-year 24 hours

- (2) The hydraulic gradient line for the storm sewer system shall be computed taking into consideration the design tailwater on the system and the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.
- (3) The minimum design criteria to be utilized for the design of pavement drainage are listed in Table 6-4.

Table 6-4: Pavement and Drainage Criteria

Facility	Frequency and Duration
----------	------------------------

Arterial streets	10-year, 24-hour, hydraulic gradient line 1.0 foot below the gutter flowline
Collector and local streets	10-year, 24-hour, hydraulic gradient line 0.5 feet below the gutter flowline

(C) Erosion protection

Standard practices shall be used to prevent erosion and the depositing of soil off-site pursuant to the requirements of the FDEP Generic Permit for Stormwater Discharge from Large and Small Construction Activities.

(D) Maintenance

Except for those stormwater management systems with the City's right-of-way, the City shall have no obligation for the maintenance of stormwater management systems and the Developer, or its assignees, hereby assumes maintenance of all improvements.

6.4. Roads and Sidewalks

(A) Roads

Roads within a subdivision or other development shall be classified as public roads. All roadways and road rights-of-way will be dedicated to the City. The City will maintain all improvements within the right-of-way which include, but are not limited to, pavement, pavers, bridges, tunnels, storm drains, sidewalks, curbing, street lights, traffic signals, and all required Manual on Uniform Traffic Control Devices (MUTCD) street signs.

(1) Public Roads

- (a) As part of the review and approval of a public road subdivision, the City shall require that roads be designed, constructed, and paved to specifications within the latest edition of The Villages Construction and Development Manual.
- (b) The access points to the project may be gated with resident-only gates by the Developer or its successors or assignees. All gates will open with a push button system allowing vehicular traffic to enter the development. All gates will allow public access.
- (c) Roadways within the VOWL will not be required to connect to any properties or project not owned by the same developer.

(2) Commercial Roadway Projects

The layout for roadways within the property shall be depicted and approved on an individual basis. No minimum road centerline gradient is required where roadway drainage is provided that will prevent excess buildup of stormwater runoff and protect public safety. For non-residential access to Major Collector Roadways see Table 6.5 below.

Table 6-5: Non-Residential Access to Collector/Arterial Roadways

Speed Limit (mph)	Spacing (Ft)
35 or less	245
36-45	440
Over 45	660

(3) Golf Cars

Golf cars are allowed to utilize the roadways within the project for all roadways signed 30 miles per hour or less. Golf car access to or from city streets or multimodal paths outside the development are prohibited unless explicitly approved by the Developer or its successors or assignees.

(B) Design Standards

- (1) Cul-de-sac diameters to the right-of-way line shall not be less than 100 feet with a pavement radius of 40 feet.
- (2) Dead end rights-of-way with a cul-de-sac at the terminal end shall not exceed 1,500 feet. Subdivisions with a dead end shall not require a turnaround for 250 feet.
- (3) Corner radii at the intersection of two rights-of-way shall be not less than 10 feet. Minimum edge of pavement radii shall be 25 feet for residential subdivisions and 35 feet for commercial or industrial subdivisions.
- (4) A paved approach apron shall be constructed where a non-paved drive or road intersects with a paved road. Driveway grade shall be a maximum of 10 percent for commercial and 25 percent for residential.
- (5) Roadway centerline radii in residential subdivisions shall be designed in accordance with Table 6-6. Minimum centerline radii and other geometric design criteria shall be in accordance with Chapter 16 of the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

Table 6-6: Minimum Centerline Radius Criteria

Roadway	Minimum Posted Speed Limit (mph)*	Minimum Intersection Spacing (Ft)	Minimum Centerline Radius (Ft)
Local Residential	10	<20 or >100	25
Local Collector	30	100	275
Arterial Road	35	330	**

*unless otherwise posted

** Per the FDOT Design Manual

- (6) Minimum intersection spacing shall be 100 feet.
- (7) Tracts, easements, and other similar areas that are adjacent to the right of way can be combined with the right of way to meet minimum ROW width criteria as stated in Table 6-7 below.
- (8) Roadways with inverted crown are not required to have curb.

Table 6-7: Right-Of-Way Widths

Street Type	ROW Width (ft)	Roadway Lane Widths (ft)	Width of Pavement (ft)	Sidewalk
Local Residential	35	10	20	*
Local Collector	35	10	20	*
Arterial	80	11	22	*

Note: This table applies for new construction. Maintenance projects shall attempt to satisfy these requirements as deemed practical.

*Sidewalk widths and locations shall be per developer.

(C) Driveway Access

- (1) There are no restrictions on the placement of residential driveways near intersections. However, residential driveways shall be placed on the minor street.

(D) Sidewalk and trail placement is per the Developer's discretion.

(E) Sign and Pavement Markings

- (1) Signing and marking plans shall be required to show size, location, materials, and message of all devices.
- (2) The design engineer shall design the project plans providing for installation of signs as per the requirements of this LDR. Street signs are required at every intersection. Stop signs and stop bars requiring vehicles to stop are required on the minor street at all intersections. All stop signs shall be high intensity grade. Stop signs may be 30 inches on arterial/collector roadways and 24 inches on local streets. A 30 inch stop sign shall be used when transitioning from a local street to an arterial/collector street. Signs establishing maximum speed limit are required on collector roads at intervals not to exceed 2,000 feet and at the entrance to the subdivision. Project wide speed limit signs on major roadways (i.e. CR 470) are an acceptable replacement for speed limit signs within each subdivision. The speed limit shall be determined by the project engineer in accordance with Section 316.183 and 316.18, Florida Statutes, and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Highways, Roads, and Streets in Florida, Florida D.O.T., latest edition. Dead end signs shall be erected at the beginning intersection of all discontinuous roads. No outlet signs shall be erected at the entrance intersection when an intersection is the only outlet from a street network.
- (3) All sign sizes, colors, mounting heights, etc. shall be in accordance with the latest edition of The Villages Construction and Development Manual.
- (4) All pavement centerline and edge markings Private or Public Roads shall be four-inch wide paint, in accordance with FDOT specifications. Stop bars shall be 24 inches wide. All other pavement marking dimensions shall comply with the MUTCD and FDOT Standard Index, latest revision.

6.5. Parking Requirements

Table 6-9 lists the minimum standards for off-street parking within the development.

Table 6-9: Minimum Standards for Off-Street Parking Requirements

Land Use	Required Parking Spaces Per Indicated Areas
Bowling Alley	3.0 Per lane
Church/Synagogue	1.0 Per 3 seats
Fiduciary Institutions	1.0 Per 300 square feet gross floor area (GFA)
Hotel	1.1 per sleeping room or rental unit
Industrial	1.0 Per 750 square feet GFA
Manufacturing	1.0 Per 750 square feet GFA devoted to manufacturing
Medical Center	1.0 Per 250 square feet GFA
Assisted Living/Skilled Nursing Facility/Memory Care	1.0 Per 4 beds
Independent Living Facility	To be determined by specific occupancy
Nightclub/Bar	1.0 Per 2.5 seats
Offices	3.0 Per 1,000 square feet GFA
Restaurant and Fast Food Establishment	1.0 Per 125 square feet of gross leasable area or 1 Per 2.5 seats, whichever is greater
Multi-Family Residential Units	1.5 Per 1.0 units
Commercial or general retail independently located	1.0 Per 250 square feet of gross leasable area
Golf Driving Range	1.0 space per tee
Recreational Use	To be determined by specific occupancy
Public/Institutional Use	To be determined by specific occupancy
Mixed Use Shopping Center Under 400,000 square feet gross leasable area (GLA)	3.5 Per 1,000 square feet GLA
Mixed Use Shopping Center Over 400,000 square feet GLA	3.0 Per 1,000 square feet GLA
Storage areas	1.0 Per 2,000 square feet GLA
Theater	1.0 Per 4 seats
Warehouse	1.0 Per 3,000 square feet GFA

(A) Habitable Building Area

Habitable Building Area shall not include stairways, alcoves, elevator and elevator shafts, mechanical closets, and similar areas of a building. Parking within the development shall be measured on an aggregate basis, and at the time of site plan submittal. The owner shall also supply documentation indicating that sufficient parking is currently provided, or will be constructed, pursuant to the project depicted in the site plan.

(B) Reconstruction

Once a structure has been constructed and parking provided pursuant to the requirements set forth in this LDR, any subsequent reconstruction of the building not increasing the square footage of Habitable Building Area will not be required to document or comply with any parking requirement.

(C) Loading, Unloading Zones and Stacking

Parking areas may be used as loading and unloading zones without striping or demarcation. Appropriate stacking distances shall be provided for drive thru facilities.

(D) On-Street Parking

On-street parallel parking may be constructed with a minimum width of eight (8) feet and a length of 22 feet.

(E) Modification of Parking Requirements

Historical parking criteria can be used to modify the parking requirements and shall be approved by The Villages DRC. No approval from the City is required to modify parking criteria within this LDR.

(F) Parking Space Dimensions

The minimum parking space shall be 10 feet in width by 18 feet in length. Parking spaces for the physical handicapped shall comply with the requirements of the Florida Building Code.

(G) Garage or Carport

Minimum one-car parking shall be provided per residential unit. A one-car garage or carport and driveway combination shall count as off-street parking spaces.

(H) All Other Proposed Uses

Any proposed use not found within this section shall defer to The Villages DRC.

6.6. Tree Protection

The Developer is exempt from tree protection criteria.

Appendix 1: The Villages Construction and Development Manual, Latest Edition

[UNDER SEPARATE COVER]

Appendix 2: Development and Plat Application

**Appendix 3: Engineer's Certification of Satisfactory Completion and
Final Construction Clearance Procedure**

Appendix 4: Electronic Application Submittal

City of Leesburg, Florida
Planning & Zoning Department
204 5th Street, Leesburg, FL 34748
Tel: 352.728.9760



Development and Plat Application

Project Name: _____

*A project name is required for all submissions. Please choose a unique name for your project.

Application Type:

___ Final Plat ___ Improvement/Subdivision Plan
___ ROW/Plat Vacate ___ Lot Split
___ Replat of Subdivision ___ Site Plan

Contact Information:

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Owner Name: _____ Phone: _____

Address: _____ Email: _____

Engineer Name: _____ Phone: _____

Address: _____ Email: _____

Property and Project Information:

Property Address: _____

List Parcel Number(s): _____

Current Property Use: _____ Proposed Use of Property: _____

Current Future Land Use: _____ Current Zoning: _____

Required Submittal Items:

All items will be submitted by electronic means; ie, "BOX" or FTP Site

___ Development Services Application ___ Plans (24" x 36")
___ Legal Description (Microsoft Word Format) ___ Stormwater / Drainage Calculations (as applicable)
___ Final Plat (and supporting documentation)

Applicant Signature: _____ Date: _____

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must provide a notarized Authorized Agent form from the owner to submit application.



City of Leesburg, Florida
Planning & Zoning Department
204 5th Street, Leesburg, FL 34748
Tel: 352.728.9760
www.leesburgflorida.gov

Engineer's Certification of Satisfactory Completion

City of Leesburg
204 N. 5th Street
Leesburg, Florida 34748

Project Name: _____

Phase: _____

In my professional opinion and to the best of my knowledge, information, and belief, the above referenced project has been completed in general conformance with the final engineering plans approved by the City of Leesburg.

Should you have any questions or comments regarding this matter, please feel free to contact our office.

Farner Barley and Associates, Inc.

By: _____

(Typed Name)

SEAL REQUIRED

Registered Engineer No. _____

STATE OF FLORIDA

Date: _____



Final Construction Clearance Procedures

Project Name: _____

Submittal requirements prior to issuance of Building Certificates of Occupancy (C.O.)

The following items are required to be submitted to the City in one complete package by electronic means; ie, "BOX or FTP Site.

_____ One (1) Engineer of Record Certification of Completion form

_____ One (1) 24" x 36" Record Drawing Plans

_____ One (1) SHA-1 Form

TO BE PROVIDED WITHIN 90 DAYS OF ISSUANCE OF C.O.:

Additional submittal requirements subsequent to issuance of Building Certificates of Occupancy (C.O.).

1. **Final As-Built Plans**
2. **Final Clearance of Potable Water and Sanitary Sewer Systems by FDEP**
3. **Letter certifying that the constructed stormwater ponds have adequate volume for the project being certified complete**

The licensee must retain the hardcopy.

Upload completed Engineer's Certification of Satisfactory Completion form and submittal package, properly signed, sealed and dated to the "BOX".

ELECTRONIC APPLICATION SUBMITTAL

Name of the project: _____

P.E. Name: _____

P.E. Number: _____

Date of Document Sealing: _____

P.E. Contact information Mailing Address: _____

Telephone #: _____

Email Address: _____

Name of Document

SHA-1 Authentication codes (Digest and Public Key)

PE Certification Statement, Signature, Seal and Date _____

(SEAL)



TRAFFIC IMPACT STUDY

The Villages of West Lake

CITY OF LEESBURG
CHAPTER 163 DEVELOPMENT AGREEMENT TRAFFIC ANALYSIS

Prepared for:

The Villages Land Company, LLC

JULY 28, 2020

Prepared By

Kimley»Horn

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INTRODUCTION

This Traffic Impact Study (TIS) is in support of The Villages of West Lake Chapter 163 Development Agreement in the City of Leesburg, Florida. The most recent TIS guidelines published by Lake-Sumter Metropolitan Planning Organization (MPO) for Lake County and by the City of Leesburg Land Development Code (LDC) were referenced in developing the methodology, and the methodology is consistent with previous TIS's conducted for The Villages developments.

The Villages of West Lake development area is a continuation of the existing Villages community, which is age-restricted and uniquely characterized by mixed land uses, an abundance of on-site amenities and social/recreational opportunities, and superior travel connectivity for various travel modes throughout the community.

The Villages of West Lake development area, for which this TIS is provided, is shown on **Figure 1**.

The Central Florida Regional Planning Model (CFRPM), version 6.1, in the Florida Standard Urban Transportation Model Structure (FSUTMS), has been utilized in the study. This model is the standard transportation model developed and maintained by the Florida Department of Transportation (FDOT), District Five for Sumter County, Lake County, and adjacent counties in central Florida. The model contains the most up-to-date network and zonal data outside The Villages of West Lake development area and detailed traffic analysis zone (TAZ) information pertinent to the development areas within the community. Further details of the use of the CFRPM and adjustments made will be discussed later in this report.

Residential origin-destination (O-D) surveys for The Villages have been conducted previously. At that time, the methodology and survey forms used were reviewed by local agencies and approved for application in future analyses of The Villages developments. The results of these O-D surveys provided data related to travel characteristics of trips being made by The Villages residents. Residential survey results used in this TIS will be discussed further in appropriate sections of this report.

Additionally, a non-residential O-D survey for The Villages was previously conducted. At that time, the methodology was reviewed by FDOT District Five. The results of this survey provided data related to trip characteristics for trips originating from or destined to retail and office uses in The Villages.

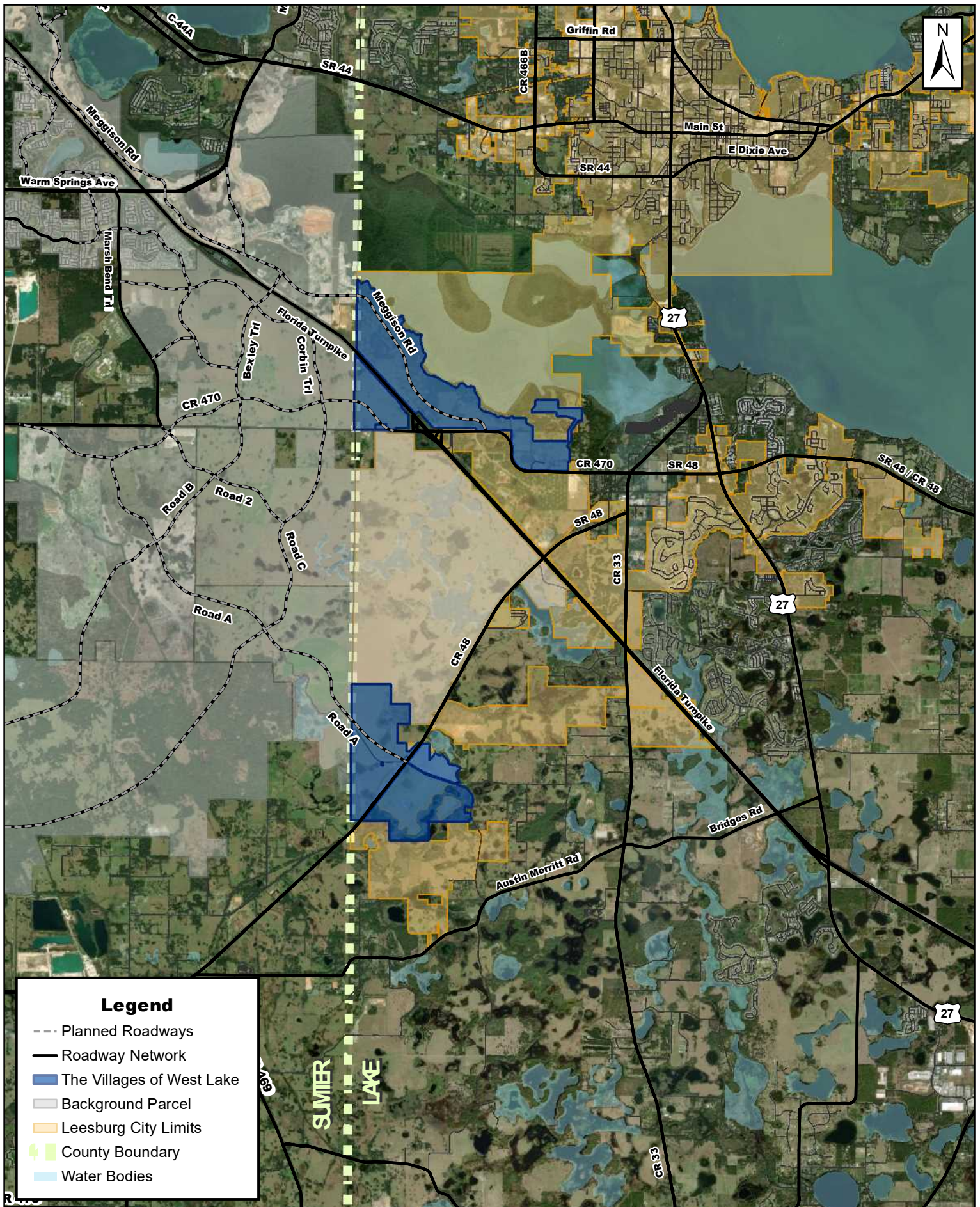


FIGURE 1: PROJECT LOCATION & 2040 ASSUMED NETWORK

EXISTING CONDITIONS

The Villages of West Lake development areas are adjacent to SR 48 and the Sumter County Line as well as the Florida Turnpike and CR 470 in the City of Leesburg. Other nearby facilities include CR 33, SR 25 / US 27, and the future Meggison Road extension.

Table 1 presents existing plus committed roadway network conditions, including physical roadway characteristics and the most recently available traffic counts from the FDOT, Sumter County, and Lake County for study area roadway segments as well as some adjacent Sumter County roadway segments for informational purposes only. An analysis of existing roadway segments within The Villages of West Lake study area is provided by comparing existing PM peak hour directional traffic counts to maximum generalized service volumes associated with adopted level of service (LOS) standards.

The study area for the project was determined per the Lake-Sumter MPO guidelines published in *Lake-Sumter MPO TIS Methodology Guidelines Volume 1: Lake County Checkbook TCMS*. Per this guidance, the study area is defined as one-half of the average total vehicle trip length for the proposed project. O-D surveys completed in the area conclude the average Villages trip length of 3 miles. This results in roughly a 1.5-mile driving distance study area radius for this TIS. However, the study area has been expanded to more widely depict the impacts of the planned Villages development.

Segments within the study area radius inside the City of Leesburg's roadway network were included in the study area per Policy 1.8.2 under Objective 1.8: *Concurrency Management*. Any segments less than 1% of the maximum service volume of the segment (de minimus impacts) were excluded from the study area per the methodology guidelines. The study area roadway segments are shown on **Figure 2**.

Planned and Programmed Improvements

Throughout the study area roadway network surrounding The Villages of West Lake development area, operational and capacity improvements are programmed in the cost feasible plan of the Lake-Sumter Metropolitan Planning Organization (MPO) and by local governments.

Sumter County is committed to widen CR 468, from US 301 to SR 44, to four lanes. CR 468 has already been widened from two lanes to four lanes between CR 505 and SR 44. West of there, construction is underway to widen CR 468 from two lanes to four lanes between US 301 and CR 505. This analysis assumes improvements to the CR 468 in the future roadway network.

The extension of Meggison Road, from SR 44 to CR 470, (previously known as the Buena Vista Boulevard extension) is planned as part of The Villages development plans to also support regional traffic. This analysis assumes the extension of Meggison Road concurrent with The Villages development. Four lanes are currently being planned for the new roadway from SR 44 to the Bexley Bridge/Turnpike Overpass, and two lanes from the Bexley Bridge/Turnpike Overpass to CR 470.

In addition to the assumptions above, the City of Wildwood and Sumter County envision a connected roadway network south of CR 470. Consistent with that vision, this analysis assumes these new facilities in the assumed future (2040) roadway network.

Table 1: Existing Conditions Analysis

Roadway		Adopted LOS Standard	# Lanes Committed / Assumed	PM PHPD Max. Service Volume	Existing PM PHPD Analysis							
From	To				Count Year	AADT	K Factor	D Factor	Pk Dir	NB/EB	SB/WB	Deficient?
SR 91 / FLORIDA TURNPIKE												
WARM SPRINGS AVE	CR 470	C	4	3,020	2019	49,500	0.11	0.54	S	2,401	2,796	No
CR 470	US 27 / SR 25	C	4	3,020	2019	51,900	0.09	0.55	S	2,121	2,550	No
SR 44												
MORSE BLVD	LAKE COUNTY LINE	D	4	3,240	2019	21,000	0.09	0.53	W	883	1,007	No
SUMTER COUNTY LINE	CR 468	D	4	2,000	2019	21,500	0.09	0.54	W	884	1,051	No
CR 468	S LONE OAK DR	D	4	2,000	2019	21,500	0.09	0.54	E	1,051	884	No
S LONE OAK DR	US 27	D	4	1,630	2019	21,000	0.09	0.54	E	1,026	864	No
SR 25 / US 27												
SR 44	CR 25A (S)	D	4	1,630	2019	43,500	0.09	0.54	S	1,789	2,126	YES
CR 25A (S)	CR 33	D	4	2,100	2019	36,000	0.09	0.54	S	1,481	1,759	No
CR 33	CR 48	D	4	2,100	2019	36,000	0.09	0.54	S	1,481	1,759	No
CR 48	PLANTATION BLVD	D	4	3,240	2019	29,000	0.09	0.54	S	1,193	1,417	No
CR 468 (LAKE COUNTY)												
SR 44	GRIFFIN RD	D	2	620	2019	7,658	0.09	0.52	N	352	331	No
MAIN ST												
CR 468	THOMAS AVE	D	2	840	2019	10,677	0.09	0.52	W	458	501	No
CR 470 (NEW ALIGNMENT)												
ROAD B	ROAD C	D	2	880	2019	10,669	0.09	0.55	W	407	504	No
ROAD C	LAKE COUNTY LINE	D	2	880	2019	10,669	0.09	0.55	W	407	504	No
SUMTER COUNTY LINE	FLORIDA TURNPIKE	D	2	700	2019	8,816	0.09	0.58	W	325	456	No
FLORIDA TURNPIKE	MEGGISON RD EXT	D	2	670	2019	7,451	0.08	0.56	E	342	273	No
MEGGISON RD EXT	BAY AVE	D	2	670	2019	7,451	0.08	0.56	E	342	273	No
BAY AVE	CR 33	D	2	620	2019	7,451	0.08	0.56	E	342	273	No
CR 48												
CR 569 / NORTH AVE	LAKE COUNTY LINE	D	2	1,190	2019	4,023	0.09	0.65	W	132	244	No
SUMTER COUNTY LINE	CR 33	D	2	1,070	2019	2,849	0.09	0.65	W	92	173	No
CR 33	HAYWOOD WORM FARM RD	D	2	790	2019	7,814	0.09	0.54	E	362	304	No
HAYWOOD WORM FARM RD	US 27	D	2	840	2019	9,128	0.08	0.51	E	397	376	No
US 27	LIME AVE	D	2	1,070	2019	9,624	0.08	0.51	E	409	396	No
CR 33												
US 27	CR 470 / CR 48	D	2	920	2019	9,402	0.08	0.59	W	301	427	No
CR 470 / CR 48	CR 48	D	2	880	2019	8,936	0.08	0.59	S	308	443	No
CR 48	BRIDGES ROAD	D	2	1,070	2019	4,200	0.09	0.64	S	130	229	No
BRIDGES ROAD	PEBBLE ROCK ROAD	C	2	670	2019	4,200	0.09	0.64	S	130	229	No
MEGGISON RD EXTENSION												
² BEXLEY BRIDGE	CR 470	D	2	880			0.09	0.55	N	-	-	No
CORBIN TRL												
¹ BEXLEY TRL	CR 470	D	4	1,860			0.09	0.55	N	-	-	No
BEXLEY BRIDGE (TURNPIKE OVERPASS)												
¹ MEGGISON RD	CORBIN TRL	D	4	1,860			0.09	0.55	N	-	-	No
BEXLEY TRL												
¹ CORBIN TRL	CR 470	D	4	1,860			0.09	0.55	S	-	-	No
ROAD 2												
¹ ROAD B	ROAD C	D	2	880			0.09	0.55	E	-	-	No
ROAD A												
¹ ROAD B	ROAD C	D	4	1,860			0.09	0.55	E	-	-	No
¹ ROAD C	CR 48	D	4	1,860			0.09	0.55	E	-	-	No
ROAD B												
¹ CR 470	ROAD 2	D	4	1,860			0.09	0.55	S	-	-	No
¹ ROAD 2	ROAD A	D	4	1,860			0.09	0.55	S	-	-	No
ROAD C												
¹ CR 470	ROAD 2	D	4	1,860			0.09	0.55	S	-	-	No
¹ ROAD 2	ROAD A	D	4	1,860			0.09	0.55	S	-	-	No

¹ Committed / Assumed / LRTP Improvement

² Link capacity based on report FHWA-RD-00-67 for corridors with roundabout control through Villages access corridors.

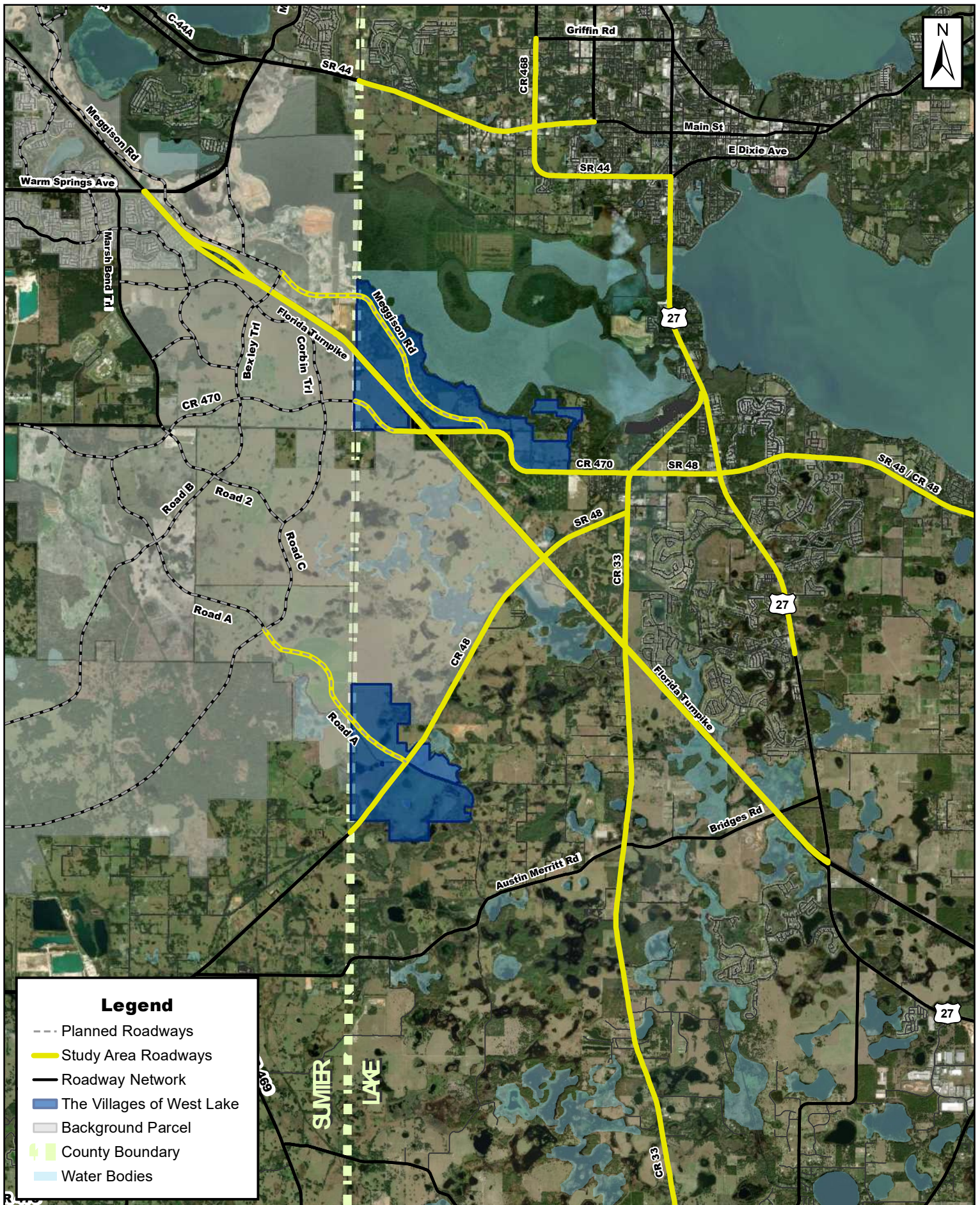


FIGURE 2: STUDY AREA ROADWAY SEGMENTS

THE VILLAGES OF WEST LAKE TRAFFIC

The purpose of this Traffic Impact Study is to quantify the impacts of The Villages of West Lake development area in terms of the traffic that is expected to be generated by the proposed development. To assess the potential impacts, the study includes the estimated number of trips that the proposed land uses are expected to generate; an estimation of the split between those expected to remain internal to The Villages of West Lake area and the existing Villages and those expected to travel to and from areas external to The Villages community; and the expected directional distribution and assignment of project trips to the surrounding roadway network.

Proposed Land Uses

The Villages of West Lake development area is a continuation of the existing Villages community, which is age-restricted and uniquely characterized by mixed land uses, an abundance of on-site amenities and social/recreational opportunities, and superior travel connectivity for various travel modes throughout the community.

Chapter 163 Development Agreement Land Use

The following land uses are being planned for The Villages of West Lake by Year 2040 and were analyzed within this TIA:

- 14,185 residential dwelling units
- 4,100,000 square feet of commercial/non-residential use

A trip land use conversion table may be utilized to convert between uses of equivalent trip generation characteristics in the future.

Trip Generation

Trip generation is based on the measured rate for age-restricted residential dwelling units in The Villages, which was determined in the approved Origin-Destination (O-D) survey conducted in prior developments. Including both home-based and non-home-based trips, The Villages measured PM peak hour residential trip generation rate for vehicular travel is 0.35 trips per dwelling unit. Consistent with previous methodologies, trip generation rates and equations from the latest edition of the Institute of Transportation Engineer's (ITE) Trip Generation Manual are used to estimate trip generation for the non-residential use. A 19.5% golf cart trip reduction was applied for non-residential trips per O-D data.

A summary of the future total (2040) estimated trip generation for uses for The Villages of West Lake is provided in **Table 2**.

Table 2: Future Total (2040) Trip Generation Summary

PM Peak Hour	Land Use	ITE LUC	Size	Units	Trip Rate	PM Peak Hour Trip Generation				
						Total	In		Out	
	Villages Residential ¹	-	14,185	DU	0.35	4,965	63%	3,128	37%	1,837
	Commercial ²	820	4,100	KSF	2.07	8,487	48%	4,074	52%	4,413
	Total Generated Trips					13,452	7,202		6,250	
	Non-Residential Golf Cart Trip Reduction	19.5%				1,655	794		861	
	Net New External Trips					11,797	6,408		5,389	

Notes: ¹ Vehicle trip rate for Villages Residential based on O-D survey

² Vehicle trip rate for non-residential uses based on fitted equation per procedures published in ITE Trip Generation Handbook, 10th Edition

Internal/External Split

Internal capture rates, based on the approved Villages O-D surveys, are utilized in this analysis to quantify the interrelationship between land uses within The Villages community. The measured Villages internal capture rate for residential trips is 74.8 percent for all modes of travel and 63.9 percent for automobiles. The Villages internal capture rate for non-residential trips is 75.4 percent for all modes of transportation and 69.7 percent for automobiles only. The high internalization of trips is consistent with large communities and especially true for The Villages due to the mixed uses and abundance of on-site amenities. Shorter trip lengths are also a characteristic of the retirement population and are reflected in past studies and analyses for The Villages, both because of convenience and because of a connected network for alternative travel modes.

The internal/external split of The Villages project trips was simulated in the CFRPMv6.1 FDOT, District Five modeling run by factoring the O-D trip table to the O-D survey splits prior to the trip assignment process. Specifically, the unadjusted trip tables generated by the model were factored to simulate 65% trip capture within The Villages zones located both north and south of SR 44.

Trip Distribution and Assignment

Trip distribution of uses for The Villages of West Lake project trips is based on the adopted CFRPMv6.1 with a more detailed traffic analysis zone (TAZ) structure for The Villages. Consistent with previous CPAs and TIS's conducted for The Villages community, results from the modeled O-D trip table was factored to account for observed trip generation and trip capture behavior from O-D surveys. **Figure 3** presents The Villages of West Lake 2040 project percent trip distribution on the study area roadway network based on the CFRPM model run for the corresponding conditions.

Model documentation and electronic files will be provided to review agencies upon request, including a description of O-D trip table factoring for The Villages trips to simulate the anticipated internal/external split of project trips from the previous O-D surveys. **Figure 4** displays The Villages of West Lake 2040 project trips expected on the study area roadway segments.

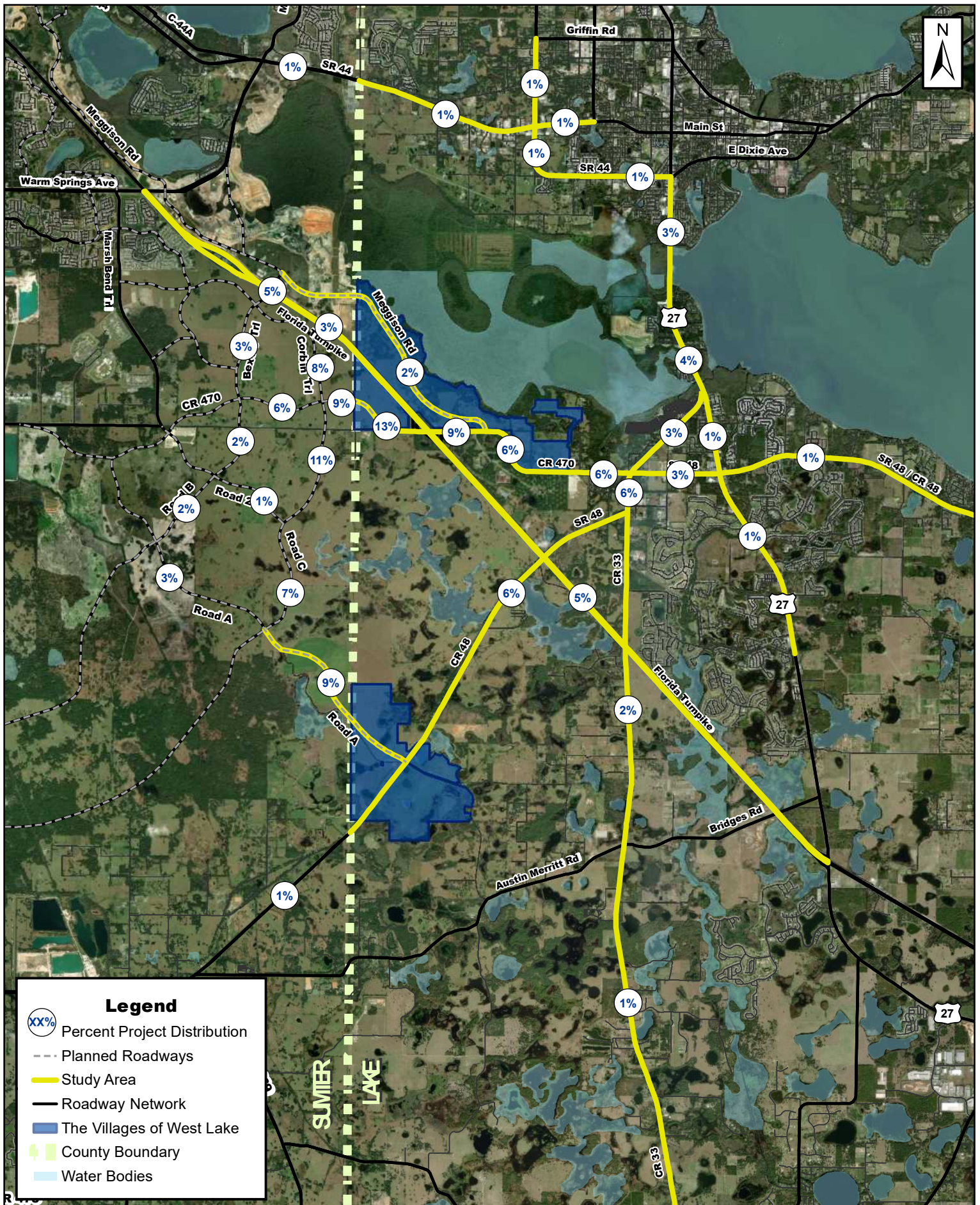


FIGURE 3: 2040 PROJECT PERCENT TRIP DISTRIBUTION

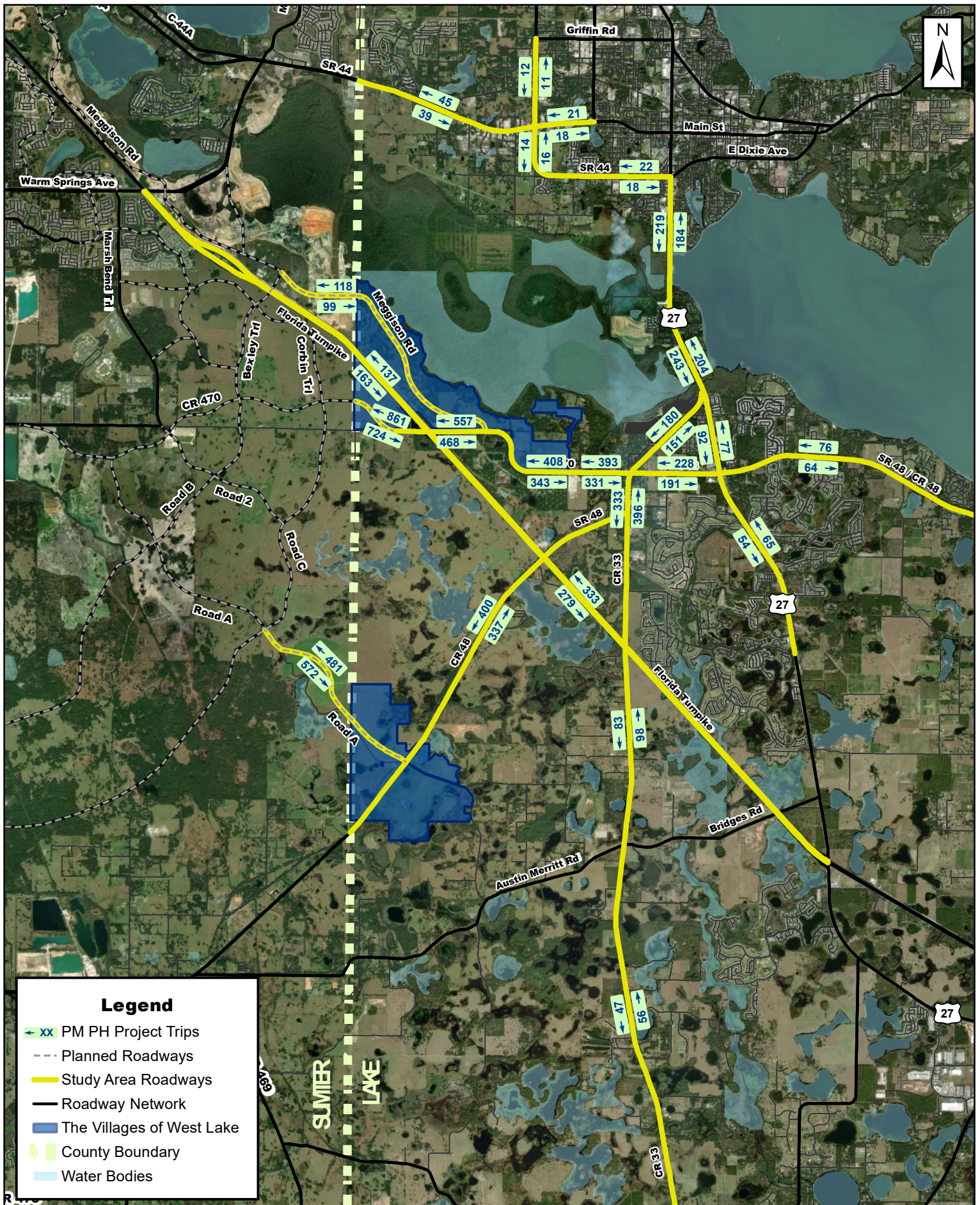


FIGURE 4: 2040 PROJECT PM PEAK HOUR VOLUMES

FUTURE 2040 CONDITIONS

Future traffic volumes include both The Villages of West Lake traffic and the projected background traffic on the roadway network in the Year 2040. Background traffic is expected from area growth not including The Villages of West Lake development areas. The background traffic includes traffic from the previously-approved Villages Community. Background traffic also accounts for future shifting of non-project trips to future roadways.

Background Traffic

Three sources were referenced to determine reasonable background traffic growth for future conditions analyses: historical traffic trends, travel demand model traffic growth projections, and projected regional population growth.

Historical AADT volumes from FDOT's most recent Florida Traffic Information (FTI) 2019 website were reviewed for the FDOT study area roadways. Linear regression was applied to AADT volumes from 2015 to 2019 to determine the historical growth rate on each roadway segment. Historical AADT volumes from Lake-Sumter MPO's 2019 Annual Traffic Counts were reviewed for county study area roadways. Linear regression was applied to AADT volumes from 2015 to 2019 to determine the historical growth rate on each roadway segment.

Due to the expansion of Meggison Road from SR 44 to CR 470, some background traffic is expected to shift to the future facility from other parallel facilities. Additionally, new roads envisioned in the City of Wildwood's LRTP are also expected to carry future traffic which shifts from existing facilities. This shifting of traffic is not accounted for in the historical trend projections. Additionally, the historical trends projections may not accurately reflect traffic volumes from the previously-approved Villages Community. Therefore, background traffic growth indicated in CFRPMv6 model runs was also reviewed to evaluate the expected growth rate on roadways within The Villages of Southern Oaks study area. Long-term annualized model volume growth rates were determined between the Year 2017 No-Build scenario (no previously-approved Villages Community south of SR 44 or The Villages of Southern Oaks development and no Meggison Road extension) and the background volume in the 2040 Build scenario (with previously-approved The Villages Community south of SR 44 and The Villages of Southern Oaks development, with full Meggison Road extension and the cost feasible network).

The University of Florida's Bureau of Economic and Business Research (BEBR) analyzes population growth trends in counties throughout the state, along with other statistical metrics. According to the most recent BEBR population projections, population growth in the area is expected to range between 0.19% and 4.31% annually between 2025 and 2045. In an effort to determine a reasonable background growth rate for the study area, the medium BEBR growth rates for Lake County and Marion County were averaged. The Sumter County growth rates were excluded from consideration of regional background growth because they include The Villages development; applying these growth rates to the background traffic projections would have resulted in redundancy when project trips were added to the network. The averaged BEBR medium projection for Lake County and Marion County is used to verify reasonableness of growth rates.

Once growth rates from the three methodologies are compared for each of the roadway segments, a reasonable rate is utilized to project background traffic for the Year 2040 background analysis. A summary of the background growth rate data is included in **Appendix A**.

Table 3 shows the background traffic PM peak hour directional analysis for roadway segments within The Villages of West Lake study area as well as some adjacent Sumter County roadway segments for informational purposes only.

Total Traffic

As shown in **Table 3**, total future traffic is calculated by adding The Villages of West Lake traffic on each link to the projected background traffic volumes. The table also provides the total traffic PM peak hour directional analysis for roadway segments within The Villages of West Lake study. **Figure 5** depicts the total future vehicle volumes on the study area roadway network for The Villages of West Lake.

Conclusion

The Villages of West Lake future total (2040) traffic analysis shows that the projected traffic associated with the current proposed development program is not expected to adversely impact any City roadway segments. New planned facilities in the study area are projected to provide local and regional access for the planned Villages growth while also providing additional capacity and connectivity for background traffic in the area. Partnerships and monitoring of the impacts of development will continue to occur to identify actual roadway needs in the future.

Table 3: 2040 Future Conditions Analysis

Roadway		Adopted LOS Standard	# Lanes Committed / Assumed	PM PHPD Max. Service Volume	Background PM PHPD Analysis				Project PM PHPD Analysis				Total PM PHPD Analysis			Notes
From	To				Annual Growth Rate	Year = 2040		Deficient?	IN = 6,408		OUT = 5,389		NB/EB	SB/WB	Deficient?	
						NB/EB	SB/WB		Trip Distrib	Proj Pk Dir	NB/EB	SB/WB				
SR 91 / FLORIDA TURNPIKE																
WARM SPRINGS AVE	CR 470	C	4	3,020	2.53%	3,679	4,284	YES	2.55%	S	137	163	3,816	4,447	YES	Background deficiency
CR 470	US 27 / SR 25	C	4	3,020	3.72%	3,778	4,544	YES	5.19%	N	333	279	4,111	4,823	YES	Background deficiency
SR 44																
MORSE BLVD	LAKE COUNTY LINE	D	4	3,240	1.50%	1,161	1,325	No	0.89%	W	48	56	1,209	1,381	No	
SUMTER COUNTY LINE	CR 468	D	4	2,000	1.50%	1,163	1,382	No	0.71%	W	39	45	1,202	1,427	No	
CR 468	S LONE OAK DR	D	4	2,000	2.55%	1,612	1,357	No	0.26%	W	14	16	1,626	1,373	No	
S LONE OAK DR	US 27	D	4	1,630	1.50%	1,350	1,136	No	0.34%	W	18	22	1,368	1,158	No	
SR 25 / US 27																
SR 44	CR 25A (S)	D	4	1,630	1.50%	2,353	2,795	YES	3.41%	S	184	219	2,537	3,014	YES	Background deficiency
CR 25A (S)	CR 33	D	4	2,100	1.50%	1,947	2,314	YES	3.79%	S	204	243	2,151	2,557	YES	Background deficiency
CR 33	CR 48	D	4	2,100	1.50%	1,947	2,314	YES	1.43%	S	77	92	2,024	2,406	YES	Background deficiency
CR 48	PLANTATION BLVD	D	4	3,240	1.50%	1,568	1,864	No	1.01%	N	65	54	1,633	1,918	No	
CR 468 (LAKE COUNTY)																
SR 44	GRIFFIN RD	D	2	620	1.50%	463	436	No	0.19%	S	11	12	474	448	No	
MAIN ST																
CR 468	THOMAS AVE	D	2	840	1.50%	602	659	No	0.33%	W	18	21	620	680	No	
CR 470 (NEW ALIGNMENT)																
ROAD B	ROAD C	D	2	880	4.28%	773	957	YES	5.52%	E	354	298	1,127	1,255	YES	Background deficiency
ROAD C	LAKE COUNTY LINE	D	2	880	2.91%	656	812	No	8.60%	E	551	464	1,207	1,276	YES	Mitigation to be determined
SUMTER COUNTY LINE	FLORIDA TURNPIKE	D	2	700	6.68%	781	1,096	YES	13.43%	W	724	861	1,505	1,957	YES	Background deficiency
FLORIDA TURNPIKE	MEGGISON RD EXT	D	2	670	2.40%	514	411	No	8.69%	W	468	557	982	968	YES	Mitigation to be determined
MEGGISON RD EXT	BAY AVE	D	2	670	4.22%	645	516	No	6.36%	W	343	408	988	924	YES	Mitigation to be determined
BAY AVE	CR 33	D	2	620	3.13%	567	453	No	6.14%	W	331	393	898	846	YES	Mitigation to be determined
CR 48																
CR 569 / NORTH AVE	LAKE COUNTY LINE	D	2	1,190	1.50%	174	321	No	0.18%	W	10	12	184	333	No	
SUMTER COUNTY LINE	CR 33	D	2	1,070	5.87%	205	387	No	6.25%	W	337	400	542	787	No	
CR 33	HAYWOOD WORM FARM RD	D	2	790	2.41%	545	459	No	3.55%	W	191	228	736	687	No	
HAYWOOD WORM FARM RD	US 27	D	2	840	1.50%	522	494	No	3.33%	W	179	213	701	707	No	
US 27	LIME AVE	D	2	1,070	1.50%	538	521	No	1.19%	W	64	76	602	597	No	
CR 33																
US 27	CR 470 / CR 48	D	2	920	1.50%	396	561	No	2.80%	S	151	180	547	741	No	
CR 470 / CR 48	CR 48	D	2	880	3.20%	515	740	No	6.18%	N	396	333	911	1,073	YES	Mitigation to be determined
CR 48	BRIDGES ROAD	D	2	1,070	1.50%	171	302	No	1.54%	N	98	83	269	385	No	
BRIDGES ROAD	PEBBLE ROCK ROAD	C	2	670	1.79%	179	316	No	0.87%	N	56	47	235	363	No	
MEGGISON RD EXTENSION																
2 BEXLEY BRIDGE	CR 470	D	2	880	0.00%	499	408	No	1.84%	N	118	99	617	507	No	
CORBIN TRL																
1 BEXLEY TRL	CR 470	D	4	1,860	0.00%	848	1,036	No	8.22%	N	527	443	1,375	1,479	No	
BEXLEY BRIDGE (TURNPIKE OVERPASS)																
1 MEGGISON RD	CORBIN TRL	D	4	1,860	0.00%	1,080	1,320	No	5.27%	N	338	284	1,418	1,604	No	
BEXLEY TRL																
1 CORBIN TRL	CR 470	D	4	1,860	0.00%	1,008	1,232	No	2.82%	S	152	180	1,160	1,413	No	
ROAD 2																
1 ROAD B	ROAD C	D	2	880	0.00%	493	602	No	0.59%	E	38	32	531	634	No	
ROAD A																
1 ROAD B	ROAD C	D	4	1,860	0.00%	883	722	No	3.22%	E	207	173	1,090	896	No	
1 ROAD C	CR 48	D	4	1,860	0.00%	768	629	No	8.93%	E	572	481	1,340	1,110	No	
ROAD B																
1 CR 470	ROAD 2	D	4	1,860	0.00%	1,106	905	No	2.21%	S	119	142	1,225	1,047	No	
1 ROAD 2	ROAD A	D	4	1,860	0.00%	1,161	950	No	2.02%	S	109	129	1,270	1,079	No	
ROAD C																
1 CR 470	ROAD 2	D	4	1,860	0.00%	688	841	No	11.15%	S	601	715	1,289	1,556	No	
1 ROAD 2	ROAD A	D	4	1,860	0.00%	640	782	No	6.64%	S	358	425	998	1,208	No	

No¹ Committed / Assumed / LRTP Improvement

² Link capacity based on report FHWA-RD-00-67 for corridors with roundabout control through Villages access

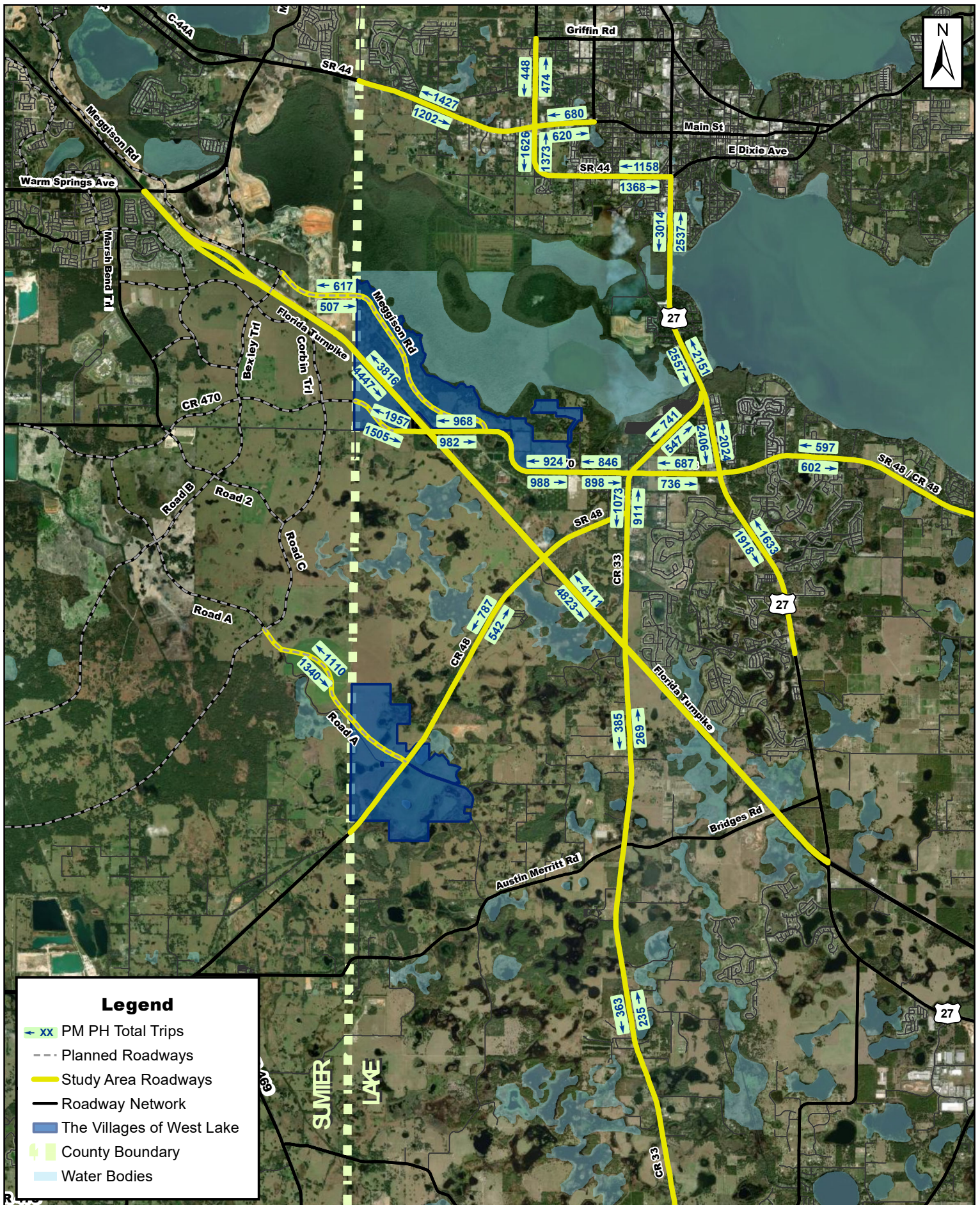


FIGURE 5: 2040 TOTAL PM PEAK HOUR VOLUMES

APPENDICES

Appendix A: Background Growth Rate Determination

Table A1: Background Growth Rate Determination (2040)

Roadway							Daily Model Bkgd		Annual Growth Rates			
From	To	2015	2016	2017	2018	2019	2017	2040	5-Year Trend	Model Growth	BEBR Medium	Rate Used
<u>SR 91 / FLORIDA TURNPIKE</u>												
WARM SPRINGS AVE	CR 470	40,000	44,200	47,300	49,300	49,500	52,118	82,496	7.22%	2.53%	1.50%	2.53%
CR 470	US 27 / SR 25	40,000	45,300	48,300	50,400	51,900	54,895	101,882	8.01%	3.72%	1.50%	3.72%
<u>SR 44</u>												
MORSE BLVD	LAKE COUNTY LINE	16,800	17,500	18,500	19,800	21,000	41,183	54,811	5.63%	1.44%	1.50%	1.50%
SUMTER COUNTY LINE	CR 468	19,900	20,500	21,500	21,500	21,500	39,488	51,347	2.61%	1.31%	1.50%	1.50%
CR 468	S LONE OAK DR	19,900	20,500	21,500	21,500	21,500	19,717	31,261	2.61%	2.55%	1.50%	2.55%
S LONE OAK DR	US 27	18,900	20,500	21,500	22,000	21,000	26,315	35,397	5.19%	1.50%	1.50%	1.50%
<u>SR 25 / US 27</u>												
SR 44	CR 25A (S)	37,000	37,500	39,000	40,000	43,500	41,877	42,943	2.63%	0.11%	1.50%	1.50%
CR 25A (S)	CR 33	33,000	35,000	34,500	36,000	36,000	36,801	38,171	2.94%	0.16%	1.50%	1.50%
CR 33	CR 48	33,000	35,000	34,500	36,000	36,000	30,661	31,634	2.94%	0.14%	1.50%	1.50%
CR 48	PLANTATION BLVD	24,500	24,500	25,500	26,500	29,000	27,387	29,896	2.65%	0.40%	1.50%	1.50%
<u>CR 468 (LAKE COUNTY)</u>												
SR 44	GRIFFIN RD	5,158	7,071	7,492	7,773	7,658	8,935	11,199	10.38%	1.10%	1.50%	1.50%
<u>MAIN ST</u>												
CR 468	THOMAS AVE	8,150	11,385	10,815	12,307	10,677	13,433	15,173	6.99%	0.56%	1.50%	1.50%
<u>CR 470 (NEW ALIGNMENT)</u>												
ROAD B	ROAD C	6,856	7,905	10,521	9,837	10,669	9,577	19,007	11.69%	4.28%	1.50%	4.28%
ROAD C	LAKE COUNTY LINE	6,856	7,905	10,521	9,837	10,669	9,577	15,983	11.69%	2.91%	1.50%	2.91%
SUMTER COUNTY LINE	FLORIDA TURNPIKE	6,771	6,681	8,310	8,986	8,816	9,577	24,293	6.82%	6.68%	1.50%	6.68%
FLORIDA TURNPIKE	MEGGISON RD EXT	6,525	7,257	7,182	9,077	7,451	7,588	11,779	3.37%	2.40%	1.50%	2.40%
MEGGISON RD EXT	BAY AVE	6,525	7,257	7,182	9,077	7,451	7,588	14,949	3.37%	4.22%	1.50%	4.22%
BAY AVE	CR 33	6,525	7,257	7,182	9,077	7,451	9,003	15,479	3.37%	3.13%	1.50%	3.13%
<u>CR 48</u>												
CR 569 / NORTH AVE	LAKE COUNTY LINE	3,173	3,320	3,825	4,221	4,023	15,812	17,145	9.98%	0.37%	1.50%	1.50%
SUMTER COUNTY LINE	CR 33	2,019	3,559	3,520	3,145	2,849	5,639	13,246	8.99%	5.87%	1.50%	5.87%
CR 33	HAYWOOD WORM FARM RD	6,580	11,043	8,307	8,867	7,814	8,055	12,526	4.39%	2.41%	1.50%	2.41%
HAYWOOD WORM FARM RD	US 27	8,459	7,698	8,996	9,714	9,128	9,015	11,487	1.92%	1.19%	1.50%	1.50%
US 27	LIME AVE	6,895	9,996	10,428	10,908	9,624	11,432	12,312	8.69%	0.33%	1.50%	1.50%
<u>CR 33</u>												
US 27	CR 470 / CR 48	8,443	8,444	9,988	9,599	9,402	6,945	8,333	2.73%	0.87%	1.50%	1.50%
CR 470 / CR 48	CR 48	5,056	7,552	10,062	9,251	8,936	9,357	16,244	15.30%	3.20%	1.50%	3.20%
CR 48	BRIDGES ROAD	2,766	4,144	3,670	4,697	4,200	6,945	6,243	11.01%	-0.44%	1.50%	1.50%
BRIDGES ROAD	PEBBLE ROCK ROAD	2,766	4,144	3,670	4,697	4,200	6,945	9,807	11.01%	1.79%	1.50%	1.79%
<u>MEGGISON RD EXTENSION</u>												
BEXLEY BRIDGE	CR 470							10,075				
<u>CORBIN TRL</u>												
BEXLEY TRL	CR 470							20,933				
<u>BEXLEY BRIDGE (TURNPIKE OVERPASS)</u>												
MEGGISON RD	CORBIN TRL							26,676				
<u>BEXLEY TRL</u>												
CORBIN TRL	CR 470							24,892				
<u>ROAD 2</u>												
ROAD B	ROAD C							12,168				
<u>ROAD A</u>												
ROAD B	ROAD C							17,830				
ROAD C	CR 48							15,522				
<u>ROAD B</u>												
CR 470	ROAD 2							22,344				
ROAD 2	ROAD A							23,454				
<u>ROAD C</u>												
CR 470	ROAD 2							16,996				
ROAD 2	ROAD A							15,803				

Table A2: BEBR Growth Rates

County	BEBR Pop Estimate Apr 1, 2019	BEBR Population Projections (April 1)					Medium Rate 2040
		Range	2025	2045	2025	2045	
Lake	357,247	Low	376,000	438,400	0.75%	0.84%	1.92%
		Medium	410,900	534,800	2.15%	1.84%	
		High	440,400	638,000	3.33%	2.91%	
Marion	360,421	Low	365,200	389,700	0.19%	0.30%	1.09%
		Medium	392,100	460,800	1.26%	1.03%	
		High	416,900	537,000	2.24%	1.81%	
Sumter	128,633	Low	134,700	158,800	0.67%	0.87%	2.45%
		Medium	152,300	211,500	2.63%	2.39%	
		High	167,400	270,800	4.31%	4.09%	

Average BEBR Medium Annual Growth Rate for Study Area (Lake, Marion)¹ = 1.50%

¹Sumter County growth, being highly dependent on Villages growth, was excluded in determining the background growth rate for the study area.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, to modify the Chapter 163 Development Agreement between the City of Leesburg and The Villages of West Lake, Area B: for a development of approximately 1,230.42 acres, providing a binding agreement and amendments for long-term development; including but not limited to density, intensity, land uses and process; approving development rights, and land development regulations for a property generally located near Florida's Turnpike, the Lake County and Sumter County Line, and North of County Road 470, as legally described in Section 31, Township 20 South, Range 24 East, and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (The Villages of West Lake Area B Amendment)

Staff Recommendation:

Staff recommends approval of the proposed development agreement and exhibits attached hereto for the property owned by The Villages Land Company, LLC.

Analysis:

Chapter 163.3220-163.3243, Florida Statutes, is known as the "Florida Local Government Development Agreement Act." This area of law is intended to authorize local governments to enter into agreements with developers to create provisions for specific long term certainty regarding development rights and responsibilities for all concerned, to include the local government, the developer as well as the general public.

Both the City of Leesburg and the Villages Land Company, LLC, by entering into, or amending such an agreement, incur specific obligations regarding development rights, land uses, density and intensity of development, plus other issues which may address or obligate terms to each party. In the event of an amendment the City Commission has review authority.

In review of this document, staff found only minor wording changes and clarifications which do not substantially alter or impact the overall conditions or terms of the currently approved Chapter 163 Agreement between the City of Leesburg and The Villages Land Company, LLC.

Procurement Analysis:

N/A

Options:

1. Approve the request to amend the Area B Chapter 163 Agreement between the City of Leesburg and The Villages Land Company, LLC, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No fiscal impact is anticipated to result from this action. Future development of the subject property will have a significant positive impact based on collection of impact fees, advalorem taxes and utility fees.

Submission Date and Time: 12/9/2020 2:24:01 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, TO MODIFY THE CHAPTER 163 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LEESBURG AND THE VILLAGES OF WEST LAKE, AREA B: FOR A DEVELOPMENT OF APPROXIMATELY 1,230.42 ACRES, PROVIDING A BINDING AGREEMENT AND AMENDMENTS FOR LONG-TERM DEVELOPMENT; INCLUDING BUT NOT LIMITED TO DENSITY, INTENSITY, LAND USES AND PROCESS; APPROVING DEVELOPMENT RIGHTS, AND LAND DEVELOPMENT REGULATIONS FOR A PROPERTY GENERALLY LOCATED NEAR FLORIDA'S TURNPIKE, THE LAKE COUNTY AND SUMTER COUNTY LINE, AND NORTH OF COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST, AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (THE VILLAGES OF WEST LAKE AREA B AMENDMENT)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

Section 1.

Based upon the petition of The Villages Land Company, LLC,

THAT the Mayor and City Clerk are hereby authorized to execute an Development Agreement with **THE VILLAGES LAND COMPANY, LLC, whose address is 3619 Kiessel Road, The Villages, Florida 32163**, for a Development Agreement pursuant to Chapter 163.3220-163.3243, Florida Statutes.

THAT this ordinance shall become effective upon approval by the City Commission and execution by the Mayor and City Clerk.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

Mayor

ATTEST:

City Clerk

THE VILLAGES OF WEST LAKE

CHAPTER 163 AGREEMENT – AREA “B” 1,230.42 ACRES±

LEGAL DESCRIPTION:

THREE (3) TRACTS OF LAND LYING WITHIN SECTIONS 5, 6 AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN NORTH 0°40'22" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2641.21 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°40'23" EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 2641.21 FEET TO THE NORTHWEST CORNER OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°51'49" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 2645.51 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE DEPARTING SAID WEST LINE, RUN NORTH 0°52'48" EAST, ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 1322.56 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°12'12" EAST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 2647.14 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 0°50'27" WEST, ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.15 FEET TO THE CENTER OF SAID SECTION 31; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°15'43" EAST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.75 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 0°43'08" WEST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1323.54 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°13'10" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 863.02 FEET TO THE NORTHEAST CORNER OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE DEPARTING SAID SOUTH LINE, RUN SOUTH 0°46'34" WEST, ALONG THE EAST LINE OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1322.90 FEET TO THE SOUTHEAST CORNER OF THE WEST 462 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 31 AND A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°10'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 639.44 FEET TO A POINT ON THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3573, PAGE 1, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE

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DEPARTING SAID NORTH LINE, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE RUN SOUTH 0°49'22" WEST, A DISTANCE OF 518.18 FEET; (2) THENCE RUN SOUTH 89°10'38" EAST, A DISTANCE OF 217.51 FEET; (3) THENCE RUN NORTH 42°32'39" EAST, A DISTANCE OF 694.25 FEET TO A POINT ON THE AFORESAID NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID BOUNDARY, RUN SOUTH 89°10'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 215.45 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 48 (A 100.00 FOOT PUBLIC RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO. 1092), SAID POINT BEING ON A 5724.15 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS NORTH 53°26'45" WEST; THENCE DEPARTING SAID NORTH LINE, RUN SOUTHWESTERLY ALONG SAID CURVE AND WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 1°11'29" AN ARC DISTANCE OF 119.03 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 37°44'44" WEST, A DISTANCE OF 6490.63 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, RUN NORTH 89°03'26" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 665.09 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE RUN NORTH 89°09'35" WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 453.05 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°36'59" WEST, A DISTANCE OF 235.00 FEET; THENCE RUN NORTH 89°09'35" WEST, A DISTANCE OF 180.00 FEET; THENCE RUN NORTH 00°36'59" EAST, A DISTANCE OF 291.57 FEET; THENCE RUN SOUTH 75°50'19" EAST, A DISTANCE OF 185.15 FEET; THENCE RUN SOUTH 00°36'59" WEST, A DISTANCE OF 13.91 FEET TO THE POINT OF BEGINNING.

TRACT 2:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN SOUTH 89°03'26" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 790.00 FEET; TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD NO. 48 (A 100.00 FOOT PUBLIC RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO. 1092), THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 37°44'44" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5012.61 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF NORTH AUSTIN MERRITT ROAD (A 50.00 FOOT PUBLIC RIGHT-OF-WAY, PER OCCUPATION AND MONUMENTATION, AS SHOWN ON A HALL FARNER & ASSOCIATES SURVEY DATED FEBRUARY 5, 2005) AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 37°44'44" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE,

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A DISTANCE OF 1403.19 FEET TO A POINT OF CURVATURE OF A 5824.16 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE AND RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 1°53'46" AN ARC DISTANCE OF 192.75 FEET TO A POINT OF NON-TANGENCY AND A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN SOUTH 89°10'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 533.63 FEET TO THE NORTHEAST CORNER OF SAID SECTION 6; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 0°40'53" WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6, A DISTANCE OF 1089.08 FEET; THENCE DEPARTING SAID EAST LINE, RUN NORTH 48°17'18" EAST, A DISTANCE OF 330.19 FEET; THENCE RUN NORTH 35°31'22" EAST, A DISTANCE OF 267.42 FEET; THENCE RUN SOUTH 61°51'03" EAST, A DISTANCE OF 329.31 FEET; THENCE RUN NORTH 69°07'56" EAST, A DISTANCE OF 229.87 FEET; THENCE RUN SOUTH 41°18'04" EAST, A DISTANCE OF 633.63 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 5; THENCE RUN SOUTH 0°41'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 137.17 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 32°14'13" EAST, A DISTANCE OF 65.43 FEET; THENCE RUN SOUTH 80°20'05" EAST, A DISTANCE OF 454.05 FEET; THENCE RUN SOUTH 64°21'57" EAST, A DISTANCE OF 367.76 FEET; THENCE RUN SOUTH 43°33'02" WEST, A DISTANCE OF 374.77 FEET; THENCE RUN SOUTH 10°02'01" WEST, A DISTANCE OF 293.45 FEET; THENCE RUN SOUTH 33°21'10" EAST, A DISTANCE OF 248.66 FEET; THENCE RUN SOUTH 21°00'41" EAST, A DISTANCE OF 273.95 FEET; THENCE RUN NORTH 71°39'22" WEST, A DISTANCE OF 207.87 FEET; THENCE RUN SOUTH 19°19'17" WEST, A DISTANCE OF 123.83 FEET TO A POINT ON THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF NORTH AUSTIN MERRITT ROAD; THENCE RUN ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE RUN NORTH 71°25'49" WEST, A DISTANCE OF 1970.29 FEET TO A POINT ON A 1721.98 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 17°53'54" EAST; (2) THENCE RUN NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°07'45" AN ARC DISTANCE OF 394.59 FEET TO A POINT OF NON-TANGENCY; (3) THENCE RUN NORTH 58°59'00" WEST, A DISTANCE OF 1276.39 FEET TO THE POINT OF BEGINNING.

