FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA

May 8, 2014

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, FL 34731

7:00 p.m.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Father Theodore F. Koelln, Holy Trinity Episcopal Church - Invocation
Fire Department Explorer – Pledge of Allegiance

2. ROLL CALL

3. PROCLAMATION – *Motor Cycle Safety Awareness Month* – May 2014 (city clerk)

4. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the city commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action. Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the city commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the city commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are generally limited to three minutes.

5. LOCAL PLANNING AGENCY

As soon as practical, recess to the Local Planning Agency Meeting at 7:15 p.m.

6. COMMUNITY REDVELOPMENT AGENCY

As soon as practical, recess to the Community Redevelopment Agency Meeting at 7:30 p.m.

7. REGULAR AGENDA

(a) Charter Review Committee Update (city manager)

Update on matters relating to the Charter Review Committee (city manager)

(b) Auditor's Financial Report – W. Chet Ross, CPA, Shumacker, Johnston & Ross PA (city treasurer)

Presentation on the financial report.

(c) Future City Events (parks and recreation department director)

Establish a date for the annual Fruitland Park/Founders Day event.

(d) Real Estate Purchase – 207 West Berckman Street - Property Adjacent to the City Library (city manager)
Consider the CRA's recommendation to approve the funding of $41,116.05 towards the purchase of property from Robert R. Ruiz, property owner, located on 207 West Berckman Street.

(e) City Roadways (city manager)
Recommend the approval to fund $190,000 for the City of Fruitland Park roadway improvements as identified in the Public Works Department list and authorize the city manager to negotiate an agreement piggybacking with Lake County or any of the Lake County municipalities; thus, waiving the city's procurement procedures.

(f) First Reading Water System Reconnection Fee – Ordinance 2014-015 (city manager)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 50.30(F) REGARDING A DISCONNECTION FEE DUE TO NONPAYMENT FOR WATER SERVICES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

QUASI-JUDICIAL PUBLIC HEARING

(g) First Reading – Ordinance 2014-012 – Rezoning - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC (community development director/city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 1.39 ± ACRES OF LAND GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466A; REZONING THE PROPERTY FROM LAKE COUNTY "AG" (AGRICULTURE) TO GENERAL COMMERCIAL WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA;

PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

(h) First Reading – Ordinance 2014-013 Comprehensive Plan Amendment - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC (community development director/city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY AGRICULTURE TO COMMERCIAL HIGH INTENSITY IN THE CITY OF FRUITLAND PARK ON THE FUTURE LAND USE MAP ELEMENT OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.39+ ACRES OF PROPERTY GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466a; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

END OF QUASI-JUDICIAL PUBLIC HEARING

(i) First Reading – Ordinance 2014-014 Establish Village Community Development District No. 11. – Petitioner: The Villages of Lake-Sumter Inc. (city manager/city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO FLORIDA STATUTUES 190.005; ENCOMPASSING PORTIONS OF LAND IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING FOR THE MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE NAME OF THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE POWERS OF THE DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILTY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

QUASI-JUDICIAL PUBLIC HEARING

(j) Second Reading and Public Hearing - Ordinance 2014-002 – Comprehensive Plan Amendment - "The Villages of Fruitland Park -

DRI" - Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc. (community development department director/city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN ENTITLED 'THE VILLAGES OF FRUITLAND PARK-DRI'; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE, AFTER APPROVAL, TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. (The first public hearing was held on February 27, 2014.)

(k) Second Reading and Public Hearing – Ordinance 2014-003 – Rezoning – Pine Ridge Dairy Road – Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc. (community development department director/city attorney)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 780± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466A AND NORTH OF PINE RIDGE DAIRY ROAD FROM CITY "C-1" (NEIGHBORHOOD COMMERCIAL DISTRICT) FOR APPROXIMATELY 94.6 ACRES OF THE PROPERTY, CITY "C-2" (GENERAL COMMERCIAL) FOR APPROXIMATELY 60 ACRES OF THE PROPERTY, CITY "GB" (GREENBELT DISTRICT) FOR APPROXIMATELY 1.45 ACRES OF THE PROPERTY, CITY "PFD" (PUBLIC FACILITIES DISTRICT) FOR APPROXIMATELY 15 ACRES OF THE PROPERTY, CITY "R-1" (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR APPROXIMATELY 402.8 ACRES OF THE PROPERTY, CITY "R-2" (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 129.45 ACRES OF THE PROPERTY, CITY "R-2A" (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 41 ACRES OF THE PROPERTY, AND CITY "R-3" (MULTI-FAMILY HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 35.7 ACRES OF THE PROPERTY TO MIXED USE PLANNED UNIT DEVELOPMENT WITHIN THE

CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

(l) **Resolution 2014-001 – Notice of Proposed Change - Development Order "The Villages of Fruitland Park DRI"** (community development department director/city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE VILLAGES OF FRUITLAND PARK DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

END OF QUASI-JUDICIAL PUBLIC HEARING

(m) **Bulk Potable Water Agreement** (city attorney)

Consider the approval of a bulk potable water agreement between the City of Fruitland Park and Central-Sumter Utility Company for bulk potable water.