EXCEPT RIGHT-OF-WAY CONVEYED TO LAKE COUNTY FOR AUSTIN MERRITT ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 526, PAGE 405, AND OFFICIAL RECORDS BOOK 526, PAGE 407, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TRACT 3:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE RUN SOUTH 89°03'26" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 790.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO.48 (A 100.00 FOOT PUBLIC RIGHT-OF-WAY PER FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO. 1092) AND THE POINT OF BEGINNING;

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THENCE DEPARTING SAID SOUTH LINE, CONTINUE NORTH 37°44'44" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4962.26 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTH AUSTIN MERRITT ROAD (A 50.00 FOOT PUBLIC RIGHT-OF-WAY, PER OCCUPATION AND MONUMENTATION, AS SHOWN ON A HALL FARNER & ASSOCIATES SURVEY DATED FEBRUARY 5, 2005); THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) THENCE RUN SOUTH 58°59'00" EAST, A DISTANCE OF 1282.28 FEET TO A POINT ON A 1771.98 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 31°01'40" EAST; (2) THENCE RUN SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°07'11" AN ARC DISTANCE OF 405.75 FEET TO A POINT OF NON-TANGENCY; (3) THENCE RUN SOUTH 71°25'50" EAST, A DISTANCE OF 2547.66 FEET TO A POINT OF CURVATURE OF A 639.96 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; (4) THENCE RUN SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°58'34" AN ARC DISTANCE OF 401.83 FEET TO A POINT OF TANGENCY; (5) THENCE RUN SOUTH 35°27'16" EAST, A DISTANCE OF 424.68 FEET TO A POINT OF CURVATURE OF A 304.60 FOOT RADIUS CURVE CONCAVE TO THE WEST; (6) THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°48'34" AN ARC DISTANCE OF 243.53 FEET TO A POINT OF TANGENCY; (7) THENCE RUN SOUTH 10°21'18" WEST, A DISTANCE OF 555.30 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 523, PAGE 828, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) THENCE RUN NORTH 80°39'04" WEST, A DISTANCE OF 454.13 FEET; (2) THENCE RUN SOUTH 6°13'16" WEST, A DISTANCE OF 461.15 FEET; (3) THENCE RUN SOUTH 86°49'44" EAST, A DISTANCE OF 434.73 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE AFORESAID NORTH AUSTIN MERRITT ROAD, SAID POINT BEING ON A 1084.17 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST WHOSE RADIUS POINT BEARS SOUTH 87°37'42" EAST; THENCE DEPARTING THE BOUNDARY OF SAID LANDS, RUN SOUTHERLY ALONG SAID CURVE AND RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 24°05'34" AN ARC DISTANCE OF 455.89 FEET TO A POINT OF NON-TANGENCY SAID POINT BEING AN INTERSECTION WITH THE BOUNDARY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5129, PAGE 1486, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, RUN ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) THENCE RUN NORTH 89°23'30" WEST, A DISTANCE OF 216.28 FEET; (2) THENCE RUN SOUTH 0°34'26" WEST, A DISTANCE OF 170.37 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 5; THENCE DEPARTING THE BOUNDARY OF SAID LANDS, RUN NORTH 89°23'24" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 69.69 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 5; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 89°30'25" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5, A DISTANCE OF 2645.41 FEET TO THE

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NORTHEAST CORNER OF SAID SECTION 7; THENCE DEPARTING SAID SOUTH LINE RUN SOUTH 0°33'51" WEST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 1319.74 FEET TO SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID EAST LINE, RUN NORTH 89°09'29" WEST, ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 2646.95 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 0°31'07" EAST, ALONG THE WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 1324.42 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°03'26" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1867.34 FEET TO THE POINT OF BEGINNING.

EXCEPT RIGHT-OF-WAY CONVEYED TO LAKE COUNTY FOR AUSTIN MERRITT ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 526, PAGE 405, AND OFFICIAL RECORDS BOOK 526, PAGE 407, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

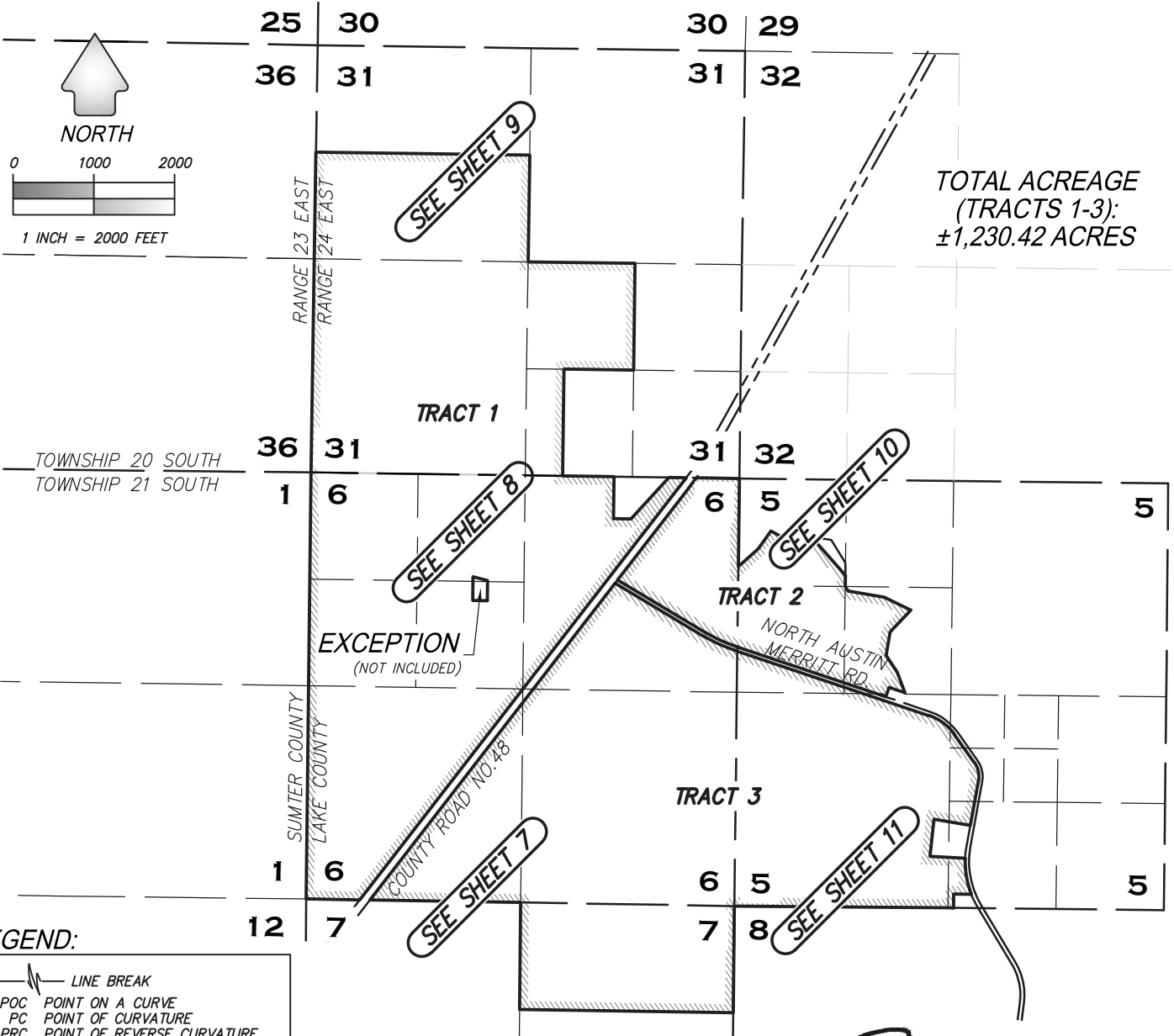
SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

KEY MAP- AREA "B"
CHAPTER 163 AGREEMENT

TOWNSHIP 20 & 21 SOUTH, RANGE 24 EAST
LAKE COUNTY, FLORIDA

EXHIBIT " 1 "
SHEET 6 OF 12



LEGEND:

- LINE BREAK
- POC POINT ON A CURVE
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- ORB OFFICIAL RECORDS BOOK
- PG PAGE
- L1 LINE TAG LABEL (SEE TABLE)
- C1 CURVE TAG LABEL (SEE TABLE)
- O CHANGE IN DIRECTION
- 6** SECTION NUMBER



07/30/2020

DATE

JEREMY D. HALLICK, FLORIDA LICENSED SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 6715

GENERAL NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE ORIGINAL OR ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY. SKETCH IS SUBJECT TO REVISION UPON COMPLETION OF A BOUNDARY SURVEY.
3. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 WITH 2011 ADJUSTMENT.

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEETS 7-11 FOR SKETCH
SEE SHEET 12 FOR CURVE & LINE TABLES



CFB

**CLYMER
FARNER
BARLEY**

4450 NE 83RD ROAD - WILDWOOD, FL 34785
(352) 748-3126 LB4709

SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT " 1 "
SHEET 7 OF 12

MATCHLINE (SEE SHEET 8)

TRACT 1
(±611.53 ACRES)

WEST LINE OF THE
SW 1/4 OF SECTION 6

SW 1/4
SECTION 6

COUNTY ROAD NO. 48
(100' PUBLIC RIGHT-OF-WAY
PER FLORIDA STATE ROAD
DEPARTMENT RIGHT-OF-WAY
MAP, PROJECT NO. 1092)

WESTERLY
RIGHT-OF-WAY
LINE COUNTY
ROAD NO. 48

S37°44'44"W 6490.63'
N37°44'44"E 5012.91'
N37°44'44"E 4962.26'

SE 1/4
SECTION 6

TRACT 3
(±513.27 ACRES)

SOUTH 1/4 CORNER
OF SECTION 6

POINT OF BEGINNING
(TRACT 3)

N89°03'26"W 1867.34'

SOUTH LINE OF THE SW 1/4
OF SECTION 6

N89°03'26"W
665.09'

POINT OF BEGINNING (TRACT 1)

POINT OF COMMENCEMENT (TRACTS 2 & 3)
THE SOUTHWEST CORNER OF SECTION 6

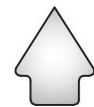
WEST LINE OF THE
NORTH 1/2 OF THE
NE 1/4 OF SECTION 7

NORTH 1/2 OF THE NE
1/4 OF SECTION 7

SOUTH LINE OF THE
NORTH 1/2 NE 1/4
OF SECTION 7

SW CORNER OF THE NORTH 1/2
OF THE NE 1/4 OF SECTION 7

N89°09'29"W 2646.95'



NORTH



1 INCH = 600 FEET

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEET 6 FOR KEY MAP
SEE SHEET 12 FOR CURVE & LINE TABLES



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MATCHLINE (SEE SHEET 11)

RANGE 23 EAST
RANGE 24 EAST

SKETCH FOR DESCRIPTION

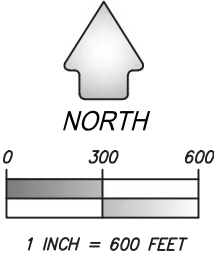
(NOT A FIELD SURVEY)

EXHIBIT "1"
SHEET 8 OF 12

MATCHLINE (SEE SHEET 9)

N00°51'49"E 2645.51'

WEST LINE OF THE SW 1/4 SECTION 31



36

31

1

6

TOWNSHIP 20 SOUTH
TOWNSHIP 21 SOUTH

TRACT 1
(±611.53 ACRES)

NW 1/4 OF
THE NW 1/4
SECTION 6

NE 1/4 OF
THE NW 1/4
SECTION 6

SE CORNER, WEST
462', SW 1/4, SE
1/4, SECTION 31

NW CORNER OF THE
SW 1/4 OF THE NW 1/4
SECTION 6

NORTH LINE OF THE SE 1/4
OF THE NW 1/4 SECTION 6

NE CORNER OF THE
SW 1/4 OF THE NW
1/4 SECTION 6

WEST LINE OF THE
NW 1/4 OF SECTION 6

SW 1/4 OF
THE NW 1/4
SECTION 6

N00°40'23"E 2641.21'

POINT OF
COMMENCEMENT
(EXCEPTION)

NE CORNER OF THE SE 1/4
OF THE NW 1/4, SECTION 6

L32 L33
L9 L7 L34

EXCEPTION
(NOT INCLUDED)

SE 1/4 OF
THE NW 1/4
SECTION 6

POINT OF
BEGINNING
(EXCEPTION)

WESTERLY
RIGHT-OF-WAY
LINE COUNTY
ROAD NO. 48

COUNTY ROAD
NO. 48
(100' PUBLIC RIGHT-OF-WAY
PER FLORIDA STATE ROAD
MAP, PROJECT NO. 1092)

POINT OF
BEGINNING
(TRACT 2)

THE NE 1/4
SECTION 6

TRACT 2
(±105.62
ACRES)

S37°44'44"W 6490.63'
N37°44'44"E 5012.61'
N37°44'44"E 4962.26'

TRACT 3
(±513.27
ACRES)

EASTERLY
RIGHT-OF-WAY
LINE COUNTY
ROAD NO. 48

MATCHLINE (SEE SHEET 7)

EAST LINE OF THE NW 1/4
OF THE SE 1/4 SECTION 31

SOUTH LINE OF THE NW 1/4
OF THE SE 1/4 SECTION 31

NE CORNER, WEST
462', SW 1/4, SE
1/4, SECTION 31

EAST LINE OF THE
WEST 462' OF THE
SW 1/4 OF THE SE
1/4 OF SECTION 31

THE WEST 462' OF
THE SW 1/4 OF THE
SE 1/4 SECTION 31

N89°13'10"W
863.02'
SE CORNER,
NW 1/4, SE 1/4,
SECTION 31

THE SW 1/4
OF THE SE 1/4
SECTION 31

NORTH LINE OF THE
NE 1/4 SECTION 6

S89°10'38"E
639.44'

L1
L2
ORB 3573,
PG 01

MATCHLINE (SEE SHEET 10)

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEET 6 FOR KEY MAP
SEE SHEET 12 FOR CURVE & LINE TABLES



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT " 1 "
SHEET 9 OF 12

25 30

36 31

SUMTER COUNTY
LAKE COUNTY

NORTH 1/2 OF
THE NW 1/4
SECTION 31

NW CORNER OF THE SOUTH 1/2
OF THE NW 1/4 SECTION 31

S89°12'12"E 2647.14'

NORTH LINE OF THE SOUTH 1/2
OF THE NW 1/4 SECTION 31

NE 1/4
SECTION 31

NE CORNER OF THE SOUTH 1/2
OF THE NW 1/4 SECTION 31

WEST LINE OF THE SOUTH 1/2
OF THE NW 1/4 SECTION 31

EAST LINE OF THE SOUTH 1/2
OF THE NW 1/4 SECTION 31

SOUTH 1/2 OF
THE NW 1/4
SECTION 31

WEST 1/4 CORNER OF SECTION 31

TRACT 1
(±611.53 ACRES)

NE CORNER OF THE
NW 1/4 OF THE SE
1/4 OF SECTION 31

S89°15'43"E 1323.75'

CENTER OF SECTION 31

NORTH LINE OF THE NW 1/4
OF THE SE 1/4 SECTION 31

SW 1/4
SECTION 31

THE NW 1/4
OF THE SE 1/4
SECTION 31

S00°43'08"W
1323.54'

MATCHLINE (SEE SHEET 8)

EAST LINE OF THE NW 1/4
OF THE SE 1/4 SECTION 31



NORTH



1 INCH = 600 FEET

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEET 6 FOR KEY MAP
SEE SHEET 12 FOR CURVE & LINE TABLES



CFB

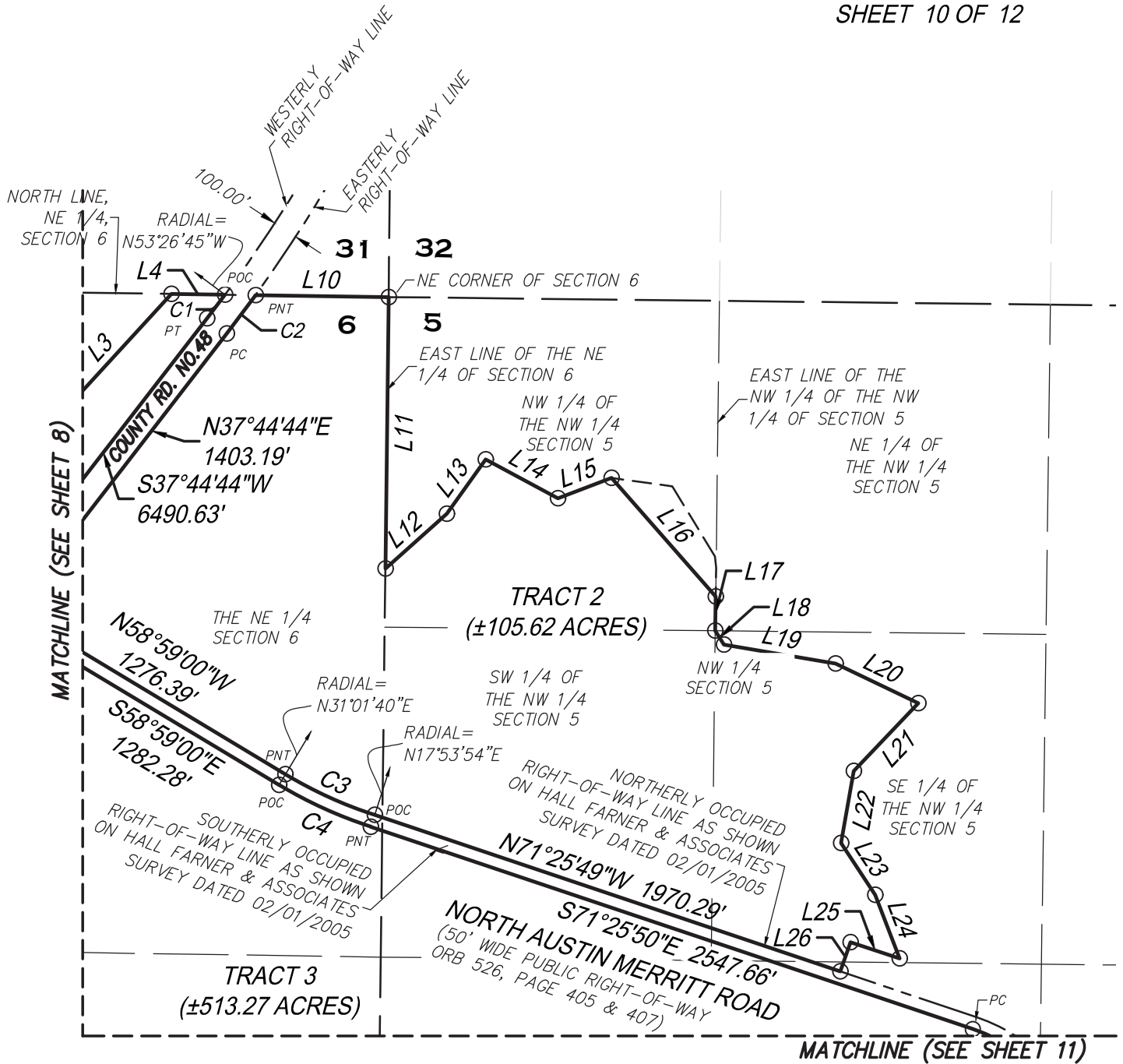
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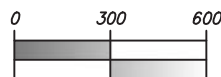
SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT " 1 "
SHEET 10 OF 12



NORTH



1 INCH = 600 FEET

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEET 6 FOR KEY MAP
SEE SHEET 12 FOR CURVE & LINE TABLES



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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT " 1 "
SHEET 11 OF 12

MATCHLINE (SEE SHEET 10)

MATCHLINE (SEE SHEET 7)

NORTH AUSTIN MERRITT ROAD

(50' WIDE PUBLIC RIGHT-OF-WAY
ORB PG 405 & 407)

S35°27'16"E
424.68'

S10°21'18"W
555.30'

SW 1/4
SECTION 5

TRACT 3
(±513.27 ACRES)

WESTERLY OCCUPIED
RIGHT-OF-WAY LINE AS SHOWN
ON HALL FARNER & ASSOCIATES
SURVEY DATED 02/01/2005

NE CORNER OF
SECTION 7

6

5

7

8

SOUTH LINE OF THE
SW 1/4 OF SECTION 5

N89°30'25"W 2645.41'

SOUTH 1/4 CORNER OF SECTION 5

EAST LINE OF THE NE
1/4 OF SECTION 7

SOUTH LINE OF THE
NORTH 1/2 NE 1/4
OF SECTION 7

N89°09'29"W 2646.95'

SE CORNER OF THE NORTH 1/2
OF THE NE 1/4 OF SECTION 7

S00°33'51"W 1319.74'

L30

L29

L31

ORB 5129
PAGE 1486

S06°13'16"W
461.15'

ORB 523
PAGE 828

RADIAL=
S87°37'42"E

L27

L28

C7

C5

C6

PT

PT

POC

PNT



NORTH



1 INCH = 600 FEET

SEE SHEETS 1-5 FOR DESCRIPTION

SEE SHEET 6 FOR KEY MAP

SEE SHEET 12 FOR CURVE & LINE TABLES



CFB

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BARLEY**

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SKETCH FOR DESCRIPTION

(NOT A FIELD SURVEY)

EXHIBIT " 1 "
SHEET 12 OF 12

LINE TABLE		
LINE	BEARING	LENGTH
L1	S0°49'22"W	518.18'
L2	S89°10'38"E	217.51'
L3	N42°32'39"E	694.25'
L4	S89°10'38"E	215.45'
L7	S0°36'59"W	235.00'
L8	N89°09'35"W	180.00'
L9	N0°36'59"E	291.57'
L10	S89°10'38"E	533.63'
L11	S0°40'53"W	1089.08'
L12	N48°17'18"E	330.19'
L13	N35°31'22"E	267.42'
L14	S61°51'03"E	329.31'
L15	N69°07'56"E	229.87'
L16	S41°18'04"E	633.63'
L17	S0°41'46"W	137.17'
L18	S32°14'13"E	65.43'

LINE TABLE		
LINE	BEARING	LENGTH
L19	S80°20'05"E	454.05'
L20	S64°21'57"E	367.76'
L21	S43°33'02"W	374.77'
L22	S10°02'01"W	293.45'
L23	S33°21'10"E	248.66'
L24	S21°00'41"E	273.95'
L25	N71°39'22"W	207.87'
L26	S19°19'17"W	123.83'
L27	N80°39'04"W	454.13'
L28	S86°49'44"E	434.73'
L29	N89°23'30"W	216.28'
L30	S0°34'26"W	170.37'
L31	N89°23'24"W	69.69'
L32	S75°50'19"E	185.15'
L33	S0°36'59"W	13.91'
L34	N89°09'35"W	453.05'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	119.03'	5724.15	1° 11' 29"	119.03'	S37°08'59"W
C2	192.75'	5824.16	1° 53' 46"	192.74'	N36°47'51"E
C3	394.59'	1721.98	13° 07' 45"	393.73'	N65°32'13"W
C4	405.75'	1771.98	13° 07' 11"	404.87'	S65°31'56"E
C5	401.83'	639.96	35° 58' 34"	395.26'	S53°26'33"E
C6	243.53'	304.60	45° 48' 34"	237.10'	S12°32'59"E
C7	455.89'	1084.17	24° 05' 34"	452.54'	S09°40'29"E

SEE SHEETS 1-5 FOR DESCRIPTION
SEE SHEET 6 FOR KEY MAP
SEE SHEETS 7-11 FOR SKETCH

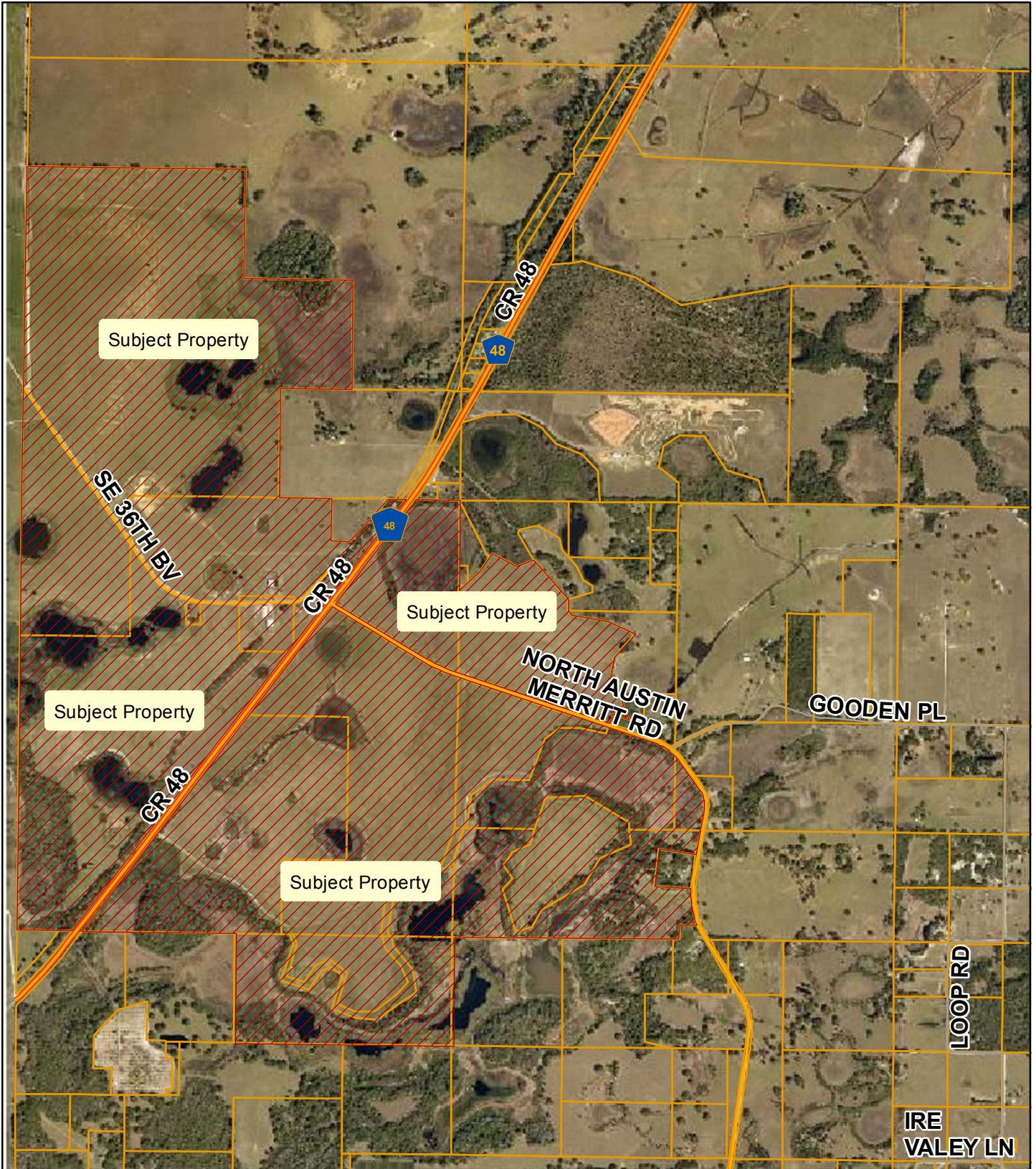


CFB

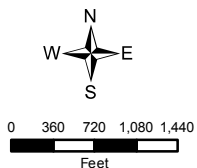
**CLYMER
FARNER
BARLEY**

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(352) 748-3126 LB4709

Aerial



**Planning
& Zoning
Division**



AMDT-20-189 VWL Chapter 163 Area "B" Agreement
(Austin Meritt Road and CR-48)
Section 31, Township 20 South, Range 24 East and
Sections 5, 6, & 7, Township 21 South, Range 24 East
August 21, 2020



June 3, 2020

Mr. Martin L. Dzuro
The Villages Land Company, LLC
3619 Kiessel Road
The Villages, Florida 32163

RE: *The Villages of West Lake - Updated Land Use Conversion Table - Revised June 2020*

Dear Martin:

Enclosed with this letter is a revised land use conversion (LUC) table for future use to allow conversion between land uses in The Villages of West Lake development with neutral net trip impact. The revised table has been updated to reflect several new land uses, including those for non-age restricted residential houses and apartments.

The LUC table is based on average PM peak hour trip generation rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. The table is consistent with previously provided LUC tables for developments within The Villages to allow flexibility in the future as market conditions change.

Below are two example calculations using the LUC table to help understand its application.

If the developer would like to develop 200 non-age restricted single-family dwelling units, for example, the developer would need to reduce the number of Villages single-family dwelling units by 565 to remain trip neutral (using the calculation of 1 non-age restricted single-family dwelling unit is equivalent to 0.354 Villages single-family dwelling units, $200 / 0.354 = 564.97$, or 565 dwelling units). The conversion would result in equivalent roadway impacts based on the most recent analysis for The Villages of West Lake.

If the developer would like to develop 150 non-age restricted single-family dwelling units, for example, the developer would need to reduce the commercial square footage by 38,981 to remain trip neutral (using the calculation of 1,000 square feet of retail is equal to 3.848 non-age restricted single family dwelling units, $150 / 3.848 = 38.981$ ksf, or 38,981 square feet). The conversion would result in equivalent roadway impacts based on the most recent analysis for The Villages of West Lake.

If you have any questions regarding this table or additional calculations, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Richard R. Barr".

Richard R. Barr, AICP
Senior Vice President

Attachment: Land Use Conversion Table, Revised June 2020

Land Use Conversion Table																							
The Villages of West Lake																							
Revised June 2020																							
Land Use Conversion			TO:																	ITE Trip Generation Manual 10 th Edition PM Peak Hour Trip Generation			
			Villages Single-Family Residential	Villages Multi-family Residential	Non-Age Restricted Housing - Single Family	Non-Age Restricted Housing - Multi-family (1-2 stories)	Non-Age Restricted Housing - Multi-family (3+ stories)	Congregate Care/ Independent Living Facility	Assisted Living Facility	Nursing Home/ Skilled Nursing Facility	Hospital	Medical Office	Research & Development Center	Educational (University/ College)	General Office	Commercial/ Retail	Hotel	School	Light Industrial				Government Office
	Units	DU	DU	DU	DU	DU	DU	Beds	Beds	Beds	KSF	KSF	KSF	KSF	KSF	KSF	Rooms	Students	KSF	KSF	Land use	ITE Code	Trip Generation Rate
FROM:	Villages Single-Family Residential	DU	1.000	1.750	0.354	0.625	0.795	1.750	1.346	1.591	0.185	0.101	0.714	2.333	0.304	0.092	0.583	2.059	0.556	0.205	Villages Single-Family Residential ¹	N/A	T= 0.35 *(X), X is # of Dwelling Units
	Villages Multi-family Residential	DU	0.571	1.000	0.202	0.357	0.455	1.000	0.769	0.909	0.106	0.058	0.408	1.333	0.174	0.052	0.333	1.176	0.317	0.117	Villages Multi-family Residential ¹	N/A	T= 0.20 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Single Family	DU	2.829	4.950	1.000	1.768	2.250	4.950	3.808	4.500	0.524	0.286	2.020	6.600	0.861	0.260	1.650	5.824	1.571	0.579	Non-Age Restricted Housing - Single Family	210	T= 0.99 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Multi-family (1-2 stories)	DU	1.600	2.800	0.566	1.000	1.273	2.800	2.154	2.545	0.296	0.162	1.143	3.733	0.487	0.147	0.933	3.294	0.889	0.327	Non-Age Restricted Housing - Multi-family (1-2 stories)	220	T= 0.56 *(X), X is # of Dwelling Units
	Non-Age Restricted Housing - Multi-family (3+ stories)	DU	1.257	2.200	0.444	0.786	1.000	2.200	1.692	2.000	0.233	0.127	0.898	2.933	0.383	0.115	0.733	2.588	0.698	0.257	Non-Age Restricted Housing - Multi-family (3+ stories)	221	T= 0.44 *(X), X is # of occupied sites
	Congregate Care/Independent Living Facility	DU	0.571	1.000	0.202	0.357	0.455	1.000	0.769	0.909	0.106	0.058	0.408	1.333	0.174	0.052	0.333	1.176	0.317	0.117	Congregate Care/Independent Living Facility	253	T= 0.20 *(X), X is # of Dwelling Units
	Assisted Living Facility	Beds	0.743	1.300	0.263	0.464	0.591	1.300	1.000	1.182	0.138	0.075	0.531	1.733	0.226	0.068	0.433	1.529	0.413	0.152	Assisted Living Facility	254	T= 0.26 *(X), X is # of Beds
	Nursing Home/Skilled Nursing Facility	Beds	0.629	1.100	0.222	0.393	0.500	1.100	0.846	1.000	0.116	0.064	0.449	1.467	0.191	0.058	0.367	1.294	0.349	0.129	Nursing Home/Skilled Nursing Facility	620	T= 0.22 *(X), X is # of Beds
	Hospital	Beds	5.400	9.450	1.909	3.375	4.295	9.450	7.269	8.591	1.000	0.546	3.857	12.600	1.643	0.496	3.150	11.118	3.000	1.105	Hospital	610	T= 1.89 *(X), X is # of Beds
	Medical Office	KSF	9.886	17.300	3.495	6.179	7.864	17.300	13.308	15.727	1.831	1.000	7.061	23.067	3.009	0.908	5.767	20.353	5.492	2.023	Medical Office	720	T= 3.46 *(X), X is 1,000 Square Feet
	Research & Development Center	KSF	1.400	2.450	0.495	0.875	1.114	2.450	1.885	2.227	0.259	0.142	1.000	3.267	0.426	0.129	0.817	2.882	0.778	0.287	Research & Development Center	760	T= 0.49 *(X), X is 1,000 Square Feet
	Educational (University/College)	KSF	0.429	0.750	0.152	0.268	0.341	0.750	0.577	0.682	0.079	0.043	0.306	1.000	0.130	0.039	0.250	0.882	0.238	0.088	Educational (University/College)	550	T= 0.15 *(X), X is 1,000 Square Feet
	General Office	KSF	3.286	5.750	1.162	2.054	2.614	5.750	4.423	5.227	0.608	0.332	2.347	7.667	1.000	0.302	1.917	6.765	1.825	0.673	General Office	710	T= 1.15 *(X), X is 1,000 Square Feet
	Commercial/Retail	KSF	10.886	19.050	3.848	6.804	8.659	19.050	14.654	17.318	2.016	1.101	7.776	25.400	3.313	1.000	6.350	22.412	6.048	2.228	Commercial/Retail	820	T= 3.81 *(X), X is 1,000 Square Feet
	Hotel	Rooms	1.714	3.000	0.606	1.071	1.364	3.000	2.308	2.727	0.317	0.173	1.224	4.000	0.522	0.157	1.000	3.529	0.952	0.351	Hotel	310	T= 0.60 *(X), X is # of Rooms
	School	Students	0.486	0.850	0.172	0.304	0.386	0.850	0.654	0.773	0.090	0.049	0.347	1.133	0.148	0.045	0.283	1.000	0.270	0.099	School	520	T= 0.17 *(X), X is # of Students
Light Industrial	KSF	1.800	3.150	0.636	1.125	1.432	3.150	2.423	2.864	0.333	0.182	1.286	4.200	0.548	0.165	1.050	3.706	1.000	0.368	Light Industrial	110	T= 0.63 *(X), X is 1,000 Square Feet	
Government Office	KSF	4.886	8.550	1.727	3.054	3.886	8.550	6.577	7.773	0.905	0.494	3.490	11.400	1.487	0.449	2.850	10.059	2.714	1.000	Government Office	730	T= 1.71 *(X), X is 1,000 Square Feet	

¹ Source: Villages O-D Survey

² ITE Land Use Code 520 (Elementary School) was conservatively used as the basis for School in this conversion table

PERMITTED USES IN THE VILLAGES OF WEST LAKE

- a. **PURSUANT TO FUTURE LAND USE POLICY 1.1.1:** RESIDENTIAL – SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED AND MULTI-FAMILY
- b. NON-RESIDENTIAL INCLUDING MEDICAL CAMPUS AND TOWN CENTER.

2. PURSUANT TO FUTURE LAND USE ELEMENT Objective 1.1K:

- a. RESIDENTIAL (AGE RESTRICTED AND NON-AGE RESTRICTED)
- b. COMMERCIAL INCLUDING BUT NOT LIMITED TO RETAIL, OFFICE, HOTEL, CONVENTION/PERFORMING ARTS CENTER AND THEATER, INDEPENDENT LIVING FACILITY, ASSISTED LIVING FACILITY, SKILLED NURSING FACILITY, MEMORY CARE FACILITY, HOSPICE AND OTHER SIMILAR USES
- c. INSTITUTIONAL/EDUCATIONAL/GOVERNMENTAL/RECREATIONAL INCLUDING BUT NOT LIMITED TO CIVIC AND COMMUNITY FACILITIES, STORMWATER FACILITIES, WASTEWATER, WATER TREATMENT PLANTS AND WELL SITE, RECREATION, PARKS, GOLF COURSE AND MULTI-USE TRAILS AND OTHER SIMILAR USES
- d. MEDICAL CAMPUS INCLUDING BUT NOT LIMITED TO HOSPITAL, CLINIC, PROFESSIONAL OFFICES, PHARMACY, ASSISTED LIVING FACILITY/SKILLED NURSING FACILITY, HOSPICE AND CONTINUING CARE RETIREMENT COMMUNITY (CCRC) AND OTHER SIMILAR USES

3. PURSUANT TO FUTURE LAND USE ELEMENT POLICY 1.1.6:

- a. RESIDENTIAL (AGE RESTRICTED AND NON-AGE RESTRICTED), OFFICE, COMMERCIAL/RETAIL, HOTEL, MEDICAL, RESEARCH AND DEVELOPMENT, LIGHT INDUSTRIAL, INSTITUTIONAL, EDUCATION, RECREATION, URBAN AGRICULTURE AND COMMUNITY FARMING, RECREATIONAL VEHICLE DEVELOPMENT AND OTHER SIMILAR USES AS WELL AS SUPPORTING INFRASTRUCTURE (E.G. ROADS, WATER, SEWER, ETC.)
- b. AGRICULTURAL USES PERMITTED IN THE CITY'S AGRICULTURAL LAND USE AND ZONING ARE PERMITTED ON UNDEVELOPED LAND, BEFORE URBAN DEVELOPMENT COMMENCES PROVIDED SUCH ACTIVITIES ARE NOT IN CONFLICT WITH THE CITY'S COMPREHENSIVE PLAN. PERMITTED USES MAY INCLUDE BUT ARE NOT LIMITED TO SILVICULTURAL, FARMING AND ANIMAL HUSBANDRY.

4. WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

The Villages®

The Villages of West Lake

Land Development Regulations

~~January~~August 2020



Prepared by:



FARNER BARLEY & ASSOCIATES INC.

4450 NE 83rd Road, Wildwood FL 34785

Phone: 352-748-3126 Website: farnerbarley.com



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FARNER
BARLEY

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Chapter 1: General Provisions and Procedures

1.1. Statement of Intent

(A) Purpose

The purpose and intent of this Land Development Regulation (~~Code~~LDR) is to create a customized set of regulations that applies only to The Villages development(s) located within the City of Leesburg (~~the~~ City), Florida, which is only a portion of and supports the larger Villages community, located within Sumter County, Lake County, ~~the~~ City of Wildwood, ~~the~~ Town of Lady Lake, and the City of Fruitland Park. The regulations and requirements contained herein have been made in accordance with the City's comprehensive plan while providing the Developer ~~with~~ a reasonable assurance that The Villages development principles can be achieved and maintained. The ~~Leesburg City's~~ portion of the overall development needs to maintain continuity with the remainder of The Villages, as it is a mature development with most of the residential units, street system, parks, recreation, and amenities in place to serve its residents. Thus, any requirements must consider The Villages as a whole, and not simply the ~~Leesburg~~ portion within the City. In addition, this Code provides clarity and continuity for future development of The Villages within the City. ~~These Land Development Regulations~~This LDR, along with The Villages Construction and Development Manual ~~to establish,~~ establishes the development standards that apply to this project, as amended by the ~~developer~~Developer. The City of Leesburg's Code of Ordinances shall not be used to govern the development of this project. Any item omitted from this code shall be established and/or resolved by The Villages Development Review Committee ~~— (DRC).~~

(B) Requirements

In their interpretation and application, the provisions of this ~~Code~~LDR require the following:

- (1) Promote the public health, safety, and general welfare of the residents;
- (2) Protect the character and maintain the stability of residential, commercial, industrial, agricultural, educational, cultural, recreational, historical, and environmental areas within the development;
- (3) Protect natural and environmentally significant resources;
- (4) Provide adequate open spaces and recreation facilities, which meet the needs of the residents;
- (5) Promote transportation choices to reduce traffic congestion and to improve mobility;
- (6) Define the powers and duties of the ~~Development Review Committee (DRC);~~DRC;
- (7) Define the powers and duties of the Architectural Review Committee (ARC);
- (8) Ensure that all future development approvals and permits for both new and existing projects comply with this ~~Code.~~LDR;
- (9) Accomplish a more desirable community and environment than would be possible through the strict application of ~~Code~~LDR requirements~~;~~;
- (10) Create functional and aesthetic developments~~;~~;
- (11) Preserve the natural resources of the land by providing scenic, functional, and interconnected open areas~~;~~;
- (12) Minimize infrastructure and cost of streets and utilities throughout the development due to an efficient use of land.

1.2. General Development Provisions

(A) Conformity with ~~regulations~~Regulations

Following, and upon adoption of, the Chapter 163 Agreement and this ~~Code~~LDR:

- (1) The regulations contained within this ~~CodeLDR~~ shall be adhered to on all lands contained within the Age-Restricted Development (ARD) zoning classification known as The Villages of West Lake; ~~(VOWL);~~
- (2) No building, structure, or land shall be used or occupied unless in conformity with all of the regulations specified by this ~~CodeLDR~~;
- (3) No building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified by this ~~CodeLDR~~;
- (4) No building or other structure shall be erected or altered in such a manner as to exceed the permitted density or intensity provisions or occupy a greater portion of the lot area than allowed.

(B) Permit Required

No site plan or subdivision shall be approved, no plat shall be recorded, nor shall any building permit, ~~certificate~~Certificate of ~~occupancy~~Occupancy (CO), or any other type of development order or permit be executed, unless the project meets all the requirements of, and has been approved in accordance with, this ~~CodeLDR~~.

1.3. The Villages Development Review Committee

The Villages ~~Development Review Committee (DRC)~~ is a representative committee designated by the Developer to enforce the design standards that cover the commercial portion of the development. The design standards control the architectural, layout, and landscaping within the Project and provide for the authority of the Developer to enforce the design and intent of the commercial development. No commercial construction shall occur without approval from the City and the DRC.

1.4. The Villages Architectural Review Committee

The Villages ~~Architectural Review Committee (ARC)~~ ~~is a representative designated by the Developer to or its designee shall~~ enforce the design standards and deed restrictions ~~of the Developer~~ that cover the residential portion of the development. ~~The restrictions control changes to homes and home sites and provide for the authority of the Developer to enforce the design and intent of the residential development. Residential dwelling units or minor appurtenances thereto, such as private swimming pools, fences, yards, etc., shall be reviewed and approved by the ARC and permitted with the City of Leesburg.~~

1.5. Project Approval Process and Closeout Procedures

The purpose of this section is to establish consistent requirements and procedures for reviewing applications for site plan and/or subdivision approval.

(A) Projects required to obtain permits from the City shall ~~follow~~adhere to the following process:

- (1) Application for development plan approval (Appendix 2) shall be made to the City Manager or designee and include the appropriate review fee. Application shall contain electronic plans (Appendix 4), signed and sealed by a registered professional engineer. Plans shall be prepared according to the standards of this ~~CodeLDR~~. No pre-application meeting is required. However, a Developer or land owner may request a meeting with staff for the purpose of discussing the proposed development prior to the formal application for approval as requested.
- (2) Within two (2) working days of the receipt of an application, the City shall determine whether the submittal is complete. Applicant will be notified immediately of an incomplete submittal.
- (3) When an application is determined to be complete, it shall be distributed for staff review no later than one (1) week from the date the application was determined to be complete.

- (4) All applications shall be reviewed by the staff and comments shall be delivered to the Applicant within 10 working days after application is determined complete.
- (5) The City Manager or designee shall issue a development order/permit within five (5) working days of unconditional staff approval or verification that the City Commission conditions for approval have been met. No site plan or improvement plan shall go before the Planning and Zoning Board and City Commission.
- (6) All site plan approvals shall terminate and become null and void automatically without notice if construction has not commenced within ~~12~~24 months from the date of approval unless the Developer, City, and DRC agree to extend the approval.
- (7) The City agrees to initiate a Residential Building Permit Plan Review and issue a Residential Building Permit within 24 hours of submission, excluding weekends and holidays. The City agrees to initiate a nonresidential Building Plan Review and issue a nonresidential Building Permit within five (5) days of submission, excluding weekends and holidays. The City also agrees to issue residential and nonresidential Certificates of Occupancy within 24 hours of final inspection.
- (8) The City shall not review or comment on utilities that are not owned or maintained by the City. Dry utility designs are not required to be provided to the City for review. ~~Easement~~Easements and/or tract widths for utilities not owned by the City shall be determined by the utility having ownership and maintenance responsibilities.
- ~~(8)~~(9) Building elevations are not required for ~~site~~residential or commercial plan approval.
- ~~(9)~~(10) Plan changes made to the approved plans during construction shall be provided to the City's Planning and Zoning manager and Building Department to be placed into the file of record to update their records. A modification to the permit will not be required, unless required by the Planning and Zoning manager.

(B) Closeout Procedures

Unless a later date is requested by the Developer, final inspection of site improvements shall be scheduled no more than five (5) working days after receipt of the following information:

- (1) Upon completion of the public improvements, the Developer's Engineer shall submit a certificate stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of the ~~Code~~LDR (see Appendix 3: Engineer's Certification of Satisfactory Completion and Final Construction Clearance Procedure).
- (2) Prior to the acceptance of any privately or ~~publically~~publicly maintained improvements, a registered Professional Engineer must certify in writing that the improvements were completed in accordance with the approved improvement plans and construction specifications. The Engineer will provide the Engineer's Certification of Completion and Record Drawings to the City for approval. Record drawings will be provided by the Engineer to the City for approval prior to issuance of site approval. Landscaping, screen walls, entry signage, and fencing is not required to be completed to obtain record drawing approval. The record drawings shall include all plan changes during construction, and shall include the following certification on the submitted plans from the Engineer including signature and date:
 - (a) "I hereby certify that the pavement, curbing, sidewalks, water, sewer, and storm drainage systems have been built in accordance with these "record" drawings. This certification is based on visual inspections. The record drawings are believed to be correct to the best of the Engineer's knowledge and the accuracy of the information cannot be guaranteed."

- (b) Within 90 days of approval of the Record ~~Drawing~~Drawings by the City, the Engineer will provide Final As-Built Plans, and Final Clearance of Potable Water, and Sanitary Sewer Systems by FDEP. The ~~engineer~~Engineer of ~~record~~Record (EOR) shall provide a letter to the City certifying that the constructed stormwater ponds have adequate volume for the development being certified complete. The Developer shall have perimeter walls and perimeter landscaping substantially complete except for where construction access is required or in areas where the buffer shall be installed with the ~~home-dwelling unit~~. AutoCAD files of the final As-Built will be provided to the City.
- (c) The water and sewer utility provider will review and sign off on FDEP Clearance forms for submittal. The utility clearance process shall not hold up or delay in any way the Record Drawing approval process. The potable water and sanitary sewer systems shall be cleared prior to the ~~certificate of occupancy~~CO of a given ~~homedwelling unit~~.
- (3) All building structures and site improvements must be permitted by the City pursuant to Site Plans submitted to and approved by the City. The Developer shall install and complete all required site improvements with documentation including record drawings prior to the City issuing a ~~Certificate of Occupancy~~CO for any permitted structure. Partial clearance may be obtained when proof is provided to the City that life safety items have been completed for ~~Certificate of Occupancy~~CO.

1.6. Community Development Districts

It is anticipated that the development will include one or more Community Development Districts (CDDs) created by the City pursuant to Chapter 190, F.S. It is understood and agreed between the parties that any obligations or requirements placed on the Developer may be transferred to one (1) or more CDDs for implementation and operation, pursuant to the authority in Chapter 190.

1.7. Utility Providers

~~Water, Sewer, and Reuse Services~~

The Developer or ~~assigns~~assignees shall be the provider for water, sewer, ~~effluent~~reuse, and irrigation services.

1.8. Additional Studies

No environmental, archaeological, or transportation studies are required once the ARD zoning and Chapter 163 Agreement have been adopted. Additionally, there shall be no zoning review/compliance applications for site or building permits. All notice of commencements and certification of completions shall be reviewed and approved immediately once received by the City.

Chapter 2: Definitions and Interpretations

2.1. Interpretations of Certain Terms and Words

The terminology and words within this CodeLDR shall be interpreted as follows:

- (A) The singular includes the plural and vice versa.
- (B) The masculine includes the feminine and neuterneutral and vice versa.
- (C) The present tense includes the future.
- (D) The word "shall" is mandatory and the word "may" is permissive.
- (E) The word "person" includes an individual, child, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, and all other groups or combinations.
- (F) The word "writing" includes handwriting, printing, word processed, and all other methods and means of forming letters and characters upon paper.
- (G) The word "land" includes the words water, marsh, swamp, gross land area, and gross acre of land.
- (H) All words defined in this CodeLDR shall carry their customary meaning as found in Merriam-Webster's latest published edition unabridged dictionary.
- (I) Unless otherwise specified at the outset of a Chapter, the definitions listed in section 2.2 shall apply within this CodeLDR.
- (J) Any abbreviations or acronyms used within this CodeLDR are identified after the definition in parenthesis after the term below.

2.2. Definitions

ACOE: U. S. Army Corp of Engineers

Accessory use or structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Administrator: -The City Manager or his designee.

Addition (to an existing building):- Any walled and/or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and/or roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Age-Restricted Development: (ARD): A community/development project that meets the requirements for an age restricted community pursuant to the Federal and Florida Fair Housing requirements and where the land is planned and developed to provide housing with a mixture of housing types, plans for a mixed-use development pattern, provides for the recreational needs of its residents with amenities such as community centers, golf courses, trails, and other similar facilities, supports multiple modes of internal transportation such as bicycles, golf carts, pedestrians, and ensures protection of the environment and natural resources on-site. An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Alley:- A private or public paved passageway between buildings or a passageway permitting access from a street to a garage or storage area.

Alteration of building: Any change in the supporting members of a building (such as load bearing walls, beams, columns and girders), any addition to a building, or any change in a building resulting from the movement of the building from one location to another.

Apartment or Condominium Building (ACB): A structure containing multiple dwelling units (DUs) in which other dwelling units may be located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar dwelling units. Units within apartment or condominium buildings are considered attached dwelling units.

Applicant: A person who has submitted an application to the City.

Architect: Means an architect licensed to do business by the State of Florida.

Arterial street: A street or roadway which is used primarily for fast or heavy volume traffic.

As-built plans: The final plans amended to include horizontal and/or vertical dimensional data of actual construction with data obtained and provided by a Florida licensed surveyor and mapper.

Assisted Living Facility (ALF): A facility where residents live in private units and receive assistance with limited aspects of personal care, such as: taking medication, bathing, or dressing. Units do not contain private kitchens, and meals are provided from a common dining area. Staff is on duty 24 hours per day. This definition does not include nursing homes, convalescent centers, community residential homes, or independent living facilities (ILFs).

Base flood: means the flood having a one percent chance of being equaled or exceeded in any given year (also, Also called the "100-year flood" and the "regulatory flood") by the Federal Emergency Management Agency (FEMA).

Buffer: A natural or landscaped area which acts as a separation area between two (2) or more land uses, parcels, buildings, stormwater management areas, or paved areas.

Building: Any structure having a roof supported by columns or walls that is used or intended to be used for the enclosure, housing, or shelter of animals, persons, or property.

Building height: The vertical distance from the mean elevation of the finished grade of a building to the highest point of the roof surface. Building height shall be stated in feet.

Building permit: A formal notice of authorization required to be obtained from the City of Leesburg before any new construction or major alteration or expansion of existing structures is allowed.

Building setback: The distance between a given lot line, face of building, normal water line, right-of-way line, and any portion or part of any structure.

Building setback line: A line which represents the required building setback for a given building on a given lot.

Building site: A parcel of land upon which a building or structure has been, or is intended to be, constructed.

City: The City of Leesburg, Florida.

City Commission: The governing body of the City of Leesburg officially known as the Leesburg City Commission, including the mayor and other Commission members.

Clinic: A health facility, or portion of a health facility, where patients are not lodged overnight, but are examined and/or treated by licensed dentists, physicians, and/or other health care personnel.

Code: The Villages of West Lake Land Development Regulations (LDRs).

Code of Ordinances: The Code of Ordinances of the City of Leesburg, Florida.

Collector Roadway: A street which carries traffic from local streets to the arterial streets in residential and business areas. Such streets serve as linkages between land access and mobility. Traffic volumes and speeds are usually moderate. Collector streets shall allow golf carts.

Community Development District: (CDD): A local, special-purpose government framework authorized by Chapter 190, Florida Statutes as amended, and is an alternative to municipal incorporation for managing and financing infrastructure required to support development of a community.

Community residential home: A dwelling unit licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for seven (7) to fourteen unrelated

residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes with six (6) or fewer residents, which otherwise meet the definition of a community residential home, shall be deemed a single-family unit and a noncommercial, residential use. See F.S. § 419.001 (a).

~~Comprehensive plan:~~ Plan: The City of Leesburg ~~comprehensive plan~~ Comprehensive Plan adopted by the City Commission and amendments thereto in compliance with the requirements of Florida statute.

Condominium:- See "Apartment or ~~condominium building~~ Condominium Building."

Conforming lot:- Any lawful lot which complies with the provisions of this ~~Code~~ LDR and other applicable City ordinances.

Conservation easement:- A right or interest in real property, which is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition, retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses; and which prohibits or limits the activities as described in Florida statute.

Construction:- Shall mean the building, assembling, expansion, modification, or alteration of the existing contours of the site, the erection of buildings or other structures, or any part thereof, or land clearing (unless an agricultural operation).

Corner lot:- A lot or parcel of land which is located at the intersection of, and abutting on, at least two (2) streets.

County:- Lake County, Florida.

Cul-de-sac:- A local, dead-end street which has a turn-around at the closed end and is used primarily for access to the abutting properties.

Datum: A reference surface used to ensure that all elevation records are properly related. The current national datum is the National Geodetic Vertical Datum of 1929, which is expressed in relation to mean sea level, or the North American Vertical Datum of 1988. Density: means the maximum amount of DUs allowed on a project site. This relationship is identified on a unit per gross developable acre basis.

~~Density: means the maximum amount of dwelling units allowed on a project site. This relationship is identified on an unit per gross developable acre basis.~~

Developer:- Any person who engages in or proposes to engage in development either as the owner or as the agent of an owner of property.

Development:- All construction activity within the limits of the ARD zoning and land use category.

Development order: ~~Means any~~ Any order, permit, or other official action of the City granting, or granting with conditions, an application for development.

Ditch:- An artificial waterway for irrigation or stormwater conveyance.

Dwelling:- Any building, or portion thereof, which is designed to be used, or is actually used, as living quarters for one or more persons, families, or households. Such a building must be supported by, at a minimum, walls which are complete from the bottom floor to roof.

Dwelling unit:- (DU): A room or group of rooms which is equipped for independent housekeeping and is occupied, or is intended to be occupied, by not more than one (1) person, household, or family.

Easement:- A grant by the property owner to the public, a corporation, person, or other legal entity, of the use of a specific portion of land for a specific purpose.

Enclosed use:- A use which is located entirely within a structure.

Excavation:- The reducing or lowering of the natural level of ground.

~~Florida Department of Environmental Protection: FDEP~~

~~Florida Department of Transportation: FDOT~~

Federal Emergency Management Agency: FEMA

Flood Insurance Rate Map (FIRM):- An official map of the City on which ~~the Federal Emergency Management Agency (FEMA)~~ FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the City.

Floor:- The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area:- The gross horizontal area of all the floors in a building (including attics, basements, and penthouses). It is measured from the exterior faces or columns of the exterior walls of a building.

Floor Area Ratio (FAR): The ratio of a building's gross floor area to the area of the ~~lot on which the building is located. For example, a floor area ratio of 1.0 applied to a 20,000 square foot piece of property would permit a single-story building of 20,000 square feet (20K/20K=1) or a building of any number of floors whose cumulative square footage does not exceed 20,000 square feet.~~ Project.

Florida Department of Environmental Protection: FDEP

Florida Department of Transportation: FDOT

Future Land Use Map (FLUM): The map within the future land use (FLU) element of the comprehensive plan that delineates the City's ~~future land use~~ FLU designations pursuant to Florida statute.

Garage: An accessory building primarily used for the parking of one (1) or more motor ~~vehicle~~ vehicles.

Grade:- The elevation of the ground surface.

Home Owner's Association (HOA) or Property Owner's Association (HOA)(POA): An organization in a subdivision, condominium, or other similar development that makes and enforces rules for the properties ~~in~~ within its jurisdiction.

Hotel:- a commercial establishment providing lodging and, usually, meals and other services for the public, especially for travelers. This definition also includes motels.

Household:- One (1) or more persons, not necessarily related by blood, marriage, or other legal action, who occupy a single ~~dwelling unit~~ DU and live as a single, non-profit housekeeping unit.

Independent Living Facility (ILF): A living arrangement in which people with special needs, especially seniors with disabilities, reside in independent living units which may contain a private kitchen. The facility may provide help with everyday tasks such as bathing, dressing, and taking medication. This definition does not include ~~assisted living facilities~~ ALFs, nursing homes, or community residential homes.

Institution:- The structure or land occupied by a group, cooperative, board, agency, or organization created for the purpose of carrying on functions of a public or semi-public nature. Examples of an institution include a hospital, health clinic, school, church, fraternal order, civic club, and orphanage.

Intensity: The maximum amount of building square footage allowed ~~on a project site~~ within the Project. This relationship is identified in FAR: "Floor Area Ratio".

Interior lot:- A lot other than a corner lot or double frontage lot.

Karst features: Physical features in limestone such as sinkholes, depressions, and solution tubes that act as conduits reducing the travel time of water through limestone as compared to soil or to limestone lacking karst features.

Land Development Regulations (LDR): The Villages of West Lake Land Development Regulations (LDR).

Landscaping:- Living plant material and non-living durable material used in outdoor environmental design that enhances the appearance of land.

Legal Description: A "courses and distances" legal description, often referred to as a "metes and bounds" legal description, which maps the desired property when transferred to GIS mapping software.

Local street:- A street which connects properties to collector streets. These roads provide service which is of low average traffic volume and of high land access for abutting properties. Local streets shall allow golf ~~cart~~ cars.

Lot:- Any tract or parcel being the least fractional part of a subdivision having limited fixed boundaries. A lot may be identified by an assigned number. Furthermore, a lot is capable of being lawfully occupied and utilized for a structure and/or use as defined in this Code LDR.

Lot depth:- The horizontal distance (excluding surface or ground depressions) between the front lot line and the rear lot line.

Lot lines:- The lines bounding a lot as defined in this [CodeLDR](#).

Lot width:- The distance between the side lot lines, measured at point where the front setback is taken.

Main or principal building:- The building in which the principal use of the lot is conducted.

Maintenance:- The action taken to restore or preserve the functional design or intent of any facility, system, or structure.

~~Mass Grading: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the engineer of record and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is an approved use.~~

Mining: An area of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade. Additionally, mining shall be considered all excavation not considered Stormwater Earthworks. Excavated mined materials can be transported offsite.

Mixed use building: A building which includes two [\(2\)](#) or more use categories, one [\(1\)](#) of which should be residential.

Motel:- see "[hotelHotel](#)".

Multi-family residential: A structure containing multiple [dwelling-unitsDUs](#) in which other [dwelling-unitsDUs](#) are located above or below it, and which any architectural feature integral to its design is connected with at least two [\(2\)](#) or more adjacent similar [dwelling-units-DUs](#). Units within apartment or condominium buildings are considered attached [dwelling-unitsDUs](#).

New construction:- Structures for which the start of construction commenced on or after the effective date of this [CodeLDR](#).

Nonresidential Building (NRB): Any structure not containing a residential [dwelling-unitDU](#) or residential use.

Nursing home: A facility for patients who are recovering health and strength after illness or injury, or receiving long-term care for chronic conditions, disabilities, or terminal illnesses. Facilities provide 24-hour supervised nursing care and feature extended treatment that is administered by a skilled nursing staff. The residents do not live in private units and the residents typically do not leave the facility until well enough to do so. The facilities provide personal care, room, board, laundry service, and organized activities. This definition does not include community residential facilities, ~~assisted living facilities, or independent living facilities-ALFs, or ILFs~~. This definition does include convalescent centers and skilled nursing facilities.

Office:- A building, room, or space where clerical, professional, or administrative activities are performed. Such a building, room, or space may be the principal structure, a portion of the principal structure, an accessory structure, or a portion of an accessory structure on a lot.

Open space: Shall include wetlands, preservation areas, greenspace, stormwater ponds, floodplain compensation areas, and landscape buffers. Open space may include areas such as trails, golf, plazas, courtyards, and other similar public areas. Open space may also include recreation areas and amenities, provided said amenities or ~~area-is~~ [areas are](#) not enclosed with conditioned space. Open space shall not include areas within a right-of-way. Open space shall be calculated for the entire ARD area as a whole, not per individual projects.

Owner:- The person in who is vested the fee ownership, dominion, or title of property (i.e., the proprietor). This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

Parking space:- A portion of a parking area which is clearly marked as being intended for the storage of one [\(1\)](#) vehicle or golf ~~cart~~ [car](#)(s).

Permitted use:- A use which is lawful under the terms of this [CodeLDR](#).

Person:- Any and all persons including any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

Planning and Zoning Board:- The City of Leesburg Planning and Zoning Board as provided for in this CodeLDR.

Premises:- A parcel of land and any structures occupying the parcel of land.

Principal building:- See "mainMain or principal building."

Principal use:- The actual primary function for which a lot and buildings upon it are used.

Private club:- A building or portion thereof, owned and/or operated by a corporation, association, person, or group for a civic, educational, recreational, social, or other public or semi-public purpose.

Professional Surveyor and Mapper:- A surveyor and mapper licensed by the State of Florida.

~~Project: Improvements related to existing residential or nonresidential sites in which this Code requires a permit or application approval.~~

Project: The Project is the entire Villages of West Lake.

Recreational Vehicle Development (RVD):- An area set aside primarily for temporary travel trailers, campers, and other recreational vehicles- (RVs). This facility is intended to provide temporary, non-permanent water, sewer, and electrical hook-ups for such vehicles in exchange for a specified rate of compensation. This is considered a commercial use.

Reuse: Wastewater that is treated to meet public access standards.

Right-of-Way (ROW):- An area of land over which people and goods have the right to pass or travel. A public right-of-way grants passage to all and may grant the right to park registered vehicles in accordance with City parking restrictions. ~~PublicA public~~ right-of-way is a form of easement dedicated to the City during subdivision or site plan for public use. ~~RightRights~~-of-way ~~isare~~ not part of the adjacent parcels; the right-of-way boundary usually coincides with adjacent parcel property lines or tracts.

School:- A building and/or property utilized for the purpose of providing formal primary, secondary, and/or post-secondary education/training.

Service street:- A local street or alley used to provide rear-yard access to businesses, institutions, and residences for the purpose of providing services (for example, garbage collection or delivery services).

Sidewalk:- A path that is intended for pedestrians and non-motorized vehicles. Sidewalks may be located on private property or within a right-of-way.

Sign:- Any display device which is designed to visually or graphically inform, or attract the attention of, persons passing by the device.

Single Family Attached (SFA): A ~~dwelling-unitDU~~ connected to at least one (1) adjacent ~~dwelling unitDU~~ by any architectural feature integral to its design or the design of its garage, excluding fences, posts, utility screen walls, stoops, driveways, walkways, and air conditioning pads.

Single ~~family detachedFamily Detached~~ (SFD): A traditional stand-alone ~~dwelling-unitDU~~ that houses a single family and shares no connection to another ~~dwelling-unitDU~~.

Site plan:- The drawing(s) which put forth an applicant's proposal for the development of a particular piece of land that is certified by a registered professional engineer.

SJRWMD: Southwest Florida Water Management District: SWFWMD

St. Johns River Water Management District: SJRWMD

Stormwater Earthworks: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the ~~engineer-of-recordEOR~~ and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is ~~aan approved and~~ common use. ~~Excavation-ofExcavated~~ material can be exported offsite.

Story:- That portion of a building included between the surface of any floor and the surface of the next floor above it. In the event there is not a floor above the former, then the story is that portion of a building between the top floor and the ceiling above it.

Street:- A public or private thoroughfare which affords the principal means of access to abutting property. Alleys shall not be considered streets.

Structure:- A man-made object having a relatively stationary location on or in land or water whether or not it is affixed to the land or on a permanent foundation.

Subdivider:- Any firm, corporation, partnership, person, or other legal entity who, acting as a unit, voluntarily engages in or proposes to engage in, the division of a parcel (or parcels) of land into smaller parcels of land.

Subdivision (residential):

(a)- The division of any parcel of land into three (3) or more contiguous lots for the purpose of building, development, or transfer of ownership; or any division of a parcel of land requiring a new street or modification to an existing public street, or the provision of other public facilities or improvements, including but not limited to, drainage facilities and utilities. This term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

(b)- Subdivision shall not mean:

- (1) The transfer of property by sale, gift, or testate or intestate succession from the property owner to his or her spouse or lineal descendants, provided that all required utilities are in place prior to the issuance of a development permit,
- (2) The transfer of property between tenants in common or joint tenants for the purpose of dissolving the tenancy in common or joint tenancy,
- (3) The sale or exchange of parcels of land between owners of adjoining properties provided that additional lots are not thereby created and that the parcels remaining are not reduced below the minimum sizes required by the CodeLDR.

Substantial improvement:- ~~Means any~~ Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure in which the cumulative costs equals or exceeds 50 percent of the market value of the structure.

The market value of the structure should be:

- (a) The appraised value of the structure prior to the start of the initial repair or improvement, or;
- (b) In the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety Codecode specifications, which are solely necessary to assure safe living conditions.

SWFWMD: Southwest Florida Water Management District

Tower:- shall mean a structure, greater than 35 feet in height (including any antennas attached thereto), which supports one (1) or more antennas, not including however any amateur radio operator antenna as licensed for that purpose by the Federal Communications Commission- (FCC).

U.S. Army Corp of Engineers: ACOE

Utility: Entity providing potable water, irrigation, and/or sanitary sewer services.

Wetlands:- Lands which are identified by being inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and noncontiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bogs, wet prairies, and freshwater marshes.

Chapter 3: Zoning and Architectural Standards

3.1. General

The approved zoning for the project is Age-Restricted Development (ARD) as amended from time to time.

3.2. Principal Uses

The principle or main use(s) and associated structures of a property shall be allowed as one of the following:

A) Permitted Use

This use is hereby established as the general use(s) in the ARD zoning category as specified below and is a use of right when in compliance with the requirements of this ~~Code~~DR.

- (1) Conservation uses: wetlands, forested lands, pastures, environmental ~~habitat~~habitats, karst areas, open water, ~~and~~ lands set aside to be protected and other similar uses;
- (2) Agricultural uses: citrus/~~field~~ crop production; keeping and/~~or~~ grazing of livestock; agricultural product transfer ~~station~~stations; silviculture; aquaculture; horticulture, greenhouses and nurseries (commercial); urban agriculture and other similar uses;
- (3) Residential uses:~~single family detached (SFD); single family attached (SFA); multi-family residential; apartment or condominium building (ACB); dwelling~~ units (DUs) located above the ground floor in a mixed use building (MUB); community club ~~house, pool~~houses, pools, or other amenities associated with residential projects; independent living ~~facility (ILF); facilities (ILFs)~~ and other similar uses;
- (4) Institutional, governmental, tourism, civic, and recreational uses: public recreation ~~facility~~facilities or ~~park~~parks; bed and ~~breakfast~~breakfasts; hotels and motels; golf courses and driving ranges; commercial recreation ~~facility~~facilities such as skating rinks, movie theaters, and other similar uses; health clubs and fitness centers; community residential ~~home~~homes; assisted living ~~facility (ALF)~~facilities (ALFs); nursing ~~home~~homes; skilled nursing ~~facility~~facilities; child care facilities/day care; professional, business, and technical schools; public schools and private schools offering curricula similar to that of public schools; colleges and universities containing dormitories; churches and places of worship; museums and other cultural facilities; hospitals; veterinary ~~clinic~~clinics or temporary pet boarding; cemeteries and mausoleums; funeral homes, crematories, and other similar service establishments; private clubs and lodges; public buildings owned, operated, and used by a government entity such as city ~~hall~~halls, city hall annexes, police and fire stations, libraries, post ~~office~~offices, and other similar uses; street and highway department ~~garage~~garages or maintenance ~~facility~~facilities; utility facilities such as electric sub stations, water and wastewater treatment plants, well sites, and other similar uses; ~~skilled nursing facilities; independent living facilities~~;
- (5) Commercial office and business park uses: business technology ~~park~~parks, medical or dental ~~office~~offices, professional service establishments and offices; banks, credit unions, and financial institutions and other similar uses;
- (6) Commercial retail uses: retail sales establishments such as department, electronic, office supply, grocery, and other similar stores; restaurants and cafes (without alcohol consumption or sales); ~~bar, tavern~~bars, taverns, restaurants, or cafes serving alcohol (on- and off-site consumption); liquor ~~store~~stores (sales of hard alcohol for off-site consumption); copy centers; beauty ~~shop~~shops, dry cleaning, pet grooming, and other similar personal service establishments; specialty shops such as antique shops, art showrooms, boutiques, and other similar shops; service and repair shops for automobiles, small engines, and other similar uses; retail and wholesale commercial establishments for lumber, building, and landscaping

supplies, farm equipment, and other similar uses with potential outside storage of products; auto ~~dealership~~dealerships, golf ~~cart~~car and similar sales; convenience ~~store~~stores; fuel stations; food trucks, temporary or permanent; indoor and outdoor commercial recreational uses; storage facilities (indoor); outdoor storage facilities for RVs, boats, campers, vehicles, machinery, equipment, or other similar items; ~~recreational vehicle development~~RV developments and other similar uses;

- (7) Industrial uses: wholesaling, warehousing, bulk storage, or distribution establishments, and similar uses; research laboratories and associated activities; light manufacturing, assembling, processing, packaging, or fabricating; outdoor storage yards and similar uses such as junkyards, scrap yards, and salvage yards; building or landscape ~~contractor~~contractors with on-site equipment storage; concrete or asphalt plants; concrete block ~~plant~~plants; manufacturing of nonhazardous materials; manufacturing or warehousing of chemicals, fertilizers, hazardous, or biohazardous materials; electric, gas, or energy generating ~~facility~~facilities; solid waste transfer stations; landfills; tower and wireless communication services; mining and excavation; and other similar uses;
- (8) Mining: No permitting or zoning approvals within the City is required. The developer shall provide the City with the approved FDEP and ~~Water Management District~~water management district permit as applicable prior to construction.