(n) **Water Plant Improvements** (city attorney)

Consider the approval of the extension of water and wastewater lines agreement between the City of Fruitland Park and the Villages of Lake-Sumter Inc. for the construction of water plant improvements.

PUBLIC HEARING

(o) **Second Reading and Public Hearing – Ordinance 2014-010 - Municipal Service Taxing Unit for Ambulance and EMS** (city manager)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

(p) **Second Reading and Public Hearing – Ordinance 2014-011 – Golf Carts and Low Speed Vehicles** (city manager)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73.04 OF THE CITY OF

FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; SPECIFICALLY DELETING PROVISIONS REGARDING GOLF CART AND LOW SPEED VEHICLE INSPECTIONS AND FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014.)

END OF PUBLIC HEARING

8. NEW BUSINESS

9. OFFICERS' REPORTS

(a) City Manager

(b) City Attorney

10. COMMISSIONERS' COMMENTS

(a) Vice Mayor Goldberg

(b) Commissioner Cheshire

(c) Commissioner Gunter, Jr.

(d) Commissioner Kelly

11. MAYOR'S COMMENTS

12. ADJOURNMENT

DATES TO REMEMBER

May 6, 2014, Charter Review Committee at 6:00 p.m.
May 8, 2014, Regular Commission Meeting at 7:00 p.m.
May 9, 2014, Lake County League of Cities, TBD
May 10, 2014 "Stamp Out Hunger" Food Drive
May 12, 2014 Lake County Parks, Recreation and Trails Advisory Board at 3:30 p.m., Library Services Conf. Room, 2401 Woodlea Road, Tavares, FL 32778
May 17, 2014, Employee Picnic (Rescheduled)
May 20, 2014, Charter Review Committee at 6:00 p.m.
May 22, 2014, Regular Commission Meeting at 7:00 p.m.
May 27, 2014, Charter Review Committee at 6:00 p.m.
May 26, 2014, Memorial Day Holiday – City Offices Closed
May 27, 2014, Charter Review Committee at 6:00 p.m.
May 28, 2014, Lake-Sumter MPO Governing Board at 2:00 p.m., 1616 South 14 Street, Leesburg, FL 34748

June 10, 2014, Charter Review Committee at 6:00 p.m.
June 12, 2014, Regular Commission Meeting at 7:00 p.m.
June 13-15, 2014, Florida League of Cities IEMO
June 24, 2014, Lake County EMS at 3:00 p.m., Lake County Board of County Commission Chambers

June 24, 2014, Charter Review Committee at 6:00 p.m.
June 25, 2014 Lake-Sumter MPO Governing Board Meeting at 2:00 p.m., 1616 South 14 Street, Leesburg, FL 34748
June 26, 2014, Regular Commission Meeting at 7:00 p.m.

July 4, 2014, Independence Day – City Offices Closed
July 8, 2014, Charter Review Committee at 6:00 p.m.
July 10, 2014, Regular Commission Meeting at 7:00 p.m.
July 11, 2014, Lake Legislative Delegation, TBD
July 14, 2014, Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, FL 32778 at 3:30 p.m.
July 22, 2014, Charter Review Committee at 6:00 p.m.
July 24, 2014, Regular Commission Meeting at 7:00 p.m. CANCELLED
July 31, 2014 City Commission Meeting at 5:30 p.m.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least three (3) days prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and 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 does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.

AGENDA ITEM NUMBER
3

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	***Motorcycle Safety Awareness Month***				
For the Meeting of:	May 8, 2014				
Submitted by:	Esther Coulson, City Clerk				
Date Submitted:	April 31, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Proclamation recognizing the month of May 2014 as *Motorcycle Safety Awareness Month.*					
Action to be Taken: None					
Staff's Recommendation: N/A					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

Proclamation

WHEREAS, Florida's climate and scenery make motorcycle riding an attraction in the Sunshine State, and riders consider our roadways to be some of the nation's best for riding; and

WHEREAS, motorcycles are increasingly used as a regular means of transportation; and

WHEREAS, the motorcycle is an important form of transportation for commuting, touring and recreation; and