B) Agricultural

The property has historically been used for agricultural activities and the Developer may pursue bona fide agricultural and ~~silvacultural~~silvicultural uses on the property. For purposes of this ~~Code~~LDR, Site Plan is defined as either a commercial site plan approval or a residential improvement plan approval from the City. There may be numerous site plans on the property. However, site plan approval is specific and does not necessarily apply to other areas on the property.

3.3. Accessory Uses and Structures

All accessory uses and structures shall be approved by The Villages DRC or ARC as applicable.

3.4. Temporary Uses

Temporary uses may be approved by the DRC.

3.5. Variances

All variances to this ~~Code~~LDR shall be approved by The Villages DRC or ARC as applicable.

3.6. Recreational Vehicle Developments

(A) Purpose

The purpose of this section, applying to ~~Recreational Vehicle Developments (RVD)~~RVDs, is to provide an environment in which ~~recreational vehicles~~RVs or dwellings may be located to enhance the enjoyment of leisure time activities and to provide a means whereby the use occurring upon the land will be made more compatible with the surrounding properties. The following provisions shall apply to RVDs permitted by this ~~Code~~LDR.

(B) Definition

An RVD shall include a parcel of land under unified management which has been planned, designed, and constructed for the placement of units for short-term, long-term, or permanent occupancy for recreational purposes.

(C) ~~A recreational vehicle (An RV)~~ shall include:

- (1) Travel trailer - A vehicular, portable structure built on a chassis, designed as temporary living quarters for travel, recreation, and vacation. This includes, but is not limited to: bumper pull, 5th wheel, sport utility, and various styles as pulled by a vehicle.
- (2) Truck camper - A structure designed to be mounted on a truck chassis for use as temporary living quarters for travel, recreation, and vacation.
- (3) Motor home - Constructed on a commercial truck chassis, a specially designed motor vehicle chassis, or a commercial bus chassis.
- (4) Camping trailer - A canvas or other collapsible folding structure, such as pop-up, or tent trailer, mounted on wheels, designed as temporary living quarters for travel, recreation, and vacation-use.
- (5) Park model (or park trailer) - A transportable unit, which has a body width not exceeding 14 feet, which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Units constructed to ANAI A-19.5 shall not exceed 399 square feet. Units constructed to the U.S. Department of Housing and Urban Development (HUD) standard shall not exceed 500 square feet. All measurements are to be taken along the exterior when in a setup mode. All "park trailers" must be set up and anchored as established by the Florida Building Code.
- (6) Houseboat - A ~~houseboat is a~~ boat that has been designed or modified to be used primarily as a functional dwelling. Houseboats may or may not be motorized, and can be permanently moored to a fixed point attached to the land.

(D) A recreational dwelling shall include:

- (1) Cabin - A cabin is a small, permanent structure of no more than ~~1500~~1,500 square feet designed to provide lodging in a recreational area.
- (2) Tiny house - A tiny house is a small, permanent structure of no more than 500 square feet designed to provide lodging in a recreational area.
- (3) Glamping dwelling - A glamping dwelling may include, but is not limited to, a permanent or semi-permanent structure with a membranous exterior that may or may not be connected to utilities, but is securely fastened to the ground.
- (4) Tree house - An elevated, permanent platform structure used for lodging in a ~~recreation~~recreational area when connected to utilities necessary for operation of installed fixtures and appliances in or around treed areas.
- (5) Hill House - A permanent structure set at or just below earth plain used for lodging in a ~~recreation~~recreational area when connected to utilities necessary for operation of installed fixtures and appliances and cover with earth.

(E) Permit Process

- ~~(6)~~(1) RVDs must go through the site plan approval process in this ~~code~~LDR.
- ~~(7)~~(2) RVDs where units will be sold must also follow the Record Plat process.

(F) General provisions

- ~~(8)~~(1) RVDs shall be classified as a tourism-oriented mixed-use development, with a combination of residential, commercial, and support uses in the ARD zoning district.
- ~~(9)~~(2) As a condition of the site plan approval, the following uses may be permitted, but not limited to: commercial and non-commercial, recreation facilities (such as pavilions, sports courts, gathering spaces and structures, etc.), entertainment facilities, park offices, maintenance facilities, dumping stations, toilets, showers, laundry facilities, tourist-oriented retail developments, such as: retail sales establishments, personal service establishments, food service establishments with or without alcohol sales, child care centers, RV model units, or sales and service establishments, mobile ~~home~~homes, single

family detached or attached ~~dwelling~~wellings, enclosed storage structures and storage garage facilities. No such structures shall be located within any required setback, any required perimeter buffer, or any utility or drainage easement.

- (a) Such uses shall be conducted for the convenience of the occupants and guests of the RVD, and the public;
- (b) Such retail establishments may be oriented to the interior or exterior of the RVD.

(G) Specific provisions

~~(10)~~(1) All RVDs shall contain a minimum of 10 acres.

~~(11)~~(2) There shall be a building setback of 10 feet from any road right-of-way for any commercial building or accessory building.

~~(12)~~(3) Property adjacent to federal, state, or county highways shall maintain a minimum building setback of 50 feet from the highway right-of-way for any structure or RV. The minimum building setback for property adjacent to interior roads is 10 feet.

~~(13)~~(4) All RVs and additions shall have no side or rear setback, but must maintain 10 feet of building/RV separation.

~~(14)~~(5) A well-maintained, landscaped buffer of at least five (5) feet is required around the perimeter of the RVD.

~~(15)~~(6) There is no minimum lot size, lot width, or lot depth.

~~(16)~~(7) The density of 30 lots per acre may not be exceeded.

~~(17)~~(8) Internal roadways must have a minimum width of 12 feet for one-way drives or 24 feet for two-way drives.

~~(18)~~(9) Adequate trash disposal facilities or services shall be provided with easy access from each site.

~~(19)~~(10) Each lot shall be identified by a marker clearly visible at a minimum distance of 20 feet.

~~(20)~~(11) All structures, additions, and attachments located in the RVD must be constructed to meet standard building codes. Such additions and attachments shall include, but are not limited to: carports, storage sheds, cabanas, screen rooms, pull-out or tip-out units, skirting and awnings, pergolas, gazebos, and shall be permitted, except as qualified below:

- (a) No such addition or attachment shall be attached to any RV having a vehicular body length less than ~~twenty~~20 feet.
- (b) Additions and attachments may be designed to be removable. They may be attached to the RV and parking or patio pad.
- (c) No such addition or attachment shall be located within any setback, any perimeter buffer of the RVD, or any utility or drainage easement.
- (d) Additions or attachments may be connected to utilities, including, but not limited to: sewer, water, electric, and gas.
- (e) All additions and attachments must be properly permitted as required by state and local law.

~~(21)~~(12) All "park trailers" or "park models" shall be required to obtain permits prior to set-up or connection to utilities, as pursuant to this code.

3.7. Buffer Requirements

Table 3-1 lists the density, intensity, lot standards, buffers, and setbacks.

Table 3-1: Density, Intensity Lot Standards, Buffers, Setbacks

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units / ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ³ (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	50 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50	50	50	50	50
* Per Florida Building Code criteria					
1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner's association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.					
2. Up to a 3.0 FAR may be used in a town center or similar use.					
3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.					
4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.					
5. The maximum building height applies unless adequate fire protection is available.					
6. RVDs are considered non-residential units.					
7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.					

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units/ ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ^{3,7} (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	20 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50' **	50' **	50' **	50' **	50' **
* Per Florida Building Code criteria					
**Unless adequate fire protection is provided.					
1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner's association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.					
2. Up to a 3.0 FAR may be used in a town center, medical campus and similar use areas.					
3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.					
4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.					
5. The maximum building height applies unless adequate fire protection is available.					
6. RVDs are considered non-residential units.					
7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.					

(A) Perimeter Buffer

The development shall include a 20-foot perimeter landscape buffer easement or tract along ~~The Villages of West Lake~~the VOWL boundary lines. No perimeter landscape buffer is required where landscaped open space, recreation, golf, stormwater ponds, compensating storage areas, wetlands, upland buffers, or other conservation areas are located along the property boundary. In addition, no perimeter buffer shall be required for portions of the property that are adjacent to compatible uses being constructed by the same developer.

(B) Walls/ Fence

The 20-foot perimeter landscape buffer may be eliminated if an approximate six-foot high wall or opaque fence is installed, for which no landscaping is required. Walls or opaque fences may be constructed within project setbacks.

(C) Internal Parcels

No onsite landscape buffer shall be required between internal parcels or uses. No landscape buffer shall be required along perimeters of the project abutting properties not owned by the Developer with similar land uses.

(D) Stormwater Ponds

Stormwater ponds, existing topographic depressions, grading, and compensating storage areas shall be allowed within the perimeter landscape buffer.

(E) Residential ~~Home~~Dwelling Unit Site

Where a 20-foot perimeter landscape buffer or wall/fence is required on residential ~~homedwelling unit~~ sites, the landscape and irrigation or wall/fence shall be installed with each individual ~~homedwelling unit~~ being constructed.

3.8. Commercial Architectural Standards

(A) Building Design

The design of individual buildings will be representative of the architectural style established by the Developer for the community and will be subject to review and approval by the DRC. These buildings may exhibit individual detailing for harmonious diversity and may vary in specific materials, finishes, and color palettes.

(B) Specific Architectural Design Standards

- (1) All commercial electrical controls, meters, etc. shall be mounted on building walls, free standing walls, or dumpster enclosure walls. Freestanding electrical “racks” shall be prohibited, unless specifically approved by The Villages DRC.
- (2) All commercial building-mounted boxes (i.e., electrical, irrigation control boxes, gas meters, etc.) and associated conduit and piping shall be painted to match the wall to which they are mounted, as permitted by the utility companies.
- (3) Exterior building lighting is permissible if the effect is compliant with the objective of achieving a soft glow rather than brilliant or glaring effect. Architectural lighting (fixtures attached to or integral with a building or structure) shall be selected or approved by the DRC.
- (4) Where dumpsters are required, enclosures shall be finished with materials, color, and detailing similar to the associated building. Dumpster enclosures that serve facilities that dispose of food waste or other organic materials shall be constructed with a drain and hose bib for wash down. Drains shall be connected to a grease interceptor.
- (5) Where required, Fire Department Connections (FDCs) must be located ~~on the building structure wall (no remote FDCs)~~per governing fire department specifications and near

other critical utilities (i.e., power disconnect, gas, etc.) that may need to be turned off in case of a fire, unless specifically approved by The Villages DRC.

- (6) Buildings that require a fire sprinkler system shall have backflow preventers located inside the building.
- (7) All commercial rooftop equipment shall be screened with parapets, landscape, or architectural features.
- (8) All commercial ground-mounted HVAC heating, ventilation, and air conditioning (HVAC) equipment shall be screened with a structural and/or landscaped screen wall.
- (9) All project sign locations and design elements are exempt from the City's sign requirements and sign permits and shall be determined and approved by the DRC. These include the following:
 - (a) Project "Welcome" signs
 - (b) Primary entry wall features and signs
 - (c) Secondary entry wall features and identification signs
 - (d) Directional signs
 - (e) Occupant identification signs
- (10) All project lighting shall be designed to meet the guidelines established by the Illumination Engineer's Society of North America (IES) to provide safe lighting levels, to the maximum extent possible as determined by the Florida-licensed design professional who prepares the lighting layout.

(C) Landscape Design Objectives

The overall objective of landscape design in the development is to create a unique and instantly recognizable setting with a consistent sense of design character for the various uses, facilities, and common areas within the community. The landscape may vary in character based on the specific architectural design. The scale and extent of the landscaping will reflect that of the building, site, and setting, as well as that of other sites in the vicinity. The consistency of the landscaping is intended to add an image of quality to the community and to unite the various uses and facilities within the project through consistency of materials and continuity of design.

The design of all landscaping and irrigation within the community will occur via a review and approval process administrated by the DRC. For optimum creativity and quality, this process must be somewhat subjective, thus a limited amount number of specific criteria can be cited herein. The design effect will be defined and perpetuated by completed areas within the community as they are built. The DRC will require the same design approach for all subsequent facilities in the project, including outparcels developed by others.

(D) Maintenance of Common Areas

Maintenance of structures and common areas, including landscape maintenance, within the development shall be owned and maintained by the POA, HOA, and/or a CDD, at no cost or obligation to the City. The Developer/owner shall create guidelines for the maintenance of common areas.

3.9. Street Names and Address Numbers

Street names and address numbers for dwelling units and places of business on all public and private streets shall be assigned by The Villages.

Chapter 4: Site Plan Regulations

4.1. Site Plan Review Process and Permits

(A) Site Plan Requirement

An approved site plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop land for which a site plan is required except in accordance with an approved site plan.

(B) Applicability

The requirement for site plan approval applies to all sites located within the ARD zoning classification.

(C) Pre-Design Meeting

It is recommended that each applicant have a pre-design conference with The Villages DRC prior to preparing plans and permit applications.

(D) Site Plan Application

Applicants seeking site plan approval shall submit an application to the City and The Villages DRC for a concurrent review.

(E) Permits

The applicant shall obtain permits from the City, The Villages DRC, ~~Water Management District~~the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(F) Expiration of Approvals

The approval of the site plan shall be valid for a period of 12 months. If the applicant has not obtained a permit for construction of the site within 12 months and if an extension of time has not been approved by the City Commission and The Villages DRC on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this ~~Code~~LDR.

(G) Plan Approval

The approved site plan shall be the governing document for all such development. Where there are conflicts or discrepancies with other city policies, procedures, ordinances, or regulations, the Villages DRC shall govern.

(H) Minor Site Plans

Minor site plans are required for nonresidential development that has been determined by the City to have limited potential for off-site impacts. Minor site plans may be approved by the Planning and Zoning Manager. Due to the limited off-site impacts, submittals are not required to provide all required information listed below. Refer to the minor site plan application for required submittals.

Minor site plans may apply to the following:

- (1) Additions to existing structures that are less than 50 percent of the total square footage of the existing structure and do not exceed 2,500 square feet,
- (2) Changes in use without addition to existing structures but require other on-site improvements such as stormwater or parking improvements, and/or

- (3) Accessory structures such as restroom facilities, dumpsters, pavilions, amenities, golf starter facilities, guard houses, etc. that adhere to the following criteria:
 - (a) Does not exceed 2,500 square feet;
 - (b) Restricted to one (1) story;
 - (c) Consistent construction and architectural style as the primary structure.

4.2. Site Plan Requirements

(A) Layout

Site plans shall be prepared on sets of sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following minimum standards:

- ~~(22)~~(1) Each applicable site plan sheet shall be prepared by a Florida licensed engineer or surveyor as the context requires.
- ~~(23)~~(2) All applications must be accompanied by proof of property ownership in the form of a copy of a deed or the most current property tax bill.
- ~~(24)~~(3) A topographic survey showing existing contour intervals of one foot for the site, extending 50 feet beyond the site boundary, where practical, and including water surface elevations for all water bodies and the date obtained; and proposed finished elevations based on the most recent United States Geodetic Survey topographic data (NAVD88), prepared by a professional surveyor licensed to do business in the State of Florida.
- ~~(25)~~(4) The scale must be no smaller than one inch equals 100 feet. Information may be combined in the drawings so long as they remain uncluttered and readable.
- ~~(26)~~(5) A vicinity map showing the location of the proposed site plan with relationships to surrounding streets and thoroughfares.
- ~~(27)~~(6) Title sheet must include:
 - (a) Location Map;
 - (b) Legal Description;
 - (c) Owner/consultant contact information including name, address, and phone numbers;
 - (d) Index list of sheets.
- ~~(28)~~(7) Geometry Plan must include – as applicable to the project:
 - (a) Site data:
 - Parcel area, pavement and building area, and open space area
 - Zoning
 - Proposed land use
 - Required and actual parking to be provided
 - Flood zones, if applicable
 - (b) Dimensions (including building dimensions);
 - (c) Sign locations;
 - (d) Dumpster pads with solid enclosures and solid gates are required. Food preparation businesses must install a dumpster pad drain connected to a grease interceptor;
 - (e) Boundary bearing and distances;

- (f) Building setbacks;
- (g) Handicap spaces and signs;
- (h) Traffic signs and striping - All traffic control signs (including handicap parking signs) must be installed on “decorative” posts in accordance with The Villages standards;
- (i) Driveway pavement radii - All driveway entrance radii must be a minimum of 35 feet and all driveway exit radii must be 25 feet;
- (j) Utility contacts.

~~(29)~~(8) Joint use easements for shared driveways, if applicable.

~~(30)~~(9) Grading and Drainage Plan must include:

- (a) Existing topography - topographic surveys must be based on NAVD 88 datum;
- (b) Proposed grades;
- (c) Wetlands and/or surface waters;
- (d) Storm sewer ~~lines & mains and~~ inlets, including pipe lengths and percent grade;
- (e) Finished floor elevations;
- (f) Roof drains - downspouts are not allowed to discharge onto grass or landscape areas;
- (g) Landscape berms;
- (h) Proposed grading to streets, property lines, etc.

~~(31)~~(10) Utility Plan must include the following as applicable to the site:

- (a) Water mains and service lines;
- (b) Sanitary sewer system;
- (c) Water meter and backflow prevention assembly locations and sizes;
- (d) Street lights;
- (e) Nearest fire hydrant location(s);
- (f) FDC, if applicable - Above-ground backflow preventers are not permitted. ~~Backflow~~Fire sprinkler system backflow preventers should be located in the vertical riser within the building;
- (g) Grease interceptors – required in an external location for any business supplying food services.

~~(32)~~(11) Erosion and Sediment Control Plan – must include:

- (a) Silt fencing;
- (b) Inlet protection (on-site and off-site);
- (c) Temporary gravel construction entrance.

4.3. Site Plan Permit Exemptions

The following project improvements are not required to obtain a permit from the City:

- (A) ~~Mass grading/stormwater~~Stormwater earthwork plans;
- (B) Monument or directional signs;
- (C) Clearing and tree removal;
- (D) Site debris removal and burning;
- (E) Non-potable wells;
- (F) Onsite water, sewer, irrigation, and ~~effluent~~reuse infrastructure;
- (G) Walls/fences;
- (H) Lighting (photometric plans);

- (I) Landscape plans;
- (J) Demolition.

Chapter 5: Subdivision Regulations

5.1. General

(A) Subdivision Plan Requirement

An approved subdivision plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop or improve land for which a permit is required except in accordance with an approved subdivision/improvement plan. The requirement for a subdivision/improvement plan approval applies to all subdivisions located within the ARD zoning classification.

(B) Subdivision/-Improvement Plan and Plat Application

Applicants seeking subdivision/improvement plan and/or plat approval shall submit an application to the City. The Developer may submit multiple projects for approval under a single application. The cover sheet shall state all projects seeking approval.

(C) Permits

The applicant shall obtain permits from the City, ~~Water Management District~~ the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(D) Expiration of Approvals

The approval of the subdivision/improvement plan shall be valid for a period of 60 months. If the applicant has not obtained a permit for construction of the site within 60 months and if an extension of time has not been approved by the City Commission on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this ~~Code~~ LDR or any subsequent code in effect.

(E) Garage or Carport

Minimum one (1) car parking shall be provided per residential unit. ~~A one-car garage or carport and driveway combination shall count as off-street parking spaces.~~ for single family dwelling units

(F) Landscape or Photometric Plans

No landscape or photometric plans are required.

(G) Commercial Roadways and Subdivisions

Non-publicly dedicated roadways and non-residential subdivisions may be constructed from time to time pursuant to individual site plan approval without the need for platting.

5.2. Procedure for Subdividing Land

~~All submittals of plans and applications will be made to the City.~~ **5.2. Procedure for Subdividing Land**

~~All submittals of plans and applications will be made to the City.~~ There shall be two (2) stages for the approval of all subdivision plats. These stages are intended to allow for a full and adequate review by the City in order to ensure and protect the public interest. These two (2) stages include a subdivision/improvement plan and final plat.

The mylar, or equivalent material copy of the approved final plat, will be retained by the City for the purpose of recording with the Clerk of the Courts of Lake County after approval by the City Commission. All fees and documents required by the Clerk for filing and recording of the approved final plat shall be

transmitted through the Community Development Department to the County Clerk within three (3) days when final approval is received. No plat of lands in Leesburgthe City subject to this CodeLDR shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the City Commission.

5.3. Lot Split~~/~~Lot Line Deviation

(A) Application Process

The following items and application fees are required when applying for a lot split or deviation. All submittals are to be sent to the City of Leesburg, Community Development Department: for approval. All information must be supplied in digital format in accordance with the City's digital submittal standards.

(B) Submission Requirements

- (1) Application form provided by City (Appendix 2)
- (2) A boundary survey for all parcels that includes and identifies the following:
 - (a) Overall legal description of the original parcel
 - (b) Legal description of each parcel created
 - (c) Legal description of all existing and created easements
 - (d) All existing structures and improvements
 - (e) 100-year flood zone and elevation
 - (f) Jurisdictional wetland line and/or environmental easement
- (3) Copy of the property record card or recorded warranty deed(s)
- (4) Lot split review fee

~~(A) Submission of Final Recorded Deeds~~

~~Deeds must be prepared and recorded with the Lake County Clerk of Circuit Court for each parcel created at the time of conveyance. A copy of the recorded deeds must be submitted to the Community Development Department prior to final approval of the Lot Split/Lot Line Deviation. No building permits will be issued until the final approval is granted.~~

5.4. Subdivision/Improvement Plan Submittal Requirements

(A) Layout

Subdivision/improvement plans shall be prepared on sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following at a minimum:

~~(33)~~(1) Title with the following information:

- (a) Proposed subdivision name;
- (b) Section, township, and range of the property;
- (c) Date of preparation.

~~(34)~~(2) Scale and north arrow;

~~(35)~~(3) Vicinity map showing relationship between area proposed for development and surrounding properties, streets, and landmarks;

- ~~(36)~~(4) Legend showing information such as zoning, acreage to be subdivided, number of lots, phase number, and datum;
- ~~(37)~~(5) Legal description and tax identification of the lands to be subdivided; if multiple subdivisions are submitted under a single application, the overall legal description including all projects shall be provided~~;~~_;
- ~~(38)~~(6) Certification of registered professional engineer;
- ~~(39)~~(7) Contact information of the property owner, surveyor, and engineer;
- ~~(40)~~(8) Bearings and distances of boundary lines with a thicker line;
- ~~(41)~~(9) Location, width_; and purpose of existing and proposed easements and rights-of-way;
- ~~(42)~~(10) The lot lines, typical lot dimensions, and lot numbers shall be shown;
- ~~(43)~~(11) Identification of existing and proposed streets on and adjacent to the tract to be subdivided including: the name, right-of-way width and location; approximate grades and gradients; type, width, and elevation of surfacing; and legally established centerline elevations, sidewalks, paths, curbs, gutters, culverts, etc., as applicable. Locations of all median openings in the vicinity and access points on both sides of all abutting roadways must also be shown;
- ~~(44)~~(12) Identification of existing and proposed utilities on and adjacent to the tract to be subdivided, including storm, sanitary sewer, water, irrigation_; and reuse plans as applicable;
- ~~(45)~~(13) Contours at a minimum of one-foot intervals for the tract being subdivided and extending 25 feet beyond the property line;
- ~~(46)~~(14) The pipe utility systems (i.e. potable water, sanitary sewer, reuse, irrigation) for each project shall be shown on a master plan. The master plan shall indicate the general locations of all easements, mains, manholes, valves, hydrants, services_; and service laterals with respect to the proposed development improvements and the existing systems. Main sizes shall be indicated on the master plan;

5.5. Final Plat Submittal Requirements

(A) Final Plat Map

The required submittals, meeting the legal requirements of platting, of the final plat shall consist of a fully-executed, correct plat map, meeting all state and City standards. The final plat shall be drawn with black drawing ink on mylar, using sheets sized 24 inches by 36 inches at a scale of sufficient size to show all detail. Each sheet shall have a marginal line completely around the sheet placed to leave three-inch binding margin on the left and one-half inch margin on the other three ~~(3)~~ sides. Final plats shall meet all the requirements of F.S. Chapter 177 and shall be so certified by the Professional Surveyor/~~Mapper~~.

(B) Additional Required Submittals

Approval of the final plat shall be made only pursuant to certification of adequacy of the following list of required submittals by the City:

- ~~(47)~~(1) Copies of the maps shall be submitted to the Community Development Department. The sheet size shall be 24 inches by 36 inches unless another size is approved. In lieu of as-built construction drawings_; one ~~(1)~~ of the following may be submitted: escrow agreement, performance bond, Developer's surety company completion bond, or Developer's cash completion bond.
- ~~(48)~~(2) The approval of any subdivision plan shall be subject to the applicant guaranteeing the installation and maintenance of the required improvements, where facilities are to be conveyed to the City, by filing a performance bond or bonds executed by an approved

surety company in the amount of 120 percent of the construction costs, including landfill costs. Costs for construction shall be determined by an estimate by the applicant's engineer, or a copy of the actual construction contracts as provided. Subdivisions being developed in a CDD shall be exempt from performance bonds.

~~(49)~~(3) In all cases where public improvements occur, a two-year maintenance bond in the amount of 20 percent of the construction costs must be submitted. In lieu of a surety, a cashier's check or certified check may be used as the form of guaranty when accompanied by a maintenance bond agreement. The amounts of the performance and maintenance bond must be approved as adequate by the City. At the conclusion of the two-year maintenance period, the Developer may petition the City to release the maintenance bond. The City will inspect the public improvements and issue a determination of any public improvements covered by the bond that are in need of repair. Upon verification that all repairs have been made, the City will release the maintenance bond. Subdivisions and roadways being developed in a CDD shall be exempt from maintenance bonds.

~~(50)~~(4) Upon submittal by the Developer's engineer of a Certification of Completion stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of this CodeLDR; the City will have five (5) working days to provide Developer with a letter of approval. The date of the letter of approval from the City will begin the two-year maintenance period. Ninety90 days before the two-year maintenance period is up, the Developer will notice the City that the two-year maintenance period is up. Thirty30 days before the ninety90 day period ends, the City will inspect and either provide a punch list items or approval and begin maintenance of the roadway at the end of the two-~~(2)~~-year period.

~~(51)~~(5) Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.

~~(52)~~(6) A certificate of ownership, signed by a licensed attorney-at-law or an abstract company, in accordance with Florida statute in a form approved by the City Attorney.

~~(53)~~(7) If there is a HOA, then an agreement outlining the supervision and maintenance of all common areas within the subdivision.

~~(54)~~(8) Copies of all applicable permits (i.e. driveway, Water Management Districtwater management district, County, FDOT, etc) shall be provided.

(C) Clerk of Circuit Court Recording

Within the legal timeframe~~three~~ (3) days, the approved plat shall be submitted to the Clerk of Circuit Court for recording with the recording fee. At the time of recording, the following shall be submitted to the Clerk for distribution:

~~(55)~~(9) The original mylar, final plat and three (3) mylar copies ~~-to be contained within the Clerk's original plat book,~~ and

~~(56)~~(10) An additional copy of the final plat for public record.

5.6. Completion and Inspection of Improvements

All physical improvements (including all utilities) shall be installed in accordance with the approved improvement plan. The applicant shall notify the City as to all plan modifications during construction if field conditions, or other circumstances, necessitate changes. The improvements may be completed by one (1) of the following:

(A) Prior to the filing of the final plat for approval;

(B) Surety performance bond, if applicable;

With the City Commission's approval, the Developer, in lieu of completing the improvements as stated above, shall furnish a surety performance bond to the Commission for and on behalf of the City. The bond should be sufficient to cover the cost of ~~all~~remaining uncompleted improvements required to be installed by the subdivider. ~~The actual construction and installation of such improvements shall be done immediately after approval of the final plat, or at such a time as may be established by the City Commission.~~ Subdivisions and roadways being developed in a CDD shall be exempt from performance bonds.

(C) Permanent Reference Monuments (PRMs), Permanent Control Points (PCPs), and other corners set in accordance with chapter 177 Florida Statutes; and/or

(D) The plat shall be reviewed for conformity to F.S. Chapter 177 by a Professional Surveyor and Mapper either employed by the City or under contract to the City, and evidence of such review shall be placed on the plat. Field verification of any points or measurements shown on the plat will not be required for said review.

5.7. Model Homes

Except as otherwise provided for in this section, no building permit shall be issued until such time as a certificate of completion has been issued by the City Engineer and final plat approval has been obtained. A developer may be allowed to obtain building permits on up to 49 percent of the approved lots within a proposed subdivision prior to the issuance of a certificate of completion by the City and final plat approval. ~~A certificate of occupancy~~ A CO will not be issued on any model home permitted by this section until the City has issued a certificate of completion.

Chapter 6: Technical Standards

6.1. Potable Water

The specifications for the construction of the potable water system can be found within the latest edition of The Villages Construction and Development Manual (Appendix 1). The specifications shall meet FDEP criteria. The level of service for an Equivalent Residential Unit (ERU) for the potable water system is 86 gallons per day (gpd) on an average annual basis. The design criteria for the potable water system include the following:

(A) Water Valves

Water valves shall be provided as stated below for all branch connections, loop ends, fire hydrant stubs, or other locations, as required to provide an operable, easily maintained, and repaired water distribution system.

- ~~(1) Valves shall be located in order that no more than 30 homes would be out of service should a break occur.~~
- ~~(2)~~(1) Valves are to be placed so that the maximum allowable length of the water main required to be shut down for repair work is ~~1,000 feet~~500 feet for pipe sections with customer services or 1,000 feet for pipe sections without customer services.
- ~~(2) Valves are to be placed on all new fire hydrant stubs; at both ends of all jack and bore crossings; and at both ends of crossings of streets classified as major collector roads, arterial roads, or with three (3) or more thru lanes of traffic.~~
- ~~(3) As a general rule, the placement of the valves at a branch connection shall be downstream of the source of water.~~
- ~~(4) Gate valves shall be used for water mains with a diameter up to and including 12 inches and butterfly valves shall be used for water mains with a diameter of 16 inches or greater.~~
- ~~(5) Air release valves (ARVs) shall be installed on all transmission mains where the change in elevation is equal to or greater than 0.5 times the diameter of the water main.~~
- ~~(6) Two-inch blow off valves shall be installed on all terminating mains that do not include a fire hydrant.~~

(B) Water Mains

- (1) Water mains shall be sized appropriately to meet the minimum design pressure and required fire flow.
- (2) Minimum depth of all water mains shall be three ~~feet~~ from the top of pipe to finished grade.
- (3) All water mains, other than individual service lines, shall be looped where practical.

(C) Fire Hydrants

Where fire hydrants or fire systems are to be installed, the minimum diameter water main serving the hydrant shall be six ~~(6)~~ inches for looped lines and eight ~~(8)~~ inches for dead end lines. A maximum of two ~~(2)~~ fire hydrants shall be allowed on a looped six-inch water main and no more than one ~~(1)~~ hydrant on a dead end eight-inch water main. All hydrant connections off the water mains shall be six ~~(6)~~ inches in diameter. Fire hydrants shall be provided and approved by the appropriate fire department having jurisdiction over the project area.

(D) Design Calculations

Design calculations, prepared by a registered professional engineer, shall be submitted to the utility provider for review concurrent with the plans that demonstrate the capability of the proposed potable water system of providing the required fire hydrant flow (minimum 1,000 gpm) plus maximum ~~daily~~ day customer demand flow at all parts of the system. The design calculations

shall demonstrate the expected operating pressures for the water system. The working pressures within the system shall not exceed the pressure class of the pipe with a 1.5 safety factor. All pressure connections on the existing system used for calculation purposes shall be based upon a recent fire hydrant flow test, water treatment plant operating data, etc. Water main capacity shall be designed to maintain a minimum pressure of ~~20~~25 pounds per square inch (psi) at street level under all fire flow conditions.

(E) Water Services

Water services shall be installed on each lot and may be either single or double type services for subdivision lots, both residential and commercial.

(F) Separation Between Sanitary Sewers and Water Mains

The minimum horizontal separation between sanitary sewers and existing or proposed water mains shall in accordance with FDEP regulations.

6.2. Sanitary Sewer

The specifications for the construction of the sanitary sewer system can found within The Villages Construction and Development Manual, latest edition. The level of service for an ERU for the sanitary sewer system is 86 gpd on an average annual basis. The specifications shall meet FDEP criteria and minimum pipe slopes listed in Table 6-1. The design criterion for the sanitary sewer system is as follows:

(A) Manhole Connection

A drop manhole connection shall be required for all inverts ~~over~~ 24 inches or more above the floor of the manhole.

(B) Service Lines

Unless otherwise approved by the Utility, service lines from the property line to the collection sewer shall be at a minimum depth of three (3) feet at the property line and shall be laid to straight alignment and uniform slope compliant with FDEP regulations. All service lines shall be at least four (4) inches in diameter. Cleanouts shall be provided as determined by the engineer of record, but shall not be spaced greater than ~~75~~100 feet.

(C) Air Release Valves

~~Air release valves~~ARVs shall be provided in high spots of force mains as shown on the drawings or as directed. If obstructions are encountered during construction that cause a dip and a consequent sharp rise in the force main, then an air release valve shall be installed at the newly created high point upstream from the dip.

(D) Design Considerations

(1) Sewers 24 inches in diameter or less shall be installed with straight alignment and grade between manholes, ~~with manhole.~~

(1)(2) Manhole spacing shall not ~~to~~ exceed 400 feet for ~~sewers~~sewer mains 15 inches or less, and 500 feet for sizes larger.

(2)(3) All sanitary sewer mains shall terminate in manholes.

(3)(4) All manholes and sewers shall be located in public rights-of-way or assigned easements.

(E) Sanitary Sewer Easements

Sanitary sewer easements shall be required for all gravity sanitary sewer lines which are not in a public right-of-way. Easements shall be a minimum of 10 feet wide for sanitary sewers that are not more than 10 feet deep. For sewers that are more than 10 feet deep, the easement shall be a minimum of 20 feet wide. The utility provider may approve a narrower easement.

(F) Sewer Main Dimensions

Sewer main pipe diameters shall be a minimum of eight (8) inches in diameter. Sewer service laterals shall be a minimum of four (4) inches in diameter.

(G) Mean Velocities

Sewer mains and laterals shall be designed and constructed to give mean velocities, when flowing full, of not less than 2.0two feet per second based on the Manning formula using an “n” value of 0.013.

Table 6-1: Minimum Pipe Slopes

Pipe Diameter	Minimum Slope (%)
4-in (building sewer or sewer lateral)	2.00
<u>4/6-in (building sewer or sewer lateral)</u>	1.00
8-in (gravity sewer main)	0.40
10-in (gravity sewer main)	0.28
12-in (gravity sewer main)	0.22

(H) Sewer Main Cover

Sewer mains shall maintain a minimum cover of 36 inches. The depth of cover shall be measured from the top of sewer main to the finished grade directly above the pipe.

(I) Manholes

Manholes shall have a maximum spacing between sewer manholes shall not exceed 400 feet: for sewer mains 15 inches or less and 500 feet for sizes larger. A manhole shall be required for all changes in slope or alignment.

(J) Lateral Length

Lateral length shall be limited to a maximum of 150 feet. Cleanouts shall be provided at a minimum of every 75100 feet.

(K) Force Mains

Force mains shall be designed to maintain a minimum velocity of two feet per second. Temporary conditions may allow lower velocities with approval from the utility provider. The working pressures within the system shall not exceed the pressure class of the pipe with a 2.0 safety factor.

(L) Valves

Valves shall be installed on all subsidiary force mains at the point of connection to the major main.

(M) Generators

Generators at sanitary lift stations shall be installed per the utility provider’s discretion.

(N) Grease Interceptors

Grease interceptors shall be installed in exterior locations per MEP recommendations and subject to The Villages DRC approval.

(O) Irrigation/~~Effluent~~Reuse/Stormwater Force mains

The City acknowledges that the applicable utility may utilize the public stormwater conveyance system to transfer captured stormwater and treated ~~effluent~~reuse within the stormwater basins via gravity flow and pressure pipes to improve water conservation.

6.3. Drainage and Stormwater Management

The Stormwater Management System shall meet the criteria of the ~~Water Management District~~water management district and The Villages DRC.

(A) Types and Requirements

Where drainage pipes are utilized, the following standards apply:

- (1) Storm sewers shall be constructed with FDOT approved material in areas owned and maintained by the City. An inlet or manhole is required at each change of alignment or grade; ~~(not to include yard drainage systems);~~
- ~~(2) Where any storm pipe terminates at an earthen slope a mitered end section and concrete collar, or approved equal, is required;~~
- ~~(3)~~(2) The following maximum lengths of pipe listed in Table 6-2 shall be used when spacing access structures of any type:

Table 6-2: Pipe Lengths

Pipe Diameter (in)	Maximum Pipe Length (ft)
Less than 18	300
24 - 36	400
Greater than 42	500

(B) Minimum Requirements for Stormwater Conveyance System Design

- ~~(57)~~(1) All storm sewer systems and culverts shall be designed taking into consideration the tailwater of the receiving facility or water body. ~~The~~ tailwater elevation used shall be based on the tailwater elevation of the receiving water body at the peak time of the design storm. Alternatively, the tailwater may be assumed to be the design high water elevation of the receiving water body for the design storm. Table 6-3 lists the minimum requirements for conveyance system design.

Table 6-3: Minimum Requirements for On-Site ~~Stormwater~~ Conveyance Systems

Facility	Frequency and Duration
Principal arterial bridges and evacuation routes	100-year 24 hours
Canals, ditches, swales, storm drains or culverts for drainage internal to the development	10-year 24 hours

- ~~(58)~~(2) The hydraulic gradient line for the storm sewer system shall be computed taking into consideration the design tailwater on the system and the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.

~~(59)~~(3) The minimum design criteria to be utilized for the design of pavement drainage are listed in Table 6-4.

Table 6-4: Pavement and Drainage Criteria

Facility	Frequency and Duration
Arterial streets	10-year, 24-hour, hydraulic gradient line 1.0 foot below the gutter flowline
Collector and local streets	10-year, 24-hour, hydraulic gradient line 0.5 feet below the gutter flowline

(C) Erosion protection

Standard practices shall be used to prevent erosion and the depositing of soil off-site pursuant to the requirements of the FDEP Generic Permit for Stormwater Discharge from Large and Small Construction Activities.

(D) Maintenance

Except for those stormwater management systems with the City's right-of-way, the City shall have no obligation for the maintenance of stormwater management systems and the Developer, or ~~it~~its assignees, hereby assumes maintenance of all improvements.

6.4. Roads and Sidewalks

(A) Roads

Roads within a subdivision or other development shall be classified as public roads. All roadways and road rights-of-way will be dedicated to the City. The City will maintain all improvements within the right-of-way which include, but are not limited to, pavement, pavers, bridges, tunnels, storm drains, sidewalks, curbing, street lights, traffic signals, and all required Manual on Uniform Traffic Control Devices (MUTCD) street signs.

~~(60)~~(1) Public Roads

- (a) As part of the review and approval of a public road subdivision, the City shall require that roads be designed, constructed, and paved to specifications within the latest edition of The Villages Construction and Development Manual.
- (b) The access points to the project may be gated with resident-only gates by the Developer or its successors or ~~assigns~~assignees. All gates will open with a push button system allowing vehicular traffic to enter the development. All gates will allow public access.
- (c) Roadways within ~~The Villages of West Lake~~the VOWL will not be required to connect to any properties or project not owned by the same developer.

~~(61)~~(2) Commercial Roadway Projects

~~Non-publicly dedicated roadways may be constructed from time to time pursuant to individual site plan approval without the need for platting.~~ The layout for roadways within the property shall be depicted and approved on an individual basis. No minimum road centerline gradient is required where roadway drainage is provided that will prevent excess buildup of stormwater runoff and protect public safety. For non-residential access to Major Collector Roadways see Table 6.5 below.

Table 6-5: Non-Residential Access to Collector/Arterial Roadways

Speed Limit (mph)	Spacing (Ft)
35 or less	245
36-45	440
Over 45	660

~~(62)(3)~~ Golf ~~Carts~~Cars

Golf ~~cart~~cars are allowed to utilize the roadways within the project for all roadways signed 30 miles per hour or less. Golf ~~cart~~car access to or from city streets or multimodal paths outside the development are prohibited unless explicitly approved by the Developer or its successors or ~~assigns~~assignees.

(B) Design Standards

- (1) Cul-de-sac diameters to the right-of-way line shall not be less than 100 feet with a pavement radius of 40 feet.
- (2) Dead end rights-of-way with a cul-de-sac at the terminal end shall not exceed 1,500 feet. Subdivisions with a dead end shall not require a turnaround for 250 feet.
- (3) Corner radii at the intersection of two rights-of-way shall be not less than ~~20~~10 feet. Minimum edge of pavement radii shall be 25 feet for residential subdivisions and 35 feet for commercial or industrial subdivisions.
- (4) A paved approach apron shall be constructed where a non-paved drive or road intersects with a paved road. Driveway grade shall be a maximum of ~~ten~~10 percent for commercial and 25 percent for residential.
- (5) Roadway centerline radii in residential subdivisions shall be designed in accordance with Table 6-6. Minimum centerline radii and other geometric design criteria shall be in accordance with Chapter 16 of the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

Table 6-6: Minimum Centerline Radius Criteria

Roadway	Minimum Posted Speed Limit (mph)*	Minimum Intersection Spacing (Ft)	Minimum Centerline Radius (Ft)
Local Residential	10	<20 or >100	25
Local Collector	30	100	275
Arterial Road	35	330	**

*unless otherwise posted

** Per the FDOT Design Manual

- (6) Minimum intersection spacing shall be 100 feet.
- (7) Tracts, easements, and other similar areas that are adjacent to the right of way can be combined with the right of way to meet minimum ROW width criteria as stated in Table 6-7 below.
- (8) Roadways with inverted crown are not required to have curb.

Table 6-7: ~~Rights~~Right-Of-Way Widths

Street Type	ROW Width (ft)	Roadway Lane Widths (ft)	Width of Pavement (ft)	Sidewalk
Local Residential	35	10	20	*
Local Collector	35	10	20	*
Arterial	80	11	22	*
Note: This table applies for new construction. Maintenance projects shall attempt to satisfy these requirements as deemed practical. *Sidewalk widths and locations shall be per developer.				

(C) Driveway Access

- (1) There are no restrictions on the placement of residential driveways near intersections. However, residential driveways shall be placed on the minor street.
- ~~(2) No portion of the driveway apron may extend beyond the frontage of the property being served by the driveway (i.e., it may not encroach into the frontage of adjacent property), unless shared access is mandated as a provision of the development approval or by agreement between adjoining property owners.~~

(D) Sidewalk and trail placement is per the Developer's discretion.

(E) Sign and Pavement Markings

- (1) Signing and marking plans shall be required to show size, location, materials, and message of all devices.
- (2) The design engineer shall design the project plans providing for installation of signs as per the requirements of this ~~Code~~LDR. Street signs are required at every intersection ~~are required~~. Stop signs and stop bars requiring vehicles to stop are required on the minor street at all intersections. All stop signs shall be high intensity grade. Stop signs may be 30" inches on arterial/collector roadways and 24" inches on local streets. A 30" inch stop sign shall be used when transitioning from a local street to an arterial/collector street. Signs establishing maximum speed limit are required on collector roads at intervals not to exceed 2,000 feet and at the entrance to the subdivision. Project wide speed limit signs on major roadways (i.e. ~~CR470~~CR 470) are an acceptable replacement for speed limit signs within each subdivision. The speed limit shall be determined by the project engineer in accordance with Section 316.183 and 316.18, Florida Statutes, and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Highways, Roads, and Streets in Florida, Florida D.O.T., latest edition. Dead end signs shall be erected at the beginning intersection of all discontinuous roads. No outlet signs shall be erected at the entrance intersection when an intersection is the only outlet from a street network.
- (3) All sign sizes, colors, mounting heights, etc. shall be in accordance with the latest edition of The Villages Construction and Development Manual.
- (4) All pavement centerline and edge markings Private or Public Roads shall be four ~~inches~~ inch wide paint, in accordance with FDOT specifications. Stop bars shall be 24 inches wide. All other pavement marking dimensions shall comply with the MUTCD and FDOT Standard Index, latest revision.

6.5. Parking Requirements

Table 6-9 lists the minimum standards for off-street parking within the development.

Table 6-9: Minimum Standards for Off-Street Parking Requirements for Nonresidential Land Uses

Non-Residential Land Use	Required Parking Spaces Per Indicated Areas
Bowling Alley	3.0 Per lane
Church/Synagogue	1.0 Per 3 seats
Fiduciary Institutions	1.0 Per 300 sq.-ft. <u>square feet gross floor area (GFA)</u>
Hotel	1.1 per sleeping room or rental unit
Industrial	1.0 Per 750 sq.-ft. <u>square feet</u> GFA
Manufacturing	1.0 Per 750 sq.-ft. <u>square feet</u> GFA devoted to manufacturing
Medical Center	1.0 Per 250 sq.-ft. <u>square feet</u> GFA
Assisted Living/Skilled Nursing Facility/Memory Care	1.0 Per 4 beds
Independent Living Facility	To be determined by specific occupancy
Nightclub/Bar	1.0 Per 2.5 seats
Offices	3.0 Per 1,000 sq.-ft. <u>square feet</u> GFA
Restaurant and Fast Food Establishment	1.0 Per 125 sq.-ft. <u>square feet</u> of gross leasable area or 1 Per 2.5 seats, whichever is greater
<u>Multi-Family Residential Units</u>	<u>1.5 Per 1.0 units</u>
Commercial or general retail independently located	1.0 Per 250 sq.-ft. <u>square feet</u> of gross leasable area
Golf Driving Range	1.0 space per tee
Recreational Use	To be determined by specific occupancy
Public/Institutional Use	To be determined by specific occupancy
Mixed Use Shopping Center Under 400,000 sq.-ft. <u>square feet gross leasable area (GLA)</u>	3.5 Per 1,000 sq.-ft. <u>square feet</u> GLA
Mixed Use Shopping Center Over 400,000 sq.-ft. <u>square feet</u> GLA	3.0 Per 1,000 sq.-ft. <u>square feet</u> GLA
Storage areas	1.0 Per 2,000 sq.-ft. <u>square feet</u> GLA
Theater	1.0 Per 4 seats
Warehouse	1.0 Per 3,000 sq.-ft. <u>square feet</u> GFA

(A) Habitable Building Area

Habitable Building Area shall not include stairways, alcoves, elevator and elevator shafts, mechanical closets, and similar areas of a building. Parking within the development shall be measured on an aggregate basis, and at the time of site plan submittal. The owner shall also supply documentation indicating that sufficient parking is currently provided, or will be constructed, pursuant to the project depicted in the site plan.

(B) Reconstruction

Once a structure has been constructed and parking provided pursuant to the requirements set forth in this ~~Code~~LDR, any subsequent reconstruction of the building not increasing the square

footage of Habitable Building Area will not be required to document or comply with any parking requirement.

(C) Loading ~~and~~, Unloading Zones and Stacking

Parking areas may be used as loading and unloading zones without striping or demarcation. Appropriate stacking distances shall be provided for drive thru facilities.

(D) On-Street Parking

On-street parallel parking may be constructed with a minimum width of eight (8) feet and a length of 22 feet.

(E) Modification of Parking Requirements

Historical parking criteria can be used to modify the parking requirements and shall be approved by The Villages DRC. No approval from the City ~~of Leesburg~~ is required to modify parking criteria within this ~~Code~~LDR.

(F) Parking Space Dimensions

The minimum parking space shall be 10 feet in width by 18 feet in length. Parking spaces for the physical handicapped shall comply with the requirements of the Florida Building Code.

(G) Garage or Carport

Minimum one ~~-car~~ parking shall be provided per residential unit. A one-car garage or carport and driveway combination shall count as off-street parking spaces.

(H) All Other Proposed Uses

Any proposed use not found within this section shall defer to The Villages DRC.

6.6. Tree Protection

The Developer is exempt from tree protection criteria.

Appendix 1: The Villages Construction and Development Manual, Latest Edition

[UNDER SEPARATE COVER]

Appendix 2: Development and Plat Application

**Appendix 3: Engineer's Certification of Satisfactory Completion and
Final Construction Clearance Procedure**

Appendix 4: Electronic Application Submittal

The Villages®

The Villages of West Lake

Land Development Regulations

August 2020



Prepared by:



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Appendix 4: Electronic Application Submittal

Chapter 1: General Provisions and Procedures

1.1. Statement of Intent

(A) Purpose

The purpose and intent of this Land Development Regulation (LDR) is to create a customized set of regulations that applies only to The Villages development(s) located within the City of Leesburg (City), Florida, which is only a portion of and supports the larger Villages community, located within Sumter County, Lake County, the City of Wildwood, the Town of Lady Lake, and the City of Fruitland Park. The regulations and requirements contained herein have been made in accordance with the City's comprehensive plan while providing the Developer a reasonable assurance that The Villages development principles can be achieved and maintained. The City's portion of the overall development needs to maintain continuity with the remainder of The Villages, as it is a mature development with most of the residential units, street system, parks, recreation, and amenities in place to serve its residents. Thus, any requirements must consider The Villages as a whole, and not simply the portion within the City. In addition, this Code provides clarity and continuity for future development of The Villages within the City. This LDR, along with The Villages Construction and Development Manual, establishes the development standards that apply to this project, as amended by the Developer. The City of Leesburg's Code of Ordinances shall not be used to govern the development of this project. Any item omitted from this code shall be established and/or resolved by The Villages Development Review Committee (DRC).

(B) Requirements

In their interpretation and application, the provisions of this LDR require the following:

- (1) Promote the public health, safety, and general welfare of the residents;
- (2) Protect the character and maintain the stability of residential, commercial, industrial, agricultural, educational, cultural, recreational, historical, and environmental areas within the development;
- (3) Protect natural and environmentally significant resources;
- (4) Provide adequate open spaces and recreation facilities, which meet the needs of the residents;
- (5) Promote transportation choices to reduce traffic congestion and to improve mobility;
- (6) Define the powers and duties of the DRC;
- (7) Define the powers and duties of the Architectural Review Committee (ARC);
- (8) Ensure that all future development approvals and permits for both new and existing projects comply with this LDR;
- (9) Accomplish a more desirable community and environment than would be possible through the strict application of LDR requirements;
- (10) Create functional and aesthetic developments;
- (11) Preserve the natural resources of the land by providing scenic, functional, and interconnected open areas;
- (12) Minimize infrastructure and cost of streets and utilities throughout the development due to an efficient use of land.

1.2. General Development Provisions

(A) Conformity with Regulations

Following, and upon adoption of, the Chapter 163 Agreement and this LDR:

- (1) The regulations contained within this LDR shall be adhered to on all lands contained within the Age-Restricted Development (ARD) zoning classification known as The Villages of West Lake (VOWL);
- (2) No building, structure, or land shall be used or occupied unless in conformity with all of the regulations specified by this LDR;
- (3) No building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified by this LDR;
- (4) No building or other structure shall be erected or altered in such a manner as to exceed the permitted density or intensity provisions or occupy a greater portion of the lot area than allowed.

(B) Permit Required

No site plan or subdivision shall be approved, no plat shall be recorded, nor shall any building permit, Certificate of Occupancy (CO), or any other type of development order or permit be executed, unless the project meets all the requirements of, and has been approved in accordance with, this LDR.

1.3. The Villages Development Review Committee

The Villages DRC is a representative committee designated by the Developer to enforce the design standards that cover the commercial portion of the development. The design standards control the architectural, layout, and landscaping within the Project and provide for the authority of the Developer to enforce the design and intent of the commercial development. No commercial construction shall occur without approval from the City and the DRC.

1.4. The Villages Architectural Review Committee

The Villages ARC or its designee shall enforce the design standards and deed restrictions of the Developer that cover the residential portion of the development. The restrictions control changes to homes and home sites and provide for the authority of the Developer to enforce the design and intent of the residential development. Residential dwelling units or minor appurtenances thereto, such as private swimming pools, fences, yards, etc., shall be reviewed and approved by the ARC and permitted with the City.

1.5. Project Approval Process and Closeout Procedures

The purpose of this section is to establish consistent requirements and procedures for reviewing applications for site plan and/or subdivision approval.

(A) Projects required to obtain permits from the City shall adhere to the following process:

- (1) Application for development plan approval (Appendix 2) shall be made to the City Manager or designee and include the appropriate review fee. Application shall contain electronic plans (Appendix 4), signed and sealed by a registered professional engineer. Plans shall be prepared according to the standards of this LDR. No pre-application meeting is required. However, a Developer or land owner may request a meeting with staff for the purpose of discussing the proposed development prior to the formal application for approval as requested.
- (2) Within two (2) working days of the receipt of an application, the City shall determine whether the submittal is complete. Applicant will be notified immediately of an incomplete submittal.
- (3) When an application is determined to be complete, it shall be distributed for staff review no later than one (1) week from the date the application was determined to be complete.

- (4) All applications shall be reviewed by the staff and comments shall be delivered to the Applicant within 10 working days after application is determined complete.
- (5) The City Manager or designee shall issue a development order/permit within five (5) working days of unconditional staff approval or verification that the City Commission conditions for approval have been met. No site plan or improvement plan shall go before the Planning and Zoning Board and City Commission.
- (6) All site plan approvals shall terminate and become null and void automatically without notice if construction has not commenced within 24 months from the date of approval unless the Developer, City, and DRC agree to extend the approval.
- (7) The City agrees to initiate a Residential Building Permit Plan Review and issue a Residential Building Permit within 24 hours of submission, excluding weekends and holidays. The City agrees to initiate a nonresidential Building Plan Review and issue a nonresidential Building Permit within five (5) days of submission, excluding weekends and holidays. The City also agrees to issue residential and nonresidential Certificates of Occupancy within 24 hours of final inspection.
- (8) The City shall not review or comment on utilities that are not owned or maintained by the City. Dry utility designs are not required to be provided to the City for review. Easements and/or tract widths for utilities not owned by the City shall be determined by the utility having ownership and maintenance responsibilities.
- (9) Building elevations are not required for residential or commercial plan approval.
- (10) Plan changes made to the approved plans during construction shall be provided to the City's Planning and Zoning manager and Building Department to be placed into the file of record to update their records. A modification to the permit will not be required, unless required by the Planning and Zoning manager.

(B) Closeout Procedures

Unless a later date is requested by the Developer, final inspection of site improvements shall be scheduled no more than five (5) working days after receipt of the following information:

- (1) Upon completion of the public improvements, the Developer's Engineer shall submit a certificate stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of the LDR (see Appendix 3: Engineer's Certification of Satisfactory Completion and Final Construction Clearance Procedure).
- (2) Prior to the acceptance of any privately or publicly maintained improvements, a registered Professional Engineer must certify in writing that the improvements were completed in accordance with the approved improvement plans and construction specifications. The Engineer will provide the Engineer's Certification of Completion and Record Drawings to the City for approval. Record drawings will be provided by the Engineer to the City for approval prior to issuance of site approval. Landscaping, screen walls, entry signage, and fencing is not required to be completed to obtain record drawing approval. The record drawings shall include all plan changes during construction, and shall include the following certification on the submitted plans from the Engineer including signature and date:
 - (a) "I hereby certify that the pavement, curbing, sidewalks, water, sewer, and storm drainage systems have been built in accordance with these "record" drawings. This certification is based on visual inspections. The record drawings are believed to be correct to the best of the Engineer's knowledge and the accuracy of the information cannot be guaranteed."
 - (b) Within 90 days of approval of the Record Drawings by the City, the Engineer will provide Final As-Built Plans, and Final Clearance of Potable Water and Sanitary Sewer Systems

by FDEP. The Engineer of Record (EOR) shall provide a letter to the City certifying that the constructed stormwater ponds have adequate volume for the development being certified complete. The Developer shall have perimeter walls and perimeter landscaping substantially complete except for where construction access is required or in areas where the buffer shall be installed with the dwelling unit. AutoCAD files of the final As-Builts will be provided to the City.

- (c) The water and sewer utility provider will review and sign off on FDEP Clearance forms for submittal. The utility clearance process shall not hold up or delay in any way the Record Drawing approval process. The potable water and sanitary sewer systems shall be cleared prior to the CO of a given dwelling unit.
- (3) All building structures and site improvements must be permitted by the City pursuant to Site Plans submitted to and approved by the City. The Developer shall install and complete all required site improvements with documentation including record drawings prior to the City issuing a CO for any permitted structure. Partial clearance may be obtained when proof is provided to the City that life safety items have been completed for CO.

1.6. Community Development Districts

It is anticipated that the development will include one or more Community Development Districts (CDDs) created by the City pursuant to Chapter 190, F.S. It is understood and agreed between the parties that any obligations or requirements placed on the Developer may be transferred to one (1) or more CDDs for implementation and operation, pursuant to the authority in Chapter 190.

1.7. Utility Providers

The Developer or assignees shall be the provider for water, sewer, reuse, and irrigation services.

1.8. Additional Studies

No environmental, archaeological, or transportation studies are required once the ARD zoning and Chapter 163 Agreement have been adopted. Additionally, there shall be no zoning review/compliance applications for site or building permits. All notice of commencements and certification of completions shall be reviewed and approved immediately once received by the City.

Chapter 2: Definitions and Interpretations

2.1. Interpretations of Certain Terms and Words

The terminology and words within this LDR shall be interpreted as follows:

- (A) The singular includes the plural and vice versa.
- (B) The masculine includes the feminine and neutral and vice versa.
- (C) The present tense includes the future.
- (D) The word "shall" is mandatory and the word "may" is permissive.
- (E) The word "person" includes an individual, child, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, and all other groups or combinations.
- (F) The word "writing" includes handwriting, printing, word processed, and all other methods and means of forming letters and characters upon paper.
- (G) The word "land" includes the words water, marsh, swamp, gross land area, and gross acre of land.
- (H) All words defined in this LDR shall carry their customary meaning as found in Merriam-Webster's latest published edition unabridged dictionary.
- (I) Unless otherwise specified at the outset of a Chapter, the definitions listed in section 2.2 shall apply within this LDR.
- (J) Any abbreviations or acronyms used within this LDR are identified after the definition in parenthesis after the term below.

2.2. Definitions

Accessory use or structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Administrator: The City Manager or his designee.

Addition (to an existing building): Any walled and/or roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and/or roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Age-Restricted Development (ARD): A community/development project that meets the requirements for an age restricted community pursuant to the Federal and Florida Fair Housing requirements and where the land is planned and developed to provide housing with a mixture of housing types, plans for a mixed-use development pattern, provides for the recreational needs of its residents with amenities such as community centers, golf courses, trails, and other similar facilities, supports multiple modes of internal transportation such as bicycles, golf carts, pedestrians, and ensures protection of the environment and natural resources on-site. An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Alley: A private or public paved passageway between buildings or a passageway permitting access from a street to a garage or storage area.

Alteration of building: Any change in the supporting members of a building (such as load bearing walls, beams, columns and girders), any addition to a building, or any change in a building resulting from the movement of the building from one location to another.

Apartment or Condominium Building (ACB): A structure containing multiple dwelling units (DUs) in which other DUs may be located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar DUs. Units within apartment or condominium buildings are considered attached DUs.

Applicant: A person who has submitted an application to the City.

Architect: Means an architect licensed to do business by the State of Florida.

Arterial street: A street or roadway which is used primarily for fast or heavy volume traffic.

As-built plans: The final plans amended to include horizontal and/or vertical dimensional data of actual construction with data obtained and provided by a Florida licensed surveyor and mapper.

Assisted Living Facility (ALF): A facility where residents live in private units and receive assistance with limited aspects of personal care, such as: taking medication, bathing, or dressing. Units do not contain private kitchens and meals are provided from a common dining area. Staff is on duty 24 hours per day. This definition does not include nursing homes, convalescent centers, community residential homes, or independent living facilities (ILFs).

Base flood: means the flood having a one percent chance of being equaled or exceeded in any given year. Also called the "100-year flood" and the "regulatory flood" by the Federal Emergency Management Agency (FEMA).

Buffer: A natural or landscaped area which acts as a separation area between two (2) or more land uses, parcels, buildings, stormwater management areas, or paved areas.

Building: Any structure having a roof supported by columns or walls that is used or intended to be used for the enclosure, housing, or shelter of animals, persons, or property.

Building height: The vertical distance from the mean elevation of the finished grade of a building to the highest point of the roof surface. Building height shall be stated in feet.

Building permit: A formal notice of authorization required to be obtained from the City before any new construction or major alteration or expansion of existing structures is allowed.

Building setback: The distance between a given lot line, face of building, normal water line, right-of-way line, and any portion or part of any structure.

Building setback line: A line which represents the required building setback for a given building on a given lot.

Building site: A parcel of land upon which a building or structure has been, or is intended to be, constructed.

City: The City of Leesburg, Florida.

City Commission: The governing body of the City officially known as the Leesburg City Commission, including the mayor and other Commission members.

Clinic: A health facility, or portion of a health facility, where patients are not lodged overnight, but are examined and/or treated by licensed dentists, physicians, and/or other health care personnel.

Code of Ordinances: The Code of Ordinances of the City.

Collector Roadway: A street which carries traffic from local streets to the arterial streets in residential and business areas. Such streets serve as linkages between land access and mobility. Traffic volumes and speeds are usually moderate. Collector streets shall allow golf cars.

Community Development District (CDD): A local, special-purpose government framework authorized by Chapter 190, Florida Statutes as amended, and is an alternative to municipal incorporation for managing and financing infrastructure required to support development of a community.

Community residential home: A DU licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for seven (7) to fourteen unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes with six (6) or fewer residents, which otherwise meet the definition of a community residential home, shall be deemed a single-family unit and a noncommercial, residential use. See F.S. § 419.001 (a).

Comprehensive Plan: The City of Leesburg Comprehensive Plan adopted by the City Commission and amendments thereto in compliance with the requirements of Florida statute.

Condominium: See "Apartment or Condominium Building."

Conforming lot: Any lawful lot which complies with the provisions of this LDR and other applicable City ordinances.

Conservation easement: A right or interest in real property, which is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition, retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses; and which prohibits or limits the activities as described in Florida statute.

Construction: Shall mean the building, assembling, expansion, modification, or alteration of the existing contours of the site, the erection of buildings or other structures, or any part thereof, or land clearing (unless an agricultural operation).

Corner lot: A lot or parcel of land which is located at the intersection of, and abutting on, at least two (2) streets.

County: Lake County, Florida.

Cul-de-sac: A local, dead-end street which has a turn-around at the closed end and is used primarily for access to the abutting properties.

Datum: A reference surface used to ensure that all elevation records are properly related. The current national datum is the National Geodetic Vertical Datum of 1929, which is expressed in relation to mean sea level, or the North American Vertical Datum of 1988. Density: means the maximum amount of DUs allowed on a project site. This relationship is identified on a unit per gross developable acre basis.

Developer: Any person who engages in or proposes to engage in development either as the owner or as the agent of an owner of property.

Development: All construction activity within the limits of the ARD zoning and land use category.

Development order: Any order, permit, or other official action of the City granting, or granting with conditions, an application for development.

Ditch: An artificial waterway for irrigation or stormwater conveyance.

Dwelling: Any building, or portion thereof, which is designed to be used, or is actually used, as living quarters for one or more persons, families, or households. Such a building must be supported by, at a minimum, walls which are complete from the bottom floor to roof.

Dwelling unit (DU): A room or group of rooms which is equipped for independent housekeeping and is occupied, or is intended to be occupied, by not more than one (1) person, household, or family.

Easement: A grant by the property owner to the public, a corporation, person, or other legal entity, of the use of a specific portion of land for a specific purpose.

Enclosed use: A use which is located entirely within a structure.

Excavation: The reducing or lowering of the natural level of ground.

Federal Emergency Management Agency: FEMA

Flood Insurance Rate Map (FIRM): An official map of the City on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the City.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area: The gross horizontal area of all the floors in a building (including attics, basements, and penthouses). It is measured from the exterior faces or columns of the exterior walls of a building.

Floor Area Ratio (FAR): The ratio of a building's gross floor area to the area of the Project.

Florida Department of Environmental Protection: FDEP

Florida Department of Transportation: FDOT

Future Land Use Map (FLUM): The map within the future land use (FLU) element of the comprehensive plan that delineates the City's FLU designations pursuant to Florida statute.

Garage: An accessory building primarily used for the parking of one (1) or more motor vehicles.

Grade: The elevation of the ground surface.

Home Owner's Association (HOA) or Property Owner's Association (POA): An organization in a subdivision, condominium, or other similar development that makes and enforces rules for the properties within its jurisdiction.

Hotel: a commercial establishment providing lodging and, usually, meals and other services for the public, especially for travelers. This definition also includes motels.

Household: One (1) or more persons, not necessarily related by blood, marriage, or other legal action, who occupy a single DU and live as a single, non-profit housekeeping unit.

Independent Living Facility (ILF): A living arrangement in which people with special needs, especially seniors with disabilities, reside in independent living units which may contain a private kitchen. The facility may provide help with everyday tasks such as bathing, dressing, and taking medication. This definition does not include ALFs, nursing homes, or community residential homes.

Institution: The structure or land occupied by a group, cooperative, board, agency, or organization created for the purpose of carrying on functions of a public or semi-public nature. Examples of an institution include a hospital, health clinic, school, church, fraternal order, civic club, and orphanage.

Intensity: The maximum amount of building square footage allowed within the Project. This relationship is identified in "Floor Area Ratio".

Interior lot: A lot other than a corner lot or double frontage lot.

Karst features: Physical features in limestone such as sinkholes, depressions, and solution tubes that act as conduits reducing the travel time of water through limestone as compared to soil or to limestone lacking karst features.

Land Development Regulations (LDR): The Villages of West Lake Land Development Regulations (LDR).

Landscaping: Living plant material and non-living durable material used in outdoor environmental design that enhances the appearance of land.

Legal Description: A "courses and distances" legal description, often referred to as a "metes and bounds" legal description, which maps the desired property when transferred to GIS mapping software.

Local street: A street which connects properties to collector streets. These roads provide service which is of low average traffic volume and of high land access for abutting properties. Local streets shall allow golf cars.

Lot: Any tract or parcel being the least fractional part of a subdivision having limited fixed boundaries. A lot may be identified by an assigned number. Furthermore, a lot is capable of being lawfully occupied and utilized for a structure and/or use as defined in this LDR.

Lot depth: The horizontal distance (excluding surface or ground depressions) between the front lot line and the rear lot line.

Lot lines: The lines bounding a lot as defined in this LDR.

Lot width: The distance between the side lot lines, measured at point where the front setback is taken.

Main or principal building: The building in which the principal use of the lot is conducted.

Maintenance: The action taken to restore or preserve the functional design or intent of any facility, system, or structure.

Mining: An area of land upon which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade. Additionally, mining shall be considered all excavation not considered Stormwater Earthworks. Excavated mined materials can be transported offsite.

Mixed use building: A building which includes two (2) or more use categories, one (1) of which should be residential.

Motel: see "Hotel".

Multi-family residential: A structure containing multiple DUs in which other DUs are located above or below it, and which any architectural feature integral to its design is connected with at least two (2) or more adjacent similar DUs. Units within apartment or condominium buildings are considered attached DUs.

New construction: Structures for which the start of construction commenced on or after the effective date of this LDR.

Nonresidential Building (NRB): Any structure not containing a residential DU or residential use.

Nursing home: A facility for patients who are recovering health and strength after illness or injury, or receiving long-term care for chronic conditions, disabilities, or terminal illnesses. Facilities provide 24-hour supervised nursing care and feature extended treatment that is administered by a skilled nursing staff. The residents do not live in private units and the residents typically do not leave the facility until well enough to do so. The facilities provide personal care, room, board, laundry service, and organized activities. This definition does not include community residential facilities, ALFs, or ILFs. This definition does include convalescent centers and skilled nursing facilities.

Office: A building, room, or space where clerical, professional, or administrative activities are performed. Such a building, room, or space may be the principal structure, a portion of the principal structure, an accessory structure, or a portion of an accessory structure on a lot.

Open space: Shall include wetlands, preservation areas, greenspace, stormwater ponds, floodplain compensation areas, and landscape buffers. Open space may include areas such as trails, golf, plazas, courtyards, and other similar public areas. Open space may also include recreation areas and amenities, provided said amenities or areas are not enclosed with conditioned space. Open space shall not include areas within a right-of-way. Open space shall be calculated for the entire ARD area as a whole, not per individual projects.

Owner: The person in who is vested the fee ownership, dominion, or title of property (i.e., the proprietor). This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

Parking space: A portion of a parking area which is clearly marked as being intended for the storage of one (1) vehicle or golf car(s).

Permitted use: A use which is lawful under the terms of this LDR.

Person: Any and all persons including any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.

Planning and Zoning Board: The City of Leesburg Planning and Zoning Board as provided for in this LDR.

Premises: A parcel of land and any structures occupying the parcel of land.

Principal building: See "Main or principal building."

Principal use: The actual primary function for which a lot and buildings upon it are used.

Private club: A building or portion thereof, owned and/or operated by a corporation, association, person, or group for a civic, educational, recreational, social, or other public or semi-public purpose.

Professional Surveyor and Mapper: A surveyor and mapper licensed by the State of Florida.

Project: The Project is the entire Villages of West Lake.

Recreational Vehicle Development (RVD): An area set aside primarily for temporary travel trailers, campers, and other recreational vehicles (RVs). This facility is intended to provide temporary, non-permanent water, sewer, and electrical hook-ups for such vehicles in exchange for a specified rate of compensation. This is considered a commercial use.

Reuse: Wastewater that is treated to meet public access standards.

Right-of-Way (ROW): An area of land over which people and goods have the right to pass or travel. A public right-of-way grants passage to all and may grant the right to park registered vehicles in accordance with City parking restrictions. A public right-of-way is a form of easement dedicated to the

City during subdivision or site plan for public use. Rights-of-way are not part of the adjacent parcels; the right-of-way boundary usually coincides with adjacent parcel property lines or tracts.

School: A building and/or property utilized for the purpose of providing formal primary, secondary, and/or post-secondary education/training.

Service street: A local street or alley used to provide rear-yard access to businesses, institutions, and residences for the purpose of providing services (for example, garbage collection or delivery services).

Sidewalk: A path that is intended for pedestrians and non-motorized vehicles. Sidewalks may be located on private property or within a right-of-way.

Sign: Any display device which is designed to visually or graphically inform, or attract the attention of, persons passing by the device.

Single Family Attached (SFA): A DU connected to at least one (1) adjacent DU by any architectural feature integral to its design or the design of its garage, excluding fences, posts, utility screen walls, stoops, driveways, walkways, and air conditioning pads.

Single Family Detached (SFD): A traditional stand-alone DU that houses a single family and shares no connection to another DU.

Site plan: The drawing(s) which put forth an applicant's proposal for the development of a particular piece of land that is certified by a registered professional engineer.

Southwest Florida Water Management District: SWFWMD

St. Johns River Water Management District: SJRWMD

Stormwater Earthworks: Excavation and filling on the project on a large scale over a large area to achieve final grades as established by the EOR and as approved by the water management district. Generating large quantities of soil via deep excavation and stockpiling the material is an approved and common use. Excavated material can be exported offsite.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it. In the event there is not a floor above the former, then the story is that portion of a building between the top floor and the ceiling above it.

Street: A public or private thoroughfare which affords the principal means of access to abutting property. Alleys shall not be considered streets.

Structure: A man-made object having a relatively stationary location on or in land or water whether or not it is affixed to the land or on a permanent foundation.

Subdivider: Any firm, corporation, partnership, person, or other legal entity who, acting as a unit, voluntarily engages in or proposes to engage in, the division of a parcel (or parcels) of land into smaller parcels of land.

Subdivision (residential):

(a) The division of any parcel of land into three (3) or more contiguous lots for the purpose of building, development, or transfer of ownership; or any division of a parcel of land requiring a new street or modification to an existing public street, or the provision of other public facilities or improvements, including but not limited to, drainage facilities and utilities. This term includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

(b) Subdivision shall not mean:

- (1) The transfer of property by sale, gift, or testate or intestate succession from the property owner to his or her spouse or lineal descendants, provided that all required utilities are in place prior to the issuance of a development permit,
- (2) The transfer of property between tenants in common or joint tenants for the purpose of dissolving the tenancy in common or joint tenancy,
- (3) The sale or exchange of parcels of land between owners of adjoining properties provided that additional lots are not thereby created and that the parcels remaining are not reduced below the minimum sizes required by the LDR.

Substantial improvement: Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure in which the cumulative costs equals or exceeds 50 percent of the market value of the structure.

The market value of the structure should be:

- (a) The appraised value of the structure prior to the start of the initial repair or improvement, or;
- (b) In the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications, which are solely necessary to assure safe living conditions.

Tower: shall mean a structure, greater than 35 feet in height (including any antennas attached thereto), which supports one (1) or more antennas, not including however any amateur radio operator antenna as licensed for that purpose by the Federal Communications Commission (FCC).

U.S. Army Corp of Engineers: ACOE

Utility: Entity providing potable water, irrigation, and/or sanitary sewer services.

Wetlands: Lands which are identified by being inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and noncontiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bogs, wet prairies, and freshwater marshes.

Chapter 3: Zoning and Architectural Standards

3.1. General

The approved zoning for the project is Age-Restricted Development (ARD) as amended from time to time.

3.2. Principal Uses

The principle or main use(s) and associated structures of a property shall be allowed as one of the following:

A) Permitted Use

This use is hereby established as the general use(s) in the ARD zoning category as specified below and is a use of right when in compliance with the requirements of this LDR.

- (1) Conservation uses: wetlands, forested lands, pastures, environmental habitats, karst areas, open water, lands set aside to be protected and other similar uses;
- (2) Agricultural uses: citrus/field crop production; keeping and/or grazing of livestock; agricultural product transfer stations; silviculture; aquaculture; horticulture, greenhouses and nurseries (commercial); urban agriculture and other similar uses;
- (3) Residential uses: single family detached (SFD); single family attached (SFA); multi-family residential; apartment or condominium building (ACB); dwelling units (DUs) located above the ground floor in a mixed use building (MUB); community club houses, pools, or other amenities associated with residential projects; independent living facilities (ILFs) and other similar uses;
- (4) Institutional, governmental, tourism, civic, and recreational uses: public recreation facilities or parks; bed and breakfasts; hotels and motels; golf courses and driving ranges; commercial recreation facilities such as skating rinks, movie theaters, and other similar uses; health clubs and fitness centers; community residential homes; assisted living facilities (ALFs); nursing homes; skilled nursing facilities; child care facilities/day care; professional, business, and technical schools; public schools and private schools offering curricula similar to that of public schools; colleges and universities containing dormitories; churches and places of worship; museums and other cultural facilities; hospitals; veterinary clinics or temporary pet boarding; cemeteries and mausoleums; funeral homes, crematories, and other similar service establishments; private clubs and lodges; public buildings owned, operated, and used by a government entity such as city halls, city hall annexes, police and fire stations, libraries, post offices, and other similar uses; street and highway department garages or maintenance facilities; utility facilities such as electric sub stations, water and wastewater treatment plants, well sites, and other similar uses;
- (5) Commercial office and business park uses: business technology parks, medical or dental offices, professional service establishments and offices; banks, credit unions, and financial institutions and other similar uses;
- (6) Commercial retail uses: retail sales establishments such as department, electronic, office supply, grocery, and other similar stores; restaurants and cafes (without alcohol consumption or sales); bars, taverns, restaurants, or cafes serving alcohol (on and off-site consumption); liquor stores (sales of hard alcohol for off-site consumption); copy centers; beauty shops, dry cleaning, pet grooming, and other similar personal service establishments; specialty shops such as antique shops, art showrooms, boutiques, and other similar shops; service and repair shops for automobiles, small engines, and other similar uses; retail and wholesale commercial establishments for lumber, building, and landscaping supplies, farm equipment, and other similar uses with potential outside storage of products; auto dealerships, golf car and similar

sales; convenience stores; fuel stations; food trucks, temporary or permanent; indoor and outdoor commercial recreational uses; storage facilities (indoor); outdoor storage facilities for RVs, boats, campers, vehicles, machinery, equipment, or other similar items; RV developments and other similar uses;

- (7) Industrial uses: wholesaling, warehousing, bulk storage, or distribution establishments, and similar uses; research laboratories and associated activities; light manufacturing, assembling, processing, packaging, or fabricating; outdoor storage yards and similar uses such as junkyards, scrap yards, and salvage yards; building or landscape contractors with on-site equipment storage; concrete or asphalt plants; concrete block plants; manufacturing of nonhazardous materials; manufacturing or warehousing of chemicals, fertilizers, hazardous, or biohazardous materials; electric, gas, or energy generating facilities; solid waste transfer stations; landfills; tower and wireless communication services; mining and excavation and other similar uses;
- (8) Mining: No permitting or zoning approvals within the City is required. The developer shall provide the City with the approved FDEP and water management district permit as applicable prior to construction.

B) Agricultural

The property has historically been used for agricultural activities and the Developer may pursue bona fide agricultural and silvicultural uses on the property. For purposes of this LDR, Site Plan is defined as either a commercial site plan approval or a residential improvement plan approval from the City. There may be numerous site plans on the property. However, site plan approval is specific and does not necessarily apply to other areas on the property.

3.3. Accessory Uses and Structures

All accessory uses and structures shall be approved by The Villages DRC or ARC as applicable.

3.4. Temporary Uses

Temporary uses may be approved by the DRC.

3.5. Variances

All variances to this LDR shall be approved by The Villages DRC or ARC as applicable.

3.6. Recreational Vehicle Developments

(A) Purpose

The purpose of this section, applying to RVDs, is to provide an environment in which RVs or dwellings may be located to enhance the enjoyment of leisure time activities and to provide a means whereby the use occurring upon the land will be made more compatible with the surrounding properties. The following provisions shall apply to RVDs permitted by this LDR.

(B) Definition

An RVD shall include a parcel of land under unified management which has been planned, designed, and constructed for the placement of units for short-term, long-term, or permanent occupancy for recreational purposes.

(C) An RV shall include:

- (1) Travel trailer - A vehicular, portable structure built on a chassis, designed as temporary living quarters for travel, recreation, and vacation. This includes, but is not limited to: bumper pull, 5th wheel, sport utility, and various styles as pulled by a vehicle.
- (2) Truck camper - A structure designed to be mounted on a truck chassis for use as temporary living quarters for travel, recreation, and vacation.

- (3) Motor home - Constructed on a commercial truck chassis, a specially designed motor vehicle chassis, or a commercial bus chassis.
- (4) Camping trailer - A canvas or other collapsible folding structure, such as pop-up, or tent trailer, mounted on wheels, designed as temporary living quarters for travel, recreation, and vacation.
- (5) Park model (or park trailer) - A transportable unit, which has a body width not exceeding 14 feet, which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Units constructed to ANAI A-19.5 shall not exceed 399 square feet. Units constructed to the U.S. Department of Housing and Urban Development (HUD) standard shall not exceed 500 square feet. All measurements are to be taken along the exterior when in a setup mode. All "park trailers" must be set up and anchored as established by the Florida Building Code.
- (6) Houseboat - A boat that has been designed or modified to be used primarily as a functional dwelling. Houseboats may or may not be motorized, and can be permanently moored to a fixed point attached to the land.

(D) A recreational dwelling shall include:

- (1) Cabin - A cabin is a small, permanent structure of no more than 1,500 square feet designed to provide lodging in a recreational area.
- (2) Tiny house - A tiny house is a small, permanent structure of no more than 500 square feet designed to provide lodging in a recreational area.
- (3) Glamping dwelling - A glamping dwelling may include, but is not limited to, a permanent or semi-permanent structure with a membranous exterior that may or may not be connected to utilities, but is securely fastened to the ground.
- (4) Tree house - An elevated, permanent platform structure used for lodging in a recreational area when connected to utilities necessary for operation of installed fixtures and appliances in or around treed areas.
- (5) Hill House - A permanent structure set at or just below earth plain used for lodging in a recreational area when connected to utilities necessary for operation of installed fixtures and appliances and cover with earth.

(E) Permit Process

- (1) RVDs must go through the site plan approval process in this LDR.
- (2) RVDs where units will be sold must also follow the Record Plat process.

(F) General provisions

- (1) RVDs shall be classified as a tourism-oriented mixed-use development, with a combination of residential, commercial, and support uses in the ARD zoning district.
- (2) As a condition of the site plan approval, the following uses may be permitted, but not limited to: commercial and non-commercial, recreation facilities (such as pavilions, sports courts, gathering spaces and structures, etc.), entertainment facilities, park offices, maintenance facilities, dumping stations, toilets, showers, laundry facilities, tourist-oriented retail developments, such as: retail sales establishments, personal service establishments, food service establishments with or without alcohol sales, child care centers, RV model units, or sales and service establishments, mobile homes, single family detached or attached dwellings, enclosed storage structures and storage garage facilities. No such structures shall be located within any required setback, any required perimeter buffer, or any utility or drainage easement.
- (a) Such uses shall be conducted for the convenience of the occupants and guests of the RVD, and the public;

(b) Such retail establishments may be oriented to the interior or exterior of the RVD.

(G) Specific provisions

- (1) All RVDs shall contain a minimum of 10 acres.
- (2) There shall be a building setback of 10 feet from any road right-of-way for any commercial building or accessory building.
- (3) Property adjacent to federal, state, or county highways shall maintain a minimum building setback of 50 feet from the highway right-of-way for any structure or RV. The minimum building setback for property adjacent to interior roads is 10 feet.
- (4) All RVs and additions shall have no side or rear setback, but must maintain 10 feet of building/RV separation.
- (5) A well-maintained, landscaped buffer of at least five (5) feet is required around the perimeter of the RVD.
- (6) There is no minimum lot size, lot width, or lot depth.
- (7) The density of 30 lots per acre may not be exceeded.
- (8) Internal roadways must have a minimum width of 12 feet for one-way drives or 24 feet for two-way drives.
- (9) Adequate trash disposal facilities or services shall be provided with easy access from each site.
- (10) Each lot shall be identified by a marker clearly visible at a minimum distance of 20 feet.
- (11) All structures, additions, and attachments located in the RVD must be constructed to meet standard building codes. Such additions and attachments shall include, but are not limited to: carports, storage sheds, cabanas, screen rooms, pull-out or tip-out units, skirting and awnings, pergolas, gazebos, and shall be permitted, except as qualified below:
 - (a) No such addition or attachment shall be attached to any RV having a vehicular body length less than 20 feet.
 - (b) Additions and attachments may be designed to be removable. They may be attached to the RV and parking or patio pad.
 - (c) No such addition or attachment shall be located within any setback, any perimeter buffer of the RVD, or any utility or drainage easement.
 - (d) Additions or attachments may be connected to utilities, including, but not limited to: sewer, water, electric, and gas.
 - (e) All additions and attachments must be properly permitted as required by state and local law.
- (12) All “park trailers” or “park models” shall be required to obtain permits prior to set-up or connection to utilities, as pursuant to this code.

3.7. Buffer Requirements

Table 3-1 lists the density, intensity, lot standards, buffers, and setbacks.

Table 3-1: Density, Intensity Lot Standards, Buffers, Setbacks

Age-Restricted Development (ARD)					
Density and Intensity					
Maximum Density	30 units/ ac				
Minimum Open Space ¹	20%				
Maximum FAR ²	0.5				
Maximum ISR	80%				
Lot Standard					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building ⁶	Commercial/ Amenity
Minimum Living Area (sf)	400	400	400	NA	NA
Minimum Lot Width (ft)	30	NA	NA	NA	NA
Minimum Lot Depth (ft)	50	NA	NA	NA	NA
Maximum Lot Coverage (%)	100	100	100	100	100
Minimum Setbacks ^{3,7} (ft)					
Front	0	0	0	0	0
Rear	0	0	0	0	0
Side	0	0	0	0	0
Building Separation	*	*	*	*	*
Project Perimeter Building Setbacks ⁴					
Contiguous Property not within the Development	10 ft				
Property Owned by Developer	0				
Local - Arterial Roadway	0				
Federal/State/County Road	20 ft				
Building Height ⁵					
Building Type	Single Family Detached	Single Family Attached	Apartments/ Condominium Buildings/ ALF/ ILF/ Townhome	Nonresidential Building	Commercial/ Amenity
Maximum Building Height ⁵ (ft)	50' **	50' **	50' **	50' **	50' **

* Per Florida Building Code criteria

**Unless adequate fire protection is provided.

1. Open space shall include at a minimum passive and active recreational uses, buffers, stormwater ponds, recreation centers, wetlands/ other conservation areas, golf courses, parks, trails, and other easements/ tracts. A community development district (CDD), homeowner's association (HOA), property owners association (POA), or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space areas will be assigned within the project as a whole, regardless of phase.

2. Up to a 3.0 FAR may be used in a town center, medical campus and similar use areas.

3. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, and similar architectural features may protrude two (2) feet into a required setback. Air conditioning units, swimming pool filter pumps, patios, door stoops, steps, sidewalks and similar features shall not be considered as encroachments into setbacks.

4. Does not apply to what is generally known as signs, sign towers, walls and other similar features and parking.

5. The maximum building height applies unless adequate fire protection is available.

6. RVDs are considered non-residential units.

7. Water Towers and Cell Towers with wireless communication services shall have a setback of one half the height of the tower except those towers designed to collapse upon themselves.

(A) Perimeter Buffer

The development shall include a 20-foot perimeter landscape buffer easement or tract along the VOWL boundary lines. No perimeter landscape buffer is required where landscaped open space, recreation, golf, stormwater ponds, compensating storage areas, wetlands, upland buffers, or other conservation areas are located along the property boundary. In addition, no perimeter buffer shall be required for portions of the property that are adjacent to compatible uses being constructed by the same developer.

(B) Walls/ Fence

The 20-foot perimeter landscape buffer may be eliminated if an approximate six-foot high wall or opaque fence is installed, for which no landscaping is required. Walls or opaque fences may be constructed within project setbacks.

(C) Internal Parcels

No onsite landscape buffer shall be required between internal parcels or uses. No landscape buffer shall be required along perimeters of the project abutting properties not owned by the Developer with similar land uses.

(D) Stormwater Ponds

Stormwater ponds, existing topographic depressions, grading, and compensating storage areas shall be allowed within the perimeter landscape buffer.

(E) Residential Dwelling Unit Site

Where a 20-foot perimeter landscape buffer or wall/fence is required on residential dwelling unit sites, the landscape and irrigation or wall/fence shall be installed with each individual dwelling unit being constructed.

3.8. Commercial Architectural Standards

(A) Building Design

The design of individual buildings will be representative of the architectural style established by the Developer for the community and will be subject to review and approval by the DRC. These buildings may exhibit individual detailing for harmonious diversity and may vary in specific materials, finishes, and color palettes.

(B) Specific Architectural Design Standards

- (1) All commercial electrical controls, meters, etc. shall be mounted on building walls, free standing walls, or dumpster enclosure walls. Freestanding electrical “racks” shall be prohibited, unless specifically approved by The Villages DRC.
- (2) All commercial building-mounted boxes (i.e., electrical, irrigation control boxes, gas meters, etc.) and associated conduit and piping shall be painted to match the wall to which they are mounted, as permitted by the utility companies.
- (3) Exterior building lighting is permissible if the effect is compliant with the objective of achieving a soft glow rather than brilliant or glaring effect. Architectural lighting (fixtures attached to or integral with a building or structure) shall be selected or approved by the DRC.
- (4) Where dumpsters are required, enclosures shall be finished with materials, color, and detailing similar to the associated building. Dumpster enclosures that serve facilities that dispose of food waste or other organic materials shall be constructed with a drain and hose bib for wash down. Drains shall be connected to a grease interceptor.
- (5) Where required, Fire Department Connections (FDCs) must be located per governing fire department specifications and near other critical utilities (i.e., power disconnect, gas, etc.)

that may need to be turned off in case of a fire, unless specifically approved by The Villages DRC.

- (6) Buildings that require a fire sprinkler system shall have backflow preventers located inside the building.
- (7) All commercial rooftop equipment shall be screened with parapets, landscape, or architectural features.
- (8) All commercial ground-mounted heating, ventilation, and air conditioning (HVAC) equipment shall be screened with a structural and/or landscaped screen wall.
- (9) All project sign locations and design elements are exempt from the City's sign requirements and sign permits and shall be determined and approved by the DRC. These include the following:
 - (a) Project "Welcome" signs
 - (b) Primary entry wall features and signs
 - (c) Secondary entry wall features and identification signs
 - (d) Directional signs
 - (e) Occupant identification signs
- (10) All project lighting shall be designed to meet the guidelines established by the Illumination Engineer's Society (IES) to provide safe lighting levels, to the maximum extent possible as determined by the Florida-licensed design professional who prepares the lighting layout.

(C) Landscape Design Objectives

The overall objective of landscape design in the development is to create a unique and instantly recognizable setting with a consistent sense of design character for the various uses, facilities, and common areas within the community. The landscape may vary in character based on the specific architectural design. The scale and extent of the landscaping will reflect that of the building, site, and setting, as well as that of other sites in the vicinity. The consistency of the landscaping is intended to add an image of quality to the community and to unite the various uses and facilities within the project through consistency of materials and continuity of design.

The design of all landscaping and irrigation within the community will occur via a review and approval process administrated by the DRC. For optimum creativity and quality, this process must be somewhat subjective, thus a limited number of specific criteria can be cited herein. The design effect will be defined and perpetuated by completed areas within the community as they are built. The DRC will require the same design approach for all subsequent facilities in the project, including outparcels developed by others.

(D) Maintenance of Common Areas

Maintenance of structures and common areas, including landscape maintenance, within the development shall be owned and maintained by the POA, HOA, and/or a CDD, at no cost or obligation to the City. The Developer/owner shall create guidelines for the maintenance of common areas.

3.9. Street Names and Address Numbers

Street names and address numbers for dwelling units and places of business on all public and private streets shall be assigned by The Villages.

Chapter 4: Site Plan Regulations

4.1. Site Plan Review Process and Permits

(A) Site Plan Requirement

An approved site plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop land for which a site plan is required except in accordance with an approved site plan.

(B) Applicability

The requirement for site plan approval applies to all sites located within the ARD zoning classification.

(C) Pre-Design Meeting

It is recommended that each applicant have a pre-design conference with The Villages DRC prior to preparing plans and permit applications.

(D) Site Plan Application

Applicants seeking site plan approval shall submit an application to the City and The Villages DRC for a concurrent review.

(E) Permits

The applicant shall obtain permits from the City, The Villages DRC, the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(F) Expiration of Approvals

The approval of the site plan shall be valid for a period of 12 months. If the applicant has not obtained a permit for construction of the site within 12 months and if an extension of time has not been approved by the City Commission and The Villages DRC on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this LDR.

(G) Plan Approval

The approved site plan shall be the governing document for all such development. Where there are conflicts or discrepancies with other city policies, procedures, ordinances, or regulations, the Villages DRC shall govern.

(H) Minor Site Plans

Minor site plans are required for nonresidential development that has been determined by the City to have limited potential for off-site impacts. Minor site plans may be approved by the Planning and Zoning Manager. Due to the limited off-site impacts, submittals are not required to provide all required information listed below. Refer to the minor site plan application for required submittals.

Minor site plans may apply to the following:

- (1) Additions to existing structures that are less than 50 percent of the total square footage of the existing structure and do not exceed 2,500 square feet,
- (2) Changes in use without addition to existing structures but require other on-site improvements such as stormwater or parking improvements, and/or
- (3) Accessory structures such as restroom facilities, dumpsters, pavilions, amenities, golf starter facilities, guard houses, etc. that adhere to the following criteria:

- (a) Does not exceed 2,500 square feet;
- (b) Restricted to one (1) story;
- (c) Consistent construction and architectural style as the primary structure.

4.2. Site Plan Requirements

(A) Layout

Site plans shall be prepared on sets of sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following minimum standards:

- (1) Each applicable site plan sheet shall be prepared by a Florida licensed engineer or surveyor as the context requires.
- (2) All applications must be accompanied by proof of property ownership in the form of a copy of a deed or the most current property tax bill.
- (3) A topographic survey showing existing contour intervals of one foot for the site, extending 50 feet beyond the site boundary, where practical, and including water surface elevations for all water bodies and the date obtained; and proposed finished elevations based on the most recent United States Geodetic Survey topographic data (NAVD88), prepared by a professional surveyor licensed to do business in the State of Florida.
- (4) The scale must be no smaller than one inch equals 100 feet. Information may be combined in the drawings so long as they remain uncluttered and readable.
- (5) A vicinity map showing the location of the proposed site plan with relationships to surrounding streets and thoroughfares.
- (6) Title sheet must include:
 - (a) Location Map;
 - (b) Legal Description;
 - (c) Owner/consultant contact information including name, address, and phone numbers;
 - (d) Index list of sheets.
- (7) Geometry Plan must include – as applicable to the project:
 - (a) Site data;
 - Parcel area, pavement and building area, and open space area
 - Zoning
 - Proposed land use
 - Required and actual parking to be provided
 - Flood zones, if applicable
 - (b) Dimensions (including building dimensions);
 - (c) Sign locations;
 - (d) Dumpster pads with solid enclosures and solid gates are required. Food preparation businesses must install a dumpster pad drain connected to a grease interceptor;
 - (e) Boundary bearing and distances;
 - (f) Building setbacks;
 - (g) Handicap spaces and signs;

- (h) Traffic signs and striping - All traffic control signs (including handicap parking signs) must be installed on “decorative” posts in accordance with The Villages standards;
 - (i) Driveway pavement radii - All driveway entrance radii must be a minimum of 35 feet and all driveway exit radii must be 25 feet;
 - (j) Utility contacts.
- (8) Joint use easements for shared driveways, if applicable.
- (9) Grading and Drainage Plan must include:
 - (a) Existing topography - topographic surveys must be based on NAVD 88 datum;
 - (b) Proposed grades;
 - (c) Wetlands and/or surface waters;
 - (d) Storm sewer mains and inlets, including pipe lengths and percent grade;
 - (e) Finished floor elevations;
 - (f) Roof drains - downspouts are not allowed to discharge onto grass or landscape areas;
 - (g) Landscape berms;
 - (h) Proposed grading to streets, property lines, etc.
- (10) Utility Plan must include the following as applicable to the site:
 - (a) Water mains and service lines;
 - (b) Sanitary sewer system;
 - (c) Water meter and backflow prevention assembly locations and sizes;
 - (d) Street lights;
 - (e) Nearest fire hydrant location(s);
 - (f) FDC, if applicable - Above-ground backflow preventers are not permitted. Fire sprinkler system backflow preventers should be located in the vertical riser within the building;
 - (g) Grease interceptors – required in an external location for any business supplying food services.
- (11) Erosion and Sediment Control Plan – must include:
 - (a) Silt fencing;
 - (b) Inlet protection (on-site and off-site);
 - (c) Temporary gravel construction entrance.

4.3. Site Plan Permit Exemptions

The following project improvements are not required to obtain a permit from the City:

- (A) Stormwater earthwork plans;
- (B) Monument or directional signs;
- (C) Clearing and tree removal;
- (D) Site debris removal and burning;
- (E) Non-potable wells;
- (F) Onsite water, sewer, irrigation, and reuse infrastructure;
- (G) Walls/fences;
- (H) Lighting (photometric plans);
- (I) Landscape plans;
- (J) Demolition.

Chapter 5: Subdivision Regulations

5.1. General

(A) Subdivision Plan Requirement

An approved subdivision plan is required prior to the issuance of a building permit. It shall be unlawful for any person to construct, erect, or alter a building or structure or to develop or improve land for which a permit is required except in accordance with an approved subdivision/improvement plan. The requirement for a subdivision/improvement plan approval applies to all subdivisions located within the ARD zoning classification.

(B) Subdivision/Improvement Plan and Plat Application

Applicants seeking subdivision/improvement plan and/or plat approval shall submit an application to the City. The Developer may submit multiple projects for approval under a single application. The cover sheet shall state all projects seeking approval.

(C) Permits

The applicant shall obtain permits from the City, the water management district, and FDEP as applicable prior to the issuance of a certificate of occupancy by the City.

(D) Expiration of Approvals

The approval of the subdivision/improvement plan shall be valid for a period of 60 months. If the applicant has not obtained a permit for construction of the site within 60 months and if an extension of time has not been approved by the City Commission on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this LDR or any subsequent code in effect.

(E) Garage or Carport

Minimum one (1) car parking shall be provided per residential unit for single family dwelling units

(F) Landscape or Photometric Plans

No landscape or photometric plans are required.

(G) Commercial Roadways and Subdivisions

Non-publicly dedicated roadways and non-residential subdivisions may be constructed from time to time pursuant to individual site plan approval without the need for platting.

5.2. Procedure for Subdividing Land

All submittals of plans and applications will be made to the City. There shall be two (2) stages for the approval of all subdivision plats. These stages are intended to allow for a full and adequate review by the City in order to ensure and protect the public interest. These two (2) stages include a subdivision/improvement plan and final plat.

The mylar, or equivalent material copy of the approved final plat, will be retained by the City for the purpose of recording with the Clerk of the Courts of Lake County after approval by the City Commission. All fees and documents required by the Clerk for filing and recording of the approved final plat shall be transmitted through the Community Development Department to the County Clerk within three (3) days when final approval is received. No plat of lands in the City subject to this LDR shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the City Commission.

5.3. Lot Split/Lot Line Deviation

(A) Application Process

The following items and application fees are required when applying for a lot split or deviation. All submittals are to be sent to the City of Leesburg, Community Development Department for approval. All information must be supplied in digital format in accordance with the City's digital submittal standards.

(B) Submission Requirements

- (1) Application form provided by City (Appendix 2)
- (2) A boundary survey for all parcels that includes and identifies the following:
 - (a) Overall legal description of the original parcel
 - (b) Legal description of each parcel created
 - (c) Legal description of all existing and created easements
 - (d) All existing structures and improvements
 - (e) 100-year flood zone and elevation
 - (f) Jurisdictional wetland line and/or environmental easement
- (3) Copy of the property record card or recorded warranty deed(s)
- (4) Lot split review fee

5.4. Subdivision/Improvement Plan Submittal Requirements

(A) Layout

Subdivision/improvement plans shall be prepared on sheets with a minimum size of 18 inches by 24 inches. A key map or sheet must be provided for easy navigation through the individual sheets.

(B) Minimum Requirements

The applicant shall have a registered professional engineer prepare the plans and calculations in conformance with the format, design, and improvement standards required by these regulations and the requirements of other regulatory agencies. All submittals shall contain the following at a minimum:

- (1) Title with the following information:
 - (a) Proposed subdivision name;
 - (b) Section, township, and range of the property;
 - (c) Date of preparation.
- (2) Scale and north arrow;
- (3) Vicinity map showing relationship between area proposed for development and surrounding properties, streets, and landmarks;
- (4) Legend showing information such as zoning, acreage to be subdivided, number of lots, phase number, and datum;
- (5) Legal description and tax identification of the lands to be subdivided; if multiple subdivisions are submitted under a single application, the overall legal description including all projects shall be provided;
- (6) Certification of registered professional engineer;
- (7) Contact information of the property owner, surveyor, and engineer;
- (8) Bearings and distances of boundary lines with a thicker line;
- (9) Location, width, and purpose of existing and proposed easements and rights-of-way;
- (10) The lot lines, typical lot dimensions, and lot numbers shall be shown;

- (11) Identification of existing and proposed streets on and adjacent to the tract to be subdivided including: the name, right-of-way width and location; approximate grades and gradients; type, width, and elevation of surfacing; and legally established centerline elevations, sidewalks, paths, curbs, gutters, culverts, etc., as applicable. Locations of all median openings in the vicinity and access points on both sides of all abutting roadways must also be shown;
- (12) Identification of existing and proposed utilities on and adjacent to the tract to be subdivided, including storm, sanitary sewer, water, irrigation, and reuse plans as applicable;
- (13) Contours at a minimum of one-foot intervals for the tract being subdivided and extending 25 feet beyond the property line;
- (14) The pipe utility systems (i.e. potable water, sanitary sewer, reuse, irrigation) for each project shall be shown on a master plan. The master plan shall indicate the general locations of all easements, mains, manholes, valves, hydrants, services, and service laterals with respect to the proposed development improvements and the existing systems. Main sizes shall be indicated on the master plan;

5.5. Final Plat Submittal Requirements

(A) Final Plat Map

The required submittals, meeting the legal requirements of platting, of the final plat shall consist of a fully-executed, correct plat map, meeting all state and City standards. The final plat shall be drawn with black drawing ink on mylar, using sheets sized 24 inches by 36 inches at a scale of sufficient size to show all detail. Each sheet shall have a marginal line completely around the sheet placed to leave three-inch binding margin on the left and one-half inch margin on the other three (3) sides. Final plats shall meet all the requirements of F.S. Chapter 177 and shall be so certified by the Professional Surveyor/Mapper.

(B) Additional Required Submittals

Approval of the final plat shall be made only pursuant to certification of adequacy of the following list of required submittals by the City:

- (1) Copies of the maps shall be submitted to the Community Development Department. The sheet size shall be 24 inches by 36 inches unless another size is approved. In lieu of as-built construction drawings, one (1) of the following may be submitted: escrow agreement, performance bond, Developer's surety company completion bond, or Developer's cash completion bond.
- (2) The approval of any subdivision plan shall be subject to the applicant guaranteeing the installation and maintenance of the required improvements, where facilities are to be conveyed to the City, by filing a performance bond or bonds executed by an approved surety company in the amount of 120 percent of the construction costs, including landfill costs. Costs for construction shall be determined by an estimate by the applicant's engineer, or a copy of the actual construction contracts as provided. Subdivisions being developed in a CDD shall be exempt from performance bonds.
- (3) In all cases where public improvements occur, a two-year maintenance bond in the amount of 20 percent of the construction costs must be submitted. In lieu of a surety, a cashier's check or certified check may be used as the form of guaranty when accompanied by a maintenance bond agreement. The amounts of the performance and maintenance bond must be approved as adequate by the City. At the conclusion of the two-year maintenance period, the Developer may petition the City to release the maintenance

bond. The City will inspect the public improvements and issue a determination of any public improvements covered by the bond that are in need of repair. Upon verification that all repairs have been made, the City will release the maintenance bond. Subdivisions and roadways being developed in a CDD shall be exempt from maintenance bonds.

- (4) Upon submittal by the Developer's engineer of a Certification of Completion stating that the work was constructed under their observation, and has been completed in substantial conformance with the approved development plans and in compliance with the requirements of this LDR; the City will have five (5) working days to provide Developer with a letter of approval. The date of the letter of approval from the City will begin the two-year maintenance period. 90 days before the two-year maintenance period is up, the Developer will notice the City that the two-year maintenance period is up. 30 days before the 90 day period ends, the City will inspect and either provide a punch list items or approval and begin maintenance of the roadway at the end of the two-year period.
- (5) Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.
- (6) A certificate of ownership, signed by a licensed attorney-at-law or an abstract company, in accordance with Florida statute in a form approved by the City Attorney.
- (7) If there is a HOA, then an agreement outlining the supervision and maintenance of all common areas within the subdivision.
- (8) Copies of all applicable permits (i.e. driveway, water management district, County, FDOT, etc) shall be provided.

(C) Clerk of Circuit Court Recording

Within three (3) days, the approved plat shall be submitted to the Clerk of Circuit Court for recording with the recording fee. At the time of recording, the following shall be submitted to the Clerk for distribution:

- (9) The original mylar, final plat and three (3) mylar copies to be contained within the Clerk's original plat book, and
- (10) An additional copy of the final plat for public record.

5.6. Completion and Inspection of Improvements

All physical improvements (including all utilities) shall be installed in accordance with the approved improvement plan. The applicant shall notify the City as to all plan modifications during construction if field conditions, or other circumstances, necessitate changes. The improvements may be completed by one (1) of the following:

- (A) Prior to the filing of the final plat for approval;
- (B) Surety performance bond, if applicable;
With the City Commission's approval, the Developer, in lieu of completing the improvements as stated above, shall furnish a surety performance bond to the Commission for and on behalf of the City. The bond should be sufficient to cover the cost of remaining uncompleted improvements required to be installed by the subdivider. Subdivisions and roadways being developed in a CDD shall be exempt from performance bonds.
- (C) Permanent Reference Monuments (PRMs), Permanent Control Points (PCPs), and other corners set in accordance with chapter 177 Florida Statutes; and/or
- (D) The plat shall be reviewed for conformity to F.S. Chapter 177 by a Professional Surveyor and Mapper either employed by the City or under contract to the City, and evidence of such review

shall be placed on the plat. Field verification of any points or measurements shown on the plat will not be required for said review.

5.7. Model Homes

Except as otherwise provided for in this section, no building permit shall be issued until such time as a certificate of completion has been issued by the City Engineer and final plat approval has been obtained. A developer may be allowed to obtain building permits on up to 49 percent of the approved lots within a proposed subdivision prior to the issuance of a certificate of completion by the City and final plat approval. A CO will not be issued on any model home permitted by this section until the City has issued a certificate of completion.

Chapter 6: Technical Standards

6.1. Potable Water

The specifications for the construction of the potable water system can be found within the latest edition of The Villages Construction and Development Manual (Appendix 1). The specifications shall meet FDEP criteria. The level of service for an Equivalent Residential Unit (ERU) for the potable water system is 86 gallons per day (gpd) on an average annual basis. The design criteria for the potable water system include the following:

(A) Water Valves

Water valves shall be provided as stated below for all branch connections, loop ends, fire hydrant stubs, or other locations, as required to provide an operable, easily maintained, and repaired water distribution system.

- (1) Valves are to be placed so that the maximum allowable length of the water main required to be shut down for repair work is 500 feet for pipe sections with customer services or 1,000 feet for pipe sections without customer services.
- (2) Valves are to be placed on all new fire hydrant stubs; at both ends of all jack and bore crossings; and at both ends of crossings of streets classified as major collector roads, arterial roads, or with three (3) or more thru lanes of traffic.
- (3) As a general rule, the placement of the valves at a branch connection shall be downstream of the source of water.
- (4) Gate valves shall be used for water mains with a diameter up to and including 12 inches and butterfly valves shall be used for water mains with a diameter of 16 inches or greater.
- (5) Air release valves (ARVs) shall be installed on all transmission mains where the change in elevation is equal to or greater than 0.5 times the diameter of the water main.
- (6) Two-inch blow off valves shall be installed on all terminating mains that do not include a fire hydrant.

(B) Water Mains

- (1) Water mains shall be sized appropriately to meet the minimum design pressure and required fire flow.
- (2) Minimum depth of all water mains shall be three-feet from the top of pipe to finished grade.
- (3) All water mains, other than individual service lines, shall be looped where practical.

(C) Fire Hydrants

Where fire hydrants or fire systems are to be installed, the minimum diameter water main serving the hydrant shall be six (6) inches for looped lines and eight (8) inches for dead end lines. A maximum of two (2) fire hydrants shall be allowed on a looped six-inch water main and no more than one (1) hydrant on a dead end eight-inch water main. All hydrant connections off the water mains shall be six (6) inches in diameter. Fire hydrants shall be provided and approved by the appropriate fire department having jurisdiction over the project area.

(D) Design Calculations

Design calculations, prepared by a registered professional engineer, shall be submitted to the utility provider for review concurrent with the plans that demonstrate the capability of the proposed potable water system of providing the required fire hydrant flow (minimum 1,000 gpm) plus maximum day customer demand flow at all parts of the system. The design calculations shall demonstrate the expected operating pressures for the water system. The working pressures within the system shall not exceed the pressure class of the pipe with a 1.5 safety factor. All

pressure connections on the existing system used for calculation purposes shall be based upon a recent fire hydrant flow test, water treatment plant operating data, etc. Water main capacity shall be designed to maintain a minimum pressure of 25 pounds per square inch (psi) at street level under all fire flow conditions.

(E) Water Services

Water services shall be installed on each lot and may be either single or double type services for subdivision lots, both residential and commercial.

(F) Separation Between Sanitary Sewers and Water Mains

The minimum horizontal separation between sanitary sewers and existing or proposed water mains shall in accordance with FDEP regulations.

6.2. Sanitary Sewer

The specifications for the construction of the sanitary sewer system can found within The Villages Construction and Development Manual, latest edition. The level of service for an ERU for the sanitary sewer system is 86 gpd on an average annual basis. The specifications shall meet FDEP criteria and minimum pipe slopes listed in Table 6-1. The design criterion for the sanitary sewer system is as follows:

(A) Manhole Connection

A drop manhole connection shall be required for all inverts 24 inches or more above the floor of the manhole.

(B) Service Lines

Unless otherwise approved by the Utility, service lines from the property line to the collection sewer shall be at a minimum depth of three (3) feet at the property line and shall be laid to straight alignment and uniform slope compliant with FDEP regulations. All service lines shall be at least four (4) inches in diameter. Cleanouts shall be provided as determined by the engineer of record, but shall not be spaced greater than 100 feet.

(C) Air Release Valves

ARVs shall be provided in high spots of force mains as shown on the drawings or as directed. If obstructions are encountered during construction that cause a dip and a consequent sharp rise in the force main, then an air release valve shall be installed at the newly created high point upstream from the dip.

(D) Design Considerations

- (1) Sewers 24 inches in diameter or less shall be installed with straight alignment and grade between manholes.
- (2) Manhole spacing shall not exceed 400 feet for sewer mains 15 inches or less, and 500 feet for sizes larger.
- (3) All sanitary sewer mains shall terminate in manholes.
- (4) All manholes and sewers shall be located in public rights-of-way or assigned easements.

(E) Sanitary Sewer Easements

Sanitary sewer easements shall be required for all gravity sanitary sewer lines which are not in a public right-of-way. Easements shall be a minimum of 10 feet wide for sanitary sewers that are not more than 10 feet deep. For sewers that are more than 10 feet deep, the easement shall be a minimum of 20 feet wide. The utility provider may approve a narrower easement.

(F) Sewer Main Dimensions

Sewer main pipe diameters shall be a minimum of eight (8) inches in diameter. Sewer service laterals shall be a minimum of four (4) inches in diameter.

(G) Mean Velocities

Sewer mains and laterals shall be designed and constructed to give mean velocities, when flowing full, of not less than two feet per second based on the Manning formula using an “n” value of 0.013.

Table 6-1: Minimum Pipe Slopes

Pipe Diameter	Minimum Slope (%)
4/6-in (building sewer or sewer lateral)	1.00
8-in (gravity sewer main)	0.40
10-in (gravity sewer main)	0.28
12-in (gravity sewer main)	0.22

(H) Sewer Main Cover

Sewer mains shall maintain a minimum cover of 36 inches. The depth of cover shall be measured from the top of sewer main to the finished grade directly above the pipe.

(I) Manholes

Manholes shall have a maximum spacing between sewer manholes shall not exceed 400 feet for sewer mains 15 inches or less and 500 feet for sizes larger. A manhole shall be required for all changes in slope or alignment.

(J) Lateral Length

Lateral length shall be limited to a maximum of 150 feet. Cleanouts shall be provided at a minimum of every 100 feet.

(K) Force Mains

Force mains shall be designed to maintain a minimum velocity of two feet per second. Temporary conditions may allow lower velocities with approval from the utility provider. The working pressures within the system shall not exceed the pressure class of the pipe with a 2.0 safety factor.

(L) Valves

Valves shall be installed on all subsidiary force mains at the point of connection to the major main.

(M) Generators

Generators at sanitary lift stations shall be installed per the utility provider’s discretion.

(N) Grease Interceptors

Grease interceptors shall be installed in exterior locations per MEP recommendations and subject to The Villages DRC approval.

(O) Irrigation/Reuse/Stormwater Force mains

The City acknowledges that the applicable utility may utilize the public stormwater conveyance system to transfer captured stormwater and treated reuse within the stormwater basins via gravity flow and pressure pipes to improve water conservation.

6.3. Drainage and Stormwater Management

The Stormwater Management System shall meet the criteria of the water management district and The Villages DRC.

(A) Types and Requirements

Where drainage pipes are utilized, the following standards apply:

- (1) Storm sewers shall be constructed with FDOT approved material in areas owned and maintained by the City. An inlet or manhole is required at each change of alignment or grade (not to include yard drainage systems);
- (2) The following maximum lengths of pipe listed in Table 6-2 shall be used when spacing access structures of any type:

Table 6-2: Pipe Lengths

Pipe Diameter (in)	Maximum Pipe Length (ft)
Less than 18	300
24 - 36	400
Greater than 42	500

(B) Minimum Requirements for Stormwater Conveyance System Design

- (1) All storm sewer systems and culverts shall be designed taking into consideration the tailwater of the receiving facility or water body. The tailwater elevation used shall be based on the tailwater elevation of the receiving water body at the peak time of the design storm. Alternatively, the tailwater may be assumed to be the design high water elevation of the receiving water body for the design storm. Table 6-3 lists the minimum requirements for conveyance system design.

Table 6-3: Minimum Requirements for On-Site Stormwater Conveyance Systems

Facility	Frequency and Duration
Principal arterial bridges and evacuation routes	100-year 24 hours
Canals, ditches, swales, storm drains or culverts for drainage internal to the development	10-year 24 hours

- (2) The hydraulic gradient line for the storm sewer system shall be computed taking into consideration the design tailwater on the system and the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes, catch basins, and junctions within the system.
- (3) The minimum design criteria to be utilized for the design of pavement drainage are listed in Table 6-4.

Table 6-4: Pavement and Drainage Criteria

Facility	Frequency and Duration
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Arterial streets	10-year, 24-hour, hydraulic gradient line 1.0 foot below the gutter flowline
Collector and local streets	10-year, 24-hour, hydraulic gradient line 0.5 feet below the gutter flowline

(C) Erosion protection

Standard practices shall be used to prevent erosion and the depositing of soil off-site pursuant to the requirements of the FDEP Generic Permit for Stormwater Discharge from Large and Small Construction Activities.

(D) Maintenance

Except for those stormwater management systems with the City's right-of-way, the City shall have no obligation for the maintenance of stormwater management systems and the Developer, or its assignees, hereby assumes maintenance of all improvements.

6.4. Roads and Sidewalks

(A) Roads

Roads within a subdivision or other development shall be classified as public roads. All roadways and road rights-of-way will be dedicated to the City. The City will maintain all improvements within the right-of-way which include, but are not limited to, pavement, pavers, bridges, tunnels, storm drains, sidewalks, curbing, street lights, traffic signals, and all required Manual on Uniform Traffic Control Devices (MUTCD) street signs.

(1) Public Roads

- (a) As part of the review and approval of a public road subdivision, the City shall require that roads be designed, constructed, and paved to specifications within the latest edition of The Villages Construction and Development Manual.
- (b) The access points to the project may be gated with resident-only gates by the Developer or its successors or assignees. All gates will open with a push button system allowing vehicular traffic to enter the development. All gates will allow public access.
- (c) Roadways within the VOWL will not be required to connect to any properties or project not owned by the same developer.

(2) Commercial Roadway Projects

The layout for roadways within the property shall be depicted and approved on an individual basis. No minimum road centerline gradient is required where roadway drainage is provided that will prevent excess buildup of stormwater runoff and protect public safety. For non-residential access to Major Collector Roadways see Table 6.5 below.

Table 6-5: Non-Residential Access to Collector/Arterial Roadways

Speed Limit (mph)	Spacing (Ft)
35 or less	245
36-45	440
Over 45	660

(3) Golf Cars

Golf cars are allowed to utilize the roadways within the project for all roadways signed 30 miles per hour or less. Golf car access to or from city streets or multimodal paths outside the development are prohibited unless explicitly approved by the Developer or its successors or assignees.

(B) Design Standards

- (1) Cul-de-sac diameters to the right-of-way line shall not be less than 100 feet with a pavement radius of 40 feet.
- (2) Dead end rights-of-way with a cul-de-sac at the terminal end shall not exceed 1,500 feet. Subdivisions with a dead end shall not require a turnaround for 250 feet.
- (3) Corner radii at the intersection of two rights-of-way shall be not less than 10 feet. Minimum edge of pavement radii shall be 25 feet for residential subdivisions and 35 feet for commercial or industrial subdivisions.
- (4) A paved approach apron shall be constructed where a non-paved drive or road intersects with a paved road. Driveway grade shall be a maximum of 10 percent for commercial and 25 percent for residential.
- (5) Roadway centerline radii in residential subdivisions shall be designed in accordance with Table 6-6. Minimum centerline radii and other geometric design criteria shall be in accordance with Chapter 16 of the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

Table 6-6: Minimum Centerline Radius Criteria

Roadway	Minimum Posted Speed Limit (mph)*	Minimum Intersection Spacing (Ft)	Minimum Centerline Radius (Ft)
Local Residential	10	<20 or >100	25
Local Collector	30	100	275
Arterial Road	35	330	**

*unless otherwise posted

** Per the FDOT Design Manual

- (6) Minimum intersection spacing shall be 100 feet.
- (7) Tracts, easements, and other similar areas that are adjacent to the right of way can be combined with the right of way to meet minimum ROW width criteria as stated in Table 6-7 below.
- (8) Roadways with inverted crown are not required to have curb.

Table 6-7: Right-Of-Way Widths

Street Type	ROW Width (ft)	Roadway Lane Widths (ft)	Width of Pavement (ft)	Sidewalk
Local Residential	35	10	20	*
Local Collector	35	10	20	*
Arterial	80	11	22	*

Note: This table applies for new construction. Maintenance projects shall attempt to satisfy these requirements as deemed practical.

*Sidewalk widths and locations shall be per developer.

(C) Driveway Access

- (1) There are no restrictions on the placement of residential driveways near intersections. However, residential driveways shall be placed on the minor street.

(D) Sidewalk and trail placement is per the Developer's discretion.

(E) Sign and Pavement Markings

- (1) Signing and marking plans shall be required to show size, location, materials, and message of all devices.
- (2) The design engineer shall design the project plans providing for installation of signs as per the requirements of this LDR. Street signs are required at every intersection. Stop signs and stop bars requiring vehicles to stop are required on the minor street at all intersections. All stop signs shall be high intensity grade. Stop signs may be 30 inches on arterial/collector roadways and 24 inches on local streets. A 30 inch stop sign shall be used when transitioning from a local street to an arterial/collector street. Signs establishing maximum speed limit are required on collector roads at intervals not to exceed 2,000 feet and at the entrance to the subdivision. Project wide speed limit signs on major roadways (i.e. CR 470) are an acceptable replacement for speed limit signs within each subdivision. The speed limit shall be determined by the project engineer in accordance with Section 316.183 and 316.18, Florida Statutes, and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Highways, Roads, and Streets in Florida, Florida D.O.T., latest edition. Dead end signs shall be erected at the beginning intersection of all discontinuous roads. No outlet signs shall be erected at the entrance intersection when an intersection is the only outlet from a street network.
- (3) All sign sizes, colors, mounting heights, etc. shall be in accordance with the latest edition of The Villages Construction and Development Manual.
- (4) All pavement centerline and edge markings Private or Public Roads shall be four-inch wide paint, in accordance with FDOT specifications. Stop bars shall be 24 inches wide. All other pavement marking dimensions shall comply with the MUTCD and FDOT Standard Index, latest revision.

6.5. Parking Requirements

Table 6-9 lists the minimum standards for off-street parking within the development.

Table 6-9: Minimum Standards for Off-Street Parking Requirements

Land Use	Required Parking Spaces Per Indicated Areas
Bowling Alley	3.0 Per lane
Church/Synagogue	1.0 Per 3 seats
Fiduciary Institutions	1.0 Per 300 square feet gross floor area (GFA)
Hotel	1.1 per sleeping room or rental unit
Industrial	1.0 Per 750 square feet GFA
Manufacturing	1.0 Per 750 square feet GFA devoted to manufacturing
Medical Center	1.0 Per 250 square feet GFA
Assisted Living/Skilled Nursing Facility/Memory Care	1.0 Per 4 beds
Independent Living Facility	To be determined by specific occupancy
Nightclub/Bar	1.0 Per 2.5 seats
Offices	3.0 Per 1,000 square feet GFA
Restaurant and Fast Food Establishment	1.0 Per 125 square feet of gross leasable area or 1 Per 2.5 seats, whichever is greater
Multi-Family Residential Units	1.5 Per 1.0 units
Commercial or general retail independently located	1.0 Per 250 square feet of gross leasable area
Golf Driving Range	1.0 space per tee
Recreational Use	To be determined by specific occupancy
Public/Institutional Use	To be determined by specific occupancy
Mixed Use Shopping Center Under 400,000 square feet gross leasable area (GLA)	3.5 Per 1,000 square feet GLA
Mixed Use Shopping Center Over 400,000 square feet GLA	3.0 Per 1,000 square feet GLA
Storage areas	1.0 Per 2,000 square feet GLA
Theater	1.0 Per 4 seats
Warehouse	1.0 Per 3,000 square feet GFA

(A) Habitable Building Area

Habitable Building Area shall not include stairways, alcoves, elevator and elevator shafts, mechanical closets, and similar areas of a building. Parking within the development shall be measured on an aggregate basis, and at the time of site plan submittal. The owner shall also supply documentation indicating that sufficient parking is currently provided, or will be constructed, pursuant to the project depicted in the site plan.

(B) Reconstruction

Once a structure has been constructed and parking provided pursuant to the requirements set forth in this LDR, any subsequent reconstruction of the building not increasing the square footage of Habitable Building Area will not be required to document or comply with any parking requirement.

(C) Loading, Unloading Zones and Stacking

Parking areas may be used as loading and unloading zones without striping or demarcation. Appropriate stacking distances shall be provided for drive thru facilities.

(D) On-Street Parking

On-street parallel parking may be constructed with a minimum width of eight (8) feet and a length of 22 feet.

(E) Modification of Parking Requirements

Historical parking criteria can be used to modify the parking requirements and shall be approved by The Villages DRC. No approval from the City is required to modify parking criteria within this LDR.

(F) Parking Space Dimensions

The minimum parking space shall be 10 feet in width by 18 feet in length. Parking spaces for the physical handicapped shall comply with the requirements of the Florida Building Code.

(G) Garage or Carport

Minimum one-car parking shall be provided per residential unit. A one-car garage or carport and driveway combination shall count as off-street parking spaces.

(H) All Other Proposed Uses

Any proposed use not found within this section shall defer to The Villages DRC.

6.6. Tree Protection

The Developer is exempt from tree protection criteria.

Appendix 1: The Villages Construction and Development Manual, Latest Edition

[UNDER SEPARATE COVER]

Appendix 2: Development and Plat Application

**Appendix 3: Engineer's Certification of Satisfactory Completion and
Final Construction Clearance Procedure**

Appendix 4: Electronic Application Submittal

City of Leesburg, Florida
Planning & Zoning Department
204 5th Street, Leesburg, FL 34748
Tel: 352.728.9760



Development and Plat Application

Project Name: _____

*A project name is required for all submissions. Please choose a unique name for your project.

Application Type:

___ Final Plat ___ Improvement/Subdivision Plan
___ ROW/Plat Vacate ___ Lot Split
___ Replat of Subdivision ___ Site Plan

Contact Information:

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Owner Name: _____ Phone: _____

Address: _____ Email: _____

Engineer Name: _____ Phone: _____

Address: _____ Email: _____

Property and Project Information:

Property Address: _____

List Parcel Number(s): _____

Current Property Use: _____ Proposed Use of Property: _____

Current Future Land Use: _____ Current Zoning: _____

Required Submittal Items:

All items will be submitted by electronic means; ie, "BOX" or FTP Site

___ Development Services Application ___ Plans (24" x 36")
___ Legal Description (Microsoft Word Format) ___ Stormwater / Drainage Calculations (as applicable)
___ Final Plat (and supporting documentation)

Applicant Signature: _____ Date: _____

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must provide a notarized Authorized Agent form from the owner to submit application.



City of Leesburg, Florida
Planning & Zoning Department
204 5th Street, Leesburg, FL 34748
Tel: 352.728.9760
www.leesburgflorida.gov

Engineer's Certification of Satisfactory Completion

City of Leesburg
204 N. 5th Street
Leesburg, Florida 34748

Project Name: _____

Phase: _____

In my professional opinion and to the best of my knowledge, information, and belief, the above referenced project has been completed in general conformance with the final engineering plans approved by the City of Leesburg.

Should you have any questions or comments regarding this matter, please feel free to contact our office.

Farner Barley and Associates, Inc.

By: _____

(Typed Name)

SEAL REQUIRED

Registered Engineer No. _____

STATE OF FLORIDA

Date: _____



Final Construction Clearance Procedures

Project Name: _____

Submittal requirements prior to issuance of Building Certificates of Occupancy (C.O.)

The following items are required to be submitted to the City in one complete package by electronic means; ie, "BOX or FTP Site.

_____ One (1) Engineer of Record Certification of Completion form

_____ One (1) 24" x 36" Record Drawing Plans

_____ One (1) SHA-1 Form

TO BE PROVIDED WITHIN 90 DAYS OF ISSUANCE OF C.O.:

Additional submittal requirements subsequent to issuance of Building Certificates of Occupancy (C.O.).

1. **Final As-Built Plans**
2. **Final Clearance of Potable Water and Sanitary Sewer Systems by FDEP**
3. **Letter certifying that the constructed stormwater ponds have adequate volume for the project being certified complete**

The licensee must retain the hardcopy.

Upload completed Engineer's Certification of Satisfactory Completion form and submittal package, properly signed, sealed and dated to the ["BOX"](#).

ELECTRONIC APPLICATION SUBMITTAL

Name of the project: _____

P.E. Name: _____

P.E. Number: _____

Date of Document Sealing: _____

P.E. Contact information Mailing Address: _____

Telephone #: _____

Email Address: _____

Name of Document

SHA-1 Authentication codes (Digest and Public Key)

PE Certification Statement, Signature, Seal and Date _____

(SEAL)



TRAFFIC IMPACT STUDY

The Villages of West Lake

CITY OF LEESBURG
CHAPTER 163 DEVELOPMENT AGREEMENT TRAFFIC ANALYSIS

Prepared for:

The Villages Land Company, LLC

JULY 28, 2020

Prepared By

Kimley»Horn

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INTRODUCTION

This Traffic Impact Study (TIS) is in support of The Villages of West Lake Chapter 163 Development Agreement in the City of Leesburg, Florida. The most recent TIS guidelines published by Lake-Sumter Metropolitan Planning Organization (MPO) for Lake County and by the City of Leesburg Land Development Code (LDC) were referenced in developing the methodology, and the methodology is consistent with previous TIS's conducted for The Villages developments.

The Villages of West Lake development area is a continuation of the existing Villages community, which is age-restricted and uniquely characterized by mixed land uses, an abundance of on-site amenities and social/recreational opportunities, and superior travel connectivity for various travel modes throughout the community.

The Villages of West Lake development area, for which this TIS is provided, is shown on **Figure 1**.

The Central Florida Regional Planning Model (CFRPM), version 6.1, in the Florida Standard Urban Transportation Model Structure (FSUTMS), has been utilized in the study. This model is the standard transportation model developed and maintained by the Florida Department of Transportation (FDOT), District Five for Sumter County, Lake County, and adjacent counties in central Florida. The model contains the most up-to-date network and zonal data outside The Villages of West Lake development area and detailed traffic analysis zone (TAZ) information pertinent to the development areas within the community. Further details of the use of the CFRPM and adjustments made will be discussed later in this report.

Residential origin-destination (O-D) surveys for The Villages have been conducted previously. At that time, the methodology and survey forms used were reviewed by local agencies and approved for application in future analyses of The Villages developments. The results of these O-D surveys provided data related to travel characteristics of trips being made by The Villages residents. Residential survey results used in this TIS will be discussed further in appropriate sections of this report.

Additionally, a non-residential O-D survey for The Villages was previously conducted. At that time, the methodology was reviewed by FDOT District Five. The results of this survey provided data related to trip characteristics for trips originating from or destined to retail and office uses in The Villages.

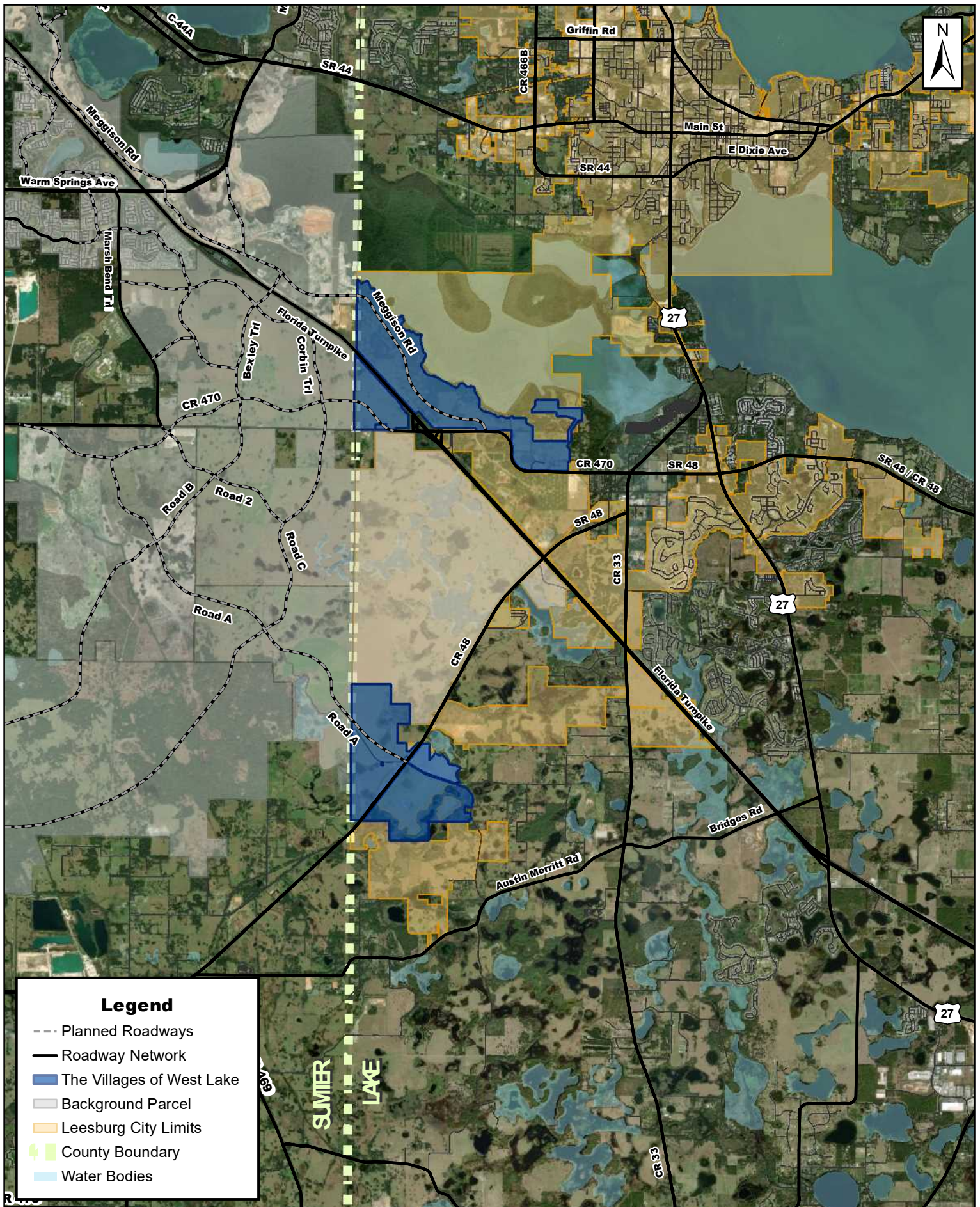


FIGURE 1: PROJECT LOCATION & 2040 ASSUMED NETWORK

EXISTING CONDITIONS

The Villages of West Lake development areas are adjacent to SR 48 and the Sumter County Line as well as the Florida Turnpike and CR 470 in the City of Leesburg. Other nearby facilities include CR 33, SR 25 / US 27, and the future Meggison Road extension.

Table 1 presents existing plus committed roadway network conditions, including physical roadway characteristics and the most recently available traffic counts from the FDOT, Sumter County, and Lake County for study area roadway segments as well as some adjacent Sumter County roadway segments for informational purposes only. An analysis of existing roadway segments within The Villages of West Lake study area is provided by comparing existing PM peak hour directional traffic counts to maximum generalized service volumes associated with adopted level of service (LOS) standards.

The study area for the project was determined per the Lake-Sumter MPO guidelines published in *Lake-Sumter MPO TIS Methodology Guidelines Volume 1: Lake County Checkbook TCMS*. Per this guidance, the study area is defined as one-half of the average total vehicle trip length for the proposed project. O-D surveys completed in the area conclude the average Villages trip length of 3 miles. This results in roughly a 1.5-mile driving distance study area radius for this TIS. However, the study area has been expanded to more widely depict the impacts of the planned Villages development.

Segments within the study area radius inside the City of Leesburg's roadway network were included in the study area per Policy 1.8.2 under Objective 1.8: *Concurrency Management*. Any segments less than 1% of the maximum service volume of the segment (de minimis impacts) were excluded from the study area per the methodology guidelines. The study area roadway segments are shown on **Figure 2**.

Planned and Programmed Improvements

Throughout the study area roadway network surrounding The Villages of West Lake development area, operational and capacity improvements are programmed in the cost feasible plan of the Lake-Sumter Metropolitan Planning Organization (MPO) and by local governments.

Sumter County is committed to widen CR 468, from US 301 to SR 44, to four lanes. CR 468 has already been widened from two lanes to four lanes between CR 505 and SR 44. West of there, construction is underway to widen CR 468 from two lanes to four lanes between US 301 and CR 505. This analysis assumes improvements to the CR 468 in the future roadway network.

The extension of Meggison Road, from SR 44 to CR 470, (previously known as the Buena Vista Boulevard extension) is planned as part of The Villages development plans to also support regional traffic. This analysis assumes the extension of Meggison Road concurrent with The Villages development. Four lanes are currently being planned for the new roadway from SR 44 to the Bexley Bridge/Turnpike Overpass, and two lanes from the Bexley Bridge/Turnpike Overpass to CR 470.

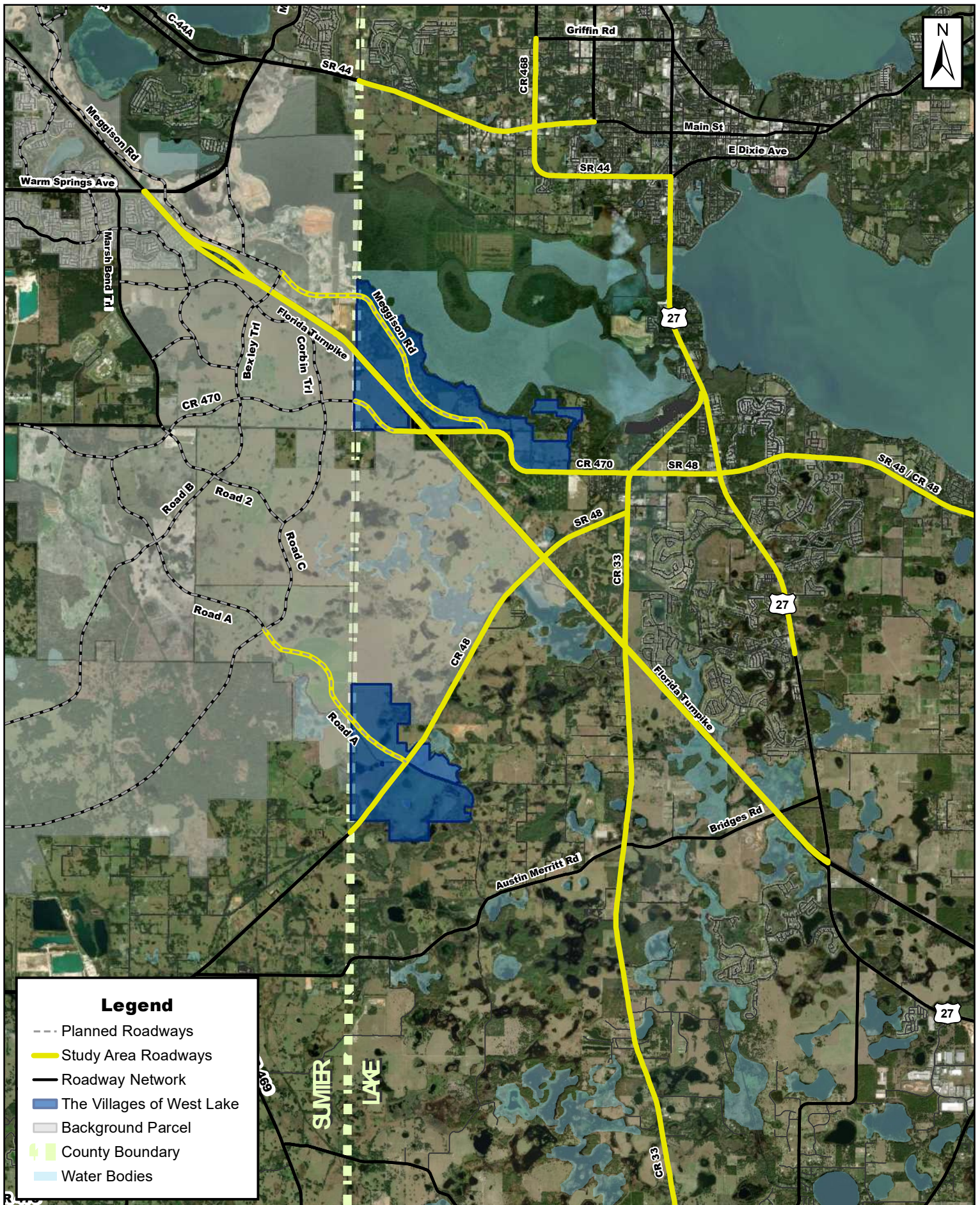
In addition to the assumptions above, the City of Wildwood and Sumter County envision a connected roadway network south of CR 470. Consistent with that vision, this analysis assumes these new facilities in the assumed future (2040) roadway network.

Table 1: Existing Conditions Analysis

Roadway		Adopted LOS Standard	# Lanes Committed / Assumed	PM PHPD Max. Service Volume	Existing PM PHPD Analysis							
From	To				Count Year	AADT	K Factor	D Factor	Pk Dir	NB/EB	SB/WB	Deficient?
SR 91 / FLORIDA TURNPIKE												
WARM SPRINGS AVE	CR 470	C	4	3,020	2019	49,500	0.11	0.54	S	2,401	2,796	No
CR 470	US 27 / SR 25	C	4	3,020	2019	51,900	0.09	0.55	S	2,121	2,550	No
SR 44												
MORSE BLVD	LAKE COUNTY LINE	D	4	3,240	2019	21,000	0.09	0.53	W	883	1,007	No
SUMTER COUNTY LINE	CR 468	D	4	2,000	2019	21,500	0.09	0.54	W	884	1,051	No
CR 468	S LONE OAK DR	D	4	2,000	2019	21,500	0.09	0.54	E	1,051	884	No
S LONE OAK DR	US 27	D	4	1,630	2019	21,000	0.09	0.54	E	1,026	864	No
SR 25 / US 27												
SR 44	CR 25A (S)	D	4	1,630	2019	43,500	0.09	0.54	S	1,789	2,126	YES
CR 25A (S)	CR 33	D	4	2,100	2019	36,000	0.09	0.54	S	1,481	1,759	No
CR 33	CR 48	D	4	2,100	2019	36,000	0.09	0.54	S	1,481	1,759	No
CR 48	PLANTATION BLVD	D	4	3,240	2019	29,000	0.09	0.54	S	1,193	1,417	No
CR 468 (LAKE COUNTY)												
SR 44	GRIFFIN RD	D	2	620	2019	7,658	0.09	0.52	N	352	331	No
MAIN ST												
CR 468	THOMAS AVE	D	2	840	2019	10,677	0.09	0.52	W	458	501	No
CR 470 (NEW ALIGNMENT)												
ROAD B	ROAD C	D	2	880	2019	10,669	0.09	0.55	W	407	504	No
ROAD C	LAKE COUNTY LINE	D	2	880	2019	10,669	0.09	0.55	W	407	504	No
SUMTER COUNTY LINE	FLORIDA TURNPIKE	D	2	700	2019	8,816	0.09	0.58	W	325	456	No
FLORIDA TURNPIKE	MEGGISON RD EXT	D	2	670	2019	7,451	0.08	0.56	E	342	273	No
MEGGISON RD EXT	BAY AVE	D	2	670	2019	7,451	0.08	0.56	E	342	273	No
BAY AVE	CR 33	D	2	620	2019	7,451	0.08	0.56	E	342	273	No
CR 48												
CR 569 / NORTH AVE	LAKE COUNTY LINE	D	2	1,190	2019	4,023	0.09	0.65	W	132	244	No
SUMTER COUNTY LINE	CR 33	D	2	1,070	2019	2,849	0.09	0.65	W	92	173	No
CR 33	HAYWOOD WORM FARM RD	D	2	790	2019	7,814	0.09	0.54	E	362	304	No
HAYWOOD WORM FARM RD	US 27	D	2	840	2019	9,128	0.08	0.51	E	397	376	No
US 27	LIME AVE	D	2	1,070	2019	9,624	0.08	0.51	E	409	396	No
CR 33												
US 27	CR 470 / CR 48	D	2	920	2019	9,402	0.08	0.59	W	301	427	No
CR 470 / CR 48	CR 48	D	2	880	2019	8,936	0.08	0.59	S	308	443	No
CR 48	BRIDGES ROAD	D	2	1,070	2019	4,200	0.09	0.64	S	130	229	No
BRIDGES ROAD	PEBBLE ROCK ROAD	C	2	670	2019	4,200	0.09	0.64	S	130	229	No
MEGGISON RD EXTENSION												
² BEXLEY BRIDGE	CR 470	D	2	880			0.09	0.55	N	-	-	No
CORBIN TRL												
¹ BEXLEY TRL	CR 470	D	4	1,860			0.09	0.55	N	-	-	No
BEXLEY BRIDGE (TURNPIKE OVERPASS)												
¹ MEGGISON RD	CORBIN TRL	D	4	1,860			0.09	0.55	N	-	-	No
BEXLEY TRL												
¹ CORBIN TRL	CR 470	D	4	1,860			0.09	0.55	S	-	-	No
ROAD 2												
¹ ROAD B	ROAD C	D	2	880			0.09	0.55	E	-	-	No
ROAD A												
¹ ROAD B	ROAD C	D	4	1,860			0.09	0.55	E	-	-	No
¹ ROAD C	CR 48	D	4	1,860			0.09	0.55	E	-	-	No
ROAD B												
¹ CR 470	ROAD 2	D	4	1,860			0.09	0.55	S	-	-	No
¹ ROAD 2	ROAD A	D	4	1,860			0.09	0.55	S	-	-	No
ROAD C												
¹ CR 470	ROAD 2	D	4	1,860			0.09	0.55	S	-	-	No
¹ ROAD 2	ROAD A	D	4	1,860			0.09	0.55	S	-	-	No

¹ Committed / Assumed / LRTP Improvement

² Link capacity based on report FHWA-RD-00-67 for corridors with roundabout control through Villages access corridors.