WHEREAS, as a matter of safety, it is necessary to develop appropriate driving habits to handle these vehicles on Florida roadways; and

WHEREAS, more than one million drivers in Florida have a motorcycle endorsement on their drivers' licenses; and

WHEREAS, motorcycles can easily be hidden in traffic; therefore, it is important for motorists to search the traffic around them and always expect to see motorcycles; and

WHEREAS, to prevent injuries and deaths on Florida' roadways, motorcyclists and motorists must be vigilant in their efforts to share the road and ensure the safety of everyone; and

WHEREAS, Motorcycle Safety Awareness Month raises public awareness for a lifetime of safe motorcycle riding;

NOW, THEREFORE, be it proclaimed that I "Christopher J. Bell, Mayor of the City of Fruitland Park, Florida", on behalf of the city commissioners, do hereby proclaim May 2014 as "MOTORCYCLE SAFETY AWARENESS MONTH" and wish to remind motorists and motorcyclists alike during Motorcycle Safety Awareness Month to "share the road" in order to help prevent motorcycle crashes, deaths and injuries on Lake County roads.

DATED this 8th day of May 2014.

_____

Christopher J. Bell, Mayor

Attest:

_____

Esther Coulson, City Clerk

AGENDA ITEM NUMBER
4

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Public Comments**				
For the Meeting of:	May 8, 2014				
Submitted by:	Esther Coulson, City Clerk				
Date Submitted:	April 31, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	None				
Description of Item:					
Action to be Taken:					
Staff's Recommendation:					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7a

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Charter Review Committee Update**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:					
Amount Required:					
Balance Remaining:					
Attachments:					

Description of Item: Update on matters relating to the Charter Review Committee

Action to be Taken: None.

Staff's Recommendation: N/A

Additional Comments: N/A

Reviewed by: _____
City Manager

Authorized to be placed on the ☐Regular ☐Consent Agenda: _____
Mayor

AGENDA ITEM NUMBER
7b

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Auditor's Report**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Treasurer				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:					
Amount Required:					
Balance Remaining:					
Attachments:					

Description of Item: A presentation from Mr. W. Chet Ross, CPA, Shumacker, Johnston & Ross PA, on the financial report. (Postponed from the April 24, 2014 meeting.)

Action to be Taken: None.

Staff's Recommendation: N/A

Additional Comments: N/A

Reviewed by: _____
City Manager

Authorized to be placed on the ☐Regular ☐Consent Agenda: _____
Mayor

AGENDA ITEM NUMBER
7c

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Future City Events**				
For the Meeting of:	May 8, 2014				
Submitted by:	Parks and Recreation Director				
Date Submitted:	April 30, 2014				
Are Funds Required:		X	Yes		No
Account Number:					
Amount Required:					
Balance Remaining:					
Attachments:	Report				

Description of Item: At the March 13, 2014 regular city commission meeting, the city commission considered the setting of a date for the future annual *Fruitland Park Founders Day*.

Action to be Taken: At the city commission's discretion**.**

Staff's Recommendation: Establish dates for future city events.

Additional Comments:

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7d

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Real Estate Purchase**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Manager Gary La Venia				
Date Submitted:	May 1, 2014				
Are Funds Required:		X	Yes		No
Account Number:	Community Redevelopment Agency				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	None				

Description of Item: At the April 24, 2014 city commission meeting, the city commission authorized staff to proceed with the purchase of the property located on 207 West Berckman Street utilizing Community Redevelopment Agency funds.

Action to be Taken: Approve the CRA's recommendation.

Staff's Recommendation: Approval

Additional Comments: Vacant land contract to be executed.

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7e

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**City Roadways**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Manager Gary La Venia				
Date Submitted:	May 1, 2014				
Are Funds Required:		X	Yes		No
Account Number:	Community Redevelopment Agency				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	List of Roadways with Costs Forthcoming				

Description of Item: At previous meetings, the city commission discussed and identified city roads in need for repair and authorized staff proceed with improving the city's roadways utilizing Community Redevelopment Agency funds.

Action to be Taken: Approve the CRA's recommendation.

Staff's Recommendation: Approval

Additional Comments:

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7f

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Ordinance 2014-015– Water System Reconnection Fee**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Proposed Ordinance 2014-015.				
Description of Item: First reading of Ordinance 2014-015 amending the City of Fruitland Park's Code of Ordinances regarding a disconnection fee due to nonpayment for water services.					
Action to be Taken: Approve.					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 50.30(F) REGARDING A DISCONNECTION FEE DUE TO NONPAYMENT FOR WATER SERVICES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute Chapter 180 provides local municipalities with the authority to establish and operate water utility systems; and

WHEREAS, the City Commission has determined that it is necessary to amend the ordinance governing the waterworks system for the City of Fruitland Park relating to the disconnection fee for nonpayment for water services and the activation fee for water services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. The recitals above are hereby incorporated herein by reference.