THE VILLAGES OF WEST LAKE TRAFFIC

The purpose of this Traffic Impact Study is to quantify the impacts of The Villages of West Lake development area in terms of the traffic that is expected to be generated by the proposed development. To assess the potential impacts, the study includes the estimated number of trips that the proposed land uses are expected to generate; an estimation of the split between those expected to remain internal to The Villages of West Lake area and the existing Villages and those expected to travel to and from areas external to The Villages community; and the expected directional distribution and assignment of project trips to the surrounding roadway network.

Proposed Land Uses

The Villages of West Lake development area is a continuation of the existing Villages community, which is age-restricted and uniquely characterized by mixed land uses, an abundance of on-site amenities and social/recreational opportunities, and superior travel connectivity for various travel modes throughout the community.

Chapter 163 Development Agreement Land Use

The following land uses are being planned for The Villages of West Lake by Year 2040 and were analyzed within this TIA:

- 14,185 residential dwelling units
- 4,100,000 square feet of commercial/non-residential use

A trip land use conversion table may be utilized to convert between uses of equivalent trip generation characteristics in the future.

Trip Generation

Trip generation is based on the measured rate for age-restricted residential dwelling units in The Villages, which was determined in the approved Origin-Destination (O-D) survey conducted in prior developments. Including both home-based and non-home-based trips, The Villages measured PM peak hour residential trip generation rate for vehicular travel is 0.35 trips per dwelling unit. Consistent with previous methodologies, trip generation rates and equations from the latest edition of the Institute of Transportation Engineer's (ITE) Trip Generation Manual are used to estimate trip generation for the non-residential use. A 19.5% golf cart trip reduction was applied for non-residential trips per O-D data.

A summary of the future total (2040) estimated trip generation for uses for The Villages of West Lake is provided in **Table 2**.

Table 2: Future Total (2040) Trip Generation Summary

PM Peak Hour	Land Use	ITE LUC	Size	Units	Trip Rate	PM Peak Hour Trip Generation				
						Total	In		Out	
	Villages Residential ¹	-	14,185	DU	0.35	4,965	63%	3,128	37%	1,837
	Commercial ²	820	4,100	KSF	2.07	8,487	48%	4,074	52%	4,413
	Total Generated Trips					13,452	7,202		6,250	
	Non-Residential Golf Cart Trip Reduction	19.5%				1,655	794		861	
	Net New External Trips					11,797	6,408		5,389	

Notes: ¹ Vehicle trip rate for Villages Residential based on O-D survey

² Vehicle trip rate for non-residential uses based on fitted equation per procedures published in ITE Trip Generation Handbook, 10th Edition

Internal/External Split

Internal capture rates, based on the approved Villages O-D surveys, are utilized in this analysis to quantify the interrelationship between land uses within The Villages community. The measured Villages internal capture rate for residential trips is 74.8 percent for all modes of travel and 63.9 percent for automobiles. The Villages internal capture rate for non-residential trips is 75.4 percent for all modes of transportation and 69.7 percent for automobiles only. The high internalization of trips is consistent with large communities and especially true for The Villages due to the mixed uses and abundance of on-site amenities. Shorter trip lengths are also a characteristic of the retirement population and are reflected in past studies and analyses for The Villages, both because of convenience and because of a connected network for alternative travel modes.

The internal/external split of The Villages project trips was simulated in the CFRPMv6.1 FDOT, District Five modeling run by factoring the O-D trip table to the O-D survey splits prior to the trip assignment process. Specifically, the unadjusted trip tables generated by the model were factored to simulate 65% trip capture within The Villages zones located both north and south of SR 44.

Trip Distribution and Assignment

Trip distribution of uses for The Villages of West Lake project trips is based on the adopted CFRPMv6.1 with a more detailed traffic analysis zone (TAZ) structure for The Villages. Consistent with previous CPAs and TIS's conducted for The Villages community, results from the modeled O-D trip table was factored to account for observed trip generation and trip capture behavior from O-D surveys. **Figure 3** presents The Villages of West Lake 2040 project percent trip distribution on the study area roadway network based on the CFRPM model run for the corresponding conditions.

Model documentation and electronic files will be provided to review agencies upon request, including a description of O-D trip table factoring for The Villages trips to simulate the anticipated internal/external split of project trips from the previous O-D surveys. **Figure 4** displays The Villages of West Lake 2040 project trips expected on the study area roadway segments.

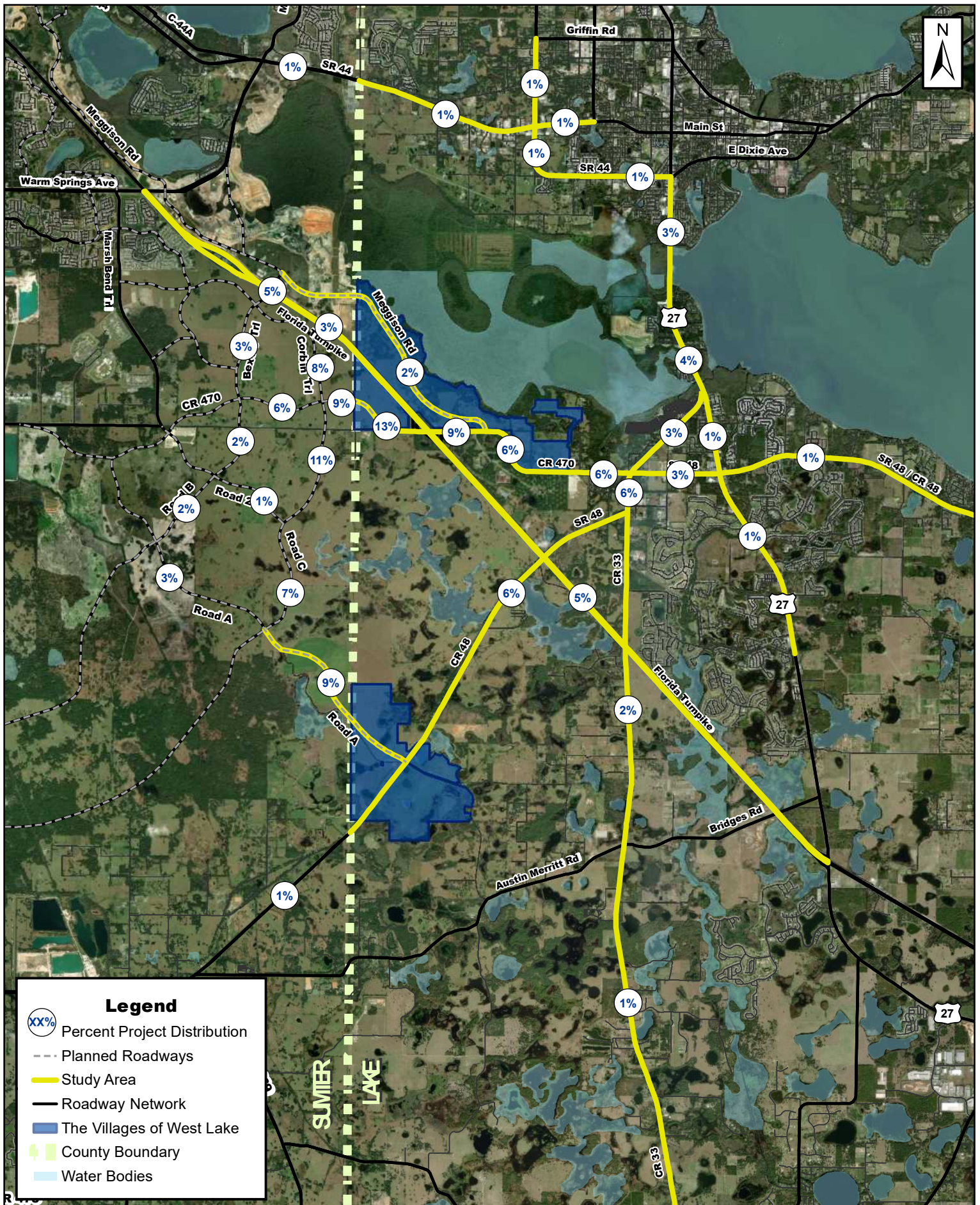


FIGURE 3: 2040 PROJECT PERCENT TRIP DISTRIBUTION

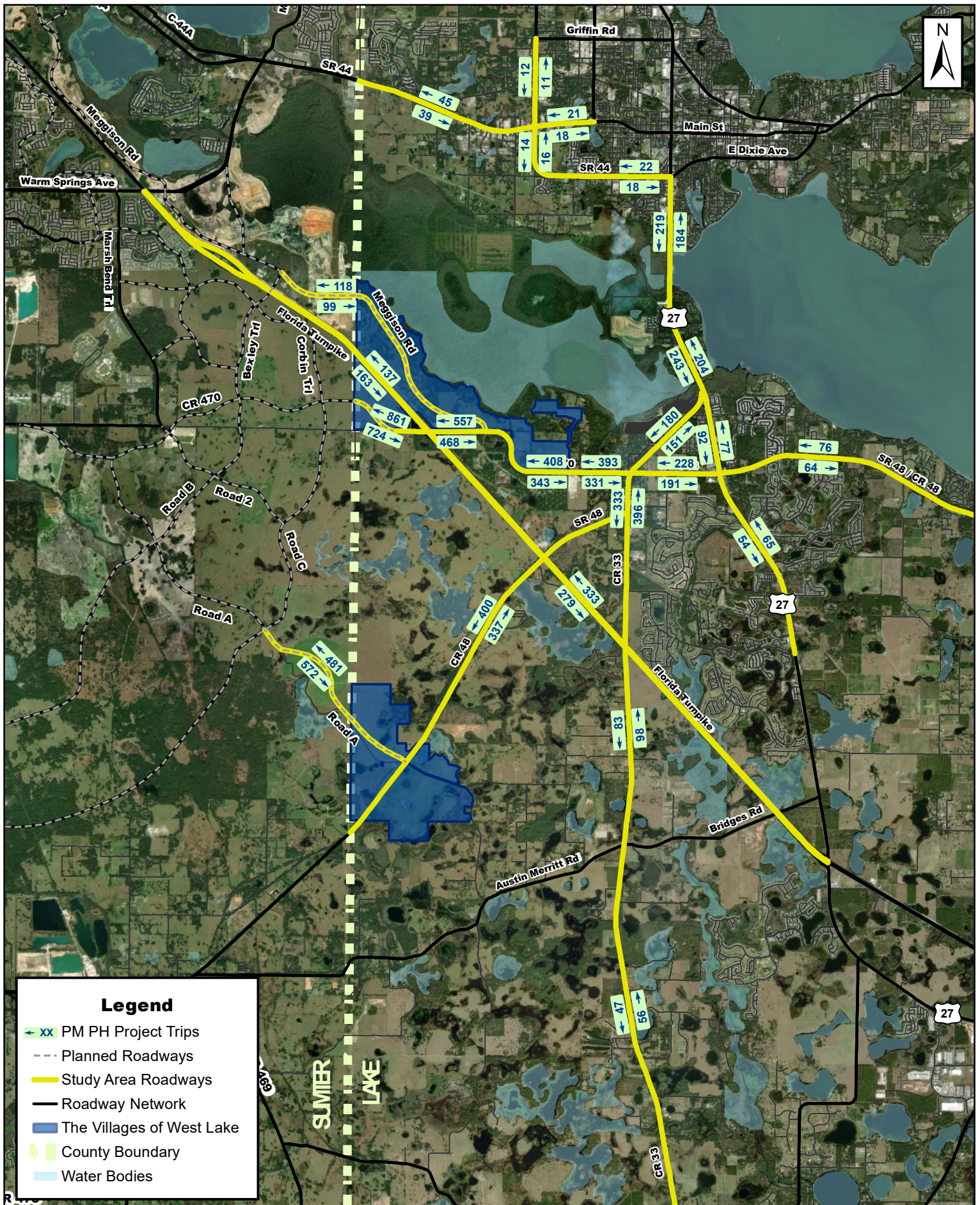


FIGURE 4: 2040 PROJECT PM PEAK HOUR VOLUMES

FUTURE 2040 CONDITIONS

Future traffic volumes include both The Villages of West Lake traffic and the projected background traffic on the roadway network in the Year 2040. Background traffic is expected from area growth not including The Villages of West Lake development areas. The background traffic includes traffic from the previously-approved Villages Community. Background traffic also accounts for future shifting of non-project trips to future roadways.

Background Traffic

Three sources were referenced to determine reasonable background traffic growth for future conditions analyses: historical traffic trends, travel demand model traffic growth projections, and projected regional population growth.

Historical AADT volumes from FDOT's most recent Florida Traffic Information (FTI) 2019 website were reviewed for the FDOT study area roadways. Linear regression was applied to AADT volumes from 2015 to 2019 to determine the historical growth rate on each roadway segment. Historical AADT volumes from Lake-Sumter MPO's 2019 Annual Traffic Counts were reviewed for county study area roadways. Linear regression was applied to AADT volumes from 2015 to 2019 to determine the historical growth rate on each roadway segment.

Due to the expansion of Meggison Road from SR 44 to CR 470, some background traffic is expected to shift to the future facility from other parallel facilities. Additionally, new roads envisioned in the City of Wildwood's LRTP are also expected to carry future traffic which shifts from existing facilities. This shifting of traffic is not accounted for in the historical trend projections. Additionally, the historical trends projections may not accurately reflect traffic volumes from the previously-approved Villages Community. Therefore, background traffic growth indicated in CFRPMv6 model runs was also reviewed to evaluate the expected growth rate on roadways within The Villages of Southern Oaks study area. Long-term annualized model volume growth rates were determined between the Year 2017 No-Build scenario (no previously-approved Villages Community south of SR 44 or The Villages of Southern Oaks development and no Meggison Road extension) and the background volume in the 2040 Build scenario (with previously-approved The Villages Community south of SR 44 and The Villages of Southern Oaks development, with full Meggison Road extension and the cost feasible network).

The University of Florida's Bureau of Economic and Business Research (BEBR) analyzes population growth trends in counties throughout the state, along with other statistical metrics. According to the most recent BEBR population projections, population growth in the area is expected to range between 0.19% and 4.31% annually between 2025 and 2045. In an effort to determine a reasonable background growth rate for the study area, the medium BEBR growth rates for Lake County and Marion County were averaged. The Sumter County growth rates were excluded from consideration of regional background growth because they include The Villages development; applying these growth rates to the background traffic projections would have resulted in redundancy when project trips were added to the network. The averaged BEBR medium projection for Lake County and Marion County is used to verify reasonableness of growth rates.

Once growth rates from the three methodologies are compared for each of the roadway segments, a reasonable rate is utilized to project background traffic for the Year 2040 background analysis. A summary of the background growth rate data is included in **Appendix A**.

Table 3 shows the background traffic PM peak hour directional analysis for roadway segments within The Villages of West Lake study area as well as some adjacent Sumter County roadway segments for informational purposes only.

Total Traffic

As shown in **Table 3**, total future traffic is calculated by adding The Villages of West Lake traffic on each link to the projected background traffic volumes. The table also provides the total traffic PM peak hour directional analysis for roadway segments within The Villages of West Lake study. **Figure 5** depicts the total future vehicle volumes on the study area roadway network for The Villages of West Lake.

Conclusion

The Villages of West Lake future total (2040) traffic analysis shows that the projected traffic associated with the current proposed development program is not expected to adversely impact any City roadway segments. New planned facilities in the study area are projected to provide local and regional access for the planned Villages growth while also providing additional capacity and connectivity for background traffic in the area. Partnerships and monitoring of the impacts of development will continue to occur to identify actual roadway needs in the future.

Table 3: 2040 Future Conditions Analysis

Roadway		Adopted LOS Standard	# Lanes Committed / Assumed	PM PHPD Max. Service Volume	Background PM PHPD Analysis				Project PM PHPD Analysis				Total PM PHPD Analysis			Notes
From	To				Annual Growth Rate	Year = 2040		Deficient?	IN = 6,408		OUT = 5,389		NB/EB	SB/WB	Deficient?	
						NB/EB	SB/WB		Trip Distrib	Proj Pk Dir	NB/EB	SB/WB				
SR 91 / FLORIDA TURNPIKE																
WARM SPRINGS AVE	CR 470	C	4	3,020	2.53%	3,679	4,284	YES	2.55%	S	137	163	3,816	4,447	YES	Background deficiency
CR 470	US 27 / SR 25	C	4	3,020	3.72%	3,778	4,544	YES	5.19%	N	333	279	4,111	4,823	YES	Background deficiency
SR 44																
MORSE BLVD	LAKE COUNTY LINE	D	4	3,240	1.50%	1,161	1,325	No	0.89%	W	48	56	1,209	1,381	No	
SUMTER COUNTY LINE	CR 468	D	4	2,000	1.50%	1,163	1,382	No	0.71%	W	39	45	1,202	1,427	No	
CR 468	S LONE OAK DR	D	4	2,000	2.55%	1,612	1,357	No	0.26%	W	14	16	1,626	1,373	No	
S LONE OAK DR	US 27	D	4	1,630	1.50%	1,350	1,136	No	0.34%	W	18	22	1,368	1,158	No	
SR 25 / US 27																
SR 44	CR 25A (S)	D	4	1,630	1.50%	2,353	2,795	YES	3.41%	S	184	219	2,537	3,014	YES	Background deficiency
CR 25A (S)	CR 33	D	4	2,100	1.50%	1,947	2,314	YES	3.79%	S	204	243	2,151	2,557	YES	Background deficiency
CR 33	CR 48	D	4	2,100	1.50%	1,947	2,314	YES	1.43%	S	77	92	2,024	2,406	YES	Background deficiency
CR 48	PLANTATION BLVD	D	4	3,240	1.50%	1,568	1,864	No	1.01%	N	65	54	1,633	1,918	No	
CR 468 (LAKE COUNTY)																
SR 44	GRIFFIN RD	D	2	620	1.50%	463	436	No	0.19%	S	11	12	474	448	No	
MAIN ST																
CR 468	THOMAS AVE	D	2	840	1.50%	602	659	No	0.33%	W	18	21	620	680	No	
CR 470 (NEW ALIGNMENT)																
ROAD B	ROAD C	D	2	880	4.28%	773	957	YES	5.52%	E	354	298	1,127	1,255	YES	Background deficiency
ROAD C	LAKE COUNTY LINE	D	2	880	2.91%	656	812	No	8.60%	E	551	464	1,207	1,276	YES	Mitigation to be determined
SUMTER COUNTY LINE	FLORIDA TURNPIKE	D	2	700	6.68%	781	1,096	YES	13.43%	W	724	861	1,505	1,957	YES	Background deficiency
FLORIDA TURNPIKE	MEGGISON RD EXT	D	2	670	2.40%	514	411	No	8.69%	W	468	557	982	968	YES	Mitigation to be determined
MEGGISON RD EXT	BAY AVE	D	2	670	4.22%	645	516	No	6.36%	W	343	408	988	924	YES	Mitigation to be determined
BAY AVE	CR 33	D	2	620	3.13%	567	453	No	6.14%	W	331	393	898	846	YES	Mitigation to be determined
CR 48																
CR 569 / NORTH AVE	LAKE COUNTY LINE	D	2	1,190	1.50%	174	321	No	0.18%	W	10	12	184	333	No	
SUMTER COUNTY LINE	CR 33	D	2	1,070	5.87%	205	387	No	6.25%	W	337	400	542	787	No	
CR 33	HAYWOOD WORM FARM RD	D	2	790	2.41%	545	459	No	3.55%	W	191	228	736	687	No	
HAYWOOD WORM FARM RD	US 27	D	2	840	1.50%	522	494	No	3.33%	W	179	213	701	707	No	
US 27	LIME AVE	D	2	1,070	1.50%	538	521	No	1.19%	W	64	76	602	597	No	
CR 33																
US 27	CR 470 / CR 48	D	2	920	1.50%	396	561	No	2.80%	S	151	180	547	741	No	
CR 470 / CR 48	CR 48	D	2	880	3.20%	515	740	No	6.18%	N	396	333	911	1,073	YES	Mitigation to be determined
CR 48	BRIDGES ROAD	D	2	1,070	1.50%	171	302	No	1.54%	N	98	83	269	385	No	
BRIDGES ROAD	PEBBLE ROCK ROAD	C	2	670	1.79%	179	316	No	0.87%	N	56	47	235	363	No	
MEGGISON RD EXTENSION																
2 BEXLEY BRIDGE	CR 470	D	2	880	0.00%	499	408	No	1.84%	N	118	99	617	507	No	
CORBIN TRL																
1 BEXLEY TRL	CR 470	D	4	1,860	0.00%	848	1,036	No	8.22%	N	527	443	1,375	1,479	No	
BEXLEY BRIDGE (TURNPIKE OVERPASS)																
1 MEGGISON RD	CORBIN TRL	D	4	1,860	0.00%	1,080	1,320	No	5.27%	N	338	284	1,418	1,604	No	
BEXLEY TRL																
1 CORBIN TRL	CR 470	D	4	1,860	0.00%	1,008	1,232	No	2.82%	S	152	180	1,160	1,413	No	
ROAD 2																
1 ROAD B	ROAD C	D	2	880	0.00%	493	602	No	0.59%	E	38	32	531	634	No	
ROAD A																
1 ROAD B	ROAD C	D	4	1,860	0.00%	883	722	No	3.22%	E	207	173	1,090	896	No	
1 ROAD C	CR 48	D	4	1,860	0.00%	768	629	No	8.93%	E	572	481	1,340	1,110	No	
ROAD B																
1 CR 470	ROAD 2	D	4	1,860	0.00%	1,106	905	No	2.21%	S	119	142	1,225	1,047	No	
1 ROAD 2	ROAD A	D	4	1,860	0.00%	1,161	950	No	2.02%	S	109	129	1,270	1,079	No	
ROAD C																
1 CR 470	ROAD 2	D	4	1,860	0.00%	688	841	No	11.15%	S	601	715	1,289	1,556	No	
1 ROAD 2	ROAD A	D	4	1,860	0.00%	640	782	No	6.64%	S	358	425	998	1,208	No	

No¹ Committed / Assumed / LRTP Improvement

² Link capacity based on report FHWA-RD-00-67 for corridors with roundabout control through Villages access

APPENDICES

Appendix A: Background Growth Rate Determination

Table A1: Background Growth Rate Determination (2040)

Roadway							Daily Model Bkgd		Annual Growth Rates			
From	To	2015	2016	2017	2018	2019	2017	2040	5-Year Trend	Model Growth	BEBR Medium	Rate Used
<u>SR 91 / FLORIDA TURNPIKE</u>												
WARM SPRINGS AVE	CR 470	40,000	44,200	47,300	49,300	49,500	52,118	82,496	7.22%	2.53%	1.50%	2.53%
CR 470	US 27 / SR 25	40,000	45,300	48,300	50,400	51,900	54,895	101,882	8.01%	3.72%	1.50%	3.72%
<u>SR 44</u>												
MORSE BLVD	LAKE COUNTY LINE	16,800	17,500	18,500	19,800	21,000	41,183	54,811	5.63%	1.44%	1.50%	1.50%
SUMTER COUNTY LINE	CR 468	19,900	20,500	21,500	21,500	21,500	39,488	51,347	2.61%	1.31%	1.50%	1.50%
CR 468	S LONE OAK DR	19,900	20,500	21,500	21,500	21,500	19,717	31,261	2.61%	2.55%	1.50%	2.55%
S LONE OAK DR	US 27	18,900	20,500	21,500	22,000	21,000	26,315	35,397	5.19%	1.50%	1.50%	1.50%
<u>SR 25 / US 27</u>												
SR 44	CR 25A (S)	37,000	37,500	39,000	40,000	43,500	41,877	42,943	2.63%	0.11%	1.50%	1.50%
CR 25A (S)	CR 33	33,000	35,000	34,500	36,000	36,000	36,801	38,171	2.94%	0.16%	1.50%	1.50%
CR 33	CR 48	33,000	35,000	34,500	36,000	36,000	30,661	31,634	2.94%	0.14%	1.50%	1.50%
CR 48	PLANTATION BLVD	24,500	24,500	25,500	26,500	29,000	27,387	29,896	2.65%	0.40%	1.50%	1.50%
<u>CR 468 (LAKE COUNTY)</u>												
SR 44	GRIFFIN RD	5,158	7,071	7,492	7,773	7,658	8,935	11,199	10.38%	1.10%	1.50%	1.50%
<u>MAIN ST</u>												
CR 468	THOMAS AVE	8,150	11,385	10,815	12,307	10,677	13,433	15,173	6.99%	0.56%	1.50%	1.50%
<u>CR 470 (NEW ALIGNMENT)</u>												
ROAD B	ROAD C	6,856	7,905	10,521	9,837	10,669	9,577	19,007	11.69%	4.28%	1.50%	4.28%
ROAD C	LAKE COUNTY LINE	6,856	7,905	10,521	9,837	10,669	9,577	15,983	11.69%	2.91%	1.50%	2.91%
SUMTER COUNTY LINE	FLORIDA TURNPIKE	6,771	6,681	8,310	8,986	8,816	9,577	24,293	6.82%	6.68%	1.50%	6.68%
FLORIDA TURNPIKE	MEGGISON RD EXT	6,525	7,257	7,182	9,077	7,451	7,588	11,779	3.37%	2.40%	1.50%	2.40%
MEGGISON RD EXT	BAY AVE	6,525	7,257	7,182	9,077	7,451	7,588	14,949	3.37%	4.22%	1.50%	4.22%
BAY AVE	CR 33	6,525	7,257	7,182	9,077	7,451	9,003	15,479	3.37%	3.13%	1.50%	3.13%
<u>CR 48</u>												
CR 569 / NORTH AVE	LAKE COUNTY LINE	3,173	3,320	3,825	4,221	4,023	15,812	17,145	9.98%	0.37%	1.50%	1.50%
SUMTER COUNTY LINE	CR 33	2,019	3,559	3,520	3,145	2,849	5,639	13,246	8.99%	5.87%	1.50%	5.87%
CR 33	HAYWOOD WORM FARM RD	6,580	11,043	8,307	8,867	7,814	8,055	12,526	4.39%	2.41%	1.50%	2.41%
HAYWOOD WORM FARM RD	US 27	8,459	7,698	8,996	9,714	9,128	9,015	11,487	1.92%	1.19%	1.50%	1.50%
US 27	LIME AVE	6,895	9,996	10,428	10,908	9,624	11,432	12,312	8.69%	0.33%	1.50%	1.50%
<u>CR 33</u>												
US 27	CR 470 / CR 48	8,443	8,444	9,988	9,599	9,402	6,945	8,333	2.73%	0.87%	1.50%	1.50%
CR 470 / CR 48	CR 48	5,056	7,552	10,062	9,251	8,936	9,357	16,244	15.30%	3.20%	1.50%	3.20%
CR 48	BRIDGES ROAD	2,766	4,144	3,670	4,697	4,200	6,945	6,243	11.01%	-0.44%	1.50%	1.50%
BRIDGES ROAD	PEBBLE ROCK ROAD	2,766	4,144	3,670	4,697	4,200	6,945	9,807	11.01%	1.79%	1.50%	1.79%
<u>MEGGISON RD EXTENSION</u>												
BEXLEY BRIDGE	CR 470							10,075				
<u>CORBIN TRL</u>												
BEXLEY TRL	CR 470							20,933				
<u>BEXLEY BRIDGE (TURNPIKE OVERPASS)</u>												
MEGGISON RD	CORBIN TRL							26,676				
<u>BEXLEY TRL</u>												
CORBIN TRL	CR 470							24,892				
<u>ROAD 2</u>												
ROAD B	ROAD C							12,168				
<u>ROAD A</u>												
ROAD B	ROAD C							17,830				
ROAD C	CR 48							15,522				
<u>ROAD B</u>												
CR 470	ROAD 2							22,344				
ROAD 2	ROAD A							23,454				
<u>ROAD C</u>												
CR 470	ROAD 2							16,996				
ROAD 2	ROAD A							15,803				

Table A2: BEBR Growth Rates

County	BEBR Pop Estimate Apr 1, 2019	BEBR Population Projections (April 1)					Medium Rate 2040
		Range	2025	2045	2025	2045	
Lake	357,247	Low	376,000	438,400	0.75%	0.84%	1.92%
		Medium	410,900	534,800	2.15%	1.84%	
		High	440,400	638,000	3.33%	2.91%	
Marion	360,421	Low	365,200	389,700	0.19%	0.30%	1.09%
		Medium	392,100	460,800	1.26%	1.03%	
		High	416,900	537,000	2.24%	1.81%	
Sumter	128,633	Low	134,700	158,800	0.67%	0.87%	2.45%
		Medium	152,300	211,500	2.63%	2.39%	
		High	167,400	270,800	4.31%	4.09%	

Average BEBR Medium Annual Growth Rate for Study Area (Lake, Marion)¹ = 1.50%

¹Sumter County growth, being highly dependent on Villages growth, was excluded in determining the background growth rate for the study area.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, amending the text of the Comprehensive Plan for The Villages of West Lake, Areas A & B, to establish Community Support Districts (CSD), Amend Level of Service to include Community Support Districts, and Amend Permitted uses, on property generally located North and South of Florida's Turnpike and North of County Road 470, and property located East of the Sumter County line, North of Austin Merritt Road and North and South of County Road 48, as legally described in Sections 6, 7, 8, 9, 16, and 17, Township 20 South, Range 24 East; and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (CPTA 20-149)

Staff Recommendation:

Planning and Zoning Staff and the Planning Commission recommend approval of this request to amend the City's Comprehensive Plan for The Villages of West Lake Areas A and B, Future Land Use Element.

Analysis:

The primary request is to amend the Comp Plan to provide for new Community Support Districts (CSD) which will be districts allowing persons under the age of 55 to live in designated areas within The Villages of West Lake, while working in the community. The overall effect of these requests will reduce the number of external vehicular trips. In addition, it will help ensure appropriate land use compatibility with future development in the area, and does not create a conflict with the Goals, Objectives and Policies of the Comprehensive Plan. The proposed request will provide additional living options for employees and add permitted uses within the overall development area. Attached are copies of Exhibit A, which shows the specific changes, and Exhibit B, a clean copy with changes inserted. These changes are summarized below.

1. Amend the Future Land Use Objective 1.1k, which establishes the minimum requirements for the Age Restricted Development (ARD) land use category, in order to add an option for Community Support Districts. (CSD). A CSD is a distinct area in close proximity to the age restricted dwelling units where a non-age restricted mixed use district can be built to support the larger ARD. The CSD must include recreation and commercial uses, at a minimum, to serve its residents.
2. Amend the Future Land Use Element Policy 1.1.6., which is the site specific policy for the Villages

of West Lake, in order to add the option for Community Support Districts within the Project and any new non-age restricted units will be created through the use of the conversion table. Additionally, amend the level of service (LOS tables for the project to add a LOS standard for non-age restricted units.

3. Amend the Future Land Use Element Policy 1.1.6 to add research and development, and education to the list of permitted uses within the project.

At a regular meeting on September 24, 2020, the Planning Commission voted for approval of this request by a vote of 7-0.

Procurement Analysis:

N/A

Options:

1. Approve the request to amend the Comprehensive Plan with the attached Exhibit B; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No specific fiscal action will occur until such time as The Villages of West Lake is constructed. At that time, a significant positive fiscal impact will come from ad valorem taxes and utility fees.

Submission Date and Time: 12/9/2020 2:24:12 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN FOR THE VILLAGES OF WEST LAKE, AREAS A & B, TO ESTABLISH COMMUNITY SUPPORT DISTRICTS (CSD), AMEND LEVEL OF SERVICE TO INCLUDE COMMUNITY SUPPORT DISTRICTS, AND AMEND PERMITTED USES, ON PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF COUNTY ROAD 470, AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, NORTH OF AUSTIN MERRITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48, AS LEGALLY DESCRIBED IN SECTIONS 6, 7, 8, 9, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST; AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CPTA 20-149)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

SECTION I.

Based upon the petition of The Villages Land Company, LLC, (Darrin Taylor, Petitioner) the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as exhibits A-D of this Ordinance, and was transmitted to the Florida Department of Economic Opportunity for review..

SECTION II.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

SECTION III.

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

SECTION IV.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of December, 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

EXHIBIT A – PROPOSED TEXT AMENDMENT (EDIT VERSION)

Objective 1.1 k: Age-Restricted Development - This category shall be provided to areas designated on the Future Land Use Map for developments proposed as an age-restricted community. To be considered an age-restricted community the development must commit to the following:

- 1. Consistency with the Federal and Florida Fair Housing requirements for age-restricted communities;*
- 2. Incorporate a mixture of housing types;*
- 3. Plan for a mixed use development pattern;*
- 4. Provide for the recreational needs of its residents with amenities such as community centers, golf courses, trails and other similar facilities;*
- 5. Provide for support multiple modes of internal transportation such as bicycles, golf carts and pedestrians;*
- 6. Establish design standards at the time of local development order approval to ensure a well-designed community; and*
- 7. Ensure protection of environment and natural resources on site.*

An ARD must plan for a mixture of land uses generally consistent with the following percentage distribution (based upon acreage)

<i>Use</i>	<i>Minimum Required Permitted</i>	<i>Maximum Permitted</i>
<i>Commercial: Including but not limited to Retail, Office, Hotel, Convention/Performing Arts Center and Theater, Independent Living Facility, Assisted Living Facility, Skilled Nursing Facility, Memory Care Facility, Hospice and other similar uses.</i>	<i>1%</i>	<i>25%</i>
<i>Residential (Age Restricted and Non-Age Restricted)</i>	<i>20%</i>	<i>90%</i>
<i>Institutional/Educational/Governmental/Recreational including but not limited to civic and community facilities, stormwater facilities, wastewater, water treatment plants and well site, recreation, parks, golf course and multi-use trails and other similar uses.</i>	<i>5%</i>	<i>30%</i>
<i>Medical Campus: Including but not limited to Hospital, Clinic, Professional Offices, Pharmacy, Assisted Living Facility/Skilled Nursing Facility, Hospice and Continuing Care Retirement Community (CCRC) facilities and other similar uses.</i>	<i>0%</i>	<i>15%</i>

122013065.1

An ARD must be consistent with the following criteria:

- 1. Mixed land use – An ARD must include a mixture of uses by providing for the housing, recreation/amenities and commercial needs of its residents. Each individual ARD land use amendment does not have to provide within its boundary a mixture of uses as long as the amendment demonstrates that it is an expansion of an existing ARD project. For example, an ARD application can provide for only housing if the amendment is an expansion of an existing ARD that provides the required mixture of uses.*
- 2. Expansion of an Existing ARD Project – Expansion of an existing ARD Project requires the written authorization of the ARD property owner of the ARD Project. If the ARD project has entered a 163 agreement with the City then the property owner is defined as the owner(s) identified in the 163 agreement with the City.*
- 3. Site specific policies - An ARD development may also include site specific policies to address unique project issues.*
- 4. Location: The ARD category is intended to guide the future development of large undeveloped tracts where a mixed use community could be built.*
- 5. Acreage: The minimum acreage for the ARD land use category is 1,000 acres per ARD Project.*
- 6. Land Use Conversion: An ARD may include a land use conversion matrix if the conversion demonstrates that no additional traffic impacts are generated. Age restricted residential housing ~~An age-restricted community~~ will not impact public school capacity.*
- 7. Compatibility: An ARD shall include strategies to address the edge of the development to ensure compatibility with adjacent properties. Strategies shall include but are not limited to the following: design standards, limitations on light intrusion on surrounding properties and buffering.*
- 8. Design Standards: An ARD development must include design standards at the time of local development order approval that serve the following purposes:*
 - a. Promote quality growth that creates a sense of place and community through the use of design and building materials;*
 - b. Encourage a diversity of housing styles, shapes and materials in order to create a variety in the streetscape;*
 - c. Incorporate public spaces and gathering areas;*
 - d. Provide a safe and attractive pedestrian streetscape; and*

- e. Address building orientation and placement and configuration of lots and blocks.
9. Existing ARD Projects: The following are approved ARD projects within the City:
- a. The Villages of West Lake
10. Community Support District: An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Future Land Use Element Policy 1.1.6 – The Villages of West Lake - The Villages (referred to under this policy as “The Villages” or “the Project”) is designated as Age Restricted Development (ARD) on the City of Leesburg’s Future Land Use Map. The Project is approximately 2,615 acres and is located in southern Leesburg along the north side of the Florida Turnpike between the Sumter County line and the Florida Turnpike/CR 470 interchange and south of the Florida Turnpike on the east and west sides of County Road 48. The Project Boundary is identified on Map 1-3.

The Villages of West Lake must develop consistent with the following requirements:

- a) *The Villages is a mixed use development which will develop consistent with the Age Restricted Development (ARD) land use category which includes the mixed use development requirements pursuant to Future Land Use Objective 1.1k. The Project may include the following uses: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). The Villages may develop under multiple phases with specialized design standards as established in The Villages of West Lake Area A Chapter 163 Development Agreement and The Villages of West Lake Area B Chapter 163 Development Agreement (also referred to under this policy as “the Chapter 163 Agreements” or “the Agreements”). The Agreements will also include design standards for the Project as required by Future Land Use Element Objective 1.1k. The design standards addressed in the Agreements shall include but not be limited to architectural design standards, building setbacks, landscaping and buffering and roadway design in order to ensure pedestrian and vehicular safety. Additionally, a separate expedited review process may also be included in the Chapter 163 Agreements. The Villages will utilize urban design principles in order to create a development pattern that establishes clear non-residential centers supported by residential development connected with an internal road system and trails to encourage walking, biking and other modes of*

transportation. Wetlands on-site will be protected consistent with the City's Comprehensive Plan as amended and the State and Federal permitting requirements which provides mitigation options such as regional mitigation banks. Wetlands on-site may also be utilized for passive recreation, trails, boardwalks, and bridge and/or road crossings subject to permitting.

b) The uses permitted in the City's agricultural land use and zoning are permitted on undeveloped land, before urban development commences if such uses are consistent with the City's Comprehensive Plan. Permitted uses may include but are not limited to silviculture, farming and animal husbandry.

c) The Villages will maintain compatibility with adjacent land uses through ensuring that residential uses are adjacent to off-site residential uses or through the use of vegetative buffering, fencing or a wall.

d) The following Project entitlements are planned:

Non-Residential	4,100,000 square feet
Residential <u>(Age Restricted)</u>	14,185 dwelling units

The Project non-residential entitlements may be used for any of the non-residential uses identified above which include but are not limited to: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). A land use conversion table will also be included within the Chapter 163 Agreements with the City for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development traffic impacts. The conversion table will also allow for conversion of the uses identified above through City approval without the requirement for a comprehensive plan amendment. The Villages must provide the City notice and documentation to review of at least 30 days in advance of using the land use conversion table. The post conversion development shall be consistent with the City's Comprehensive Plan, as applicable, which includes the minimum mixed use requirements for an Age Restricted Development (ARD).

e) The property identified as Conservation/Recreation Area on Map I-3 is limited to user oriented recreational uses and facilities, outdoor recreational uses and facilities, nature facility/museum, open space and conservation.

f) The level of service standards for The Villages of WestLake shall reflect the type of impacts that have actually been generated within The Villages which has demonstrated lower impacts (including water, sewer, traffic and schools) due to the age restricted and self-sustaining mixed-use community development pattern. The level of service standards are as follows:

<i>THE VILLAGES OF WEST LAKE LEVEL OF SERVICE STANDARDS</i>	
<i>Transportation Facilities</i>	<i>LEVEL OF SERVICE</i>
<i>Limited Access Roads</i>	<i>C or as otherwise prescribed by FDOT</i>
<i>Arterials</i>	<i>D</i>
<i>Collectors</i>	<i>D</i>
<i>Potable Water</i>	<i>LEVEL OF SERVICE</i>
<i>Non-Residential</i>	<i>0.2 gallons per day/gross square feet</i>
<i>Residential (Age Restricted)</i>	<i>86 gallons per dwelling unit per day</i>
<i>Residential (Non-Age Restricted)</i>	<i>150 gallons per person per day</i>
<i>Sanitary Sewer</i>	<i>LEVEL OF SERVICE</i>
<i>Non-Residential</i>	<i>0.15 gallons per day/gross square feet</i>
<i>Residential (Age Restricted)</i>	<i>86 gallon per dwelling unit per day</i>
<i>Residential (Non-Age Restricted)</i>	<i>251 gallons per day per capita</i>
<i>Recreation</i>	
<i>The recreation facilities necessary for The Villages of West Lake are to be provided within The Villages which will include recreation facilities within the City of Leesburg, the City of Wildwood and Sumter County. Since The Villages is a highly amenitized community, the facilities will ensure the residents do not degrade the level of service of the City's recreation facilities.</i>	
<i>Public School</i>	
<i>The Villages of West Lake is an a Age restricted unit community and will not impact the Lake County Public School System. Any new non-age restricted units will be coordinated with the Lake County School Board to address school capacity at the time of development.</i>	

Based on the foregoing, no other level of service standards in the City's Comprehensive Plan including requirements contained in Capital Improvements Policy 1.2.1, Recreation Policies 1.1.1, 1.1.5, 1.1.6, and 1.1.2 shall apply.

g) To ensure consistency with the standards in The Villages, the wetland buffers for The Villages of West Lake shall be consistent with the applicable water management districts rules with an average 25 foot buffer (minimum 15 foot buffer) and the buffer standards in Conservation Policy 1.3.7 and Future Land Use Policy 1.5.14 shall not apply.

h) The Villages of West Lake will develop as a multi-modal community strongly encouraging other modes of transportation including bicycle, pedestrian and golf cart facilities that will link residential to non-residential areas through-out The Villages. To ensure this consistency of development, The Villages of West Lake will

follow the design standards that will be established in the Chapter 163 Agreements with the City which will be adopted concurrent with this Policy, and will not be required to meet the design standards and transportation level of service standards of the City of Leesburg within the Transportation Element. Additionally, the Concurrency reservation and the process under which it is achieved will be specifically approved and included in the Agreements and the Project will be exempt from the Transportation Element and Capital Improvements Element Objective 1.5 and supporting policies and any land development regulations to the contrary.

j) The Chapter 163 Agreements will include development and design standards for the implementation of the recreational vehicle development land use. This use may include recreational vehicles, short-term rentals, long-term rentals and sales.

k) Wireless Communications Towers and Antennas. Wireless Communications Towers and Antennas (including cell towers) are one of the Permitted Uses within the Property and are thus exempt from Article X of the City's Land Development Code for the siting of cell towers because of the location within this Project, the surrounding buffering and the required public process for this Agreement. The site is suitable for cell tower uses because the location, design and construction of cell towers would be compatible with surrounding uses and would require similar buffering requirements from neighboring uses. Any communication towers and antennas must be setback at least half the height of the structure from any exterior property line.

l) Mining is a permitted use within the Area B portion of the Project. Any mining activities in Area B must meet the requirements of The Villages of West Lake Area B Chapter 163 Agreement with the City.

m) The Villages Land Company (VLC) is the Master Developer for the Project. As the Master Developer, VLC owns and controls all of the development rights and entitlements within the Project which are identified in the Agreements. Any proposed development or improvements to property within the Project requires the prior written approval of the Master Developer, including, but not limited to, use of any entitlements as to any parcel or property within the Project. No new development can occur that reduces VLC's entitlements or Master Developer rights without Master Developer's prior authorization. VLC maintains an accounting of its development entitlements and will provide a copy to the City upon request.

n) The Project may include Community Support Districts as permitted in FLUE Objective 1.1k. Any dwelling units within the Community Support District will be created from other uses pursuant to the land use conversion table.

EXHIBIT B – PROPOSED TEXT AMENDMENT, (CLEAN VERSION)

Objective 1.1 k: Age-Restricted Development - This category shall be provided to areas designated on the Future Land Use Map for developments proposed as an age-restricted community. To be considered an age-restricted community the development must commit to the following:

- 1. Consistency with the Federal and Florida Fair Housing requirements;*
- 2. Incorporate a mixture of housing types;*
- 3. Plan for a mixed use development pattern;*
- 4. Provide for the recreational needs of its residents with amenities such as community centers, golf courses, trails and other similar facilities;*
- 5. Provide for multiple modes of internal transportation such as bicycles, golf carts and pedestrians;*
- 6. Establish design standards at the time of local development order approval to ensure a well-designed community; and*
- 7. Ensure protection of environment and natural resources on site.*

An ARD must plan for a mixture of land uses generally consistent with the following percentage distribution (based upon acreage)

<i>Use</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
<i>Commercial: Including but not limited to Retail, Office, Hotel, Convention/Performing Arts Center and Theater, Independent Living Facility, Assisted Living Facility, Skilled Nursing Facility, Memory Care Facility, Hospice and other similar uses.</i>	<i>1%</i>	<i>25%</i>
<i>Residential (Age Restricted and Non-Age Restricted)</i>	<i>20%</i>	<i>90%</i>
<i>Institutional/Educational/Governmental/Recreational including but not limited to civic and community facilities, stormwater facilities, wastewater, water treatment plants and well site, recreation, parks, golf course and multi-use trails and other similar uses.</i>	<i>5%</i>	<i>30%</i>
<i>Medical Campus: Including but not limited to Hospital, Clinic, Professional Offices, Pharmacy, Assisted Living Facility/Skilled Nursing Facility, Hospice and Continuing Care Retirement Community (CCRC) facilities and other similar uses.</i>	<i>0%</i>	<i>15%</i>

An ARD must be consistent with the following criteria:

- 1. Mixed land use -- An ARD must include a mixture of uses by providing for the housing, recreation/amenities and commercial needs of its residents. Each individual ARD land use amendment does not have to provide within its boundary a mixture of uses as long as the amendment demonstrates that it is an expansion of an existing ARD project. For example, an ARD application can provide for only housing if the amendment is an expansion of an existing ARD that provides the required mixture of uses.*
- 2. Expansion of an Existing ARD Project -- Expansion of an existing ARD Project requires the written authorization of the ARD property owner of the ARD Project. If the ARD project has entered a 163 agreement with the City then the property owner is defined as the owner(s) identified in the 163 agreement with the City.*
- 3. Site specific policies - An ARD development may also include site specific policies to address unique project issues.*
- 4. Location: The ARD category is intended to guide the future development of large undeveloped tracts where a mixed use community could be built.*
- 5. Acreage: The minimum acreage for the ARD land use category is 1,000 acres per ARD Project.*
- 6. Land Use Conversion: An ARD may include a land use conversion matrix if the conversion demonstrates that no additional traffic impacts are generated. Age restricted residential will not impact public school capacity.*
- 7. Compatibility: An ARD shall include strategies to address the edge of the development to ensure compatibility with adjacent properties. Strategies shall include but are not limited to the following: design standards, limitations on light intrusion on surrounding properties and buffering.*
- 8. Design Standards: An ARD development must include design standards at the time of local development order approval that serve the following purposes:*
 - a. Promote quality growth that creates a sense of place and community through the use of design and building materials;*
 - b. Encourage a diversity of housing styles, shapes and materials in order to create a variety in the streetscape;*
 - c. Incorporate public spaces and gathering areas;*
 - d. Provide a safe and attractive pedestrian streetscape; and*
 - e. Address building orientation and placement and configuration of lots and blocks.*

9. Existing ARD Projects: The following are approved ARD projects within the City:
 - a. The Villages of West Lake
10. Community Support District: An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Future Land Use Element Policy 1.1.6 – The Villages of West Lake: The Villages (referred to under this policy as “The Villages” or “the Project”) is designated as Age Restricted Development (ARD) on the City of Leesburg’s Future Land Use Map. The Project is approximately 2,615 acres and is located in southern Leesburg along the north side of the Florida Turnpike between the Sumter County line and the Florida Turnpike/CR 470 interchange and south of the Florida Turnpike on the east and west sides of County Road 48. The Project Boundary is identified on Map I-3.

The Villages of West Lake must develop consistent with the following requirements:

- a) *The Villages is a mixed use development which will develop consistent with the Age Restricted Development (ARD) land use category which includes the mixed use development requirements pursuant to Future Land Use Objective 1.1k. The Project may include the following uses: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). The Villages may develop under multiple phases with specialized design standards as established in The Villages of West Lake Area A Chapter 163 Development Agreement and The Villages of West Lake Area B Chapter 163 Development Agreement (also referred to under this policy as “the Chapter 163 Agreements” or “the Agreements”). The Agreements will also include design standards for the Project as required by Future Land Use Element Objective 1.1k. The design standards addressed in the Agreements shall include but not be limited to architectural design standards, building setbacks, landscaping and buffering and roadway design in order to ensure pedestrian and vehicular safety. Additionally, a separate expedited review process may also be included in the Chapter 163 Agreements. The Villages will utilize urban design principles in order to create a development pattern that establishes clear non-residential centers supported by residential development connected with an internal road system and trails to encourage walking, biking and other modes of*

transportation. Wetlands on-site will be protected consistent with the City's Comprehensive Plan as amended and the State and Federal permitting requirements which provides mitigation options such as regional mitigation banks. Wetlands on-site may also be utilized for passive recreation, trails, boardwalks, and bridge and/or road crossings subject to permitting.

b) The uses permitted in the City's agricultural land use and zoning are permitted on undeveloped land, before urban development commences if such uses are consistent with the City's Comprehensive Plan. Permitted uses may include but are not limited to silviculture, farming and animal husbandry.

c) The Villages will maintain compatibility with adjacent land uses through ensuring that residential uses are adjacent to off-site residential uses or through the use of vegetative buffering, fencing or a wall.

d) The following Project entitlements are planned:

Non Residential	4,100,000 square feet
Residential (Age Restricted)	14,185 dwelling units

The Project entitlements may be used for any of the uses identified above which include but are not limited to: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). A land use conversion table will also be included within the Chapter 163 Agreements with the City for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development traffic impacts. The conversion table will also allow for conversion of the uses identified above through City approval without the requirement for a comprehensive plan amendment. The Villages must provide the City notice and documentation to review of at least 30 days in advance of using the land use conversion table. The post conversion development shall be consistent with the City's Comprehensive Plan, as applicable, which includes the minimum mixed use requirements for an Age Restricted Development (ARD).

e) The property identified as Conservation/Recreation Area on Map 1-3 is limited to user oriented recreational uses and facilities, outdoor recreational uses and facilities, nature facility/museum, open space and conservation.

f) The level of service standards for The Villages of West Lake shall reflect the type of impacts that have actually been generated within The Villages which has demonstrated lower impacts (including water, sewer, traffic and schools) due to the age restricted and self-sustaining mixed-use community development pattern. The level of service standards are as follows:

THE VILLAGES OF WEST LAKE LEVEL OF SERVICE STANDARDS	
Transportation Facilities	LEVEL OF SERVICE
Limited Access Roads	C or as otherwise prescribed by FDOT
Arterials	D
Collectors	D
Potable Water	LEVEL OF SERVICE
Non-Residential	0.2 gallons per day/gross square feet
Residential (Age Restricted)	86 gallons per dwelling unit per day
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Sanitary Sewer	LEVEL OF SERVICE
Non-Residential	0.15 gallons per day/gross square feet
Residential (Age Restricted)	86 gallons per dwelling unit per day
Residential (Non-Age Restricted)	251 gallons per day per capita
Recreation	
The recreation facilities necessary for The Villages of West Lake are to be provided within The Villages which will include recreation facilities within the City of Leesburg, the City of Wildwood and Suwannee County. Since The Villages is a highly amenitized community, the facilities will ensure the residents do not degrade the level of service of the City's recreation facilities.	
Public School	
Age restricted units will not impact the Lake County Public School System. Any new non-age restricted units will be coordinated with the Lake County School Board to address school capacity at the time of development.	

Based on the foregoing, no other level of service standards in the City's Comprehensive Plan including requirements contained in Capital Improvements Policy 1.2.1, Recreation Policies 1.1.1, 1.1.5, 1.1.6, and 1.7.2 shall apply.

g) To ensure consistency with the standards in The Villages, the wetland buffers for The Villages of West Lake shall be consistent with the applicable water management districts rules with an average 25 foot buffer (minimum 15 foot buffer) and the buffer standards in Conservation Policy 1.3.7 and Future Land Use Policy 1.5.14 shall not apply.

h) The Villages of West Lake will develop as a multi-modal community strongly encouraging other modes of transportation including bicycle, pedestrian and golf cart facilities that will link residential to non-residential areas through-out The Villages. To ensure this consistency of development, The Villages of West Lake will follow the design standards that will be established in the Chapter 163 Agreements

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with the City which will be adopted concurrent with this Policy, and will not be required to meet the design standards and transportation level of service standards of the City of Leesburg within the Transportation Element. Additionally, the Concurrence reservation and the process under which it is achieved will be specifically approved and included in the Agreements and the Project will be exempt from the Transportation Element and Capital Improvements Element Objective 1.5 and supporting policies and any land development regulations to the contrary.

j) The Chapter 163 Agreements will include development and design standards for the implementation of the recreational vehicle development land use. This use may include recreational vehicles, short-term rentals, long-term rentals and sales.

k) Wireless Communications Towers and Antennas, Wireless Communications Towers and Antennas (including cell towers) are one of the Permitted Uses within the Property and are thus exempt from Article X of the City's Land Development Code for the siting of cell towers because of the location within this Project, the surrounding buffering and the required public process for this Agreement. The site is suitable for cell tower uses because the location, design and construction of cell towers would be compatible with surrounding uses and would require similar buffering requirements from neighboring uses. Any communication towers and antennas must be setback at least half the height of the structure from any exterior property line.

l) Mining is a permitted use within the Area B portion of the Project. Any mining activities in Area B must meet the requirements of The Villages of West Lake Area B Chapter 163 Agreement with the City.

m) The Villages Land Company (VLC) is the Master Developer for the Project. As the Master Developer, VLC owns and controls all of the development rights and entitlements within the Project which are identified in the Agreements. Any proposed development or improvements to property within the Project requires the prior written approval of the Master Developer, including, but not limited to, use of any entitlements as to any parcel or property within the Project. No new development can occur that reduces VLC's entitlements or Master Developer rights without Master Developer's prior authorization. VLC maintains an accounting of its development entitlements and will provide a copy to the City upon request.

n) The Project may include Community Support Districts as permitted in FLUE Objective 1.1k. Any dwelling units within the Community Support District will be created from other uses pursuant to the land use conversion table.

EXHIBIT C SUMMARY LETTER, D. TAYOR (7/1/2020)



Darrin F. Taylor
(850) 425-3398
dtaylor@carltonfields.com

ATTORNEYS AT LAW
215 S. Monroe Street | Suite 500
Tallahassee, Florida 32301-1898
P.O. Drawer 190 | Tallahassee, Florida 32302-0190
850.224.1581 | fax 850.222.0398
www.carltonfields.com

Atlanta
Baltimore
Los Angeles
Miami
New York
Orlando
Tallahassee
Tampa
Washington, DC
West Palm Beach

July 1, 2020

Dan Miller, Planning and Zoning Manager
Community Development Department
City of Leesburg
204 North 5th Street
Leesburg, Florida 34749

Dear Dan:

I am writing this letter on behalf of our client, The Villages Land Company, LLC (the applicant), to file for text amendments to the City of Leesburg Comprehensive Plan. The amendments relate to a proposed amendment to The Villages of West Lake project which is generally located north and south of the Florida Turnpike in the southern boundary of the City of Leesburg. The proposed text amendments do the following:

1) Amend Future Land Use Objective 1.1k, which establishes the minimum requirements for the Age Restricted Development (ARD) land use category, in order to add an option for Community Support Districts (CSD). A CSD is a distinct area in close proximity to the age-restricted dwelling units where a non-age restricted mixed use district can be built to support the larger ARD. The CSD must include recreation and commercial uses, at a minimum, to serve its residents.

2) Amend Future Land Use Element Policy 1.1.6, which is the site specific policy for The Villages of West Lake, in order to add the option for Community Support Districts within the Project and any new non-age restricted units will be created through the use of the conversion table. Additionally, amend the level of service (LOS) tables for the Project to add a LOS standard for non-age restricted units.

3) Also amend Future Land Use Element Policy 1.1.6 to add research and development and education to the list of permitted uses in the Project.

The proposed text amendments are supported by the attached plan amendment application. We have also attached proposed revisions to The Villages of West Lake 163 agreement. As a reminder, all of the amendments we are proposing (comprehensive plan) as well as the proposed amendments to the 163 agreement would come before the City Commission for

Carlton Fields Jordan Burt, P.A.

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Carlton Fields Jordan Burt, P.A. practices law in California through Carlton Fields Jordan Burt, LLP.

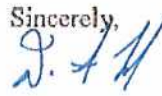
Dan Miller
July 1, 2020
Page 2

adoption at the same final public hearing and all the amendments will go into effect when the comprehensive plan amendment does.

We are requesting that these amendments be heard by the City of Leesburg at the following hearing dates:

- Planning Commission – August 20, 2020
- City Commission (Transmittal Hearing) – October 12, 2020
- City Commission (Adoption Hearing) – December 14, 2020

Enclosed is the proposed comprehensive plan amendment package and the required application fees. If you need any additional information please let me know. Please provide any Proof of Publication and notification of placard placements required.

Sincerely,

Darrin Taylor

cc: Marty Dzuro, The Villages Land Company, LLC

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EXHIBIT D – THE VILLAGES APPLICATION SUMMARY

COMPREHENSIVE PLAN AMENDMENT

APPLICATION FOR THE AMENDMENT TO THE VILLAGES OF WEST LAKE PROJECT

I. SUMMARY/INTRODUCTION

A. INTRODUCTION

This proposed text amendment seeks the approval of an Amendment to The Villages of West Lake (Project or West Lake), a master planned mixed-use project within the City of Leesburg (City). This Amendment includes a Community Support District (CSD). The CSD will be a distinct community within close proximity to age restricted dwelling units. CSD residential units will primarily provide an opportunity for those who work in The Villages to live close to their workplace and for family members to live close to their loved ones. The amendment also clarifies that the current residential entitlements for The Villages of West Lake are age restricted residential units and are not increased in this Amendment and that dwelling units within the CSD will be created through the use of the conversion matrix from existing approved entitlements.

B. AMENDMENT SUMMARY

The applicant, The Villages Land Company, LLC (The Villages or the Owner) proposes the following amendments to the City of Leesburg Comprehensive Plan:

1. Revise Future Land Use Element Objective 1.1k as follows:

- a. Delete “for age restricted communities” in #1;
- b. Clarify that residential means both age restricted and non-age restricted;
- c. Include clarification that age restricted residential will not impact school capacity;
- d. Add #10 – Community Support District and a brief description

2. Revise Future Land Use Element Policy 1.1.6 as follows:

- a. Clarify that residential can mean age restricted and non-age restricted;
- b. Clarify that the current residential entitlements are age restricted units;
- c. Add language stating that The Villages of West Lake may include Community Support Districts within its boundary and any non-age restricted units will be created through the land use conversion table.
- d. Add research and development and education as permitted uses.

II. PROPERTY INFORMATION

A. APPLICANT

The applicant and developer for the Project Amendment is:

Martin L. Dzuro
The Villages Land Company, LLC
3619 Kiessel Road
The Villages, Florida 32163
(352) 753-6262
Email: marty.dzuro@thevillages.com

The applicant's agents are:

Dzuro and Associates
3619 Kiessel Road
The Villages, Florida 32163
(352) 753-6262
Email: marty.dzuro@thevillages.com

Darrin F. Taylor, AICP
Carlton Fields, P.A.
215 South Monroe Street
Tallahassee, Florida 32301
(850) 224-1585
(850) 222-0398 (Facsimile)
Email: dtaylor@carltonfields.com

III. PROPOSED TEXT AMENDMENT AND SUPPORTING ANALYSIS

The Applicant proposes to insert amendments to FLUE Objective 1.1k and Policy 1.1.6. to allow Community Support Districts in the ARD land use category. The Community Support District will provide non-age restricted dwelling units within a distinct community in close proximity to age restricted dwelling units. Community Support Districts will develop as mixed-use districts that include dedicated recreation and neighborhood commercial uses and an internal transportation network to serve the CSD residents.

In addition to creating the CSD, the proposed amendments also clarify that the existing residential entitlements are age restricted entitlements. A description of the amendments to FLUE Objective 1.1k and Policy 1.1.6 are described below with the actual proposed language attached as Exhibit A.

FLUE Objective 1.1k – ARD Land Use Criteria

1. Delete the phrase “for age restricted communities” in Provision #1 – This Amendment is needed to clarify that all residential, whether age restricted or not, needs to meet the requirements of the Federal and State of Florida Fair Housing Acts.
2. Residential includes both age restricted and non-age restricted – Amend the policy to clarify that residential use in ARD permits both age restricted and non-age restricted. Another provision clarifies that non-age restricted is limited to within the CSD district only.
3. School impacts – The policy is amended to state that age restricted residential will not impact school capacity. The current language states an “age restricted community” will not impact schools. New non-age restricted residential within the Project will have to be coordinated with the Lake County School Board to address school capacity at the time of development.
4. Community Support District defined – Provision #10 describes the CSD as a mixed use district developed to serve non-age restricted residents in close proximity to The Villages age restricted dwelling units.

FLUE Policy 1.1.6 – The Villages of West Lake

1. Residential includes both age restricted and non-age restricted units – Insert language that The Villages of West Lake project may include both age restricted and non-age restricted dwelling units as permitted in proposed FLUE Objective 1.1.k.
2. Current Residential Entitlements are Age Restricted units – Add language clarifying that the current residential entitlements for The Villages of West Lake are age restricted units. This change is needed because the impacts for these units were analyzed as age restricted units in the supporting analysis provided at the time each amendment was submitted.
3. Community Support Districts in West Lake – Add language that West Lake may include CSD Districts and non-age restricted dwelling units within the CSD will be created through conversion of other existing and approved entitlements. The land use conversion matrix (contained in the 163 Agreement between The Villages and the City) will be amended to create a conversion ratio for the non-age restricted residential.
4. Amend permitted uses – Add research and development and education as permitted uses.

III. LAND USE ANALYSIS

The proposed amendment is consistent with the Community Planning Act requirements for a comprehensive plan amendment as explained below:

- A. Suitability – Creating the CSD and non-age restricted residential does not result in any additional environmental impacts. The property designated as ARD on the City’s Future Land Use Map has already been deemed to be suitable for urban development by the City.
- B. Compatibility – Allowing new CSD Districts does not create any new compatibility issues within the ARD land use category. The age restricted and non-age restricted communities are required to meet the same buffering requirements and have the same external impacts on surrounding properties.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

PROJECT: Villages West Lake Areas A and B
REQUEST: Comprehensive Plan Text Amendment
CASE NO.: CPTA 20-149
MEETING DATE: September 24, 2020

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request to amend the City's Comprehensive Plan Future Land Use Element as shown in *Exhibit A*, is consistent with appropriate legally mandated planning and development practices in Florida, including the establishment of zoning districts and supporting land development regulations.
2. The proposed request will help ensure appropriate land use compatibility with future development in the area, and does not create a conflict with the Goals, Objectives and Policies of the Comprehensive Plan.
3. The proposed request will provide additional living options for employees and add permitted uses within the overall development area.

Action Requested:

1. Vote to approve proposed amendment to the City's Comprehensive Plan, Future Land Use Element together with *Exhibit A* attached hereto, and forward to the City Commission for consideration

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN FOR THE VILLAGES OF WEST LAKE AREA A AND AREA B, TO ESTABLISH COMMUNITY SUPPORT DISTRICTS (CSD), AMEND LEVEL OF SERVICE TO INCLUDE COMMUNITY SUPPORT DISTRICTS, AND AMEND PERMITTED USES, ON PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470, AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, NORTH OF AUSTIN MERITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48, AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section I.

Based upon the petition of The Villages Land Company, LLC, (Darrin Taylor, petitioner) the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as Exhibit B of this Ordinance, and transmitted to the Florida Department of Economic Opportunity for review.

Section II.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

Section III.

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

Section IV.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

By: _____
Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

EXHIBIT A – PROPOSED TEXT AMENDMENT (EDIT VERSION)

Objective 1.1 k: Age-Restricted Development - This category shall be provided to areas designated on the Future Land Use Map for developments proposed as an age-restricted community. To be considered an age-restricted community the development must commit to the following:

- 1. Consistency with the Federal and Florida Fair Housing requirements for age-restricted communities;*
- 2. Incorporate a mixture of housing types;*
- 3. Plan for a mixed use development pattern;*
- 4. Provide for the recreational needs of its residents with amenities such as community centers, golf courses, trails and other similar facilities;*
- 5. Provide for ~~Support~~ multiple modes of internal transportation such as bicycles, golf carts and pedestrians;*
- 6. Establish design standards at the time of local development order approval to ensure a well-designed community; and*
- 7. Ensure protection of environment and natural resources on site.*

An ARD must plan for a mixture of land uses generally consistent with the following percentage distribution (based upon acreage)

<i>Use</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
<i>Commercial: Including but not limited to Retail, Office, Hotel, Convention/Performing Arts Center and Theater, Independent Living Facility, Assisted Living Facility, Skilled Nursing Facility, Memory Care Facility, Hospice and other similar uses.</i>	<i>1%</i>	<i>25%</i>
<i>Residential (Age Restricted and Non-Age Restricted)</i>	<i>20%</i>	<i>90%</i>
<i>Institutional/Educational/Governmental/Recreational including but not limited to civic and community facilities, stormwater facilities, wastewater, water treatment plants and well site, recreation, parks, golf course and multi-use trails and other similar uses.</i>	<i>5%</i>	<i>30%</i>
<i>Medical Campus: Including but not limited to Hospital, Clinic, Professional Offices, Pharmacy, Assisted Living Facility/Skilled Nursing Facility, Hospice and Continuing Care Retirement Community (CCRC) facilities and other similar uses.</i>	<i>0%</i>	<i>15%</i>

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An ARD must be consistent with the following criteria:

- 1. Mixed land use – An ARD must include a mixture of uses by providing for the housing, recreation/amenities and commercial needs of its residents. Each individual ARD land use amendment does not have to provide within its boundary a mixture of uses as long as the amendment demonstrates that it is an expansion of an existing ARD project. For example, an ARD application can provide for only housing if the amendment is an expansion of an existing ARD that provides the required mixture of uses.*
- 2. Expansion of an Existing ARD Project – Expansion of an existing ARD Project requires the written authorization of the ARD property owner of the ARD Project. If the ARD project has entered a 163 agreement with the City then the property owner is defined as the owner(s) identified in the 163 agreement with the City.*
- 3. Site specific policies - An ARD development may also include site specific policies to address unique project issues.*
- 4. Location: The ARD category is intended to guide the future development of large undeveloped tracts where a mixed use community could be built.*
- 5. Acreage: The minimum acreage for the ARD land use category is 1,000 acres per ARD Project.*
- 6. Land Use Conversion: An ARD may include a land use conversion matrix if the conversion demonstrates that no additional traffic impacts are generated. Age restricted residential housing ~~An age-restricted community~~ will not impact public school capacity.*
- 7. Compatibility: An ARD shall include strategies to address the edge of the development to ensure compatibility with adjacent properties. Strategies shall include but are not limited to the following: design standards, limitations on light intrusion on surrounding properties and buffering.*
- 8. Design Standards: An ARD development must include design standards at the time of local development order approval that serve the following purposes:*
 - a. Promote quality growth that creates a sense of place and community through the use of design and building materials;*
 - b. Encourage a diversity of housing styles, shapes and materials in order to create a variety in the streetscape;*
 - c. Incorporate public spaces and gathering areas;*
 - d. Provide a safe and attractive pedestrian streetscape; and*

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- e. Address building orientation and placement and configuration of lots and blocks.
9. Existing ARD Projects: The following are approved ARD projects within the City:
- a. The Villages of West Lake
10. Community Support District: An ARD may include a Community Support District (CSD) which is a distinct, non-age restricted mixed use district in close proximity to the age restricted dwelling units. The CSD must, at a minimum, provide recreation and commercial uses for its residents but all land uses allowed within ARD are permitted in the CSD. Generally, the internal transportation network provided in the CSD is similar to what is found in the age restricted communities.

Future Land Use Element Policy 1.1.6 – The Villages of West Lake - The Villages (referred to under this policy as “The Villages” or “the Project”) is designated as Age Restricted Development (ARD) on the City of Leesburg’s Future Land Use Map. The Project is approximately 2,615 acres and is located in southern Leesburg along the north side of the Florida Turnpike between the Sumter County line and the Florida Turnpike/CR 470 interchange and south of the Florida Turnpike on the east and west sides of County Road 48. The Project Boundary is identified on Map I-3.