Section 2. Chapter 50, Section 50.30(F) is hereby amended to read as follows:

Section 50.30(F). Water services shall be terminated by a meter disconnection if a billing is not paid by the twentieth day of the month following date of billing. A fee of $~~35~~50.00 shall be charged for water service disconnection due to nonpayment. This disconnection fee shall accrue at the time of physical disconnection. ~~the disconnect list is printed and shall be due regardless of payment before physical disconnection.~~

Section 3. All portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. The provisions of this Ordinance are intended to be incorporated into the Code of Ordinances of the City of Fruitland Park, Florida and the sections of this Ordinance may be renumbered, relettered, and the word "ordinance" may be changed to "section", "article", or such other word or phrase in order to accomplish such intention.

Section 5. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 6. This ordinance shall be effective upon passing.

PASSED AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

_____
CHRISTOPHER J. BELL, MAYOR

Attest:

_____
Esther Coulson, CMC, City Clerk

Commissioner Kelly	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Goldberg	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____

Approved as to form:

_____
Scott A. Gerken, City Attorney

AGENDA ITEM NUMBER
7g

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Ordinance 2014-012 – Rezoning Micro Race-Track Road and North of CR 466A**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Proposed Ordinance 2014-012.				
Description of Item: First reading of Ordinance 2014-012 amending the City of Fruitland Park's Boundaries.					
Action to be Taken: Enact Ordinance 2014-012.					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014 - 012-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 1.39 ± ACRES OF LAND GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466A; REZONING THE PROPERTY FROM LAKE COUNTY "AG" (AGRICULTURE) TO GENERAL COMMERCIAL WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by DR GCS Holdings, LLC as applicant and Owner, requesting that approximately 1.39 acres of real property generally located west of Micro Racetrack Road and north of CR 466A (the "Property") be annexed to and made a part of the City of Fruitland Park and rezoned from Lake County "AG" (Agriculture) to General Commercial within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1. The following described property consisting of approximately 1.39 acres of land generally located west of Micro Racetrack Road and west of CR 466A, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: The South 198 feet of the Northeast ¼ of the Northeast ¼ of the Southwest ¼ of Section 6, Township 19 South, Range 24 East, Lake County, Florida less right of way for road and less the West ½ thereof.

Parcel Alternate Key No. 3785050

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Secretary of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2014.

_____
Chris Bell, Mayor
City of Fruitland Park, Florida

ATTEST:

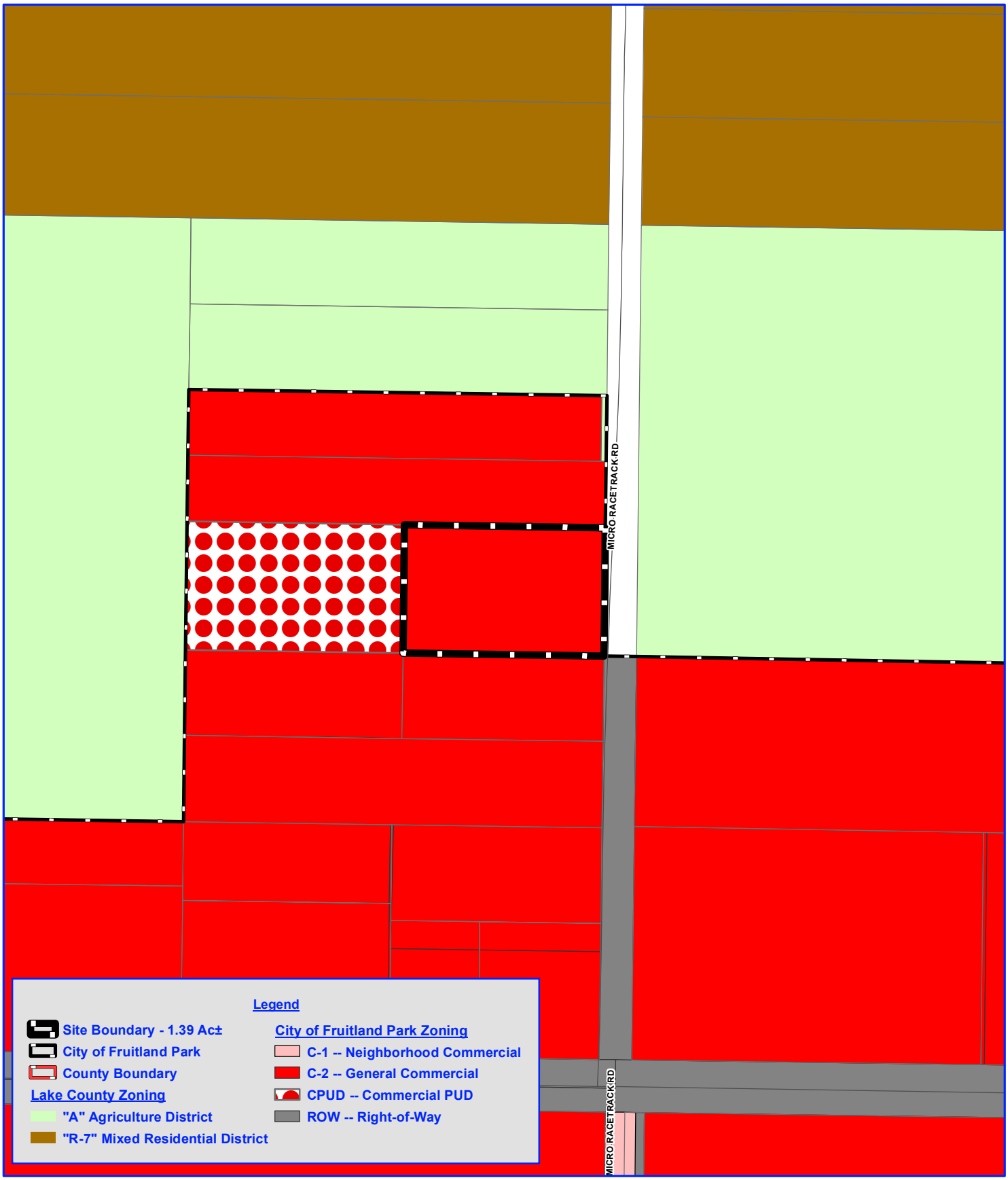
_____
Esther Coulson, CMC, City Clerk

Approved as to Form:

_____
Scott Gerken
City Attorney

Vice Mayor Kelly	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Goldberg	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading_____
(SEAL)



N
W E
S

100 0 100 Feet

1 inch = 200 feet

City of Fruitland Park
Dr GCS Holdings, LLC

Lake County, Florida
Proposed Zoning

Project: 398-14-04
File: Proposed Zoning.mxd
Name: Dr GCS Holdings
PM: Sherie Lindh
Date: March 13, 2014
Created By: J.Wilson

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue, Mount Dora, Florida 32757
Office: (352) 385-1940 / Fax: (352) 383-4824

AGENDA ITEM NUMBER
7h

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Ordinance 2014-013 – Comprehensive Plan Micro Race-Track Road and North of CR 466A**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: First reading of Ordinance 2014-013 Comprehensive Plan amending the Future Land Use Designation.					
Action to be Taken: Approval.					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014- 013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY AGRICULTURE TO COMMERCIAL HIGH INTENSITY IN THE CITY OF FRUITLAND PARK ON THE FUTURE LAND USE MAP ELEMENT OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.39 ± ACRES OF PROPERTY GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466A; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, DR GCS Holdings, LLC as Applicant and Owner, has submitted an application requesting that approximately 1.39 acres of real property generally located west of Micro Racetrack Road and north of CR 466A within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial High Intensity" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 1.39 ± acres generally located west of Micro Racetrack Road and north of CR 466A (the "Property"), and more particularly described as follows:

LEGAL DESCRIPTION: The South 198 feet of the Northeast ¼ of the Northeast ¼ of the Southwest ¼ of Section 6, Township 19 South, Range 24 East, Lake County, Florida less right of way for road and less the West ½ thereof.

Parcel Alternate Key No. 3785050

shall be assigned a land use designation of Commercial High Intensity, under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4: Severability.
If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2014.

_____
Chris Bell, Mayor
City of Fruitland Park, Florida

ATTEST:

_____
Esther Coulson, CMC, City Clerk

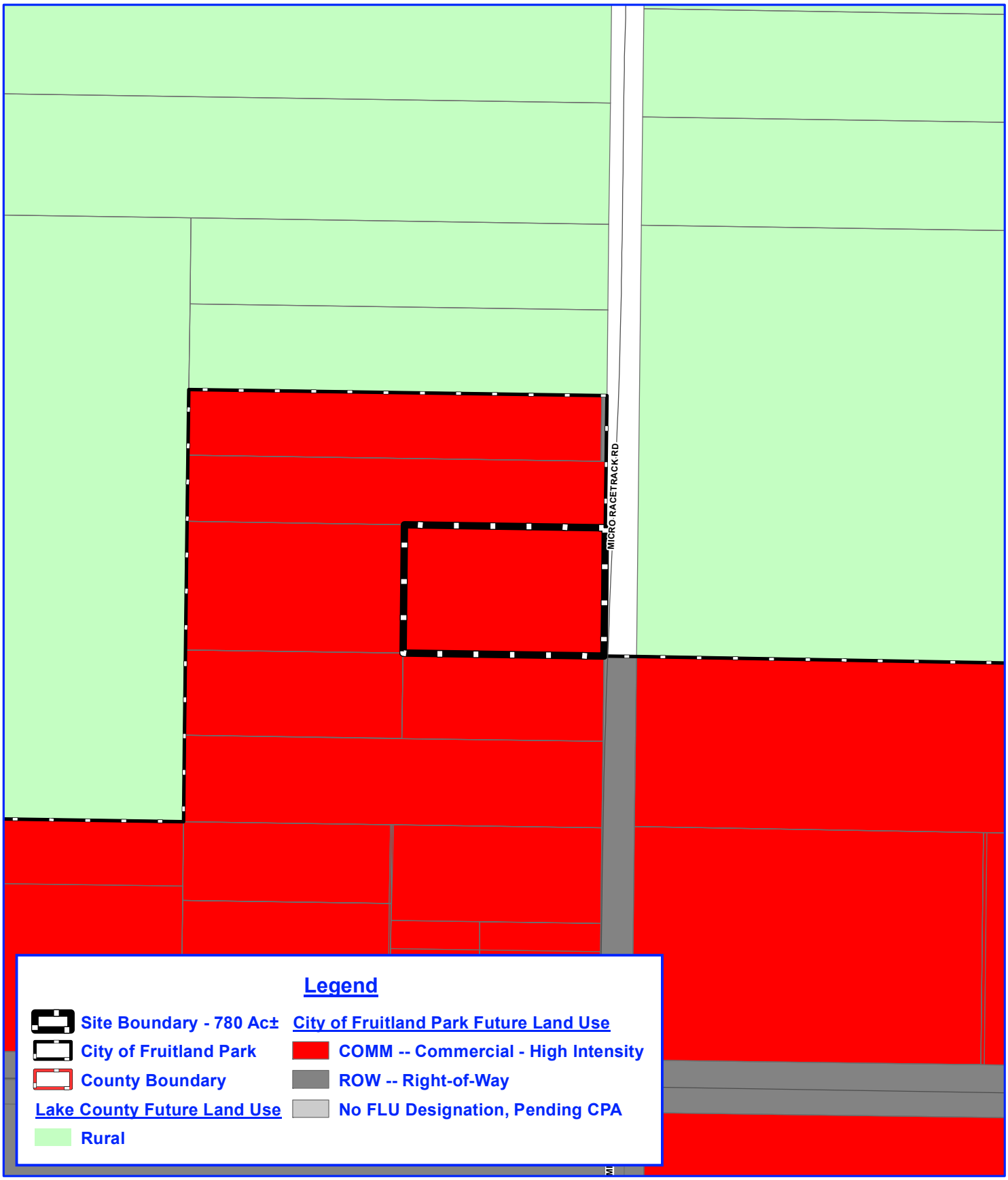
Approved as to Form:

_____
Scott Gerken
City Attorney

Vice Mayor Goldberg	_____(Yes),	_____(No),	_____(Abstained),	_____(Absent)
Commissioner Cheshire	_____(Yes),	_____(No),	_____(Abstained),	_____(Absent)
Commissioner Gunter	_____(Yes),	_____(No),	_____(Abstained),	_____(Absent)
Commissioner Kelly	_____(Yes),	_____ (No),	_____(Abstained),	_____(Absent)
Mayor Bell _	_____(Yes),	_____ (No),	_____(Abstained),	_____(Absent)

Passed First Reading _____
Passed Second Reading_____

(SEAL)