The Villages of West Lake must develop consistent with the following requirements:

- a) The Villages is a mixed use development which will develop consistent with the Age Restricted Development (ARD) land use category which includes the mixed use development requirements pursuant to Future Land Use Objective 1.1k. The Project may include the following uses: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). The Villages may develop under multiple phases with specialized design standards as established in The Villages of West Lake Area A Chapter 163 Development Agreement and The Villages of West Lake Area B Chapter 163 Development Agreement (also referred to under this policy as “the Chapter 163 Agreements” or “the Agreements”). The Agreements will also include design standards for the Project as required by Future Land Use Element Objective 1.1k. The design standards addressed in the Agreements shall include but not be limited to architectural design standards, building setbacks, landscaping and buffering and roadway design in order to ensure pedestrian and vehicular safety. Additionally, a separate expedited review process may also be included in the Chapter 163 Agreements. The Villages will utilize urban design principles in order to create a development pattern that establishes clear non-residential centers supported by residential development connected with an internal road system and trails to encourage walking, biking and other modes of

transportation. Wetlands on-site will be protected consistent with the City's Comprehensive Plan as amended and the State and Federal permitting requirements which provides mitigation options such as regional mitigation banks. Wetlands on-site may also be utilized for passive recreation, trails, boardwalks, and bridge and/or road crossings subject to permitting.

b) The uses permitted in the City's agricultural land use and zoning are permitted on undeveloped land, before urban development commences if such uses are consistent with the City's Comprehensive Plan. Permitted uses may include but are not limited to silviculture, farming and animal husbandry.

c) The Villages will maintain compatibility with adjacent land uses through ensuring that residential uses are adjacent to off-site residential uses or through the use of vegetative buffering, fencing or a wall.

d) The following Project entitlements are planned:

Non-Residential	4,100,000 square feet
Residential (<u>Age Restricted</u>)	14,185 dwelling units

The Project non-residential entitlements may be used for any of the non-residential uses identified above which include but are not limited to: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). A land use conversion table will also be included within the Chapter 163 Agreements with the City for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development traffic impacts. The conversion table will also allow for conversion of the uses identified above through City approval without the requirement for a comprehensive plan amendment. The Villages must provide the City notice and documentation to review of at least 30 days in advance of using the land use conversion table. The post conversion development shall be consistent with the City's Comprehensive Plan, as applicable, which includes the minimum mixed use requirements for an Age Restricted Development (ARD).

e) The property identified as Conservation/Recreation Area on Map I-3 is limited to user oriented recreational uses and facilities, outdoor recreational uses and facilities, nature facility/museum, open space and conservation.

f) The level of service standards for The Villages of West Lake shall reflect the type of impacts that have actually been generated within The Villages which has demonstrated lower impacts (including water, sewer, traffic and schools) due to the age restricted and self-sustaining mixed-use community development pattern. The level of service standards are as follows:

THE VILLAGES OF WEST LAKE LEVEL OF SERVICE STANDARDS	
Transportation Facilities	LEVEL OF SERVICE
Limited Access Roads	C or as otherwise prescribed by FDOT
Arterials	D
Collectors	D
Potable Water	LEVEL OF SERVICE
Non-Residential	0.2 gallons per day/gross square feet
Residential (<u>Age Restricted</u>)	86 gallons per dwelling unit per day
<u>Residential (Non-Age Restricted)</u>	<u>150 gallons per person per day</u>
Sanitary Sewer	LEVEL OF SERVICE
Non-Residential	0.15 gallons per day/gross square feet
Residential (<u>Age Restricted</u>)	86 gallons per dwelling unit per day
<u>Residential (Non-Age Restricted)</u>	<u>251 gallons per day per capita</u>
Recreation	
The recreation facilities necessary for The Villages of West Lake are to be provided within The Villages which will include recreation facilities within the City of Leesburg, the City of Wildwood and Sumter County. Since The Villages is a highly amenitized community, the facilities will ensure the residents do not degrade the level of service of the City's recreation facilities.	
Public School	
The Villages of West Lake is an a <u>Age restricted unit</u> secommunity and will not impact the Lake County Public School System. Any new non-age restricted units will be coordinated with the Lake County School Board to address school capacity at the time of development.	

Based on the foregoing, no other level of service standards in the City's Comprehensive Plan including requirements contained in Capital Improvements Policy 1.2.1, Recreation Policies 1.1.1, 1.1.5, 1.1.6, and 1.7.2 shall apply.

g) To ensure consistency with the standards in The Villages, the wetland buffers for The Villages of West Lake shall be consistent with the applicable water management districts rules with an average 25 foot buffer (minimum 15 foot buffer) and the buffer standards in Conservation Policy 1.3.7 and Future Land Use Policy 1.5.14 shall not apply.

h) The Villages of West Lake will develop as a multi-modal community strongly encouraging other modes of transportation including bicycle, pedestrian and golf cart facilities that will link residential to non-residential areas through-out The Villages. To ensure this consistency of development, The Villages of West Lake will

follow the design standards that will be established in the Chapter 163 Agreements with the City which will be adopted concurrent with this Policy, and will not be required to meet the design standards and transportation level of service standards of the City of Leesburg within the Transportation Element. Additionally, the Concurrency reservation and the process under which it is achieved will be specifically approved and included in the Agreements and the Project will be exempt from the Transportation Element and Capital Improvements Element Objective 1.5 and supporting policies and any land development regulations to the contrary.

j) The Chapter 163 Agreements will include development and design standards for the implementation of the recreational vehicle development land use. This use may include recreational vehicles, short-term rentals, long-term rentals and sales.

k) Wireless Communications Towers and Antennas. Wireless Communications Towers and Antennas (including cell towers) are one of the Permitted Uses within the Property and are thus exempt from Article X of the City's Land Development Code for the siting of cell towers because of the location within this Project, the surrounding buffering and the required public process for this Agreement. The site is suitable for cell tower uses because the location, design and construction of cell towers would be compatible with surrounding uses and would require similar buffering requirements from neighboring uses. Any communication towers and antennas must be setback at least half the height of the structure from any exterior property line.

l) Mining is a permitted use within the Area B portion of the Project. Any mining activities in Area B must meet the requirements of The Villages of West Lake Area B Chapter 163 Agreement with the City.

m) The Villages Land Company (VLC) is the Master Developer for the Project. As the Master Developer, VLC owns and controls all of the development rights and entitlements within the Project which are identified in the Agreements. Any proposed development or improvements to property within the Project requires the prior written approval of the Master Developer, including, but not limited to, use of any entitlements as to any parcel or property within the Project. No new development can occur that reduces VLC's entitlements or Master Developer rights without Master Developer's prior authorization. VLC maintains an accounting of its development entitlements and will provide a copy to the City upon request.

n) The Project may include Community Support Districts as permitted in FLUE Objective 1.1k. Any dwelling units within the Community Support District will be created from other uses pursuant to the land use conversion table.

EXHIBIT B – PROPOSED TEXT AMENDMENT, (CLEAN VERSION)

Objective 1.1 k: Age-Restricted Development - This category shall be provided to areas designated on the Future Land Use Map for developments proposed as an age-restricted community. To be considered an age-restricted community the development must commit to the following:

- 1. Consistency with the Federal and Florida Fair Housing requirements;*
- 2. Incorporate a mixture of housing types;*
- 3. Plan for a mixed use development pattern;*
- 4. Provide for the recreational needs of its residents with amenities such as community centers, golf courses, trails and other similar facilities;*
- 5. Provide for multiple modes of internal transportation such as bicycles, golf carts and pedestrians;*
- 6. Establish design standards at the time of local development order approval to ensure a well-designed community; and*
- 7. Ensure protection of environment and natural resources on site.*

An ARD must plan for a mixture of land uses generally consistent with the following percentage distribution (based upon acreage)

<i>Use</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
<i>Commercial: Including but not limited to Retail, Office, Hotel, Convention/Performing Arts Center and Theater, Independent Living Facility, Assisted Living Facility, Skilled Nursing Facility, Memory Care Facility, Hospice and other similar uses.</i>	<i>1%</i>	<i>25%</i>
<i>Residential (Age Restricted and Non-Age Restricted)</i>	<i>20%</i>	<i>90%</i>
<i>Institutional/Educational/Governmental/Recreational including but not limited to civic and community facilities, stormwater facilities, wastewater, water treatment plants and well site, recreation, parks, golf course and multi-use trails and other similar uses.</i>	<i>5%</i>	<i>30%</i>
<i>Medical Campus: Including but not limited to Hospital, Clinic, Professional Offices, Pharmacy, Assisted Living Facility/Skilled Nursing Facility, Hospice and Continuing Care Retirement Community (CCRC) facilities and other similar uses.</i>	<i>0%</i>	<i>15%</i>

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- 5. Acreage: The minimum acreage for the ARD land use category is 1,000 acres per ARD Project.*
- 6. Land Use Conversion: An ARD may include a land use conversion matrix if the conversion demonstrates that no additional traffic impacts are generated. Age restricted residential will not impact public school capacity.*
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- 8. Design Standards: An ARD development must include design standards at the time of local development order approval that serve the following purposes:*
 - a. Promote quality growth that creates a sense of place and community through the use of design and building materials;*
 - b. Encourage a diversity of housing styles, shapes and materials in order to create a variety in the streetscape;*
 - c. Incorporate public spaces and gathering areas;*
 - d. Provide a safe and attractive pedestrian streetscape; and*
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transportation. Wetlands on-site will be protected consistent with the City's Comprehensive Plan as amended and the State and Federal permitting requirements which provides mitigation options such as regional mitigation banks. Wetlands on-site may also be utilized for passive recreation, trails, boardwalks, and bridge and/or road crossings subject to permitting.

b) The uses permitted in the City's agricultural land use and zoning are permitted on undeveloped land, before urban development commences if such uses are consistent with the City's Comprehensive Plan. Permitted uses may include but are not limited to silviculture, farming and animal husbandry.

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The Project entitlements may be used for any of the uses identified above which include but are not limited to: residential (age restricted and non-age restricted), office, commercial/retail, hotel, medical, research and development, light industrial, institutional, education, recreation, urban agriculture and community farming, recreational vehicle development and other similar uses as well as supporting infrastructure (e.g. roads, water, sewer, etc.). A land use conversion table will also be included within the Chapter 163 Agreements with the City for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development traffic impacts. The conversion table will also allow for conversion of the uses identified above through City approval without the requirement for a comprehensive plan amendment. The Villages must provide the City notice and documentation to review of at least 30 days in advance of using the land use conversion table. The post conversion development shall be consistent with the City's Comprehensive Plan, as applicable, which includes the minimum mixed use requirements for an Age Restricted Development (ARD).

e) The property identified as Conservation/Recreation Area on Map I-3 is limited to user oriented recreational uses and facilities, outdoor recreational uses and facilities, nature facility/museum, open space and conservation.

f) The level of service standards for The Villages of West Lake shall reflect the type of impacts that have actually been generated within The Villages which has demonstrated lower impacts (including water, sewer, traffic and schools) due to the age restricted and self-sustaining mixed-use community development pattern. The level of service standards are as follows:

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THE VILLAGES OF WEST LAKE LEVEL OF SERVICE STANDARDS	
Transportation Facilities	LEVEL OF SERVICE
Limited Access Roads	C or as otherwise prescribed by FDOT
Arterials	D
Collectors	D
Potable Water	LEVEL OF SERVICE
Non-Residential	0.2 gallons per day/gross square feet
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Residential (Age Restricted)	86 gallons per dwelling unit per day
Residential (Non-Age Restricted)	251 gallons per day per capita
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The recreation facilities necessary for The Villages of West Lake are to be provided within The Villages which will include recreation facilities within the City of Leesburg, the City of Wildwood and Sumter County. Since The Villages is a highly amenitized community, the facilities will ensure the residents do not degrade the level of service of the City's recreation facilities.	
Public School	
Age restricted units will not impact the Lake County Public School System. Any new non-age restricted units will be coordinated with the Lake County School Board to address school capacity at the time of development.	

Based on the foregoing, no other level of service standards in the City's Comprehensive Plan including requirements contained in Capital Improvements Policy 1.2.1, Recreation Policies 1.1.1, 1.1.5, 1.1.6, and 1.7.2 shall apply.

g) To ensure consistency with the standards in The Villages, the wetland buffers for The Villages of West Lake shall be consistent with the applicable water management districts rules with an average 25 foot buffer (minimum 15 foot buffer) and the buffer standards in Conservation Policy 1.3.7 and Future Land Use Policy 1.5.14 shall not apply.

h) The Villages of West Lake will develop as a multi-modal community strongly encouraging other modes of transportation including bicycle, pedestrian and golf cart facilities that will link residential to non-residential areas through-out The Villages. To ensure this consistency of development, The Villages of West Lake will follow the design standards that will be established in the Chapter 163 Agreements

with the City which will be adopted concurrent with this Policy, and will not be required to meet the design standards and transportation level of service standards of the City of Leesburg within the Transportation Element. Additionally, the Concurrency reservation and the process under which it is achieved will be specifically approved and included in the Agreements and the Project will be exempt from the Transportation Element and Capital Improvements Element Objective 1.5 and supporting policies and any land development regulations to the contrary.

j) The Chapter 163 Agreements will include development and design standards for the implementation of the recreational vehicle development land use. This use may include recreational vehicles, short-term rentals, long-term rentals and sales.

k) Wireless Communications Towers and Antennas. Wireless Communications Towers and Antennas (including cell towers) are one of the Permitted Uses within the Property and are thus exempt from Article X of the City's Land Development Code for the siting of cell towers because of the location within this Project, the surrounding buffering and the required public process for this Agreement. The site is suitable for cell tower uses because the location, design and construction of cell towers would be compatible with surrounding uses and would require similar buffering requirements from neighboring uses. Any communication towers and antennas must be setback at least half the height of the structure from any exterior property line.

l) Mining is a permitted use within the Area B portion of the Project. Any mining activities in Area B must meet the requirements of The Villages of West Lake Area B Chapter 163 Agreement with the City.

m) The Villages Land Company (VLC) is the Master Developer for the Project. As the Master Developer, VLC owns and controls all of the development rights and entitlements within the Project which are identified in the Agreements. Any proposed development or improvements to property within the Project requires the prior written approval of the Master Developer, including, but not limited to, use of any entitlements as to any parcel or property within the Project. No new development can occur that reduces VLC's entitlements or Master Developer rights without Master Developer's prior authorization. VLC maintains an accounting of its development entitlements and will provide a copy to the City upon request.

n) The Project may include Community Support Districts as permitted in FLUE Objective 1.1k. Any dwelling units within the Community Support District will be created from other uses pursuant to the land use conversion table.

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EXHIBIT C SUMMARY LETTER, D. TAYOR (7/1/2020)



Darrin F. Taylor
(850) 425-3398
dtaylor@carltonfields.com

ATTORNEYS AT LAW
215 S. Monroe Street | Suite 500
Tallahassee, Florida 32301-1888
P.O. Drawer 190 | Tallahassee, Florida 32302-0190
850.224.1585 | fax 850.222.0398
www.carltonfields.com

Atlanta
Baltimore
Los Angeles
Miami
New York
Orlando
Tallahassee
Tampa
Washington, DC
West Palm Beach

July 1, 2020

Dan Miller, Planning and Zoning Manager
Community Development Department
City of Leesburg
204 North 5th Street
Leesburg, Florida 34749

Dear Dan:

I am writing this letter on behalf of our client, The Villages Land Company, LLC (the applicant), to file for text amendments to the City of Leesburg Comprehensive Plan. The amendments relate to a proposed amendment to The Villages of West Lake project which is generally located north and south of the Florida Turnpike in the southern boundary of the City of Leesburg. The proposed text amendments do the following:

1) Amend Future Land Use Objective 1.1k, which establishes the minimum requirements for the Age Restricted Development (ARD) land use category, in order to add an option for Community Support Districts (CSD). A CSD is a distinct area in close proximity to the age-restricted dwelling units where a non-age restricted mixed use district can be built to support the larger ARD. The CSD must include recreation and commercial uses, at a minimum, to serve its residents.

2) Amend Future Land Use Element Policy 1.1.6, which is the site specific policy for The Villages of West Lake, in order to add the option for Community Support Districts within the Project and any new non-age restricted units will be created through the use of the conversion table. Additionally, amend the level of service (LOS) tables for the Project to add a LOS standard for non-age restricted units.

3) Also amend Future Land Use Element Policy 1.1.6 to add research and development and education to the list of permitted uses in the Project.

The proposed text amendments are supported by the attached plan amendment application. We have also attached proposed revisions to The Villages of West Lake 163 agreement. As a reminder, all of the amendments we are proposing (comprehensive plan) as well as the proposed amendments to the 163 agreement would come before the City Commission for

Carlton Fields Jordan Burt, P.A.
122069323.1 Carlton Fields Jordan Burt, P.A. practices law in California through Carlton Fields Jordan Burt, LLP.

Dan Miller
July 1, 2020
Page 2

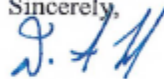
adoption at the same final public hearing and all the amendments will go into effect when the comprehensive plan amendment does.

We are requesting that these amendments be heard by the City of Leesburg at the following hearing dates:

- Planning Commission – August 20, 2020
- City Commission (Transmittal Hearing) – October 12, 2020
- City Commission (Adoption Hearing) – December 14, 2020

Enclosed is the proposed comprehensive plan amendment package and the required application fees. If you need any additional information please let me know. Please provide any Proof of Publication and notification of placard placements required.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Taylor", is written over the word "Sincerely,".

Darrin Taylor

cc: Marty Dzuro, The Villages Land Company, LLC

122069323.1

EXHIBIT D – THE VILLAGES APPLICATION SUMMARY

COMPREHENSIVE PLAN AMENDMENT

APPLICATION FOR THE AMENDMENT TO THE VILLAGES OF WEST LAKE PROJECT

I. SUMMARY/INTRODUCTION

A. INTRODUCTION

This proposed text amendment seeks the approval of an Amendment to The Villages of West Lake (Project or West Lake), a master planned mixed-use project within the City of Leesburg (City). This Amendment includes a Community Support District (CSD). The CSD will be a distinct community within close proximity to age restricted dwelling units. CSD residential units will primarily provide an opportunity for those who work in The Villages to live close to their workplace and for family members to live close to their loved ones. The amendment also clarifies that the current residential entitlements for The Villages of West Lake are age restricted residential units and are not increased in this Amendment and that dwelling units within the CSD will be created through the use of the conversion matrix from existing approved entitlements.

B. AMENDMENT SUMMARY

The applicant, The Villages Land Company, LLC (The Villages or the Owner) proposes the following amendments to the City of Leesburg Comprehensive Plan:

1. Revise Future Land Use Element Objective 1.1k as follows:
 - a. Delete “for age restricted communities” in #1;
 - b. Clarify that residential means both age restricted and non-age restricted;
 - c. Include clarification that age restricted residential will not impact school capacity;
 - d. Add #10 – Community Support District and a brief description
2. Revise Future Land Use Element Policy 1.1.6 as follows:
 - a. Clarify that residential can mean age restricted and non-age restricted;
 - b. Clarify that the current residential entitlements are age restricted units;
 - c. Add language stating that The Villages of West Lake may include Community Support Districts within its boundary and any non-age restricted units will be created through the land use conversion table.
 - d. Add research and development and education as permitted uses.

II. PROPERTY INFORMATION

A. APPLICANT

The applicant and developer for the Project Amendment is:

Martin L. Dzuro
The Villages Land Company, LLC
3619 Kiessel Road
The Villages, Florida 32163
(352) 753-6262
Email: marty.dzuro@thevillages.com

The applicant's agents are:

Dzuro and Associates
3619 Kiessel Road
The Villages, Florida 32163
(352) 753-6262
Email: marty.dzuro@thevillages.com

Darrin F. Taylor, AICP
Carlton Fields, P.A.
215 South Monroe Street
Tallahassee, Florida 32301
(850) 224-1585
(850) 222-0398 (Facsimile)
Email: dtaylor@carltonfields.com

III. PROPOSED TEXT AMENDMENT AND SUPPORTING ANALYSIS

The Applicant proposes to insert amendments to FLUE Objective 1.1k and Policy 1.1.6. to allow Community Support Districts in the ARD land use category. The Community Support District will provide non-age restricted dwelling units within a distinct community in close proximity to age restricted dwelling units. Community Support Districts will develop as mixed-use districts that include dedicated recreation and neighborhood commercial uses and an internal transportation network to serve the CSD residents.

In addition to creating the CSD, the proposed amendments also clarify that the existing residential entitlements are age restricted entitlements. A description of the amendments to FLUE Objective 1.1k and Policy 1.1.6 are described below with the actual proposed language attached as **Exhibit A**.

FLUE Objective 1.1k – ARD Land Use Criteria

1. Delete the phrase “for age restricted communities” in Provision #1 – This Amendment is needed to clarify that all residential, whether age restricted or not, needs to meet the requirements of the Federal and State of Florida Fair Housing Acts.
2. Residential includes both age restricted and non-age restricted – Amend the policy to clarify that residential use in ARD permits both age restricted and non-age restricted. Another provision clarifies that non-age restricted is limited to within the CSD district only.
3. School impacts – The policy is amended to state that age restricted residential will not impact school capacity. The current language states an “age restricted community” will not impact schools. New non-age restricted residential within the Project will have to be coordinated with the Lake County School Board to address school capacity at the time of development.
4. Community Support District defined – Provision #10 describes the CSD as a mixed use district developed to serve non-age restricted residents in close proximity to The Villages age restricted dwelling units.

FLUE Policy 1.1.6 – The Villages of West Lake

1. Residential includes both age restricted and non-age restricted units – Insert language that The Villages of West Lake project may include both age restricted and non-age restricted dwelling units as permitted in proposed FLUE Objective 1.1.k.
2. Current Residential Entitlements are Age Restricted units – Add language clarifying that the current residential entitlements for The Villages of West Lake are age restricted units. This change is needed because the impacts for these units were analyzed as age restricted units in the supporting analysis provided at the time each amendment was submitted.
3. Community Support Districts in West Lake – Add language that West Lake may include CSD Districts and non-age restricted dwelling units within the CSD will be created through conversion of other existing and approved entitlements. The land use conversion matrix (contained in the 163 Agreement between The Villages and the City) will be amended to create a conversion ratio for the non-age restricted residential.
4. Amend permitted uses – Add research and development and education as permitted uses.

III. LAND USE ANALYSIS

The proposed amendment is consistent with the Community Planning Act requirements for a comprehensive plan amendment as explained below:

- A. Suitability – Creating the CSD and non-age restricted residential does not result in any additional environmental impacts. The property designated as ARD on the City’s Future Land Use Map has already been deemed to be suitable for urban development by the City.
- B. Compatibility – Allowing new CSD Districts does not create any new compatibility issues within the ARD land use category. The age restricted and non-age restricted communities are required to meet the same buffering requirements and have the same external impacts on surrounding properties.



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, SEPTEMBER 24TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, September 24th, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:30 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Murray, Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dan Miller informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, AUGUST 13TH, 2020**

Commissioner O'Kelley moved to APPROVE the draft minutes from the AUGUST 13TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, AUGUST 20TH, 2020

Commissioner Wood moved to APPROVE the draft minutes from the AUGUST 20TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

1. NEW BUSINESS PUBLIC HEARING CASE # CPTA-20-149 – VILLAGES WEST LAKE AREAS A AND B – COMPREHENSIVE PLAN TEXT AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN FOR THE VILLAGES OF WEST LAKE AREA A AND AREA B, TO ESTABLISH COMMUNITY SUPPORT DISTRICTS (CSD), AMEND LEVEL OF SERVICE TO INCLUDE COMMUNITY SUPPORT DISTRICTS, AND AMEND PERMITTED USES, ON PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470, AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, NORTH OF AUSTIN MERITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48, AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (Villages of West Lake Text Amendment)

Dan Miller introduced case number #CPTA-20-149 – Villages West Lake Areas A and B – Comprehensive Plan Text Amendment into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, and current zoning. Mr. Miller explained the history of the subject property and changes requested and read them into the

record; various minor wording changes that will have no significant impact; it's positive from a Staff standpoint.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review, no comments received; Staff has no issues.

Chairman Bowersox stated if the Commission has any questions of the applicant.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # CPTA-20-149 – VILLAGES WEST LAKE AREAS A AND B– COMPREHENSIVE PLAN TEXT AMENDMENT Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 0.

2. PUBLIC HEARING CASE AMDT-20-190, THE VILLAGES OF WEST LAKE LAND DEVELOPMENT REGULATIONS MODIFICATION TEXT AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING CITY OF LEESBURG LAND DEVELOPMENT REGULATIONS ARTICLE XI, SECTION 25-818 DEFINITIONS, ESTABLISHING THE DEFINITION OF AGE RESTRICTED DEVELOPMENT AND ESTABLISHING THE DEFINITION OF COMMUNITY SUPPORT DISTRICTS FOR PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470 AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, AND NORTH OF AUSTIN MERRITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48 AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7 TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)**

(Villages of West Lake – LDR Modifications)

Dan Miller introduced case number #AMDT-20-190 – The Villages of West Lake Land Development Regulations Modification Text Amendment into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller stated for the record to add definitions to Section 25-818; clarifies a definition of Age Restricted Development and Community Support districts; essentially a housekeeping measure, and no objections from Staff; supports.

Chairman Bowersox stated if anyone has any questions from Staff or applicant.

Ashley Monnier, Community Planning Liaison Officer for NSA of Orlando introduced herself for the record; request to coordinate further on the amendment and land development to discuss compatibility at Buggs Springs with the proposed applications; look forward to the opportunity to be able to have that conversation ahead of that Commission meeting if possible; looks forward to working with the City of Leesburg and thank you for your consideration.

Marta Dzuro stated the Staff has done a wonderful job. Dan Miller has done a great presentation any questions we are here.

Chairman Bowersox stated if any discussion from the Commission.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Marshall made a MOTION for APPROVAL of case # AMDT-20-190- – THE VILLAGES OF WEST LAKE LAND DEVELOPMENT REGULATIONS MODIFICATION TEXT AMENDMENT Commissioner Fitzpatrick SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 0.

DISCUSSION

None

ANNOUNCEMENTS

Mr. Miller apologizes for the split meeting and stated we did have a scheduling conflict and thanks Commission and City Attorney and Staff for pulling this off. Staff really appreciates you.

Commissioner O’Kelley made a motion to adjourn meeting.

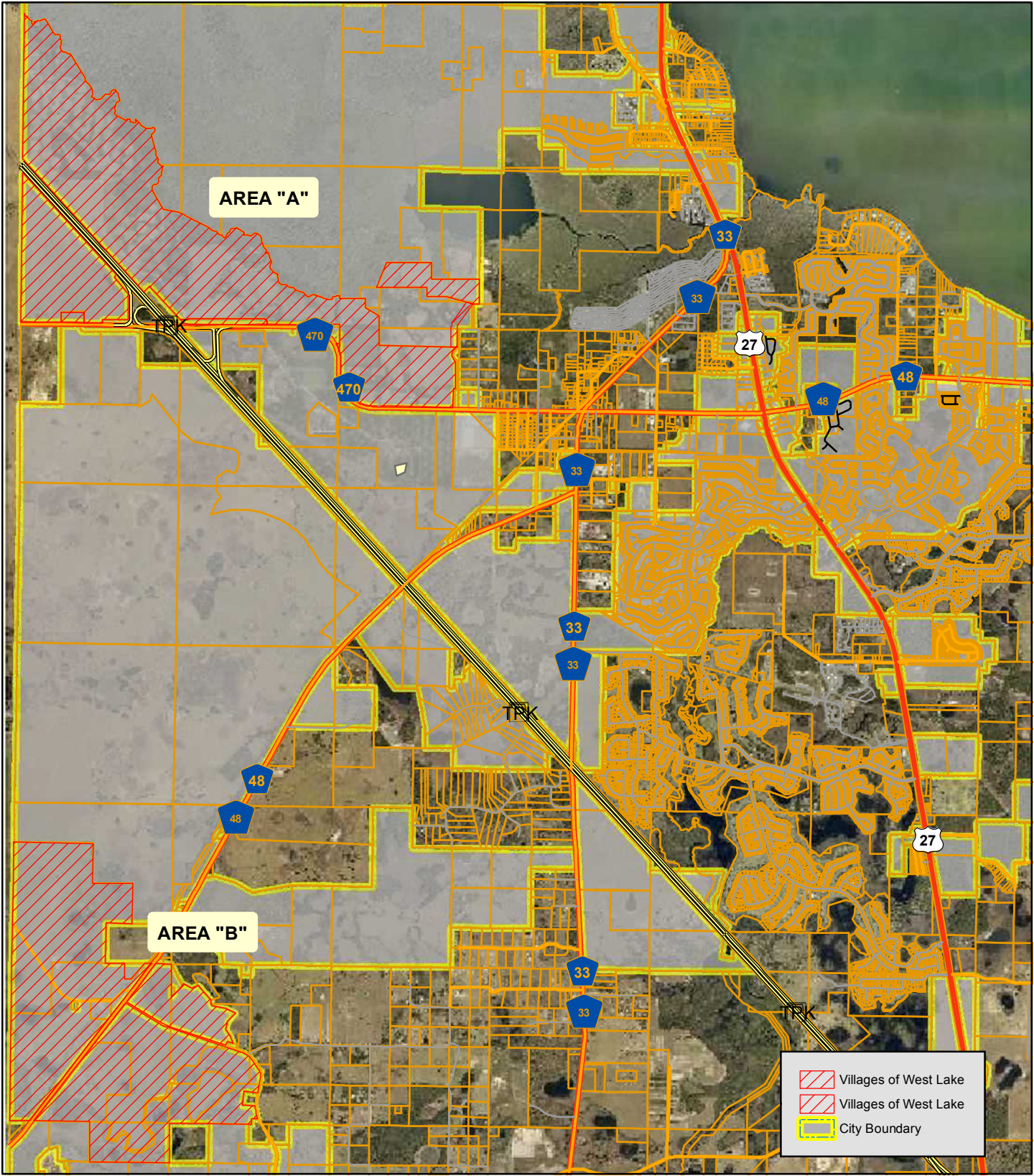
ADJOURNMENT

Approximately 7:08 p.m.

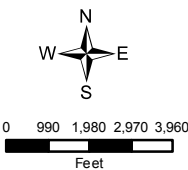
Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

City Boundary

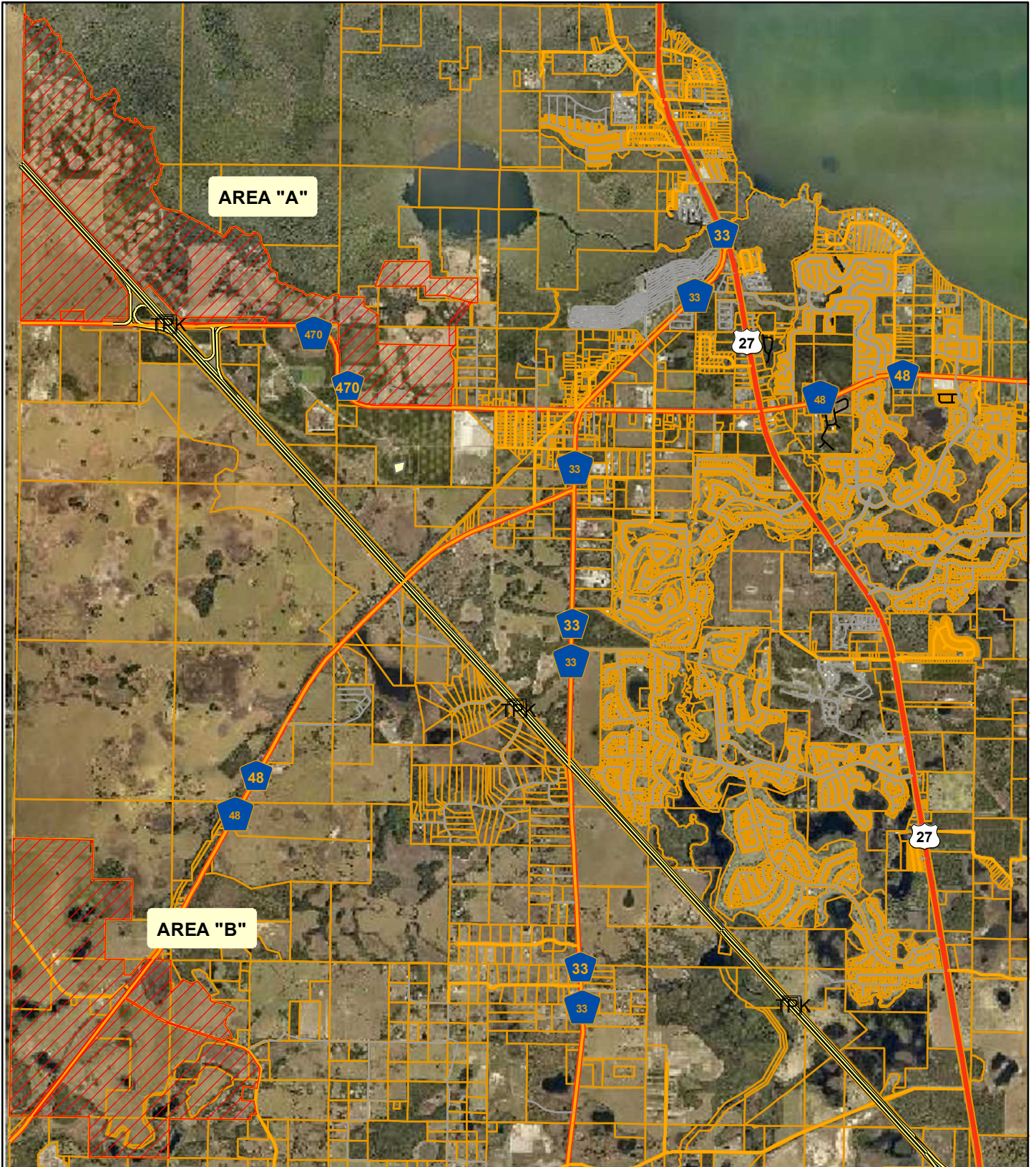


**Planning
& Zoning
Division**

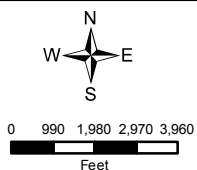


CPTA-20-149 Villages of West Lake Areas "A" and "B"
Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17, Township 20 South; Range 24 East
Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East
August 21, 2020

Aerial



**Planning
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Division**

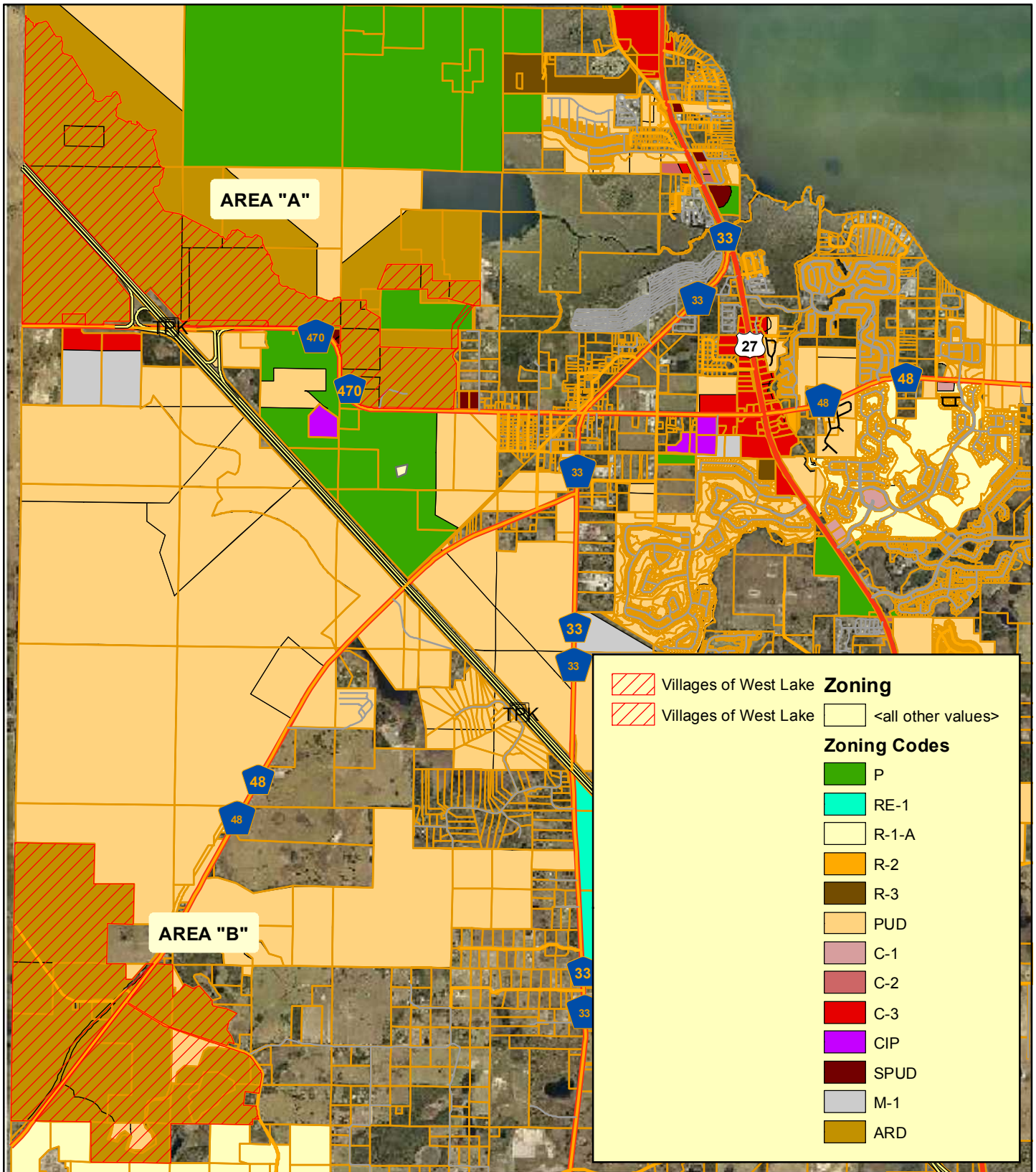


CPTA-20-149 Villages of West Lake Areas "A" and "B"

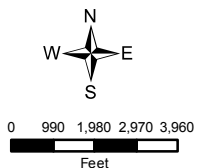
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August 21, 2020

Zoning



**Planning
& Zoning
Division**

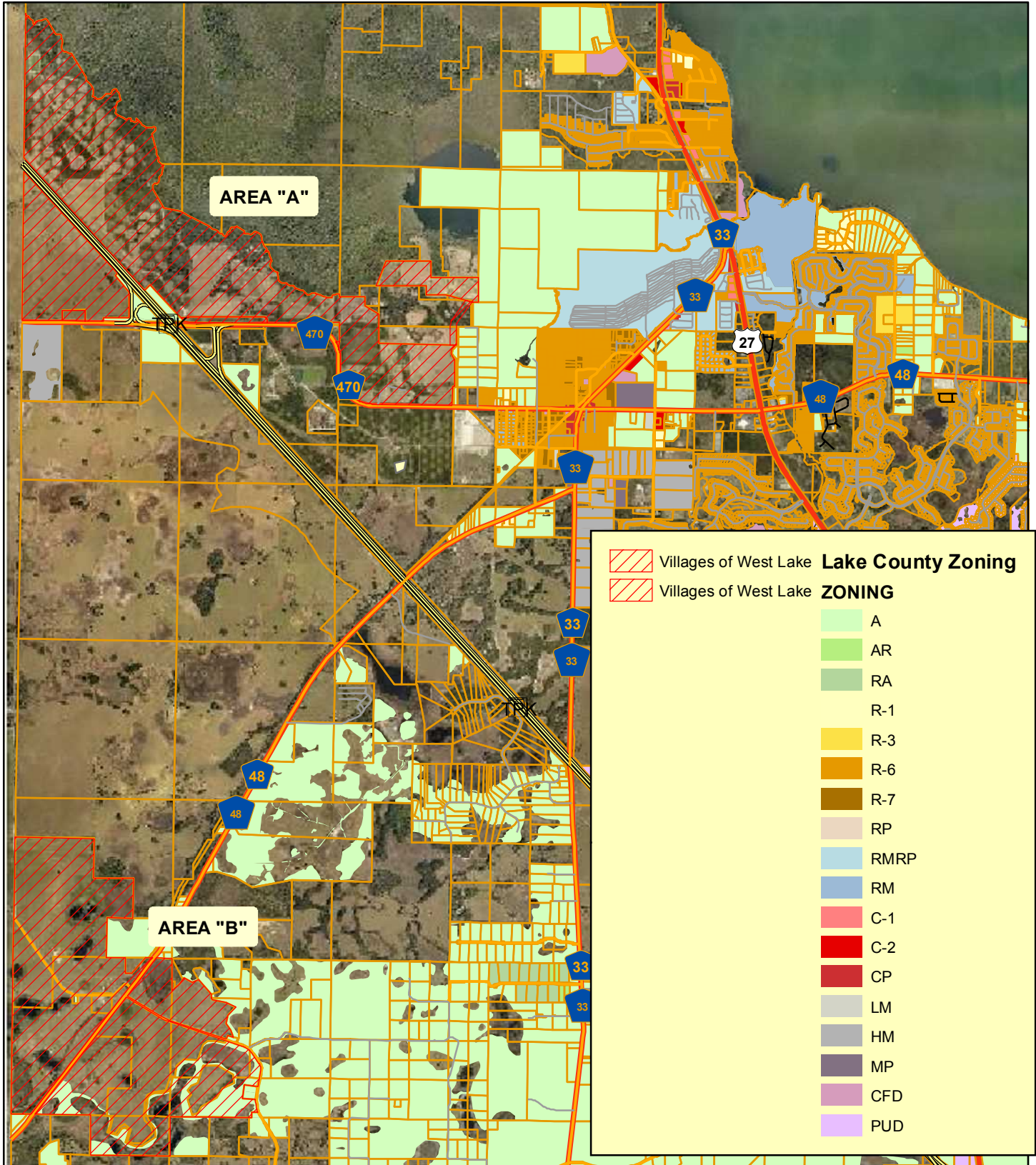


CPTA-20-149 Villages of West Lake Areas "A" and "B"

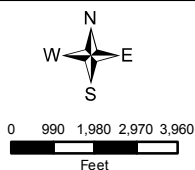
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Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East
August 21, 2020

Lake County Zoning



**Planning
& Zoning
Division**



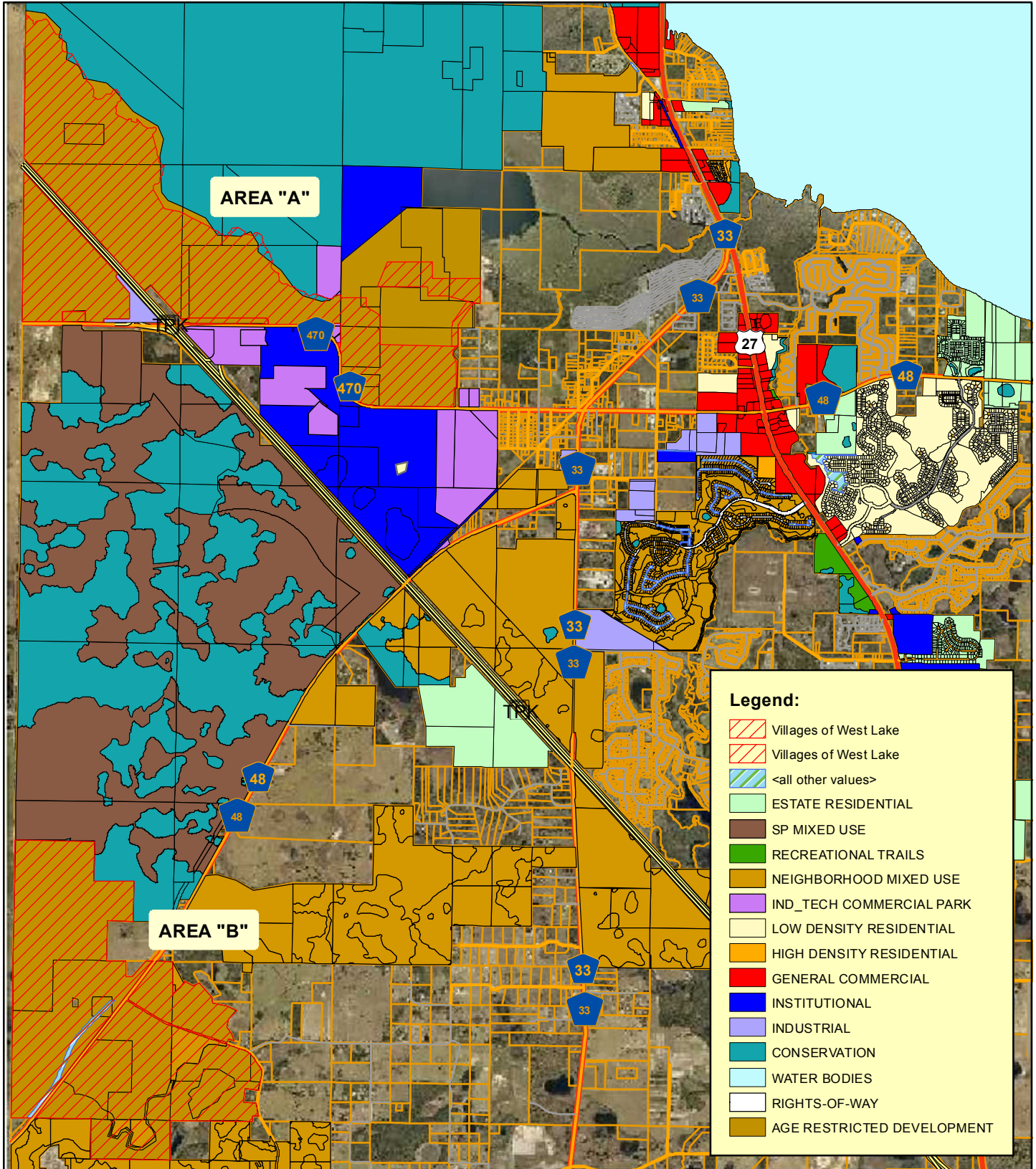
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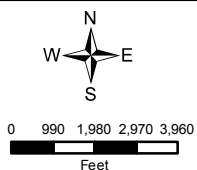
Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East

August 21, 2020

Future Land Use



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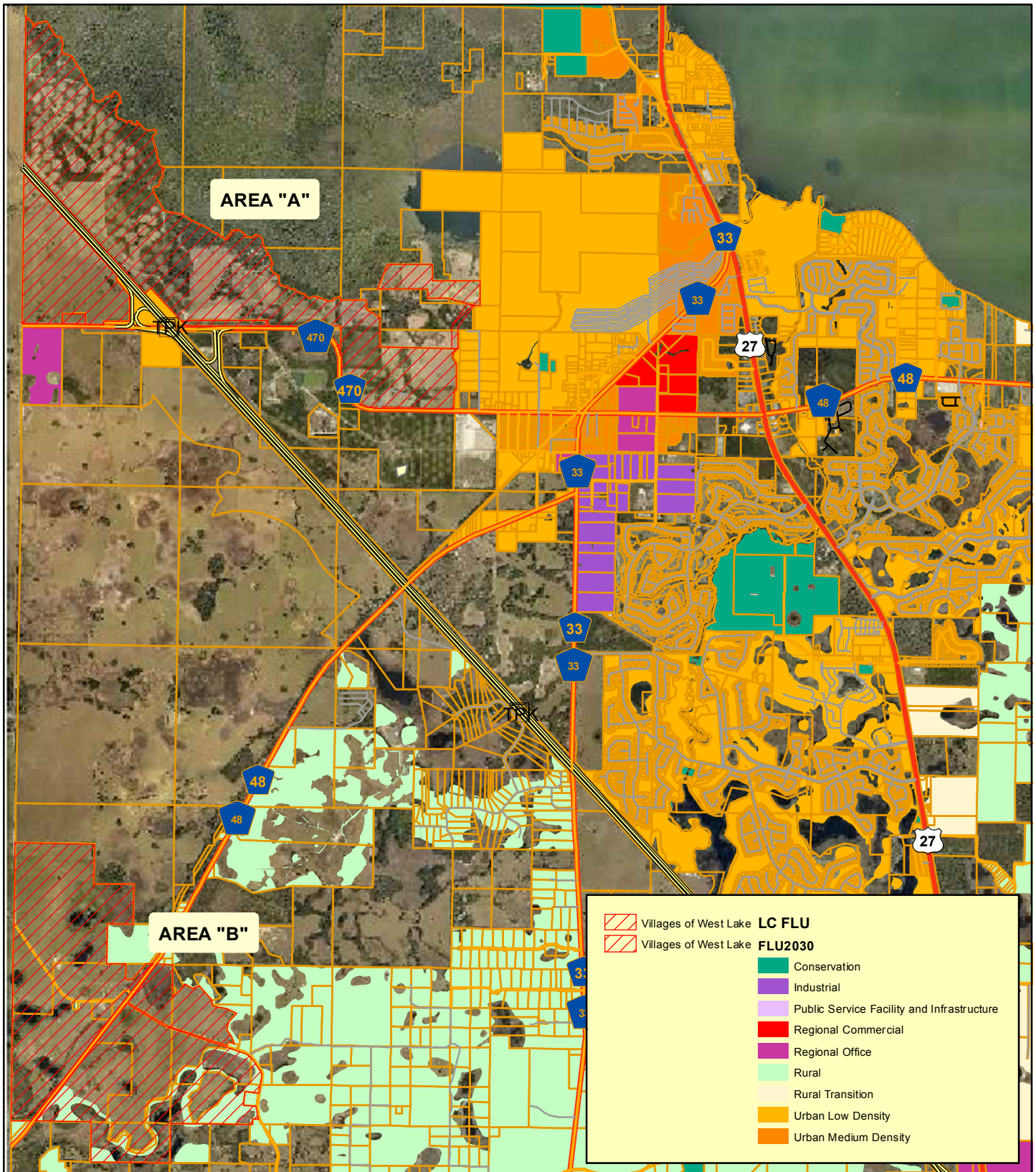


CPTA-20-149 Villages of West Lake Areas "A" and "B"

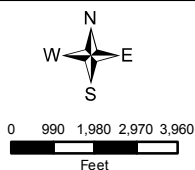
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August 21, 2020

Lake County Future Land Use



**Planning
& Zoning
Division**



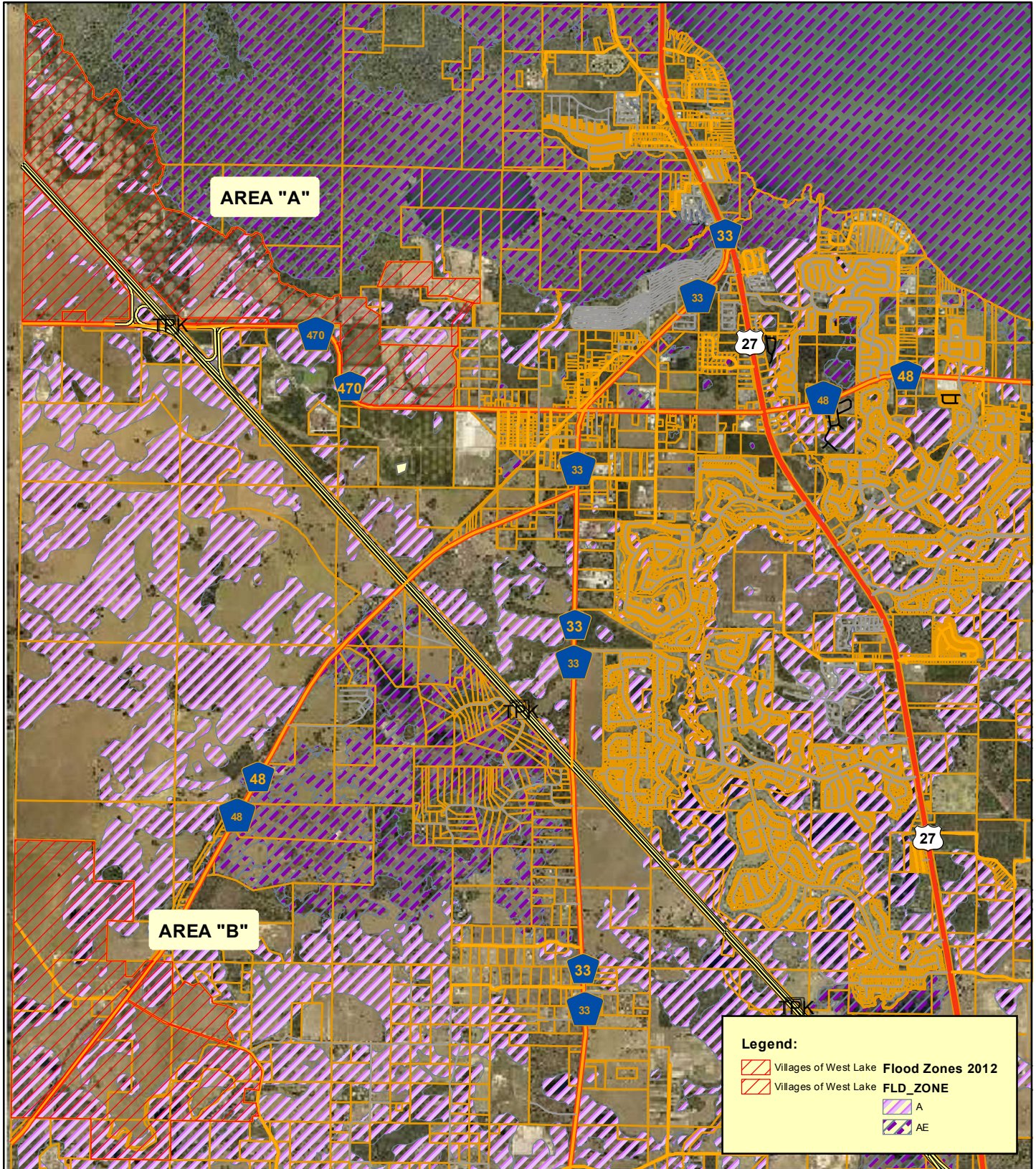
CPTA-20-149 Villages of West Lake Areas "A" and "B"

Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17, Township 20 South; Range 24 East

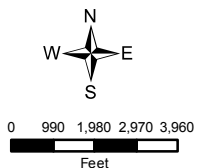
Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East

August 21, 2020

Flood Zone



**Planning
& Zoning
Division**

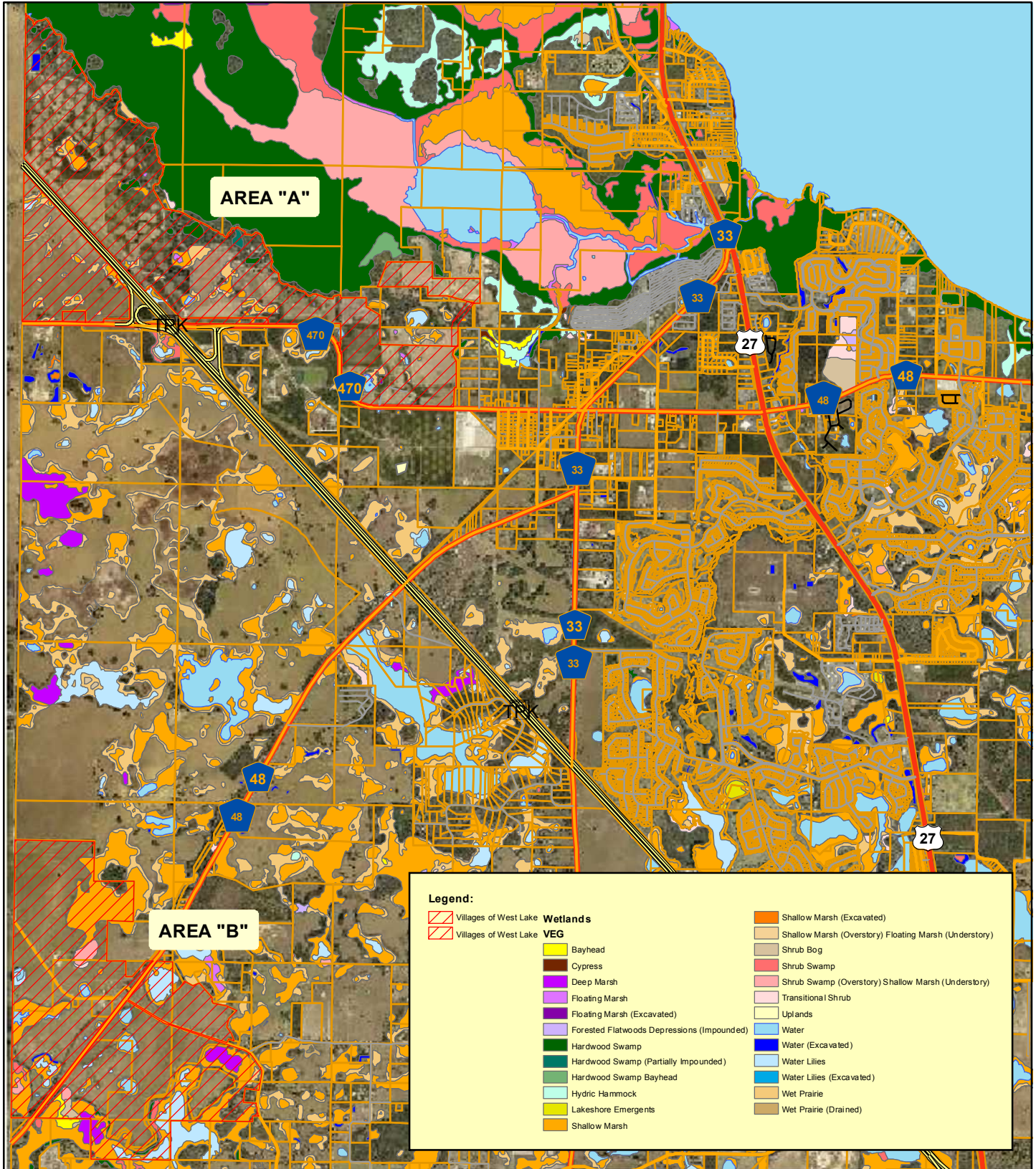


CPTA-20-149 Villages of West Lake Areas "A" and "B"

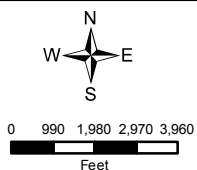
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August 21, 2020

Wetlands



**Planning
& Zoning
Division**



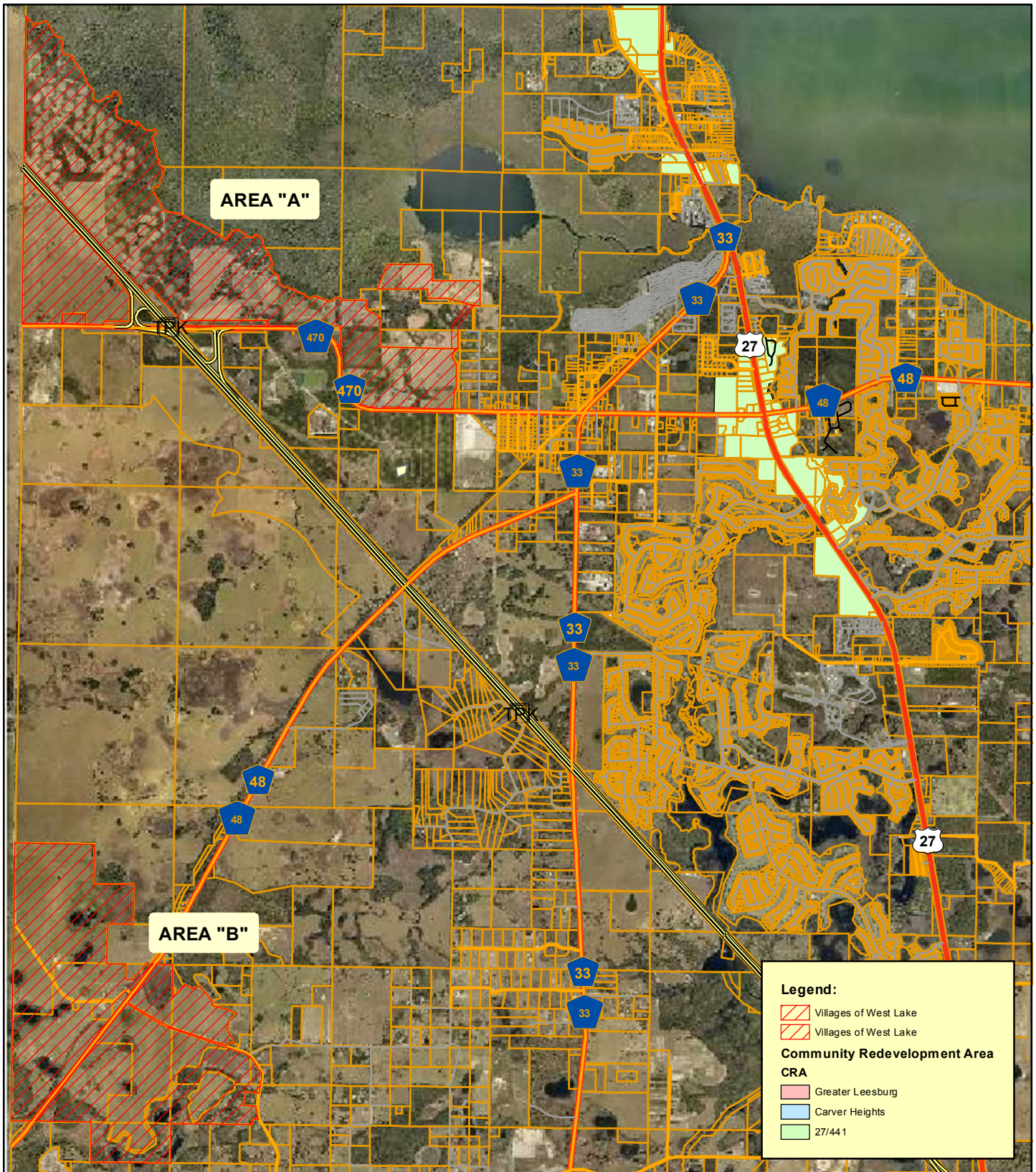
CPTA-20-149 Villages of West Lake Areas "A" and "B"

Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17, Township 20 South; Range 24 East

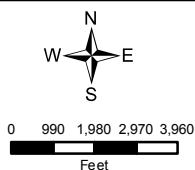
Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East

August 21, 2020

Community Redevelopment Area



**Planning
& Zoning
Division**



CPTA-20-149 Villages of West Lake Areas "A" and "B"
 Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17, Township 20 South; Range 24 East
 Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and Sections 5, 6, & 7, Township 21 South, Range 24 East
 August 21, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.5.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, amending the City of Leesburg Land Development Regulations Article XI, Section 25-818 Definitions, establishing the definition of Age Restricted Development and establishing the definition of Community Support Districts for property generally located North and South of Florida's Turnpike and North of County Road 470, and property located East of the Sumter County line, and North of Austin Merritt Road and North and South of County Road 48 as legally described in Sections 06, 07, 08, 09, 16, and 17, Township 20 South, Range 24 East and Section 31, Township 20 South, Range 24 East and Sections 5, 6, and 7, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date.

Staff Recommendation:

The Planning and Zoning Staff and Planning Commission recommend approval of the attached amendment to Article XI, Section 25-818 to the City of Leesburg Land Development Regulations.

Analysis:

In support of the previous case amending the Comprehensive Plan to allow for Community Support Districts (CSD), this request will amend the Land Development regulations to provide appropriate definitions.

The amendment requested is a minor revision which allows a definition of Age Restricted Development to include both the standard definition of persons 55 years or older, and adds Community Support Districts within the definition. The amended language is as follows:

Age Restricted Development: A community/development project where the land is planned and developed to provide a community of persons 55 years or older and Community Support Districts.

Community Support Districts are distinct mixed use areas with non age-restricted dwelling units within

close proximity to age-restricted dwelling units.

This definition will clarify specific terminology and help allow for appropriate development within The Villages of West Lake.

Procurement Analysis:

N/A

Options:

1. Approve the request to amend Chapter 25-818 with the attached exhibits, or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact is anticipated as a result of this request.

Submission Date and Time: 12/9/2020 3:14:14 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE CITY OF LEESBURG LAND DEVELOPMENT REGULATIONS ARTICLE XI, SECTION 25-818 DEFINITIONS, ESTABLISHING THE DEFINITION OF AGE RESTRICTED DEVELOPMENT AND ESTABLISHING THE DEFINITION OF COMMUNITY SUPPORT DISTRICTS FOR PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF COUNTY ROAD 470, AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, AND NORTH OF AUSTIN MERRITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48 AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Normal 0 false false false EN-US X-NONE X-NONE **BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:**

Section I.

Based upon the petition of The Villages Land Company, LLC, (Lee Clymer, petitioner) the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as Exhibits A and B of this Ordinance.

Section II.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

Section III.

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

Section IV.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of

Leesburg, Florida, held on the 14th day of December 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

EXHIBIT A – Definition, Age Restricted Development for Section 25-818 *Definitions*

or partly by taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or a hospital, nursing home, medical clinic or the office of a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the state, nor barbershops or beauty salons where massages are administered only to the scalp, the face, the neck or the shoulder.

Advertising message shall mean that copy on a sign describing products or services being offered to the public.

Affordable housing means housing which is available at a price or rent not exceeding thirty (30) percent of a low income household's gross income. Owner occupied housing costs include principal, interest, insurance, and property taxes. Rental housing costs include the contract rent. Low income household is defined as a household with gross income which is at or below eighty (80) percent of median income adjusted for family size, consistent with annually adjusted department of housing and urban development income guidelines.

Affordable housing development means a development where twenty (20) percent or more of the housing is available to these groups, and where documentation of continued availability has been certified by site review conducted by the housing department.

Age Restricted Development: A community/development project where the land is planned and developed to provide a community for persons 55 years or older and Community Support Districts. Community Support Districts are distinct mixed use areas with non age-restricted dwelling units within close proximity to age restricted dwelling units.

Agriculture—Field crops/wholesale nursery shall mean the production, keeping, or maintenance, for sale, lease, or personal use, of plants useful to man, and may include, but not be limited to, forage and sod crops, grain and seed crops, fruits of all kinds, vegetables, and nursery, floral, ornamental, and greenhouse products.

Agriculture—Processing/hatcheries shall mean the production, keeping, maintenance, or processing, for sale, lease, or personal use, of animals and plants useful to man, and may include, but not be limited to, dairy animals and dairy products, grain mills, poultry and poultry products.

Airport shall mean the Leesburg Municipal Airport.

Airport elevation shall mean the established elevation of the highest point on the usable landing area.

Airport hazard shall mean any structure, tree or use of land which obstructs the airspace required for or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point means the point established as the approximate geographic center of the airport landing area and so designated.

Alcoholic beverages shall mean any beverage containing more than three and two-tenths (3.2) percent of alcohol by weight as measured under the standards of F.S. § 561.01(4)(b), shall be deemed and held to be intoxicating beverages.

Alley shall mean any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use which may afford only a secondary means of access to abutting property.

Alter or alteration shall mean any change or modification in construction or occupancy.

Amusement device shall mean a mechanically operated device which is used to convey persons in any direction as a form of amusement.

Anchor tenant shall mean a retail store(s) in a shopping center that is/are in excess of fifteen thousand (15,000) square feet of gross floor area and possess at least one hundred (100) feet of building frontage.

Animated sign shall mean any sign of which all or part thereof revolves or moves in any fashion whatsoever, including multi-prism indexing signs; any sign which contains or uses for illumination any light,



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

PROJECT: Villages West Lake Land Development Regulations
REQUEST: Modification Text Amendment, addition to Section 25-818 *Definitions*
CASE NO.: AMDT-20-190
MEETING DATE: September 24, 2020

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request to amend the City's Comprehensive Plan Future Land Use Element as shown in *Exhibit A*, is consistent with appropriate legally mandated planning and development practices in Florida, including the establishment of zoning districts and supporting land development regulations.
2. The proposed request will help ensure appropriate land use compatibility with future development in the area, and does not create a conflict with the Goals, Objectives and Policies of the Comprehensive Plan.
3. The proposed request will provide additional living options for employees and add permitted uses within the overall development area.

Action Requested:

1. Vote to approve the proposed amendment to the City's Comprehensive Plan, Future Land Use Element together with *Exhibit A* attached hereto, and forward to the City Commission for consideration.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING CITY OF LEESBURG LAND DEVELOPMENT REGULATIONS ARTICLE XI, SECTION 25-818 DEFINITIONS, ESTABLISHING THE DEFINITION OF AGE RESTRICTED DEVELOPMENT AND ESTABLISHING THE DEFINITION OF COMMUNITY SUPPORT DISTRICTS FOR PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470 AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, AND NORTH OF AUSTIN MERRITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48 AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7 TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section I.

Based upon the petition of The Villages Land Company, LLC, (Lee Clymer, petitioner) the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the City of Leesburg Comprehensive Plan and Future Land Use Element shall be amended as attached and incorporated as Exhibits A and B of this Ordinance, and transmitted to the Florida Department of Economic Opportunity for review.

Section II.

In the event of any conflict between this Ordinance and any other portion of the Code of Ordinances, the provisions of this Ordinance shall take precedence.

Section III.

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

Section IV.

This Ordinance shall become effective upon its passage and adoption according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

By: _____
Elise A. Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

EXHIBIT A – Definition, Age Restricted Development for Section 25-818 *Definitions*

or partly by taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or a hospital, nursing home, medical clinic or the office of a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the state, nor barbershops or beauty salons where massages are administered only to the scalp, the face, the neck or the shoulder.

Advertising message shall mean that copy on a sign describing products or services being offered to the public.

Affordable housing means housing which is available at a price or rent not exceeding thirty (30) percent of a low income household's gross income. Owner occupied housing costs include principal, interest, insurance, and property taxes. Rental housing costs include the contract rent. Low income household is defined as a household with gross income which is at or below eighty (80) percent of median income adjusted for family size, consistent with annually adjusted department of housing and urban development income guidelines.

Affordable housing development means a development where twenty (20) percent or more of the housing is available to these groups, and where documentation of continued availability has been certified by site review conducted by the housing department.

Age Restricted Development: A community/development project where the land is planned and developed to provide a community for persons 55 years or older and Community Support Districts. Community Support Districts are distinct mixed use areas with non age-restricted dwelling units within close proximity to age restricted dwelling units.

Agriculture—Field crops/wholesale nursery shall mean the production, keeping, or maintenance, for sale, lease, or personal use, of plants useful to man, and may include, but not be limited to, forage and sod crops, grain and seed crops, fruits of all kinds, vegetables, and nursery, floral, ornamental, and greenhouse products.

Agriculture—Processing/hatcheries shall mean the production, keeping, maintenance, or processing, for sale, lease, or personal use, of animals and plants useful to man, and may include, but not be limited to, dairy animals and dairy products, grain mills, poultry and poultry products.

Airport shall mean the Leesburg Municipal Airport.

Airport elevation shall mean the established elevation of the highest point on the usable landing area.

Airport hazard shall mean any structure, tree or use of land which obstructs the airspace required for or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point means the point established as the approximate geographic center of the airport landing area and so designated.

Alcoholic beverages shall mean any beverage containing more than three and two-tenths (3.2) percent of alcohol by weight as measured under the standards of F.S. § 561.01(4)(b), shall be deemed and held to be intoxicating beverages.

Alley shall mean any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use which may afford only a secondary means of access to abutting property.