N
W E
S

100 0 100 Feet

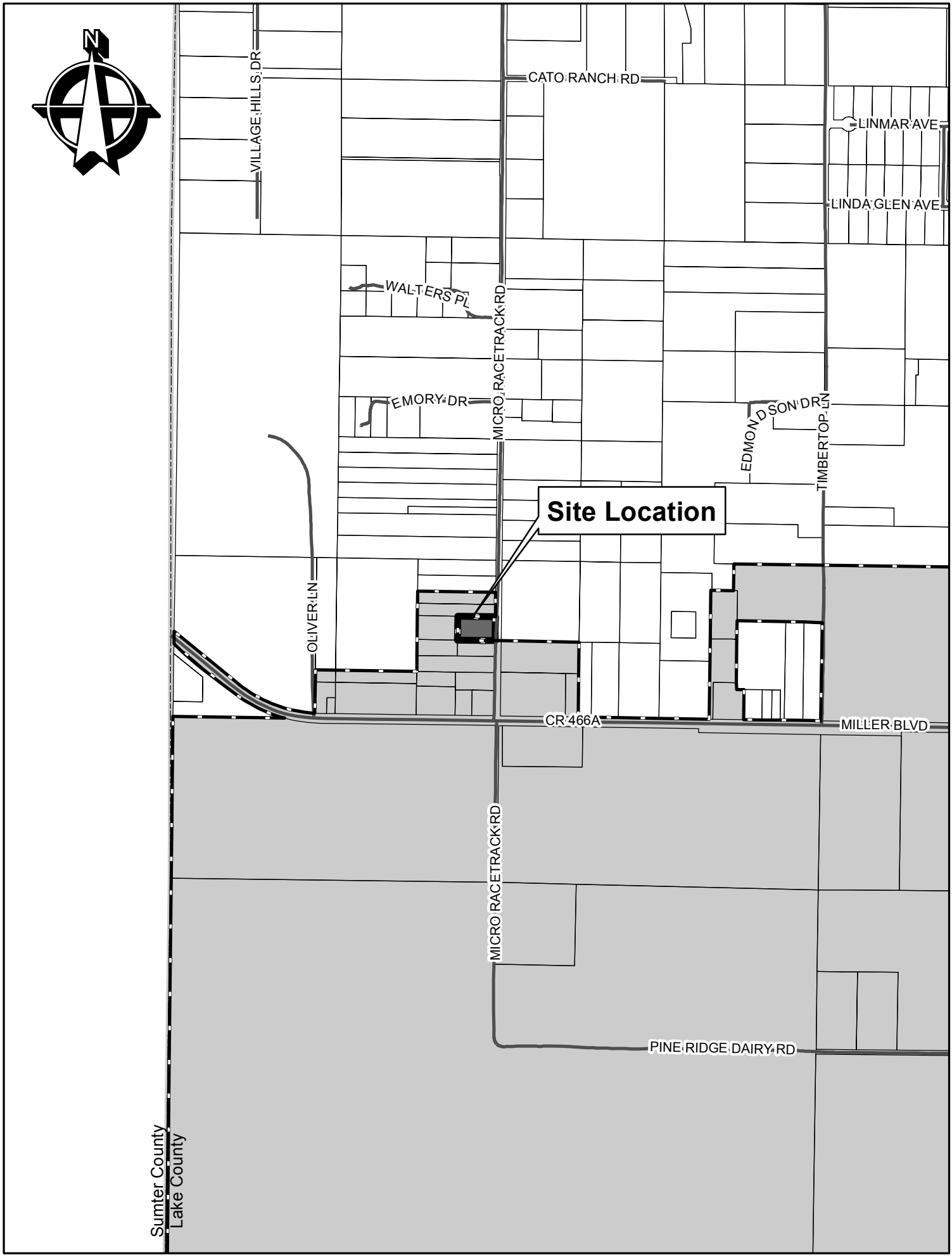
1 inch = 200 feet

City of Fruitland Park
Dr GCS Holdings, LLC

Lake County, Florida
Proposed Future Land Use

Project: 398-14-04
File: Proposed FLU.mxd
Name: Dr GCS Holdings
PM: Sherie Lindh
Date: March 13, 2014
Created By: J.Wilson

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue, Mount Dora, Florida 32757
Office: (352) 385-1940 / Fax: (352) 383-4824


N
VILLAGE HILLS DR
CATO RANCH RD
LINMAR AVE
LINDA GLEN AVE
WALTERS PL
MICRO RACETRACK RD
EMORY DR
EDMONDSON DR
TIMBERTOP LN
Site Location
OLIVER LN
CR 466A
MILLER BLVD
MICRO RACETRACK RD
PINE RIDGE DAIRY RD
Sumter County
Lake County

Community Development Department
506 W. Berckman St.
Fruitland Park FL 34731
Tel. (352) 360-6727
Fax. (352) 360-6652

STAFF REPORT

Project: **DR GCS Holdings LLC**
36421 Piney Ridge Blvd.
Fruitland Park, Florida 34731

Applicant: **Dana Wilson (Robin)**

Description: Application is being made for the property located at 35347 Micro Racetrack Road. The application is for the **ANNEXATION, SMALL SCALE COMP. PLAN AMENDMENT**, and **REZONING** of the property.