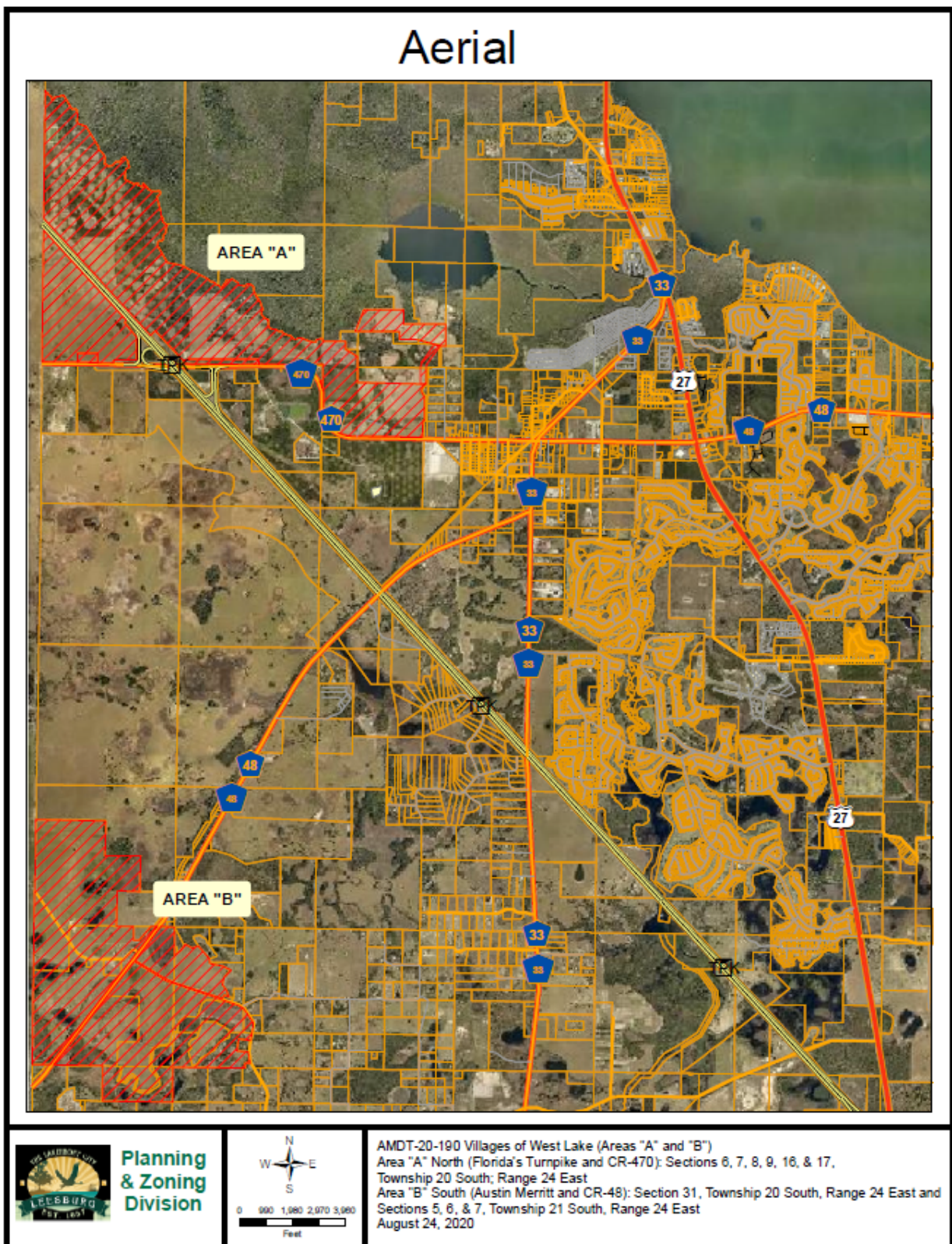
Alter or alteration shall mean any change or modification in construction or occupancy.

Amusement device shall mean a mechanically operated device which is used to convey persons in any direction as a form of amusement.

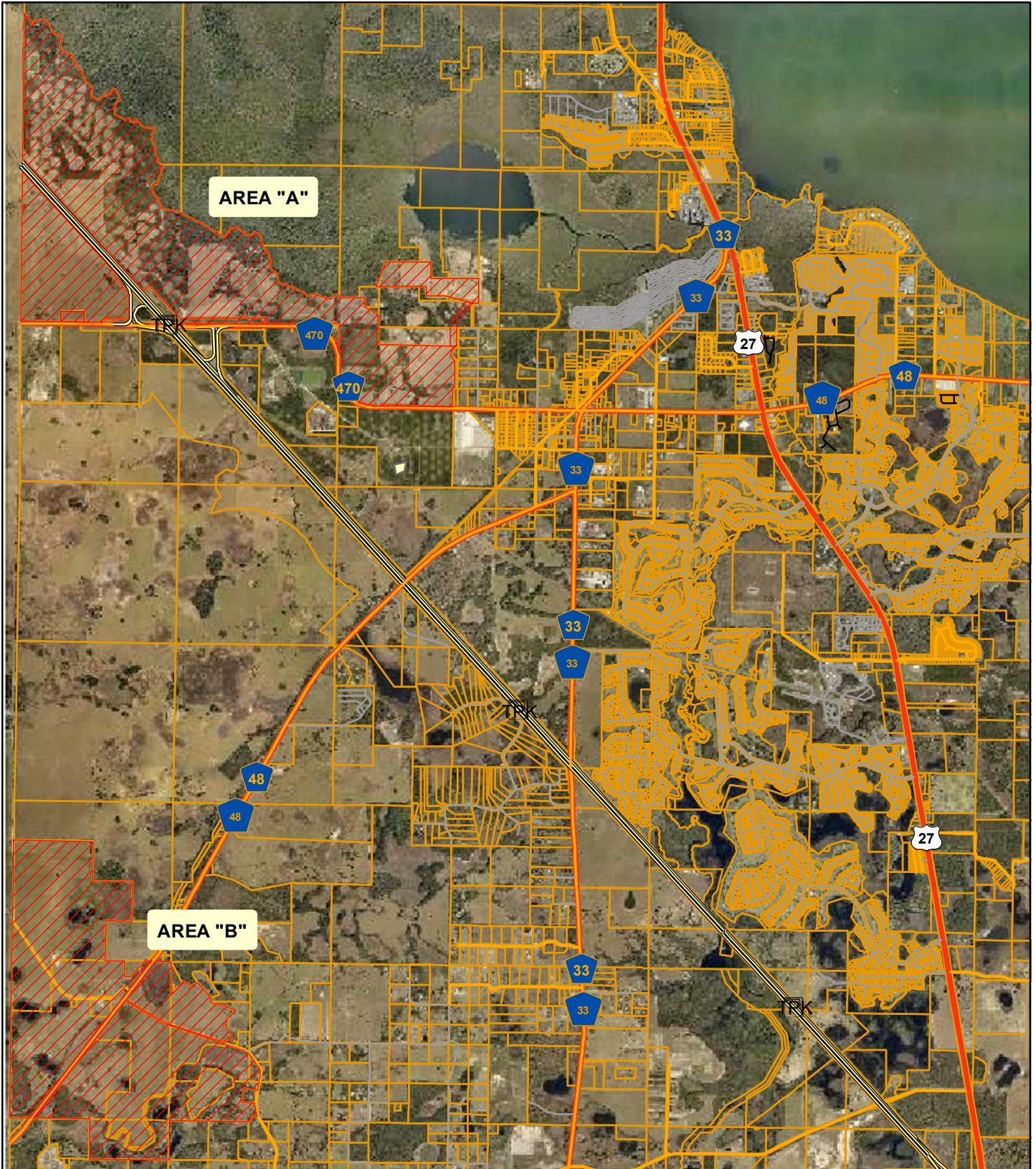
Anchor tenant shall mean a retail store(s) in a shopping center that is/are in excess of fifteen thousand (15,000) square feet of gross floor area and possess at least one hundred (100) feet of building frontage.

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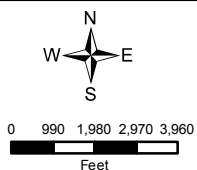
EXHIBIT B – Area “A” and Area “B”



Aerial

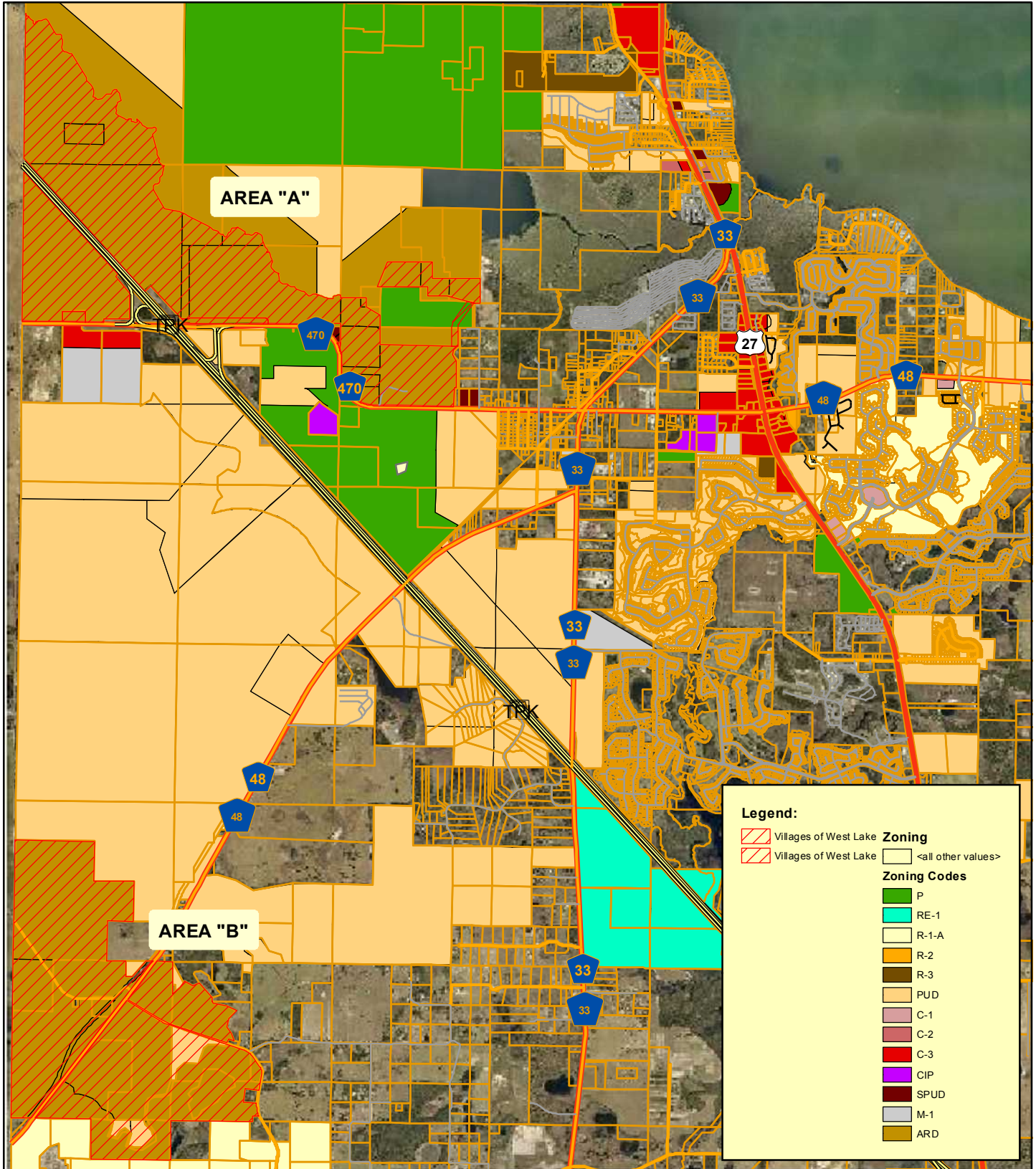


**Planning
& Zoning
Division**

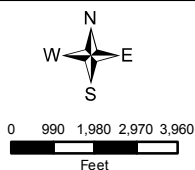


AMDT-20-190 Villages of West Lake (Areas "A" and "B")
Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17,
Township 20 South; Range 24 East
Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and
Sections 5, 6, & 7, Township 21 South, Range 24 East
August 24, 2020

Zoning

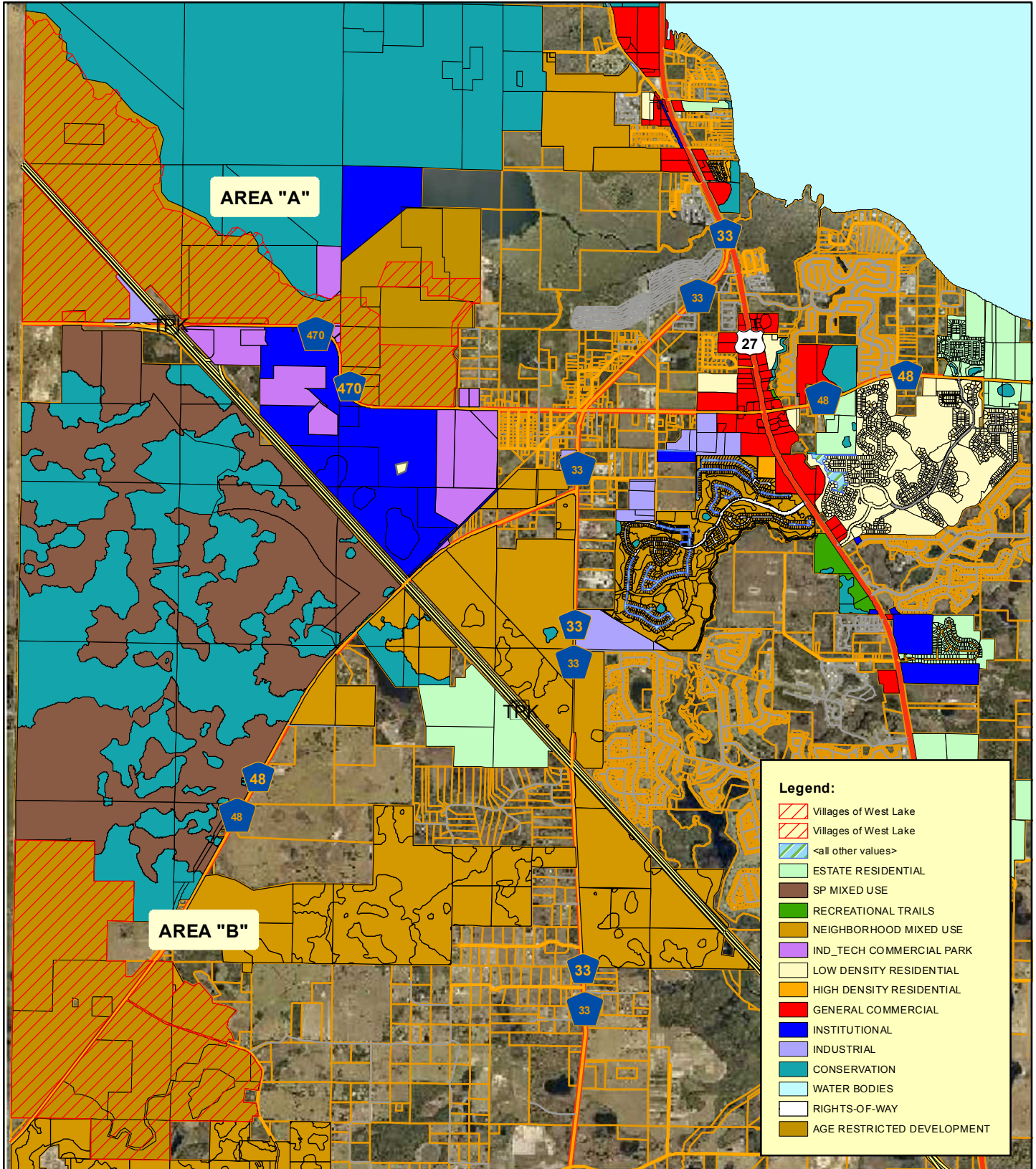


**Planning
& Zoning
Division**

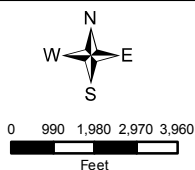


AMDT-20-190 Villages of West Lake (Areas "A" and "B")
 Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17,
 Township 20 South; Range 24 East
 Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and
 Sections 5, 6, & 7, Township 21 South, Range 24 East
 August 24, 2020

Future Land Use



**Planning
& Zoning
Division**



AMDT-20-190 Villages of West Lake (Areas "A" and "B")
 Area "A" North (Florida's Turnpike and CR-470): Sections 6, 7, 8, 9, 16, & 17,
 Township 20 South; Range 24 East
 Area "B" South (Austin Merritt and CR-48): Section 31, Township 20 South, Range 24 East and
 Sections 5, 6, & 7, Township 21 South, Range 24 East
 August 24, 2020



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, SEPTEMBER 24TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, September 24th, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:30 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Murray, Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dan Miller informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, AUGUST 13TH, 2020**

Commissioner O'Kelley moved to APPROVE the draft minutes from the AUGUST 13TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, AUGUST 20TH, 2020

Commissioner Wood moved to APPROVE the draft minutes from the AUGUST 20TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

1. NEW BUSINESS PUBLIC HEARING CASE # CPTA-20-149 – VILLAGES WEST LAKE AREAS A AND B – COMPREHENSIVE PLAN TEXT AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE TEXT OF THE COMPREHENSIVE PLAN FOR THE VILLAGES OF WEST LAKE AREA A AND AREA B, TO ESTABLISH COMMUNITY SUPPORT DISTRICTS (CSD), AMEND LEVEL OF SERVICE TO INCLUDE COMMUNITY SUPPORT DISTRICTS, AND AMEND PERMITTED USES, ON PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470, AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, NORTH OF AUSTIN MERITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48, AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7, TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (Villages of West Lake Text Amendment)

Dan Miller introduced case number #CPTA-20-149 – Villages West Lake Areas A and B – Comprehensive Plan Text Amendment into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, and current zoning. Mr. Miller explained the history of the subject property and changes requested and read them into the

record; various minor wording changes that will have no significant impact; it's positive from a Staff standpoint.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review, no comments received; Staff has no issues.

Chairman Bowersox stated if the Commission has any questions of the applicant.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # CPTA-20-149 – VILLAGES WEST LAKE AREAS A AND B– COMPREHENSIVE PLAN TEXT AMENDMENT Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 0.

2. PUBLIC HEARING CASE AMDT-20-190, THE VILLAGES OF WEST LAKE LAND DEVELOPMENT REGULATIONS MODIFICATION TEXT AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING CITY OF LEESBURG LAND DEVELOPMENT REGULATIONS ARTICLE XI, SECTION 25-818 DEFINITIONS, ESTABLISHING THE DEFINITION OF AGE RESTRICTED DEVELOPMENT AND ESTABLISHING THE DEFINITION OF COMMUNITY SUPPORT DISTRICTS FOR PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF FLORIDA'S TURNPIKE AND NORTH OF CR-470 AND PROPERTY LOCATED EAST OF THE SUMTER COUNTY LINE, AND NORTH OF AUSTIN MERRITT ROAD AND NORTH AND SOUTH OF COUNTY ROAD 48 AS LEGALLY DESCRIBED IN SECTIONS 06, 07, 08, 09, 16, AND 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTION 31, TOWNSHIP 20 SOUTH, RANGE 24 EAST AND SECTIONS 5, 6, AND 7 TOWNSHIP 21 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)**

(Villages of West Lake – LDR Modifications)

Dan Miller introduced case number #AMDT-20-190 – The Villages of West Lake Land Development Regulations Modification Text Amendment into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller stated for the record to add definitions to Section 25-818; clarifies a definition of Age Restricted Development and Community Support districts; essentially a housekeeping measure, and no objections from Staff; supports.

Chairman Bowersox stated if anyone has any questions from Staff or applicant.

Ashley Monnier, Community Planning Liaison Officer for NSA of Orlando introduced herself for the record; request to coordinate further on the amendment and land development to discuss compatibility at Buggs Springs with the proposed applications; look forward to the opportunity to be able to have that conversation ahead of that Commission meeting if possible; looks forward to working with the City of Leesburg and thank you for your consideration.

Marta Dzuro stated the Staff has done a wonderful job. Dan Miller has done a great presentation any questions we are here.

Chairman Bowersox stated if any discussion from the Commission.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Marshall made a MOTION for APPROVAL of case # AMDT-20-190- – THE VILLAGES OF WEST LAKE LAND DEVELOPMENT REGULATIONS MODIFICATION TEXT AMENDMENT Commissioner Fitzpatrick SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 0.

DISCUSSION

None

ANNOUNCEMENTS

Mr. Miller apologizes for the split meeting and stated we did have a scheduling conflict and thanks Commission and City Attorney and Staff for pulling this off. Staff really appreciates you.

Commissioner O’Kelley made a motion to adjourn meeting.

ADJOURNMENT

Approximately 7:08 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.1.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, modifying the conditions of approval on approximately 19.5 +/- acres for property generally located North of U.S. Highway 441, West of North Lake Avenue and South of Bentley Road, as legally described in Section 30, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lake Griffin Reserve PDO Amendment)

Staff Recommendation:

Staff recommends approval of the request to revise the Planned Development Overlay Conditions by changing the recreational amenities required by the Overlay agreement.

Analysis:

The subject property is located at the north end of Lake Avenue as seen in the attached exhibits. The property is currently zoned R-3(High Density Residential, with a PDO (Planned Development Overlay) which allows a maximum of 100 single family residential units. The request is to allow a change in the amenities required in the PDO (Planned Development Overlay) zoning . The applicant proposes provide items such as cabanas, BBQ grills, a children's play ground area and a "dog park" and eliminate the requirement for a swimming pool. Staff has no objection to this request. This request does not create a negative impact on the surrounding properties.

Procurement Analysis:

Options:

1. Approve the request to amend the Planned Development Overlay zoning.
2. Other such action as the City Commission may choose.

Fiscal Impact:

No fiscal impact is anticipated as a result of this request.

Submission Date and Time: 12/9/2020 3:14:24 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, MODIFYING THE CONDITIONS OF APPROVAL ON APPROXIMATELY 19.5 +/- ACRES FOR PROPERTY GENERALLY LOCATED NORTH OF U.S. HIGHWAY 441, WEST OF NORTH LAKE AVENUE AND SOUTH OF BENTLEY ROAD, AS LEGALLY DESCRIBED IN SECTION 30, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (LAKE GRIFFIN RESERVE PDO AMENDMENT)

800x600 Normal 0 false false false EN-US X-NONE X-NONE **BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:**

Section 1.

Based upon the petition of **LEESBURG DEVELOPMENT III, LLC** (Richard C. Wohlfarth), the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, hereby is rezoned from R-3 (High Density Residential) with a PDO (Planned Development Overlay) to R-3 (High Density Residential) with a PDO (Planned Development Overlay), zoning, to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: June 18, 2020
OWNER: Community Development Corporation of Leesburg, Inc.
PETITIONER: John H. Christian
PROJECT: Durden Office
REQUEST: Small Planned Unit Development
CASE NO.: SPUD-20-97

GENERAL LOCATION: The property is generally located south of East Main Street and west of Mike Street.

FUTURE LAND USE DESIGNATION:
Institutional

SURROUNDING FUTURE LAND USE DESIGNATION:

North —	Institutional; Transitional
South —	Institutional
East —	Transitional
West —	General Commercial

PROPOSED FUTURE LAND USE DESIGNATION:
n/a

EXISTING ZONING DESIGNATION: R-3 (High Density Residential)

SURROUNDING ZONING DESIGNATIONS:

North —	P (Public); R-3 (High Density Residential)
South —	P (Public); R-3 (High Density Residential)
East —	R-3 (High Density Residential)
West —	R-3 (High Density Residential)

PROPOSED ZONING DESIGNATION:
SPUD (Small Planned Unit Development)

EXISTING LAND USE: Vacant building.

SURROUNDING LAND USE:

North —	Residential
South —	Residential
East —	Residential
West —	Municipal

PROPOSED LAND USE: Office use.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: September 4, 2020
OWNER: Leesburg Development III, LLC
PETITIONER: Wohlfarth Consulting Group, LLC
PROJECT: Lake Griffin Reserve
REQUEST: Small Planned Unit Development (Modify lot sizes and building setbacks).
CASE NO.: PUD-20-174

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 9/18/20

FIRE

No comments from Fire Department. Amanda Stevenson 9/4/20

ELECTRIC

Electric has no issues, but we do have a comment. We currently have a design for the approved subdivision. If the design changes, there will be additional fees to redesign the layout. Steve Davis 9/3/20

GAS

No comments received as of 9/18/20

GIS

No comments received as of 9/18/20

BUILDING

No comments received as of 9/18/20

PUBLIC WORKS

No issues from Public Works! Cliff Kelsey 9/3/20

ADDRESSING

No comments received as of 9/18/20

ECONOMIC DEVELOPMENT

No comments received as of 9/18/20

LAKE COUNTY PUBLIC WORKS

No comments received as of 9/18/20

LAKE COUNTY SCHOOLS

The school district does not have any comments for the modification of the amenities for Lake Griffin Reserve. Thanks, Helen LaValley 9/3/20

PUBLIC RESPONSES

Approval

1 approval

Disapproval

2 disapprovals 1 with comments

Notice of Appearance filed: 2

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

Alfred H. & Teresia M. Moffett – The density of this undeveloped land is extremely important to all who live along North Lake Ave. and surrounding areas. There are multiple children and older family members in this area and the increase in traffic will bring much hardship to all. Any decrease in area to this complex will only increase density and ultimately increase traffic. I recommend for disapproval of this change in PUD requirement.

PUBLIC COMMENTS (UNDECIDED)



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, SEPTEMBER 24TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, September 24th, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:30 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Murray, Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dan Miller informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, AUGUST 13TH, 2020**

Commissioner O'Kelley moved to APPROVE the draft minutes from the AUGUST 13TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, AUGUST 20TH, 2020

Commissioner Wood moved to APPROVE the draft minutes from the AUGUST 20TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

1. PUBLIC HEARING CASE # PUD-20-174 – LAKE GRIFFIN RESERVE PUD MODIFICATION – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, MODIFYING THE CONDITIONS OF APPROVAL ON APPROXIMATELY 19.5 +/- ACRES FOR PROPERTY GENERALLY LOCATED NORTH OF U.S. HIGHWAY 441, WEST OF NORTH LAKE AVENUE AND SOUTH OF BENTLEY ROAD, AS LEGALLY DESCRIBED IN SECTION 24, TOWNSHIP 19 SOUTH, RANGE 24 EAST, AND SECTION 30, TOWNSHIP 19 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, NOVEMBER 9, 2020 AND SECOND READING ON MONDAY, NOVEMBER 23, 2020)** (Lake Griffin Reserve PUD Modification)
(Whitemarsh PH II & III)

Dan Miller introduced case number PUD-20-174 – Lake Griffin Reserve PUD Modification – Planned Unit Development into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, location and current zoning. Mr. Miler explained the (PUD) Planned Unit Development, the history of the subject property and requests.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments received. Under Public responses; some comments in writing concerned about the density, children, and increase of traffic; zoning already set,

strictly about recreation facilities; will pass this along to the applicant to make sure he is aware that the folks in the neighborhood are concerned.

Chairman Bowersox expressed concern regarding the major complaints. Mr. Miller read the comments into the record regarding the density, children, increase in traffic, and Mr. Miller stated it's not changing the density on the project; only thing changing if approved through Planning and City Commission if they have to have a swimming pool there or don't.

Al Moffitt expressed concern regarding lower requirements for useful recreation area; complaint not want to increase density in that area. Mr. Miller replied no they can't put a single family at all; has to be recreation.

Beth Payne expressed major concerns regarding amount of traffic, safety for the community, property value; lower, opposed to being annexed into the City, and doesn't want to be forced to go on City of Leesburg; utilities and unfair financial burden. Mr. Miller replied you don't have to worry about being annexed; State of Florida, residential property can't be annexed, without application; property owner, only way you are forced on City utilities, unless the well ran dry and you within a couple 100'; water and wastewater.

Earl Lee expressed concern regarding traffic study back in 2009; based approval, traffic, one traffic light; Newell Hill Road, and 441, accidents, never notified two years ago; never received letter, 40' lot size, value of homes, ruin neighborhood, environmental study; 2017, wildlife, appeal process, and traffic study.

Chairman Bowersox stated traffic study approved by the City Commission and stated regarding notification we are required by law to give notification whether visual, in person, or by mail.

Fred Morrison, City Attorney stated appeal process has to be filed within 30 days of initial approval back in 2018 and the only issue before the Commission today is whether there will or will not be a swimming pool and mentioned the 2018 approval; was a reduction in density from 160 units to 100 units; that was a benefit in terms of the objection that was raised.

Mr. Miller stated Staff has a recommendation of approval.

Chairman Bowersox stated if any comments from the Public.

Chairman Bowersox stated if the Commissioners had any questions.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Haliday made a MOTION for APPROVAL of case # PUD-20-174 – LAKE GRIFFIN RESERVE PUD MODIFICATION – PLANNED UNIT DEVELOPMENT Commissioner Fitzpatrick SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6 - 0.

DISCUSSION

None

ANNOUNCEMENTS

Mr. Miller apologizes for the split meeting and stated we did have a scheduling conflict and thanks Commission and City Attorney and Staff for pulling this off. Staff really appreciates you.

Commissioner O'Kelley made a motion to adjourn meeting.

ADJOURNMENT

Approximately 7:08 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: September 24, 2020
OWNER: Leesburg Development III, LLC
PETITIONER: Richard C. Wohlfarth, P.E.
PROJECT: Lake Griffin Reserve - amenities
REQUEST: Modify amenity requirements of Planned Unit Development
CASE NO.: PUD-20-174

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request is compatible with the current surrounding zoning districts of City of Leesburg R-1-A ((Single Family Residential), R-1 (Low Density Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), and C-3 (Highway Commercial).
2. The proposed request is compatible with the adjacent future land use designations of City of Leesburg Low Density Residential, city of Leesburg High Density Residential, and City of Leesburg General Commercial.
3. The proposed zoning designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the request to modify amenity requirements of the Planned Unit Development and forward the recommendation to the City Commission for consideration.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

OWNER: Leesburg Development III, LLC
PROJECT: Lake Griffin Reserve
REQUEST: Amend the conditions of the current R-3/PDO zoning
(High Density Residential with a Planned Development Overlay)
CASE NO.: SPUD 20-174
DATE: September 24, 2020

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. This request meets the criteria set forth in Section 25-278 Planned Development Process, of the City of Leesburg Code of Ordinances for the approval of a PDO District.
2. The proposed amendment to revise the required recreational amenities in the zoning overlay does not create a detriment to surrounding properties.
3. The proposed amendment does not create a detriment to the Goals Objectives and Policies of the City's Comprehensive Plan.
4. The proposed Planned Development Overlay District (PDO) amendment is consistent with the City's adopted Growth Management Plan, Future Land Use Element, Goal I, Objective 1.2.

with the following condition(s):

1. Development of the property shall be subject to the attached Lake Griffin Reserve Planned Development Overlay Agreement (Exhibits A-E) hereto, dated September 24, 2020.
2. The property is subject to all applicable regulations of the City of Leesburg and other governmental agencies, including site plan and building review processes, and the assessment of impact fees necessary for the completion of this project.

EXHIBIT A
LAKE GRIFFIN RESERVE
PLANNED DEVELOPMENT OVERLAY AGREEMENT
September 24, 2020

This Planned Development Overlay Agreement for a (PDO) zoning district is granted by the City of Leesburg Planning and Zoning Commission, Lake County, Florida to Leesburg Development III, LLC "Permittee" for the purposes and terms and conditions as set forth herein pursuant to authority contained in Chapter 25 "Zoning", Sec. 25-282(a) "Overlay Districts" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND: The "Permittee" is desirous of obtaining a Planned Development Overlay zoning district to allow construction of a proposed single-family residential development consisting of a maximum of 100 single family homes on approximately 19.5 acres generally located in the area of Lake Avenue, Fernery Lane and Bentley Road, on a site within the City of Leesburg in accordance with their PDO application and supplemental information.

1. **PERMISSION** is hereby granted to Leesburg Development III, LLC, to construct, operate, and maintain a Planned Development Overlay (PDO) zoning district in and on real property in the City of Leesburg located in the area of Lake Avenue, Fernery Lane and Bentley Road. The property is more particularly described as follows:

LEGAL DESCRIPTION:

See attached legal Exhibit B.

2. **LAND USE**

The above-described property shall be used for single-family attached residential townhome with uses with garages, pursuant to City of Leesburg development codes and standards.

A. Residential Development

1. The project shall contain a maximum of 100 detached single-family units on approximately 19.5 acres at a gross density not to exceed 5.2 units per acre.
2. The minimum development standards shall be those required for the R-3 (High Density Residential) district except as amended by this agreement.
3. The minimum lot size shall be 40' x 110 feet for all units.
4. The development shall be required to have market rate units available to the general public with no age restrictions.
5. The external architecture of the buildings at a minimum shall incorporate the design elements of the elevation as per Section 5. DESIGN REQUIREMENTS. Variations with similar characteristics may be approved by the Planning Manager.

6. As part of the site plan approval process, City staff shall review the development subject to and in accordance with these final Planned Development Overlay Agreement conditions and the approved conceptual site plan.
7. The following minimum yard setbacks shall be maintained:
Front setback –20 feet;
Rear setback –15 feet; and
Side setbacks – 5' feet
8. Minimum distance between structures shall be ten (10) feet; measured from building wall to building wall and the roof overhang shall not exceed 40 percent of the distance between the building wall and the property line.
9. Maximum building height shall not exceed 35 feet when measured from the street side of the buildings.
10. Impervious surface coverage shall not exceed 70 percent for residential lots and 30 percent for the overall project.
11. Attached screened enclosures must maintain a minimum setback of five (5) feet from the side and rear property line.

B. Recreational Development

1. Recreational development shall include active and passive uses for the project. Recreational development shall meet the requirements of the City of Leesburg Land Development Code (as amended) and adopted Growth Management Plan (as amended).
2. The Planned Development shall provide pedestrian accessibility from all areas to any proposed recreational areas.
3. Recreational areas totaling no less than 20,000 square feet (200 sf per dwelling unit), shall be provided and constructed by the developer and shall include the following amenities:
 - a. clubhouse/cabana ~~with a swimming pool~~
 - b. children's playground area with equipment
 - c. fenced dog run area (dog park)
4. Recreational vehicle parking shall be restricted through deed restrictions/covenants which shall prohibit parking within the development unless an approved designated area is provided. If provided, the area shall be buffered and final location will be determined by staff as part of the Site Plan Review Process.

- C. The commercial use of a sales office, construction trailer and/or model center shall be a permitted use as long as it is specifically related to the PDO residential development of the site.

D. Open Space and Buffer Areas

1. Buffers shall be required along the property lines as follows:

- a. The exterior boundaries of the property shall have at a minimum, a ten (10) foot natural buffer with a six (6) foot high vinyl (or similar material) privacy fence, or, as an option, the installation of a five (5) foot planted buffer with a six (6) foot high vinyl (or similar material) fence with a as described below.

If the five (5) foot buffer and fence option is chosen, the following buffer standards shall be maintained.

- i. The fence shall be constructed of six (6) foot high vinyl (or similar material) and be a minimum of five (5) feet from the exterior property line, with the remainder of the buffer planted as noted below.
 - ii. For each one hundred (100) linear feet or fraction thereof of boundary, the following plants shall be provided in accordance with the planning standards and requirements of the City of Leesburg Code of Ordinances,
 - iii. Two (2) canopy trees, two (2) ornamental trees, thirty (30) shrubs
 - iv. The remainder of the buffer area shall be landscaped with grass, groundcover and/or other landscape treatment as required by the City of Leesburg Code of Ordinances.
2. The boundary of the property along the east shall have an entry wall feature on each side of the access point to the subdivision. This feature shall be a minimum five (5) feet in height and constructed per section 25-424(a) City of Leesburg, Code of Ordinances.
3. Areas of the property not occupied by buildings or paving shall be landscaped and sodded, or left in natural vegetative cover where there are heavy trees stands.
4. All wetlands on the project site shall be identified and the location and extent of each wetland shall be determined by St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the preliminary plat application.
5. Should wetlands be found to exist on the site, they shall have a minimum upland buffer of 25 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
6. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.

7. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
8. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the preliminary plat application. The Permittee shall designate a responsible legal entity that shall implement and maintain the wildlife management plan.
9. To the extent practical, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, St. Johns River Water Management District or another legal entity such as a homeowner's association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to St. Johns River Water Management District or another legal entity such as a homeowner's association for ownership and maintenance.

E. Development Phasing

1. The proposed project may be constructed in phases in accordance with the Conceptual Master Development Plan (attached Exhibit A). Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process.

3. **STORMWATER MANAGEMENT / UTILITIES**

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed preliminary plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's association is an acceptable maintenance entity.
- D. The 100-year flood plain shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and/or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District.

- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements.
- H. A detailed site plan that indicates all the provisions for electric, water, sewer, natural gas, fiber optics etc. shall be provided in accordance with the City of Leesburg Land Development Codes.

4. TRANSPORTATION IMPROVEMENTS

- A. All transportation improvements shall be based on a current traffic analysis/study and shall be contingent upon preliminary plan approval by City staff during the development review and permitting process.
- B. Primary vehicular access to the project site shall be provided along Lake Avenue, with an emergency only access at Bentley Road on the north, in accordance with City of Leesburg, Lake County and DOT requirements. Other possible accesses may be allowed as determined by staff during site plan review process.
- C. Permittee shall provide all necessary improvements within and adjacent to the development as required by Florida Department of Transportation, Lake County and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. Sidewalks shall be provided on both sides of the roads in the development. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Leesburg Codes and specifications.
- G. The Permittee shall be responsible for obtaining all necessary FDOT or Lake County permits. A copy of said permits shall be provided to the City of Leesburg prior to construction plan approval.
- H. The City of Leesburg shall not be responsible for the maintenance or repair of any roads or transportation improvements. The Permittee shall establish an appropriate legal entity for the purpose of funding the cost and performing services to maintain all road and transportation improvements.
- I. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City the road system is in suitable condition and meets City of Leesburg and FDOT requirements.
- J. A traffic/transportation analysis shall be submitted prior to preliminary plan approval for review and determination of any necessary access improvements. Said improvements will be the responsibility of the Permittee.
- K. Should the developer choose to create a gated community, all roads shall be privately owned and maintained, and shall not be dedicated to the City of Leesburg.

5. **DESIGN REQUIREMENTS**

- A. All buildings (townhome groups) shall utilize at least three of the following design features including garage auto doors to provide visual relief along all elevations of the building. Designs may vary by individual units in a common building or by building groups. If design variations are by individual units, they may be repeated in the next building group. If designs are by building groups, every other building must have a different design elevation.
1. Dormers
 2. Gables
 3. Recessed or raised entries
 4. Covered porch entries
 5. Cupolas
 6. Pillars or decorative posts
 7. Bay window (minimum 12-inch projections)
 8. Eaves (minimum 6-inch projections)
 9. Off-sets in building face or roof (minimum 16- inch trim).
 10. Front windows with arched glass tops and minimum 4-inch trim.
 11. Garage auto doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 12. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 13. Any other treatment which, in the opinion of the Planning and Zoning Manager, meets the intent of this section.
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).

3. All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Planning and Zoning Manager for compliance.
- C. Other similar design variations meeting the intent of this section may be approved by the Planning and Zoning Manager.

6. **LEVELS OF SERVICE**

A. Levels of Service

1. As submitted the proposed zoning change, when developed, may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid waste. However, no final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Utilities

1. Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
- b. If the development requires construction of new distribution or collection lines, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

2. Commitment of Capacity

- a. There are no previous commitments to this proposal for any existing or planned excess capacity.

7. **MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Development Overlay Agreement conditions. Any other proposed use must be specifically authorized by the Planning Commission in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.

- D. The transfer of ownership or lease of any or all of the property described in these PDO Conditions shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the established by these PDO Conditions and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PDO Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set forth.
- F. Development of the parcels shall require connection to City utilities at the owner's expense.
- G. Subject to the conceptual site plan and departmental comments received under Planning and Zoning Case No. SPUD 18-67.
- H. If the wetlands jurisdictional line does not agree with the Conservation District Land Use designation a Comprehensive Plan Amendment will be required.
- I. Development of the properties shall be subject to all applicable City requirements, including, but not limited to site plan and building plan review processes and the assessment of impact fees.
- J. Property owners shall provide utility easements as required by all utility providers.

EXHIBIT B – LEGAL DESCRIPTION

Legal Description - Lake Griffin Reserve

PARCEL # 1

Block 2 and the South JJ4 feet of Block J in Lake Griffin Park, according to the plat thereof as recorded in Plat Book 11, Page 9, Public Records of Lake County, FL
(**Note:** Parcel 1 also includes the Vacated 40' right-of-way for Second Street)

PARCEL# 2

Beginning 419.76 feet North of the Southeast corner of Section 24, Township 19 South, Range 24 East, also known as the Southeast corner of Government Lot 5, run thence West 419.76 feet; thence North to the right-of-way of the Atlantic Coastline Railroad, thence Northeasterly along the railroad right-of-way to the East line of Section 24, Township 19 South, Range 24 East; thence South along East boundary line to the Point of Beginning; Lying and being in Lake County, Florida.

LESS: The South 21.56 feet of the East 324.76 feet for right-of-way to the City of Leesburg in Official Records Book 821, Page 114, Public Records of Lake County, Florida.

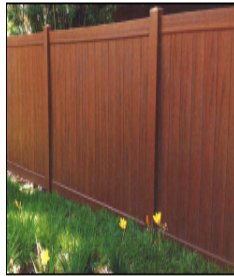
LESS: Lying within 25.00 feet, when measured at right angles thereto and Southerly of the following described line: Beginning at a point on the East boundary of Section 24, Township 19 South, Range 24 East Lake County, Florida, located N00°45'1B"E 917.90 feet from the Southwest corner of Section 19, Township 19 South, Range 25 East, Lake County, Florida, said point being on a curve concave Southeasterly and having a radius of 1,909.86 feet, thence run Southwesterly along and with the arc of said curve on a chord bearing and distance of S68°1B'.3B"W 78.02 feet; thence S67°08'25"W 3876.15 feet to the Northeasterly right-of-way line of State Road 500 (U.S. Highway No. 441) and the end of this described line; less that part of the abandoned 10-foot wide Railroad right-of-way lying Southerly of the aforesaid line as deeded to the City of Leesburg by the Seaboard Coastline Railroad Company on July 5, 1972 and recorded in Official Records Book 478, Pages 850-853 of the Public Records of Lake County, Florida, as recorded in Quit Claim deed to City of Leesburg in Official Records Book 904, Page 790 and corrected in Official Records Book 907, Page 1070, Public Records of Lake County, Florida.

[illegible]

EXHIBIT D –CONCEPTUAL TYPICAL HOME LAYOUT PLANS



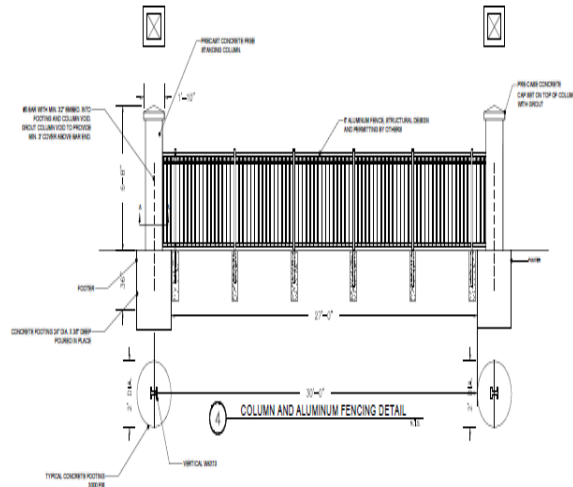
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2 TYPICAL 6' PVC FENCE



3 PLAYGROUND

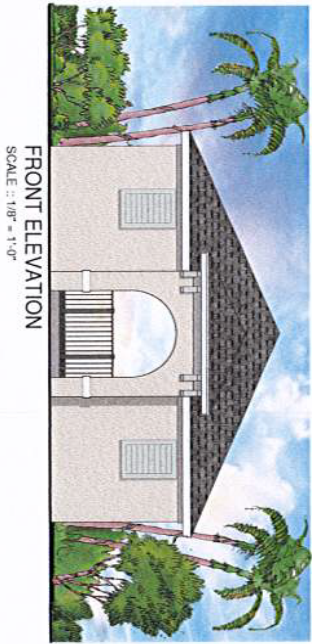
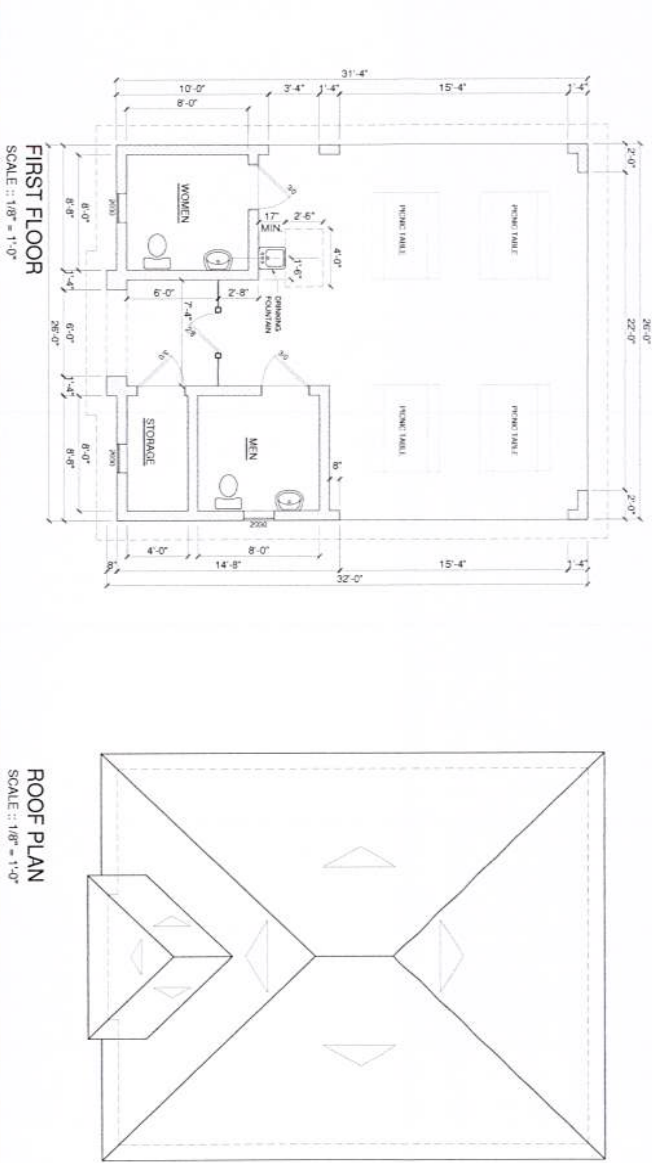


5 COLUMN AND ALUMINUM FENCING DETAIL

W&P GROUP AN ENGINEERING & CONSTRUCTION SERVICES 10017	PROJECT NO. 17-011		PROJECT NAME N/A		PROJECT LOCATION N/A		PROJECT DATE 12/15/2017		PROJECT STATUS C-5.0		GENERAL DETAILS										SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA										WOHLFARTH CONSULTING GROUP LLC ENGINEERING & PLANNING 2046 NW 102ND AVENUE, SUITE 114 ALICIA, FL 32714										PROJECT TYPE C-5.0		PROJECT CODE C-5.0		PROJECT CITY ORANGE		PROJECT STATE FL		PROJECT ZIP 32714		PROJECT COUNTRY USA		PROJECT REGION FLORIDA		PROJECT TIMEZONE EST		PROJECT CURRENCY USD		PROJECT LANGUAGE ENGLISH		PROJECT UNIT IMPERIAL		PROJECT SCALE 1/8" = 1'-0"		PROJECT DRAWING NO. 17-011-001		PROJECT SHEET NO. 1		PROJECT TOTAL SHEETS 1		PROJECT TOTAL DRAWINGS 1		PROJECT TOTAL PROJECTS 1		PROJECT TOTAL CLIENTS 1		PROJECT TOTAL EMPLOYEES 1		PROJECT TOTAL SUBS 1		PROJECT TOTAL VENDORS 1		PROJECT TOTAL SUPPLIERS 1		PROJECT TOTAL PARTS 1		PROJECT TOTAL MATERIALS 1		PROJECT TOTAL EQUIPMENT 1		PROJECT TOTAL TOOLS 1		PROJECT TOTAL SUPPLIES 1		PROJECT TOTAL SERVICES 1		PROJECT TOTAL OTHER 1		PROJECT TOTAL TOTAL 1	
	PROJECT NO. 17-011		PROJECT NAME N/A		PROJECT LOCATION N/A		PROJECT DATE 12/15/2017		PROJECT STATUS C-5.0		GENERAL DETAILS										SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA										WOHLFARTH CONSULTING GROUP LLC ENGINEERING & PLANNING 2046 NW 102ND AVENUE, SUITE 114 ALICIA, FL 32714										PROJECT TYPE C-5.0		PROJECT CODE C-5.0		PROJECT CITY ORANGE		PROJECT STATE FL		PROJECT ZIP 32714		PROJECT COUNTRY USA		PROJECT REGION FLORIDA		PROJECT TIMEZONE EST		PROJECT CURRENCY USD		PROJECT LANGUAGE ENGLISH		PROJECT UNIT IMPERIAL		PROJECT SCALE 1/8" = 1'-0"		PROJECT DRAWING NO. 17-011-001		PROJECT SHEET NO. 1		PROJECT TOTAL SHEETS 1		PROJECT TOTAL DRAWINGS 1		PROJECT TOTAL PROJECTS 1		PROJECT TOTAL CLIENTS 1		PROJECT TOTAL EMPLOYEES 1		PROJECT TOTAL SUBS 1		PROJECT TOTAL VENDORS 1		PROJECT TOTAL SUPPLIERS 1		PROJECT TOTAL PARTS 1		PROJECT TOTAL MATERIALS 1		PROJECT TOTAL EQUIPMENT 1		PROJECT TOTAL TOOLS 1		PROJECT TOTAL SUPPLIES 1		PROJECT TOTAL SERVICES 1		PROJECT TOTAL OTHER 1		PROJECT TOTAL TOTAL 1	
	PROJECT NO. 17-011		PROJECT NAME N/A		PROJECT LOCATION N/A		PROJECT DATE 12/15/2017		PROJECT STATUS C-5.0		GENERAL DETAILS										SAN SEBASTIAN RESERVE ORANGE COUNTY, FLORIDA										WOHLFARTH CONSULTING GROUP LLC ENGINEERING & PLANNING 2046 NW 102ND AVENUE, SUITE 114 ALICIA, FL 32714										PROJECT TYPE C-5.0		PROJECT CODE C-5.0		PROJECT CITY ORANGE		PROJECT STATE FL		PROJECT ZIP 32714		PROJECT COUNTRY USA		PROJECT REGION FLORIDA		PROJECT TIMEZONE EST		PROJECT CURRENCY USD		PROJECT LANGUAGE ENGLISH		PROJECT UNIT IMPERIAL		PROJECT SCALE 1/8" = 1'-0"		PROJECT DRAWING NO. 17-011-001		PROJECT SHEET NO. 1		PROJECT TOTAL SHEETS 1		PROJECT TOTAL DRAWINGS 1		PROJECT TOTAL PROJECTS 1		PROJECT TOTAL CLIENTS 1		PROJECT TOTAL EMPLOYEES 1		PROJECT TOTAL SUBS 1		PROJECT TOTAL VENDORS 1		PROJECT TOTAL SUPPLIERS 1		PROJECT TOTAL PARTS 1		PROJECT TOTAL MATERIALS 1		PROJECT TOTAL EQUIPMENT 1		PROJECT TOTAL TOOLS 1		PROJECT TOTAL SUPPLIES 1		PROJECT TOTAL SERVICES 1		PROJECT TOTAL OTHER 1		PROJECT TOTAL TOTAL 1	
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EXHIBIT F – CONCEPTUAL POOL CABANA

POOL CABANA





Posting of sign on site.



Looking west along Fernery Lane from sign posting.



Looking south along North Lake Avenue from sign posting.

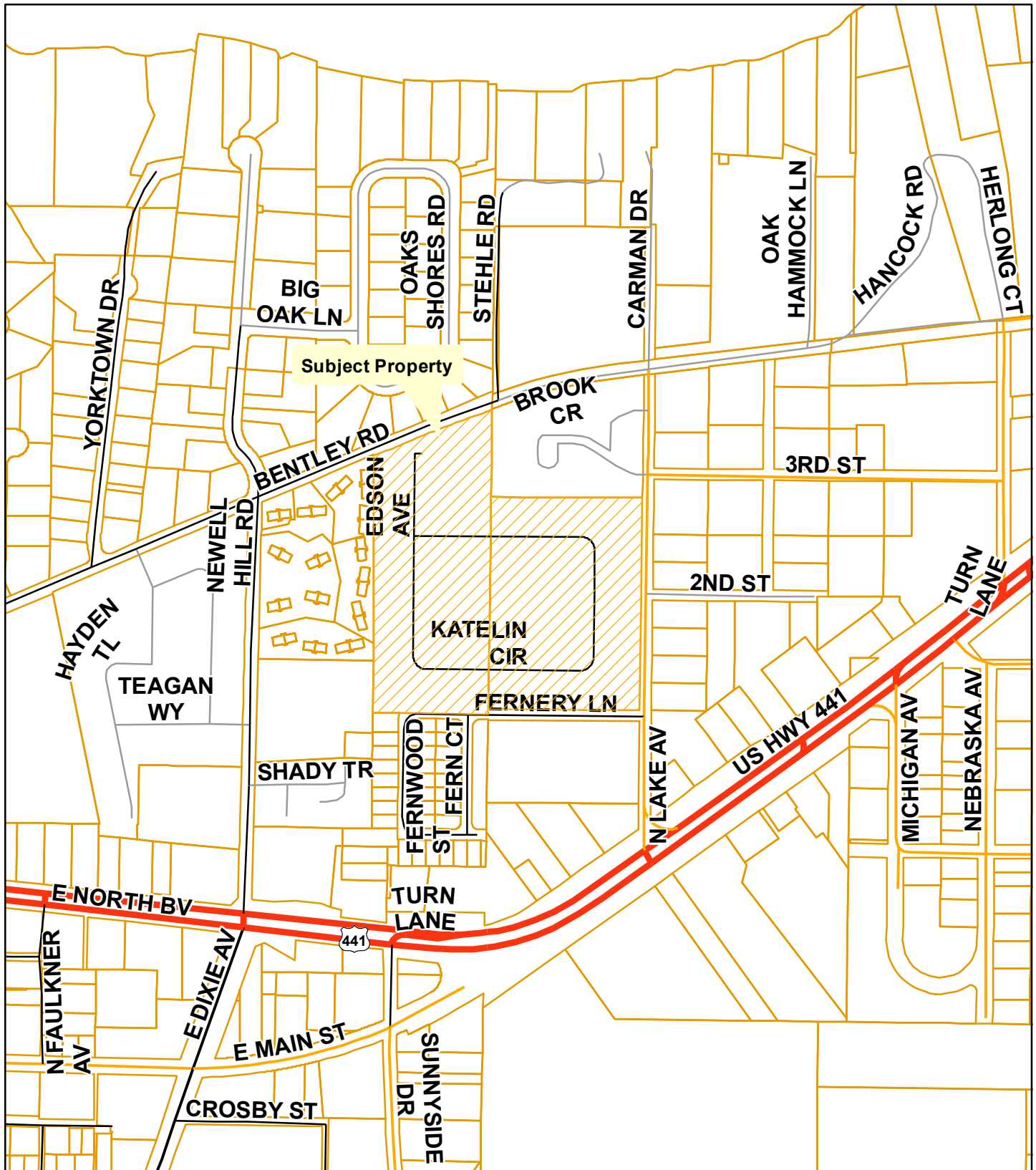


Looking east from sign posting (intersection of North Lake Avenue and Fernery Lane).

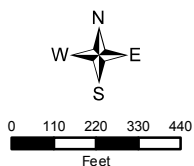


Close up of sign posting.

Locator



**Planning
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Division**

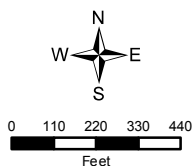


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Aerial

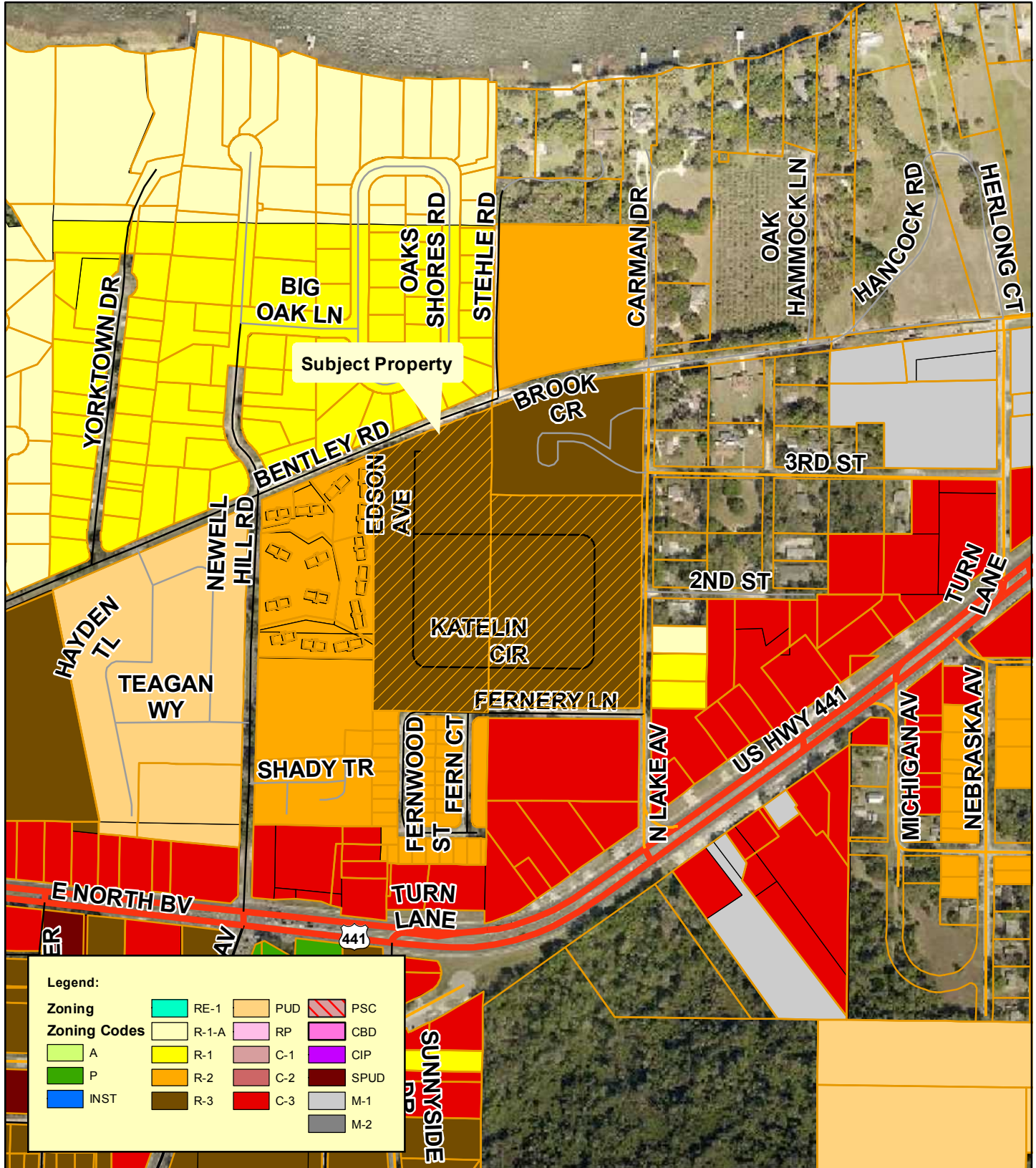


**Planning
& Zoning
Division**

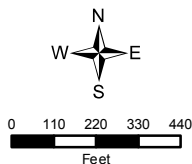


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Zoning

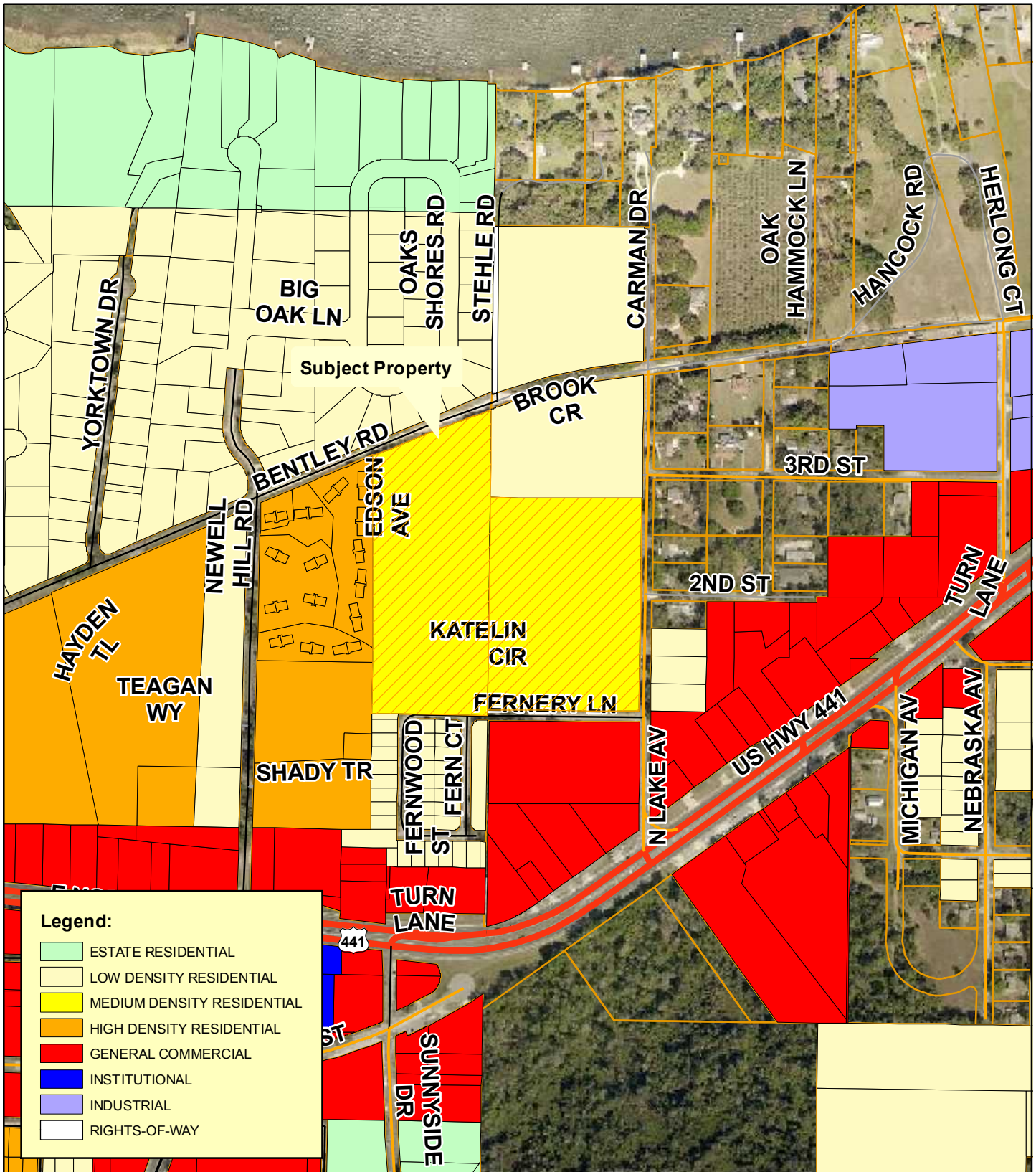


**Planning
& Zoning
Division**

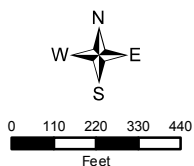


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Future Land Use



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& Zoning
Division**

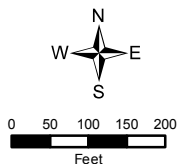


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Surrounding Land Uses

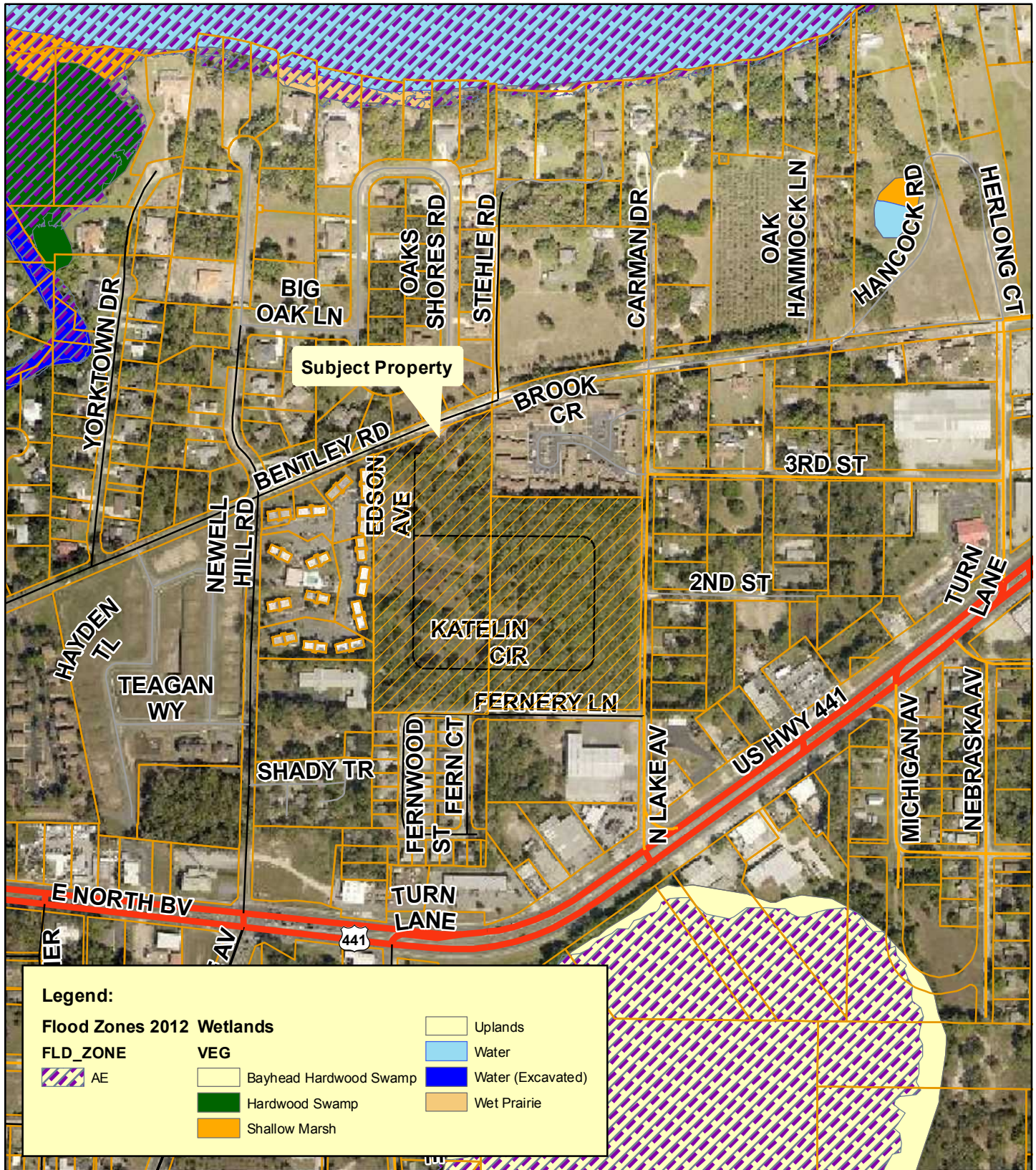


**Planning
& Zoning
Division**

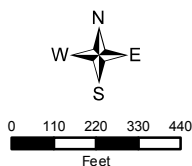


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Wetlands and Flood Zones

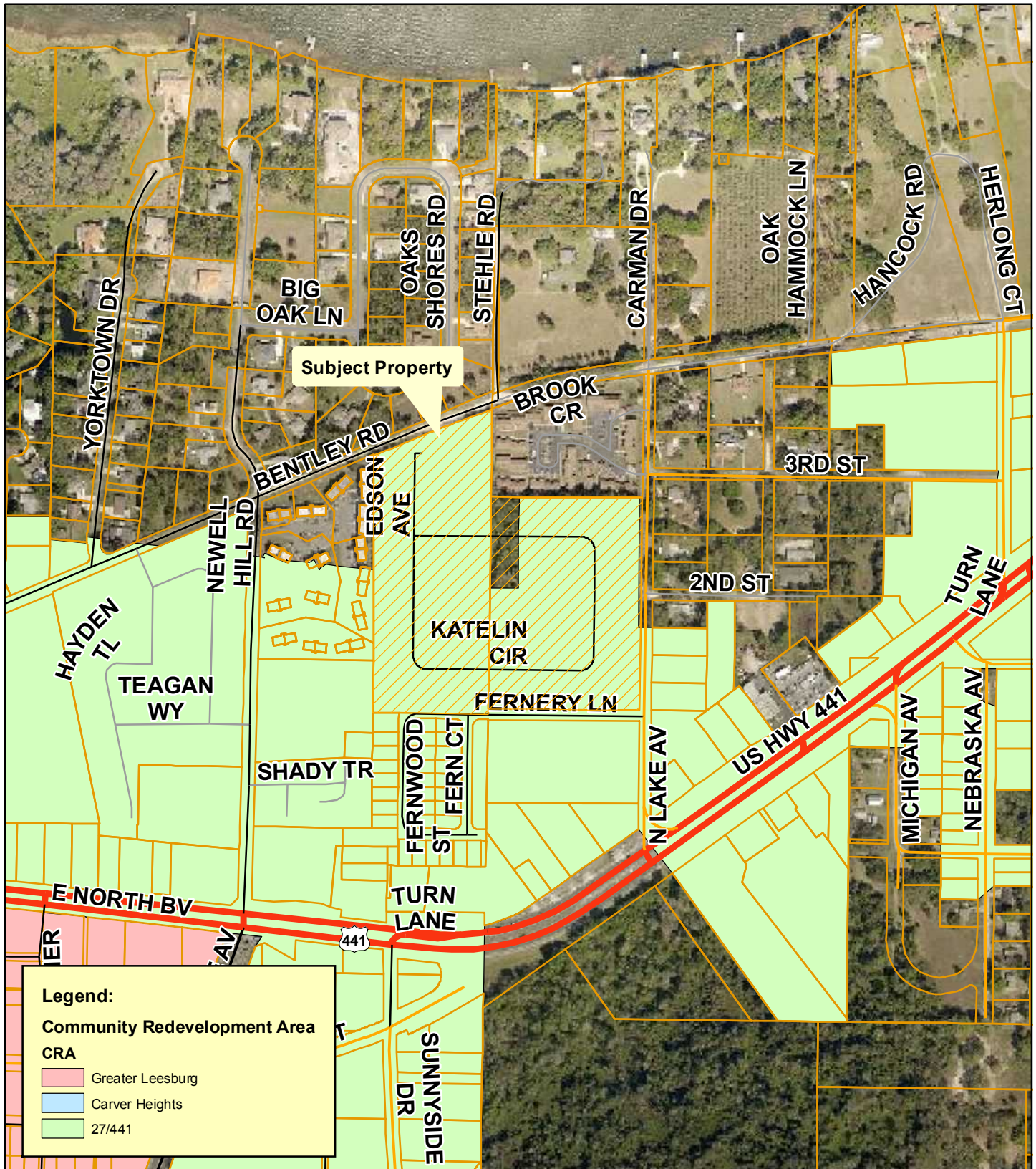


**Planning
& Zoning
Division**

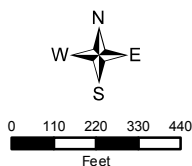


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Community Redevelopment Area

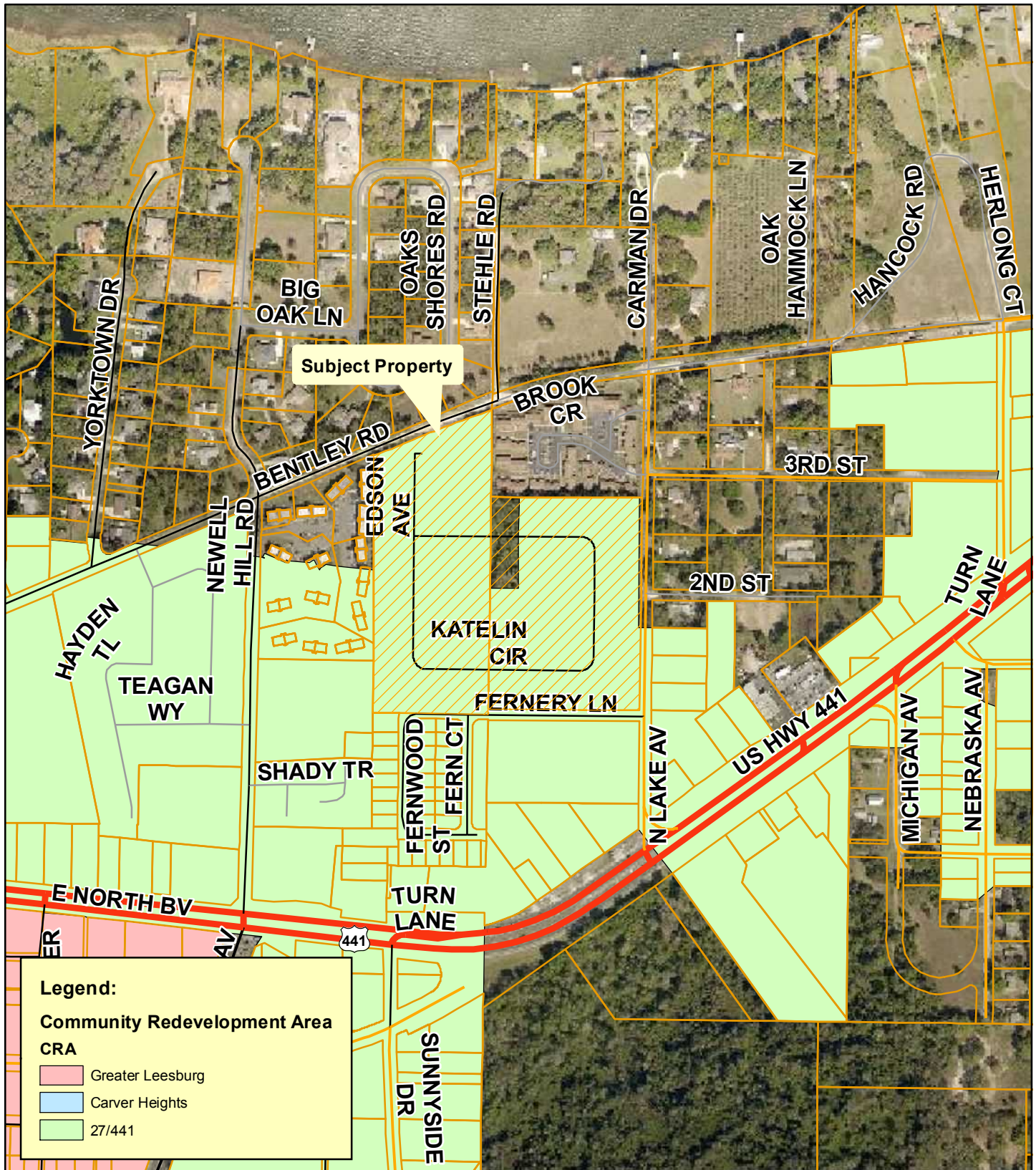


**Planning
& Zoning
Division**

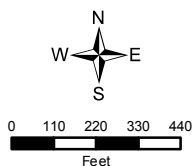


PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

Community Redevelopment Area



**Planning
& Zoning
Division**

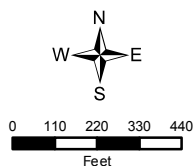


PUD-20-174
Lake Griffin Reserve
Alternate Keys: 1205271, 3369475
Section 24, Township 19South, Range 24 East
August 26, 2020

Commission District



**Planning
& Zoning
Division**



PUD-20-174 Lake Griffin Reserve
 Alternate Keys: 1205271, 3369475
 Section 24, Township 19 South, Range 24 East and
 Section 30, Township 19 South, Range 25 East
 September 1, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.2.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, Vacating the existing 15 Foot Ingress/Egress and Utility Easements and the existing 7.5 Foot Ingress/Egress and Utility Easements consisting of approximately 27,367 Square Feet, generally located between Montclair Road and Carver Drive within Lot 3 of the Leesburg Industrial Center Plat, as Recorded in Plat Book 49, Page 27 of the Public Records of Lake County, Florida; and providing an effective date. (Leesburg Industrial Center -FedEx Vacate)

Staff Recommendation:

Staff recommends approval of a vacation of the current access/egress and utility easements for Lot 3 of Leesburg Industrial Center.

Analysis:

The subject property is generally located along Montclair Road to the south and Carver Drive to the north. The area to be vacated is a 15 foot wide ingress/egress and utility easement; plus a 7.5 foot ingress/egress and utility easement all of which are located within Lot 3 of the Plat of Leesburg Industrial Center, City of Leesburg, as recorded in Plat Book 49, Page 75 of the Official Records of Lake County. This easement is no longer needed as shown on the current plat. This request is for the described easements only, and will not impact adjacent properties.

This location is the site of new development of a distribution center for Federal Express. Because the plans for this facility are under review by the City at this time, new, revised easements will be reviewed, required and recorded during the development process.

Procurement Analysis:

N/A

Options:

1. Approve the requested vacate, or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact is anticipated as a result of this request.

Submission Date and Time: 12/9/2020 3:15:07 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, VACATING THE EXISTING 15 FOOT INGRESS/EGRESS AND UTILITY EASEMENTS AND THE EXISTING 7.5 FOOT INGRESS/EGRESS AND UTILITY EASEMENTS CONSISTING OF APPROXIMATELY 27,367 SQUARE FEET, GENERALLY LOCATED BETWEEN MONTCLAIR ROAD AND CARVER DRIVE WITHIN LOT 3 OF THE LEESBURG INDUSTRIAL CENTER PLAT, AS RECORDED IN PLAT BOOK 49, PAGE 27 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (LEESBURG INDUSTRIAL CENTER -FEDEX VACATE)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA THAT:

Section 1.

The City Commission of the City of Leesburg, Florida, finding that an easement, located in the Leesburg Industrial Center, in Lake County, Florida, as noted below, is not needed for public purposes, therefore the portion of said easement, as legally described below, is hereby vacated and relinquished, except as reserved hereafter;

Legal Description

That 15 foot ingress/egress & utility easement; and that 7.5 foot ingress/egress and utility easement located within Lot 3 of the plat of Leesburg Industrial Center, City of Leesburg, according to the Plat Book 49, Page 75 of the Official Records of Lake County Florida.

Section 2.

The provisions of Section 1 notwithstanding, this Ordinance shall not be construed to release, and the City Commission hereby reserves, any and all existing recorded easements for utilities in favor of the City of Leesburg in and to any portion of the property located in the vacated area.

Section 3.

This ordinance shall become effective immediately upon its passage and adoption according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the ____ day of _____ 2020.

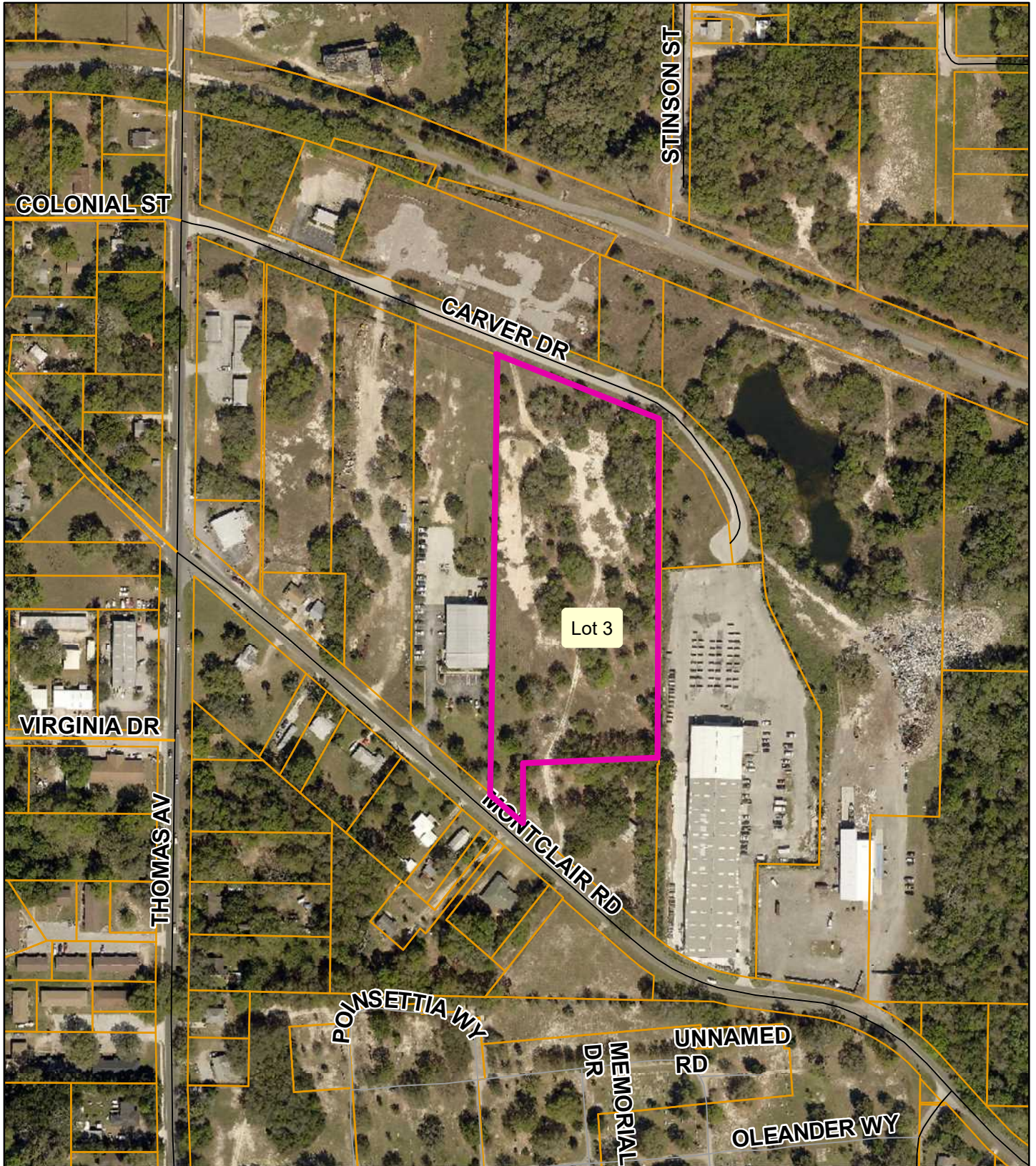
THE CITY OF LEESBURG

Mayor

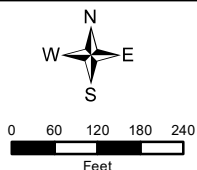
ATTEST:

City Clerk

Aerial



**Planning
& Zoning
Division**



Easement Vacate, Lot 3 only
Leesburg Industrial Center
New corrected easements to
be applied during development
December 14, 2020

2003076421

Leesburg Industrial Center

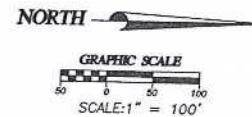
A Subdivision in Section 22, Township 19 South, Range 24 East,
City of Leesburg, Lake County, Florida

Plat
Location



Vicinity Map
(NOT TO SCALE)

- - FOUND MONUMENTATION USED FOR PERMANENT REFERENCE MONUMENT AS DESCRIBED
- - SET PERMANENT REFERENCE MONUMENT 4x4 CONCRETE MONUMENT WITH DISK STAMPED "PRM LB 6538"
- ⊙ - SET 1/2" IRON ROD & CAP "QUINN & ASSOC. RLS 4258"
- LB - LICENSED BUSINESS
- PSM - PROFESSIONAL SURVEYOR AND MAPPER
- SF - SQUARE FEET
- R/W - RIGHT OF WAY
- IRC - IRON ROD WITH PLASTIC CAP
- IR - IRON ROD WITH NO CAP
- ID - IDENTIFICATION



Description

A parcel of land located in Section 22, Township 19 South, Range 24 East, Lake County, Florida and is more particularly described as follows:

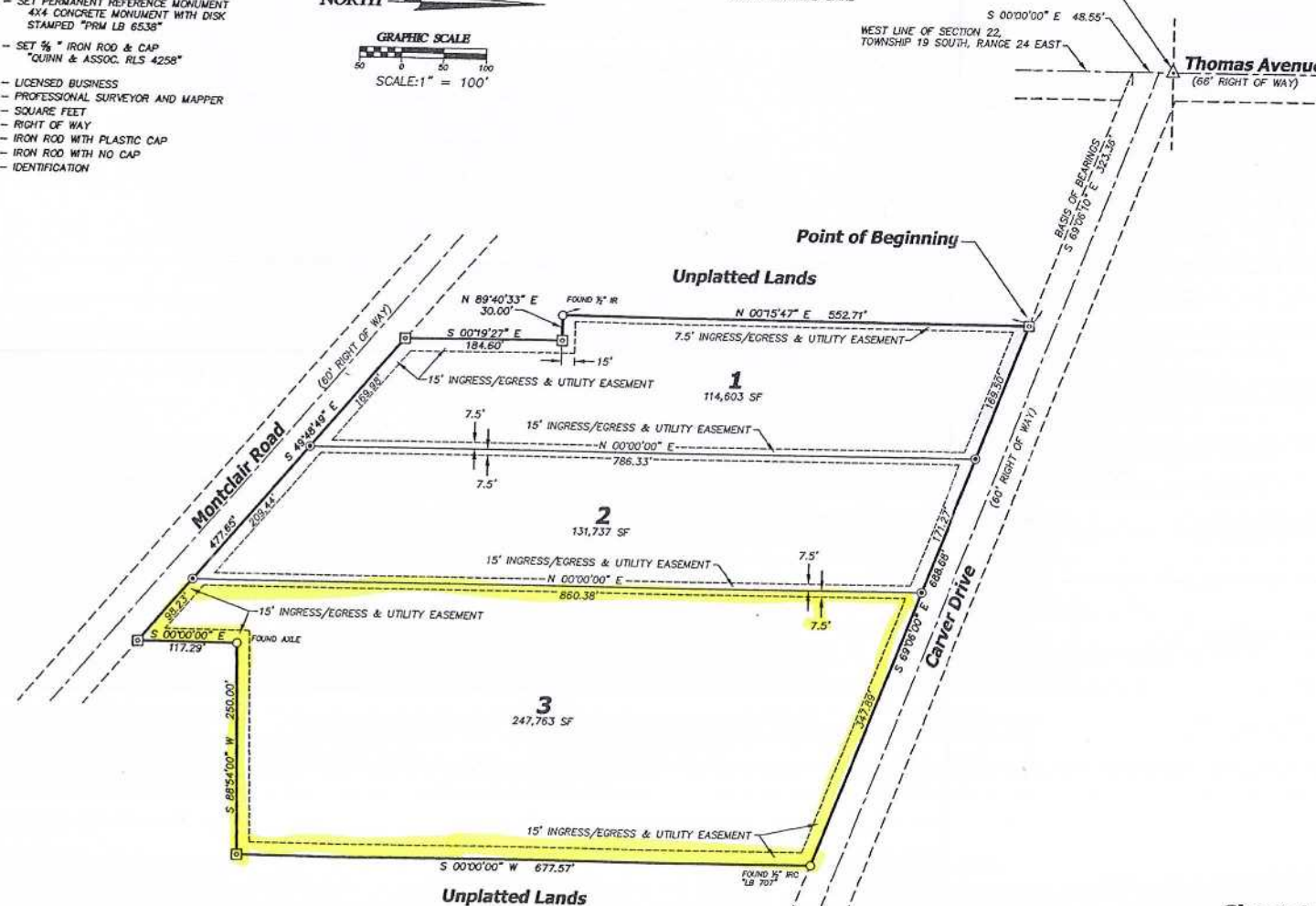
Commence at the west 1/4 corner of Section 22, Township 19 South, Range 24 East; thence run S 00°00'00" E along the west line of said Section 22, 48.55'; thence run S 69°06'10" E, 323.36' along the south right of way line of Carver Drive (a 60' Right of Way) to the Point of Beginning; thence run S 69°06'00" E, along the said south right of way, 688.68'; thence run S 00°00'00" E, 677.57'; thence run S 89°40'00" W, 250.00'; thence run S 00°00'00" E, 117.29' to the north right of way line of Montclair Road (a 60' Right of Way); thence run N 49°48'49" W, 477.65'; thence run N 00°19'27" W, 184.60'; thence run S 89°40'33" W, 30.00'; thence run N 00°15'47" E, 552.71' returning to the Point of Beginning, containing 11.343 acres more or less.

Plat Notes

- 1) This plat is based on a boundary survey performed by Quinn & Associates, Inc. dated: 6/11/2002.
- 2) The areas shown hereon are rounded to the nearest even square foot.
- 3) The basis of bearings is the south right of way line of Carver Drive being S 69°06'10" E.
- 4) This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.
- 5) Subject Property was originally a part of Carver Park Subdivision, as recorded in Plat Book 11, Page 65. This area was vacated on November 22, 1993, as recorded in City of Leesburg ORD Number 93-22.
- 6) Water retention of stormwater will be handled and maintained per lot.

Point of Commencement

WEST 1/4 CORNER OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST
FOUND RAILROAD SPIKE



Sheet 1 of 1

PLAT BOOK 49 PAGE 75

Dedication For Leesburg Industrial Center

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the owner in fee simple of the lands described in the foregoing caption to this plat, does hereby dedicate said lands and plat for the uses and purposes thereon expressed, and dedicates the ingress/egress and utility easements of said lands to the use of the public.

IN WITNESS WHEREOF, the undersigned owner has executed this dedication in the manner provided by law, on May 21, 2003.

Signed, sealed and delivered in our presence as witnesses:

WITNESSES:
Signed: [Signature] GRANTOR
Printed: Gordon E. Ruff Kurt Damron
Signed: [Signature] Mike Archbold
Printed: John G. Ruff Mike Archbold

STATE OF FLORIDA, COUNTY OF LAKE

The foregoing Dedication was acknowledged before me this 21 day of May, 2003, by Kurt Damron & Mike Archbold

He has personally known to me or has produced identification, and ☒ did ☐ did not take an oath.

Signed: [Signature] CHARLES D. JOHNSON
Printed: [Signature] MY COMMISSION # CC 39629
Title or Rank: [Signature] EXPIRES: February 24, 2004
My Commission Expires: [Signature] Noted This Notary Public's Office

Surveyor's Certification:

KNOW ALL THOSE PRESENTS, That the undersigned, being a Registered Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that this plat was prepared under his supervision, and that this plat complies with all of the provisions of Chapter 177, Florida Statutes.

[Signature] Date: 5/20/03
John Mark Larson, PSM
Florida Professional Surveyor and Mapper Number 6015
Quinn & Associates, Inc. - LB Number 6538

Statement of Reviewer:

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Florida Statutes, and find that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of the coordinates, points or measurements shown on this plat.

[Signature] Date: 6/5/2003
David H. Kraft, PSM
Florida Professional Surveyor and Mapper Number 4365
Engineering Department, City of Leesburg; Leesburg, Florida

Certificate of Approval of Municipality:

THIS IS TO CERTIFY, That this plat was presented to the City Commission of Leesburg, Lake County, Florida and approved by said City Commission of Leesburg for record, and the dedication of all easements is accepted for municipal purposes of said city on the 20 day of June, 2003 provided that it is recorded in the Office of the Clerk of Circuit Court of Lake County, Florida within 90 days from the date of approval by said City Commission of Leesburg, Florida.

[Signature] Date: 6/5/2003
Planning and Zoning Manager

Certificate of Clerk:

I HEREBY CERTIFY, that I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on the 20 day of June, 2003, at 2:12 p.m., File Number: 2003 076 421

[Signature] 10C.
Clerk of the Circuit Court
in and for Lake County, Florida



QUINN
& ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS

PREPARED BY:

3501 SOUTH MAIN STREET
GAINESVILLE, FLORIDA 32601
PHONE: (352) 372-9594
FAX: (352) 371-3988
www.quinnengineering.com

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.3.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.46 acres; and being generally located West of Sleepy Hollow Road and North of Old Tavares Road, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (CWC Homes Ax)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of the property owned by Christian Worship Center Homes.

Analysis:

The applicant has submitted a request for annexation of approximately 0.46 acres of land generally located west of Sleepy Hollow Road and north of Old Tavares Road, as shown on the attached General Location Map. At this time, the property is vacant and undeveloped. The current zoning is Lake County R-1 (Rural Residential); the proposed zoning is City R-1 (Low Density Residential). The proposal is for single family homes.

The property is surrounded by residential properties. Under the conditions of the R-1 (Low Density Residential) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also on this City Commission agenda is a Small Scale Comprehensive Plan Amendment and a Rezoning Application for this property, with recommendations for approval from the staff and Planning Commission. The Planning Commission held a public hearing on the application on October 22, 2020 and by a vote of 7 to 0, recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation as presented, or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact is anticipated as a result of this request. A small positive fiscal impact will result from the future development of this property, including revenue from impact fees, ad valorem taxes and utility fees.

Submission Date and Time: 12/9/2020 3:14:37 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 0.46 ACRES; AND BEING GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD, LYING IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 1; AND PROVIDING AN EFFECTIVE DATE. (CWC HOMES Ax)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LESSBURG, FLORIDA, THAT:

Section 1.

Based upon the petition of **CHRISTIAN WORSHIP CENTER HOMES, (John Christian, Petitioner)** for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

**Legal Description
(See Exhibit A)**

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed here by is assigned to City Commission District 1.

Section 3.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of

Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

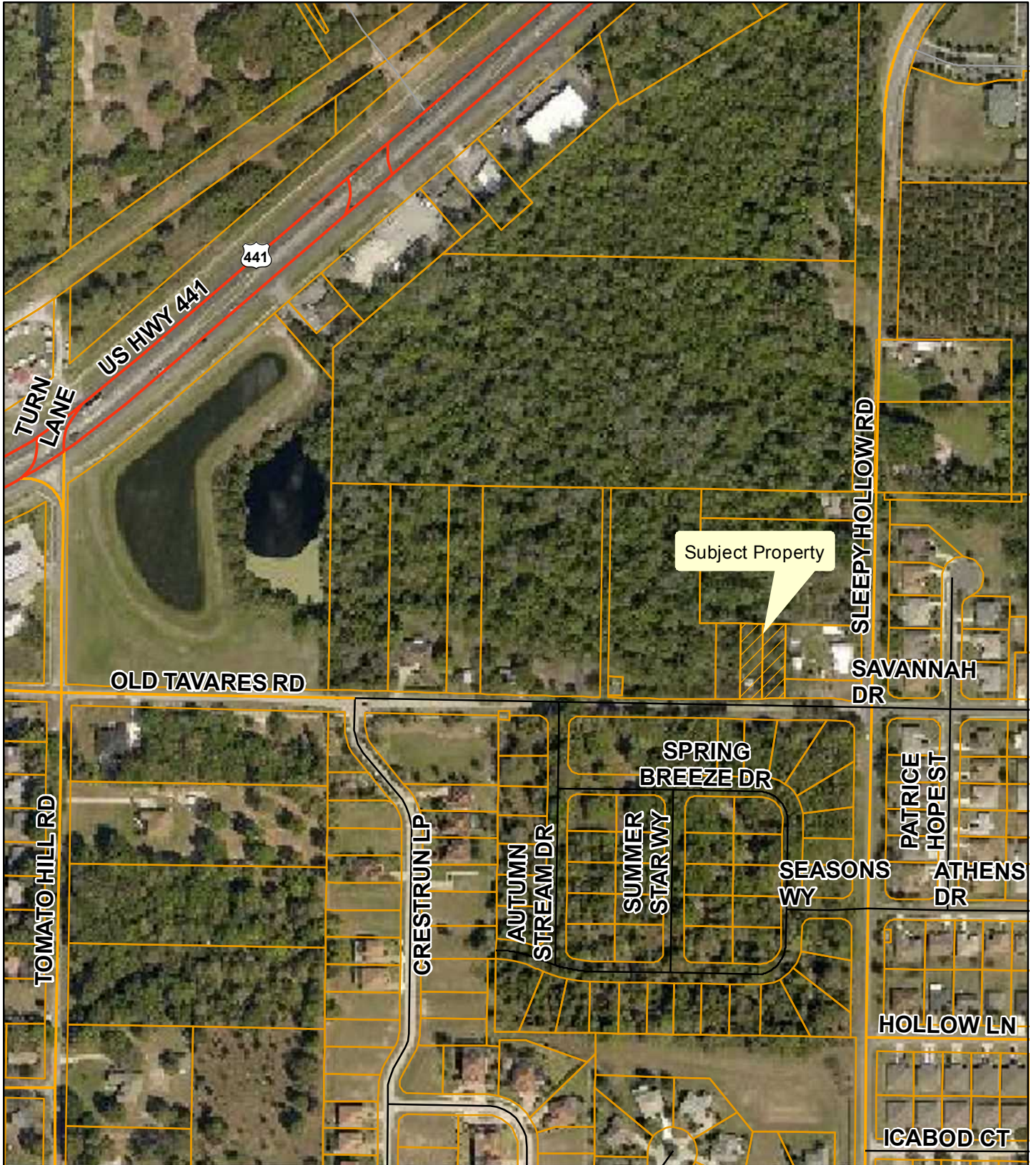
Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

AND

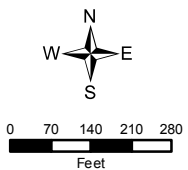
**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

Aerial



**Planning
& Zoning
Division**



ANNX-20-200; SSCP-20-204; RZ-20-205
Christian Worship Center Homes
AK#: 1586411; 1586429
Section 20, Township 19 South, Range 25 East
September 29, 2020

CITY OF LEESBURG PLANNING & ZONING DIVISION

STAFF SUMMARY

OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan) and PUD (Planned Unit Development)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

GENERAL LOCATION: The property is located west of Sleepy Hollow Road and north of Old Tavares Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North — Lake County Urban Low Density
South — City of Leesburg Estate Residential
East — Lake County Urban Low Density
West — Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION:

City of Leesburg Estate Density Residential

EXISTING ZONING DESIGNATION

Lake County R-1 (Rural Residential)

SURROUNDING ZONING DESIGNATIONS:

North — Lake County R-1 (Rural Residential)
South — City of Leesburg R-1 (Low Density Residential)
East — Lake County R-1 (Rural Residential)
West — Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION: R-1 (Low Density Residential)

EXISTING LAND USE: Vacant government lots.

SURROUNDING LAND USE:

North — Residential
South — Residential
East — Residential
West — Residential

PROPOSED LAND USE: Construction of a single-family home on each lot.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: October 5, 2020
OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 10/16/20

FIRE

No comments from Fire Department. Amanda Stevenson 10/6/20

ELECTRIC

Electric has no objections. The property owner will have to pay to have electric installed to the lot. Steve Davis 10/5/20

GAS

No comments received as of 10/16/20

GIS

No comments received as of 10/16/20

BUILDING

No comments received as of 10/16/20

PUBLIC WORKS

Public Works has no issues with this. Cliff Kelsey 10/6/20

ADDRESSING

No comments received as of 10/16/20

ECONOMIC DEVELOPMENT

No comments received as of 10/16/20

LAKE COUNTY PUBLIC WORKS

Thanks Helen LaValley 9/3/20

LAKE COUNTY SCHOOLS

No comments received as of 10/16/20

PUBLIC RESPONSES

Approval

approvals

Disapproval

No comments received as of 10/16/20

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

PUBLIC COMMENTS (UNDECIDED)

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.4.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance amending the Future Land Use map of the Comprehensive Plan for the City of Leesburg, changing the Future Land Use map designation of certain property containing approximately 0.46 acres, being generally located on the West side of Sleepy Hollow Road and North of Old Tavares Road, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida from Lake County Urban Low Density to City of Leesburg Estate; and providing an effective date. (CWC SSCP Old Tavares Road - SSCP)

Staff Recommendation:

The Planning Commission and Planning and Zoning Staff recommend approval of the request to amend the Future Land Use Map on the subject property from Lake County Urban Low Density to City of Leesburg Estate Residential.

Analysis:

The applicant has submitted a request for a small scale comprehensive plan map amendment on approximately 0.46 acres of land generally located west of Sleepy Hollow Road and north of Old Tavares Road, as shown on the attached General Location Map. At this time, the property is vacant and undeveloped. The current zoning is Lake County R-1 (Rural Residential); the proposed zoning is City R-1 (Low Density Residential). The Future Land Use designation for this property is Lake County Urban Low Density and the request is for Estate Residential in the City. The proposal is for single family homes. This request is consistent and compatible with surrounding properties, and does not create a negative impact for the surrounding properties.

Also on this City Commission agenda is an Annexation application and a Rezoning application for this property, with recommendations for approval from the staff and Planning Commission. The Planning Commission held a public hearing on the application on October 22, 2020 and by a vote of 7 to 0, recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested amendment to the Future Land Use Map of the Comprehensive Plan as presented, or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact is anticipated as a result of this request.

Submission Date and Time: 12/9/2020 3:14:48 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 0.46 ACRES, BEING GENERALLY LOCATED ON THE WEST SIDE OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD, LYING IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE; AND PROVIDING AN EFFECTIVE DATE. (CWC SSCP OLD TAVARES ROAD - SSCP)

800x600 Normal 0 false false false EN-US X-NONE X-NONE

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission acting as the Local Planning Agency, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner:

The Future Land Use Map is amended by changing the designation of an approximate 0.46 acre parcel(s) of land generally located on the west side of Sleepy Hollow Road and north Old Tavares Road from Lake County Urban Low Density to City Estate as shown on Attachment 1, the revised map of said area, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida, legally described as:

Legal Description

(See Exhibit A)

Section 2.

All ordinances or part of ordinances in conflict with any of the provisions of this ordinance are

hereby repealed.

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

AND

**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

CITY OF LEESBURG PLANNING & ZONING DIVISION

STAFF SUMMARY

OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan) and PUD (Planned Unit Development)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

GENERAL LOCATION: The property is located west of Sleepy Hollow Road and north of Old Tavares Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North — Lake County Urban Low Density
South — City of Leesburg Estate Residential
East — Lake County Urban Low Density
West — Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION:

City of Leesburg Estate Density Residential

EXISTING ZONING DESIGNATION

Lake County R-1 (Rural Residential)

SURROUNDING ZONING DESIGNATIONS:

North — Lake County R-1 (Rural Residential)
South — City of Leesburg R-1 (Low Density Residential)
East — Lake County R-1 (Rural Residential)
West — Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION: R-1 (Low Density Residential)

EXISTING LAND USE: Vacant government lots.

SURROUNDING LAND USE:

North — Residential
South — Residential
East — Residential
West — Residential

PROPOSED LAND USE: Construction of a single-family home on each lot.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: October 5, 2020
OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 10/16/20

FIRE

No comments from Fire Department. Amanda Stevenson 10/6/20

ELECTRIC

Electric has no objections. The property owner will have to pay to have electric installed to the lot. Steve Davis 10/5/20

GAS

No comments received as of 10/16/20

GIS

No comments received as of 10/16/20

BUILDING

No comments received as of 10/16/20

PUBLIC WORKS

Public Works has no issues with this. Cliff Kelsey 10/6/20

ADDRESSING

No comments received as of 10/16/20

ECONOMIC DEVELOPMENT

No comments received as of 10/16/20

LAKE COUNTY PUBLIC WORKS

Thanks Helen LaValley 9/3/20

LAKE COUNTY SCHOOLS

No comments received as of 10/16/20

PUBLIC RESPONSES

Approval

approvals

Disapproval

No comments received as of 10/16/20

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

PUBLIC COMMENTS (UNDECIDED)



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: October 22, 2020
OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: Rezoning
CASE NO.: RZ-20-205

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of this request

for the following reason(s):

1. The proposed request is compatible with the current surrounding zoning districts of Lake County R-1 (Rural Residential) and City of Leesburg R-1 (Low Density Residential).
2. The proposed request will allow one single family residential structure on each lot that is consistent with the current surrounding Future Land Use category of Lake County Urban Low Density and City Estate Residential.
3. The proposed request does not appear to create a detriment to surrounding properties.

Action Requested:

1. Vote to approve staff's recommendation to rezone the subject property from Lake County R-1 (Rural Residential) to City of Leesburg R-1 (Low Density Residential) and forward to the City Commission for consideration.



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, OCTOBER 22ND, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, October 22nd, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:31 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood
Nathaniel Sanders

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Careylee Murray, Planner, Kandi Harper, Senior Planner, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dianne Pacewicz informed the audience of the rules of participation and the need to sign the speaker’s registry. She also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

NEW BUSINESS

1. PUBLIC HEARING CASE # SSCP-20-204 – CHRISTIAN WORSHIP CENTER HOMES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 0.46 ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE DENSITY RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, DECEMBER 14, 2020 AND SECOND READING ON MONDAY, JANUARY 11, 2021)** (CWC Homes)

Dianne Pacewicz stated these two cases for this proposal to be heard, one is for the Comprehensive Plan Amendment and the other is for a Rezoning. There is also an Annexation application which goes before the City Commission; with the Chairman's permission, staff requested that both cases be heard as a whole and then afterward the Commission could vote on each case individually.

Dianne Pacewicz introduced case number #SSCP-20-204 – Christian Worship Center Homes – Small Scale Comprehensive Plan Amendment and case number #RZ-20-205 – Christian Worship Center Homes - Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Dianne Pacewicz gave a background of the subject property and current zoning.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review; there were no comments or objections from city departments and no comments from the public.

Dianne Pacewicz read the Staff Recommendations for both cases into the record; Staff recommended approval for both cases.

Pastor John Christian gave a presentation of the subject property and stated this is something new for our church; remodeled a lot of properties here in Leesburg but this is the first one from start to finish; looking forward to being in the City of Leesburg; Sunnyside area will be a great start; proposed home will be compatible with the neighborhood; previous structures.

Mr. Bowersox asked if any Commissioners had any questions of the applicant.

Commissioners discussed about who would be living in the homes, and if the lots were platted.

Chairman Bowersox stated that the vote needed to be made one at a time for each case.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # SSCP-20-204 – CHRISTIAN WORSHIP CENTER HOMES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6 - 0.

2. PUBLIC HEARING CASE # RZ-20-205 – CHRISTIAN WORSHIP CENTER HOMES – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.46 ACRES FROM LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY OF LEESBURG R-1 (RURAL RESIDENTIAL) FOR A PROPERTY GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, DECEMBER 14, 2020 AND SECOND READING ON MONDAY, JANUARY 11, 2021)** (CWC Homes)

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Fitzpatrick made a MOTION for APPROVAL of case # RZ-20-205 – CHRISTIAN WORSHIP CENTER HOMES – REZONING Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

DISCUSSION

Dan Miller stated he was so proud of his Staff, for the first time in the history of Leesburg the entire Planning & Zoning meeting--every single thing had been done by the ladies; just wanted to put on the record how proud he is of his staff.

Chairman Bowersox announced that it is wonderful having Commissioner Sanders on the board and he looks forward to spending many meetings with him and getting to know him better.

ADJOURNMENT

Approximately 4:54 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II



Posting of sign on property.



Close up of sign posting.



Looking west along Old Tavares Road from sign posting.

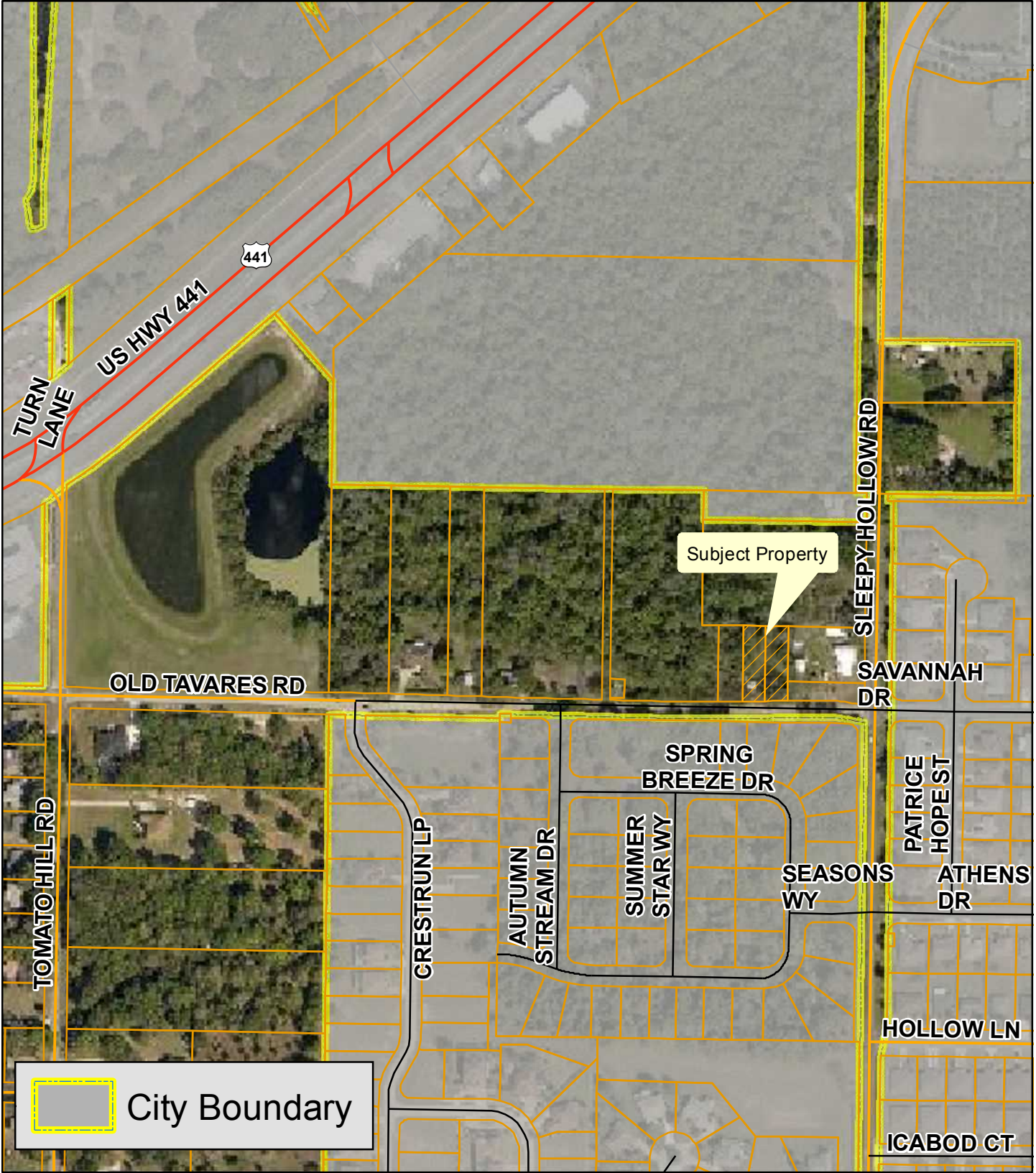


Looking south across Old Tavares Road from sign posting. (rear of Seasons at Hillside Subdivision).

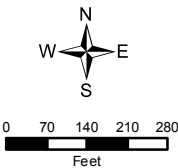


Looking east along Old Tavares Road from sign posting.

City Boundary

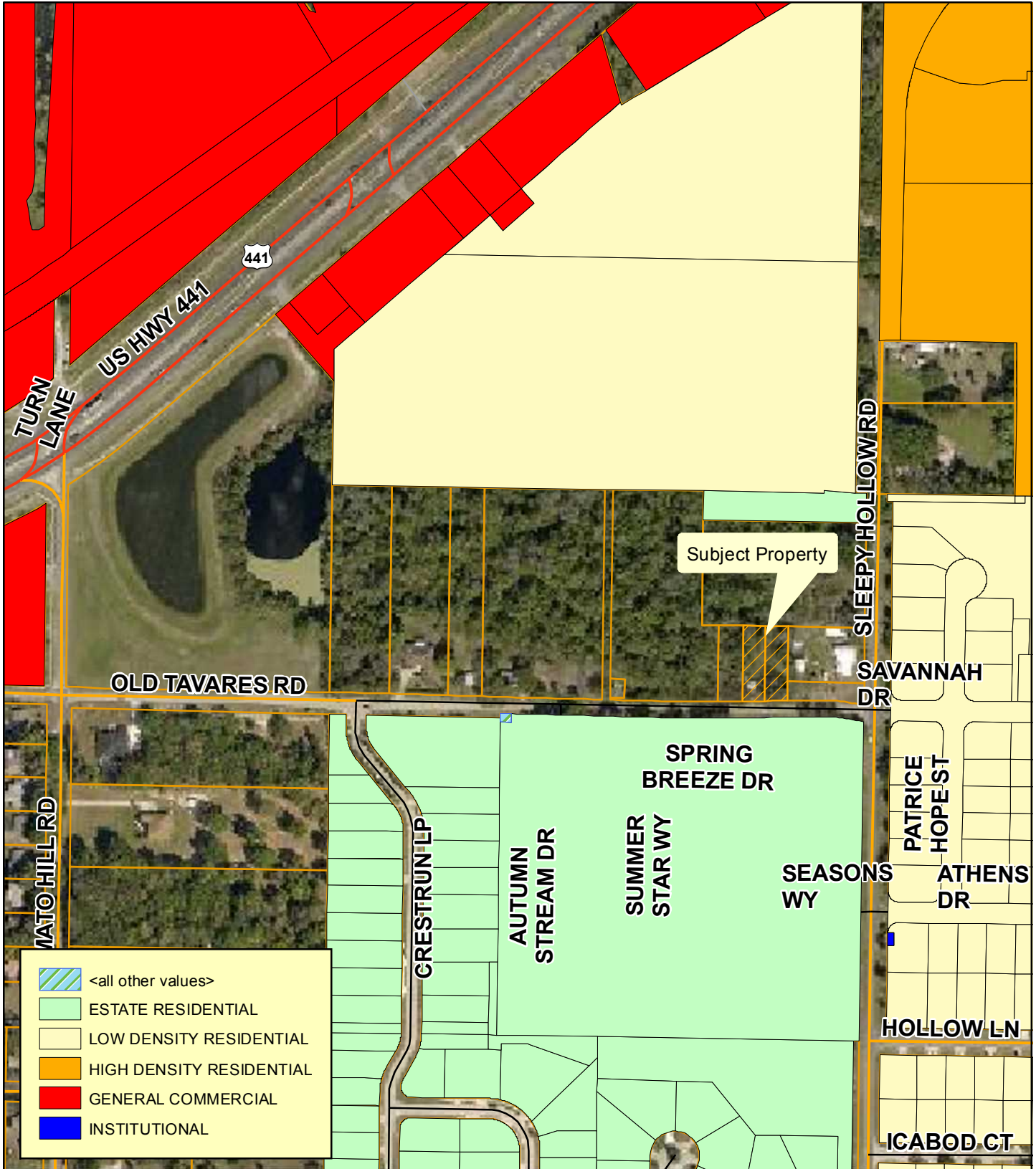


Planning
& Zoning
Division

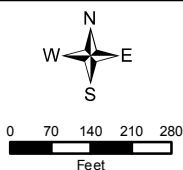


ANNX-20-200; SSCP-20-204; RZ-20-205
Christian Worship Center Homes
AK#: 1586411; 1586429
Section 20, Township 19 South, Range 25 East
September 29, 2020

Future Land Use

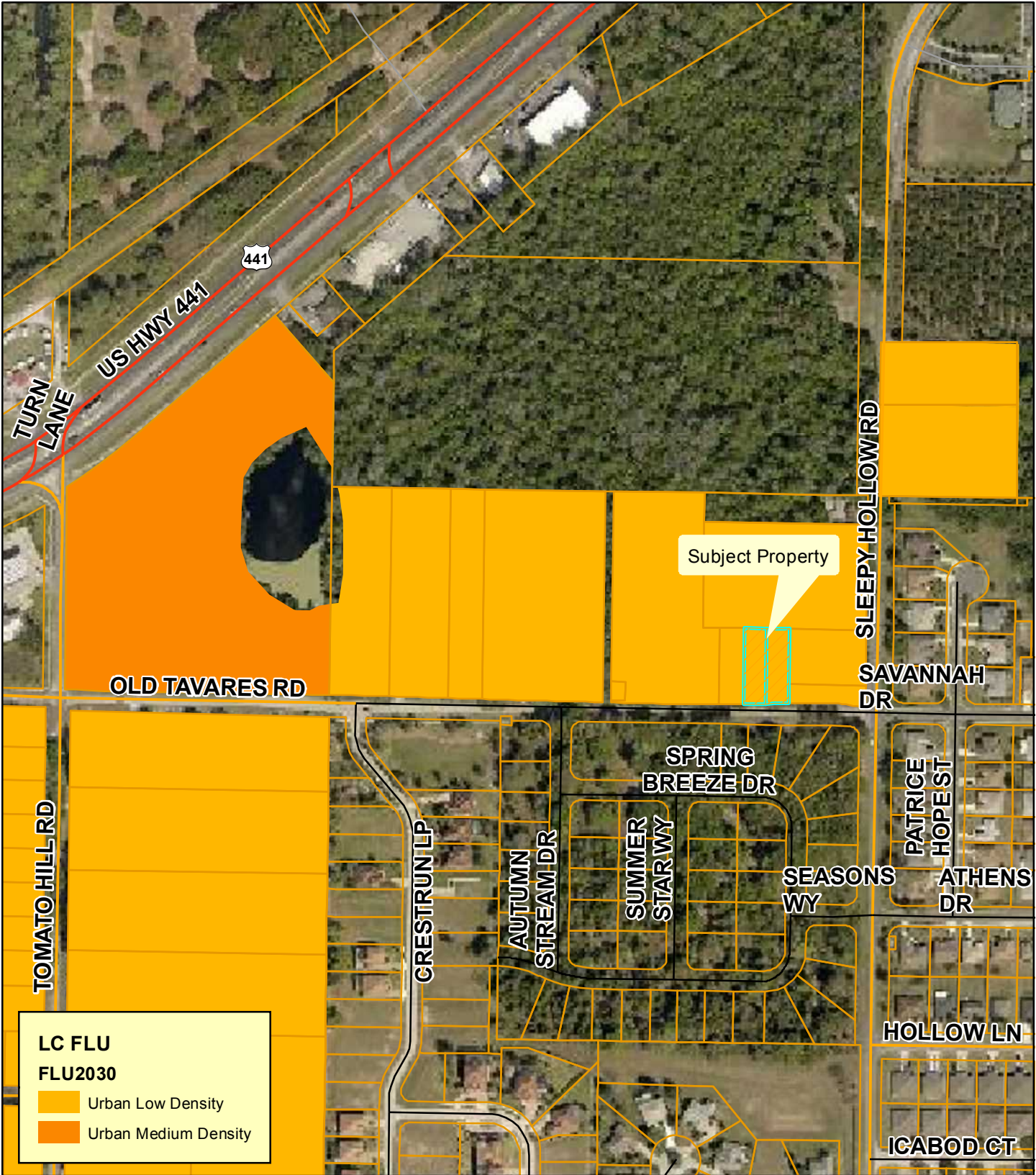


**Planning
& Zoning
Division**

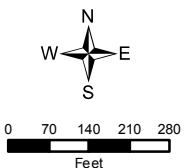


ANNX-20-200; SSCP-20-204; RZ-20-205
 Christian Worship Center Homes
 AK#: 1586411; 1586429
 Section 20, Township 19 South, Range 25 East
 September 29, 2020

Lake County Future Land Use



**Planning
& Zoning
Division**

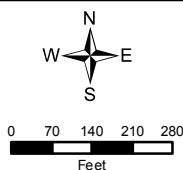


ANNX-20-200; SSCP-20-204; RZ-20-205
 Christian Worship Center Homes
 AK#: 1586411; 1586429
 Section 20, Township 19 South, Range 25 East
 September 29, 2020

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**

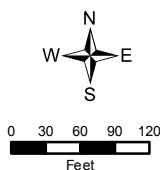


ANNX-20-200; SSCP-20-204; RZ-20-205
 Christian Worship Center Homes
 AK#: 1586411; 1586429
 Section 20, Township 19 South, Range 25 East
 September 29, 2020

Surrounding Existing Land Uses



**Planning
& Zoning
Division**

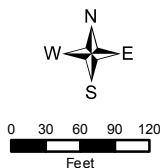


ANNX-20-200; SSCP-20-204; RZ-20-205
Christian Worship Center Homes
AK#: 1586411; 1586429
Section 20, Township 19 South, Range 25 East
September 29, 2020

Wetlands and Flood Zones



**Planning
& Zoning
Division**



ANNX-20-200; SSCP-20-204; RZ-20-205
 Christian Worship Center Homes
 AK#: 1586411; 1586429
 Section 20, Township 19 South, Range 25 East
 September 29, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.5.

Meeting Date: December 14, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, Rezoning approximately 0.46 +/- acres from Lake County R-1 (Rural Residential) to City R-1 (Low Density Residential) for a property generally located West of Sleepy Hollow Road and North of Old Tavares Road, as legally described in Section 20, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (CWC Old Tavares Road - RZ)

Staff Recommendation:

The Planning Commission and Planning and Zoning Staff recommend approval of the request to rezone the subject property from Lake County R-1 (Rural Residential) to City of Leesburg R-1 (Low Density Residential).

Analysis:

The subject property is generally located west of Sleepy Hollow Road and north of Old Tavares Road as seen on the attached maps. The current Future Land Use designation is Lake County Urban Low Density and the proposed designation City of Leesburg Estate. The current zoning is Lake County Lake County R-1 (Rural Residential) with a proposed zoning in the City of Leesburg to City of Leesburg R-1 (Low Density Residential). This request is consistent and compatible with the area, and does not create a negative impact for the surrounding properties. The purpose of this request is to construct single family residential units in the future.

The Planning Commission held a public hearing on the application on October 22, 2020, and by a vote of 7 to 0, recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning from Lake County R-1 (Rural Residential) to City of Leesburg R-1 (Low Density Residential) as presented; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact is anticipated as a result of this request. A small positive fiscal impact will result from the future development of this property, including revenue from impact fees, ad valorem taxes and utility fees.

Submission Date and Time: 12/9/2020 3:14:58 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.46 +/- ACRES FROM LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY R-1 (LOW DENSITY RESIDENTIAL) FOR A PROPERTY GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD, AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CWC OLD TAVARES ROAD - RZ)

800x600 Normal 0 false false false EN-US X-NONE X-NONE

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition Christian Worship Center, (John Christian, Agent), the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, hereby is rezoned to City R-1 (Low Density Residential) zoning, to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

AND

**W 55 FT OF E 265 FT OF S 201.5 FT OF N 526.5 FT OF S 1/2 OF GOV LOT 5--LESS RD--
ORB 662 PG 2050**

Further described as Alternate Key # 1586411 and physically addressed as 2530 Old Tavares Road,
Leesburg, Florida.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: October 5, 2020
OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 10/16/20

FIRE

No comments from Fire Department. Amanda Stevenson 10/6/20

ELECTRIC

Electric has no objections. The property owner will have to pay to have electric installed to the lot. Steve Davis 10/5/20

GAS

No comments received as of 10/16/20

GIS

No comments received as of 10/16/20

BUILDING

No comments received as of 10/16/20

PUBLIC WORKS

Public Works has no issues with this. Cliff Kelsey 10/6/20

ADDRESSING

No comments received as of 10/16/20

ECONOMIC DEVELOPMENT

No comments received as of 10/16/20

LAKE COUNTY PUBLIC WORKS

Thanks Helen LaValley 9/3/20

LAKE COUNTY SCHOOLS

No comments received as of 10/16/20

PUBLIC RESPONSES

Approval

approvals

Disapproval

No comments received as of 10/16/20

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

PUBLIC COMMENTS (UNDECIDED)

CITY OF LEESBURG PLANNING & ZONING DIVISION

STAFF SUMMARY

OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: SSCP (Small Scale Comprehensive Plan) and PUD (Planned Unit Development)
CASE NO.: SSCP-20-204; RZ-20-205; ANNX-20-200

GENERAL LOCATION: The property is located west of Sleepy Hollow Road and north of Old Tavares Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North — Lake County Urban Low Density
South — City of Leesburg Estate Residential
East — Lake County Urban Low Density
West — Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION:

City of Leesburg Estate Density Residential

EXISTING ZONING DESIGNATION

Lake County R-1 (Rural Residential)

SURROUNDING ZONING DESIGNATIONS:

North — Lake County R-1 (Rural Residential)
South — City of Leesburg R-1 (Low Density Residential)
East — Lake County R-1 (Rural Residential)
West — Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION: R-1 (Low Density Residential)

EXISTING LAND USE: Vacant government lots.

SURROUNDING LAND USE:

North — Residential
South — Residential
East — Residential
West — Residential

PROPOSED LAND USE: Construction of a single-family home on each lot.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: October 22, 2020
OWNER: Christian Worship Center
PETITIONER: John H. Christian
PROJECT: Christian Worship Center Homes
REQUEST: Rezoning
CASE NO.: RZ-20-205

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of this request

for the following reason(s):

1. The proposed request is compatible with the current surrounding zoning districts of Lake County R-1 (Rural Residential) and City of Leesburg R-1 (Low Density Residential).
2. The proposed request will allow one single family residential structure on each lot that is consistent with the current surrounding Future Land Use category of Lake County Urban Low Density and City Estate Residential.
3. The proposed request does not appear to create a detriment to surrounding properties.

Action Requested:

1. Vote to approve staff's recommendation to rezone the subject property from Lake County R-1 (Rural Residential) to City of Leesburg R-1 (Low Density Residential) and forward to the City Commission for consideration.



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, OCTOBER 22ND, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, October 22nd, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:31 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood
Nathaniel Sanders

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Careylee Murray, Planner, Kandi Harper, Senior Planner, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dianne Pacewicz informed the audience of the rules of participation and the need to sign the speaker’s registry. She also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

NEW BUSINESS

1. PUBLIC HEARING CASE # SSCP-20-204 – CHRISTIAN WORSHIP CENTER HOMES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 0.46 ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE DENSITY RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, DECEMBER 14, 2020 AND SECOND READING ON MONDAY, JANUARY 11, 2021)** (CWC Homes)

Dianne Pacewicz stated these two cases for this proposal to be heard, one is for the Comprehensive Plan Amendment and the other is for a Rezoning. There is also an Annexation application which goes before the City Commission; with the Chairman's permission, staff requested that both cases be heard as a whole and then afterward the Commission could vote on each case individually.

Dianne Pacewicz introduced case number #SSCP-20-204 – Christian Worship Center Homes – Small Scale Comprehensive Plan Amendment and case number #RZ-20-205 – Christian Worship Center Homes - Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Dianne Pacewicz gave a background of the subject property and current zoning.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review; there were no comments or objections from city departments and no comments from the public.

Dianne Pacewicz read the Staff Recommendations for both cases into the record; Staff recommended approval for both cases.

Pastor John Christian gave a presentation of the subject property and stated this is something new for our church; remodeled a lot of properties here in Leesburg but this is the first one from start to finish; looking forward to being in the City of Leesburg; Sunnyside area will be a great start; proposed home will be compatible with the neighborhood; previous structures.

Mr. Bowersox asked if any Commissioners had any questions of the applicant.

Commissioners discussed about who would be living in the homes, and if the lots were platted.

Chairman Bowersox stated that the vote needed to be made one at a time for each case.

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # SSCP-20-204 – CHRISTIAN WORSHIP CENTER HOMES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6 - 0.

2. PUBLIC HEARING CASE # RZ-20-205 – CHRISTIAN WORSHIP CENTER HOMES – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.46 ACRES FROM LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY OF LEESBURG R-1 (RURAL RESIDENTIAL) FOR A PROPERTY GENERALLY LOCATED WEST OF SLEEPY HOLLOW ROAD AND NORTH OF OLD TAVARES ROAD AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, DECEMBER 14, 2020 AND SECOND READING ON MONDAY, JANUARY 11, 2021)** (CWC Homes)

Chairman Bowersox entertained a motion, and then the voting took place.

Commissioner Fitzpatrick made a MOTION for APPROVAL of case # RZ-20-205 – CHRISTIAN WORSHIP CENTER HOMES – REZONING Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

DISCUSSION

Dan Miller stated he was so proud of his Staff, for the first time in the history of Leesburg the entire Planning & Zoning meeting--every single thing had been done by the ladies; just wanted to put on the record how proud he is of his staff.

Chairman Bowersox announced that it is wonderful having Commissioner Sanders on the board and he looks forward to spending many meetings with him and getting to know him better.

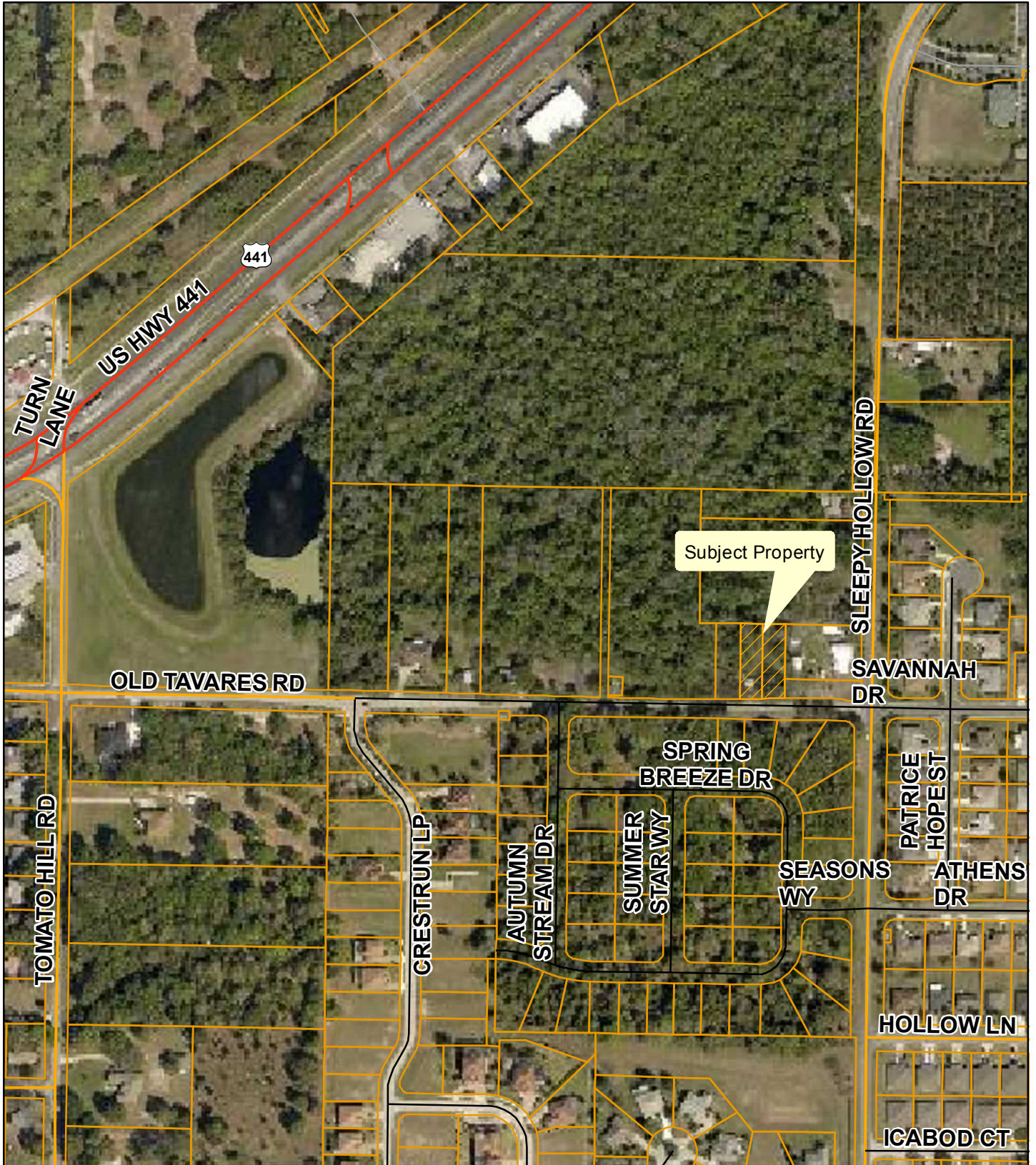
ADJOURNMENT

Approximately 4:54 p.m.

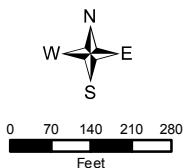
Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

Aerial

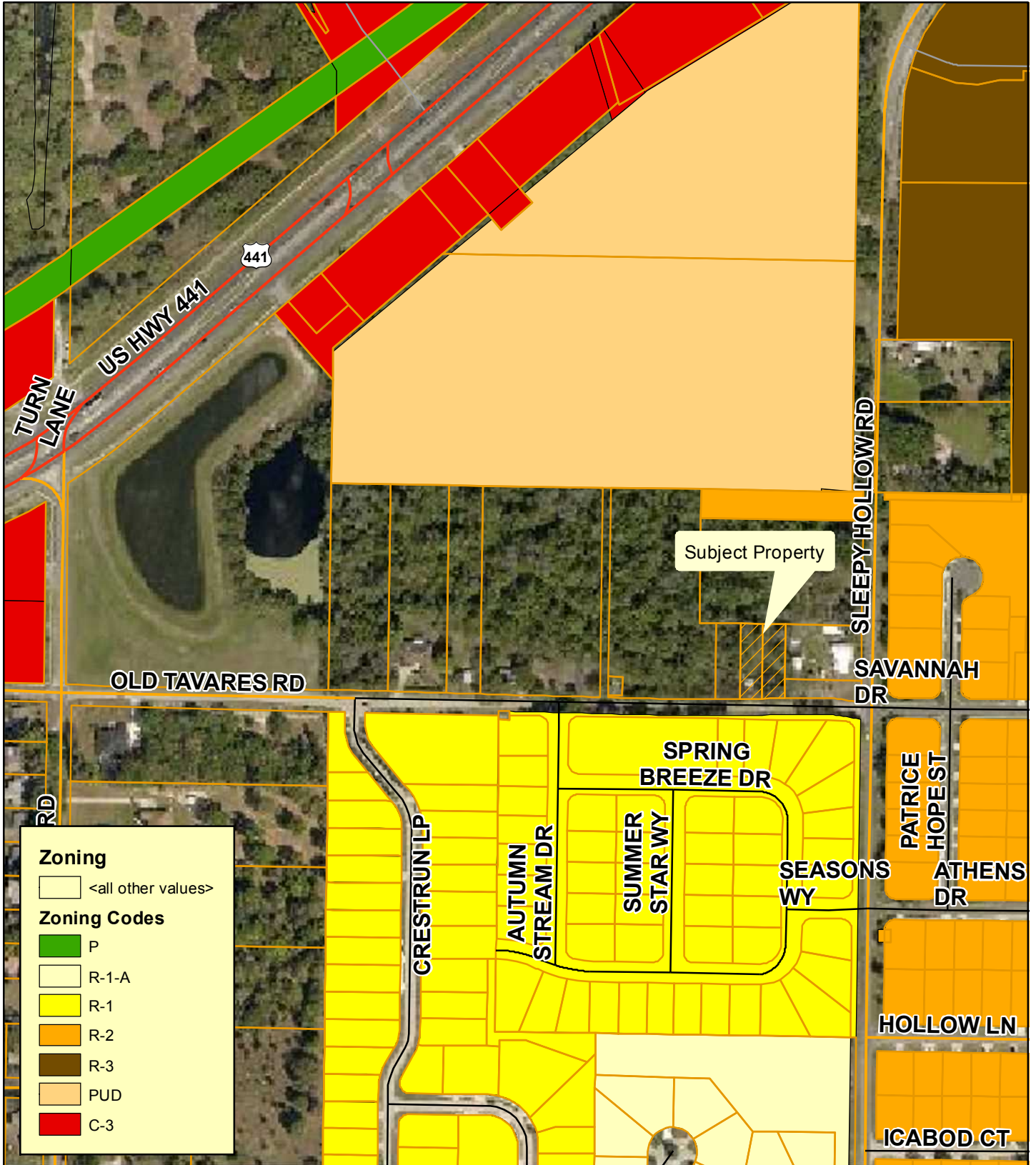


**Planning
& Zoning
Division**

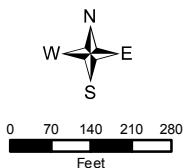


ANNX-20-200; SSCP-20-204; RZ-20-205
Christian Worship Center Homes
AK#: 1586411; 1586429
Section 20, Township 19 South, Range 25 East
September 29, 2020

Zoning

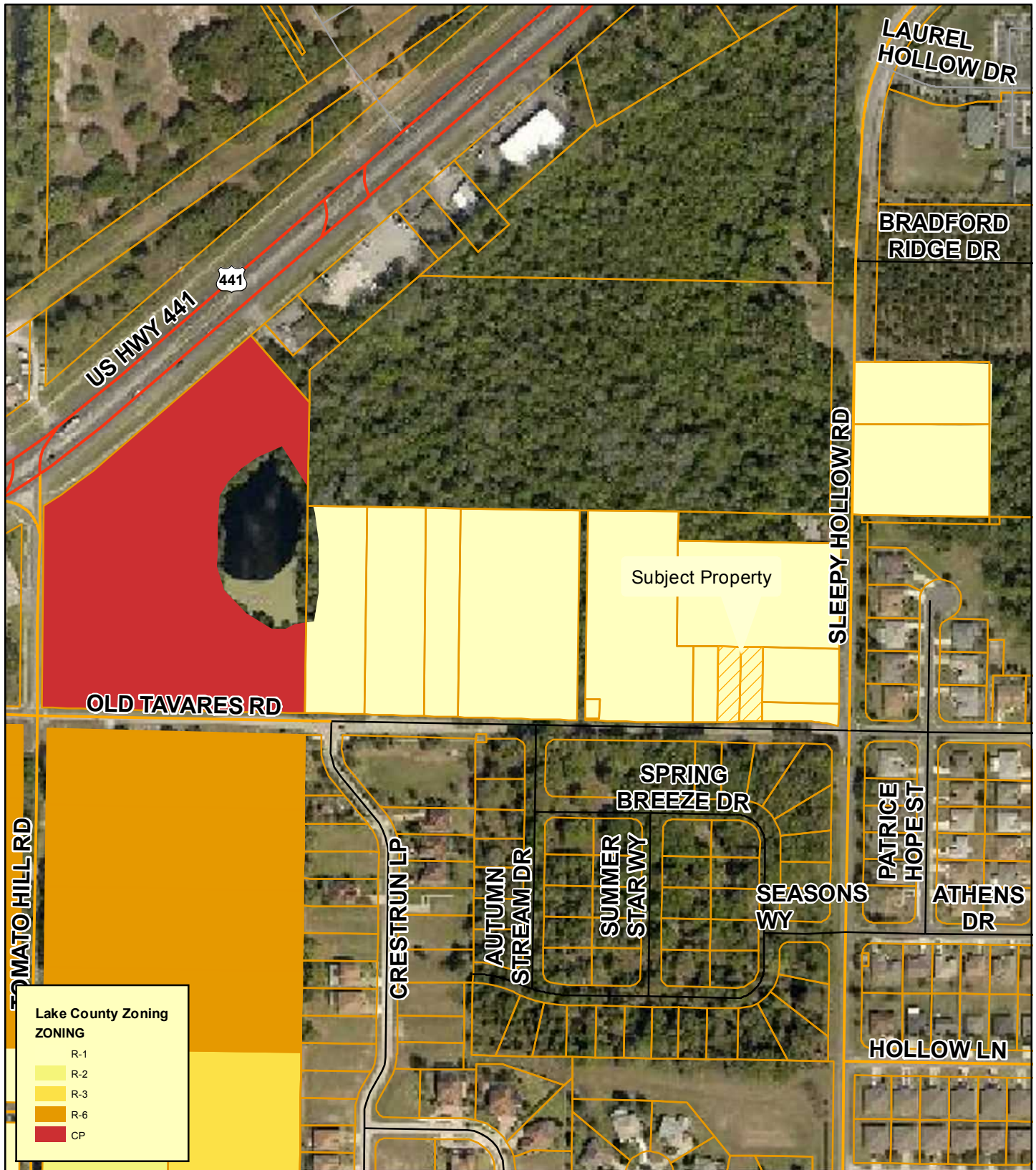


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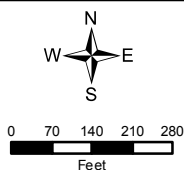


ANNX-20-200; SSCP-20-204; RZ-20-205
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Lake County Zoning



**Planning
& Zoning
Division**

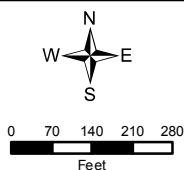


ANNX-20-200; SSCP-20-204; RZ-20-205
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PROPOSED ZONING



**Planning
& Zoning
Division**

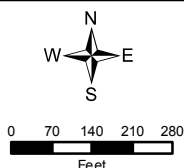


ANNX-20-200; SSCP-20-204; RZ-20-205
 Christian Worship Center Homes
 AK#: 1586411; 1586429
 Section 20, Township 19 South, Range 25 East
 September 29, 2020

Community Redevelopment Area



**Planning
& Zoning
Division**



ANNX-20-200; SSCP-20-204; RZ-20-205

Christian Worship Center Homes

AK#: 1586411; 1586429

Section 20, Township 19 South, Range 25 East

September 29, 2020

Commission District



**Planning
& Zoning
Division**

ANNX-20-200; SSCP-20-204; RZ-20-205
Christian Worship Center Homes
AK#: 1586411; 1586429
Section 20, Township 19 South, Range 25 East
September 29, 2020