The property has been reviewed by the city staff, and informal TRC submittals. The property has been advertised in the Daily Sun newspaper, and property posted.

The rezoning is requested from County A to **City C-2** property is abutted by City C-2 zoning.

Any future development will be **required** to connect to City utilities when they become available.

I recommend **APPROVAL of the Annexation, Small Scale Comp. Plan Amendment, and Rezoning to C-2.**

4-14-14

Charlie Rector, CDD date

From the Desk of:
Charlie Rector, Community Development Director
City of Fruitland Park

AGENDA ITEM NUMBER
7i

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Ordinance 2014-014 – CDD No. 11**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: First reading of Ordinance 2014-014 Establishing the Village Community Development District No. 11. (Second reading will be held on May 22, 2014.)					
Action to be Taken: Approval.					
Staff's Recommendation: Approval.					
Additional Comments: Announced at the April 24, 2014 meeting.					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE No.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO FLORIDA STATUTUES 190.005; ENCOMPASSING PORTIONS OF LAND IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING FOR THE MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE NAME OF THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE POWERS OF THE DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANACES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has passed the Uniform Community Development District Act of 1980 (otherwise known as Chapter 190, Florida Statutes) to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, The Villages of Lake-Sumter, Inc., a Florida corporation, (the "Petitioner") the owner of 100% of the real property to be included in the District, has petitioned the City Commission of The City of Fruitland Park, Florida, to grant the establishment of the Village Community Development District No. 11 (the "District"); and

WHEREAS, Petitioner is a Florida corporation authorized to conduct business in the State of Florida; and

WHEREAS, a public hearing has been conducted by the City Commission pursuant to the requirements and procedures of Chapter 190, Florida Statutes and all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Council on May 22, 2014; and

WHEREAS, the City Commission has considered the record of the public hearing and has decided that the establishment of the Village Community Development District No. 11 is the best alternative means to provide certain basic services to the community; and

WHEREAS, the City Commission finds that the establishment of the Village Community Development District No. 11 is in the best interest of the citizens of The City of Fruitland Park.;

NOW, THEREFORE, BE IT ORDAINDED by City Commission of Fruitland Park, Florida, as follows:

Section 1. That the foregoing Preamble is hereby ratified and confirmed as true and correct by the City Commission of The City of Fruitland Park, Florida.

Section 2. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2013).

Section 3. That the petition to establish the Village Community Development District No. 11 is hereby granted, and ~~t~~there accordingly created a community development district situated entirely within the municipal limits of the City of Fruitland Park, which shall be known as the Village Community Development District No. 11.

Section 4~~3~~. That the external boundaries of the District and the real property within the external boundaries of the District which is to be excluded is described on ***Exhibit A*** attached.

John Wise

Bob Thorne

Scott Renick

Bobby Hoopfer

Scott Robertson

~~**Section 5.** That the name of the District shall be the "Village Community Development District No. 11."~~

Section 7. The District shall comply with F.S. Chapter 190, and all applicable federal, state, and regional laws, statutes, rules, and regulations and all applicable City of Fruitland Park provisions, ordinances, rules, and regulations.

Section 8. No debt, obligation, or duty of the District shall constitute a debt, obligation, duty, or burden of or on the City of Fruitland Park.

Section 9. The approval of this District in no way limits the City of Fruitland Park in the exercise of its powers or authority as provided in F.S. Chapter 165, or any other applicable

Florida Statutes upon the lands within the District, as described in attached Exhibit "A." Further, the establishment of the District shall not affect any requirements for governmental approval of any construction within the District. Any master development agreement requirements and all state and local development regulations shall apply.

Section 10. The District shall comply with the disclosure of public financing and disclosure to purchaser requirements set forth in F.S. 190.009 and 190.048, as amended from time to time.

Section 11. The records of the District's Board of Supervisors shall be open for public inspection by any person at any reasonable time, pursuant to Chapter 119, Florida Statutes, and the said records shall be kept in the same manner and in the place mandated by law.

Formatted: Font: Not Bold

Section ~~7~~12. That all ordinances or parts of ordinances in conflict herewith and the same are hereby repealed to the extent of such conflict.

Section 13~~8~~. That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 14~~9~~. That this ordinance shall become effective in accordance with law.

PASSED THIS _____ day of _____, 2014.

~~**ATTEST: CITY CLERK**~~ ~~**BOARD OF CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK**~~

PASSED AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

_____
CHRISTOPHER J. BELL, MAYOR

Attest:

_____
Esther Coulson, CMC, City Clerk

Commissioner Kelly _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Goldberg _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

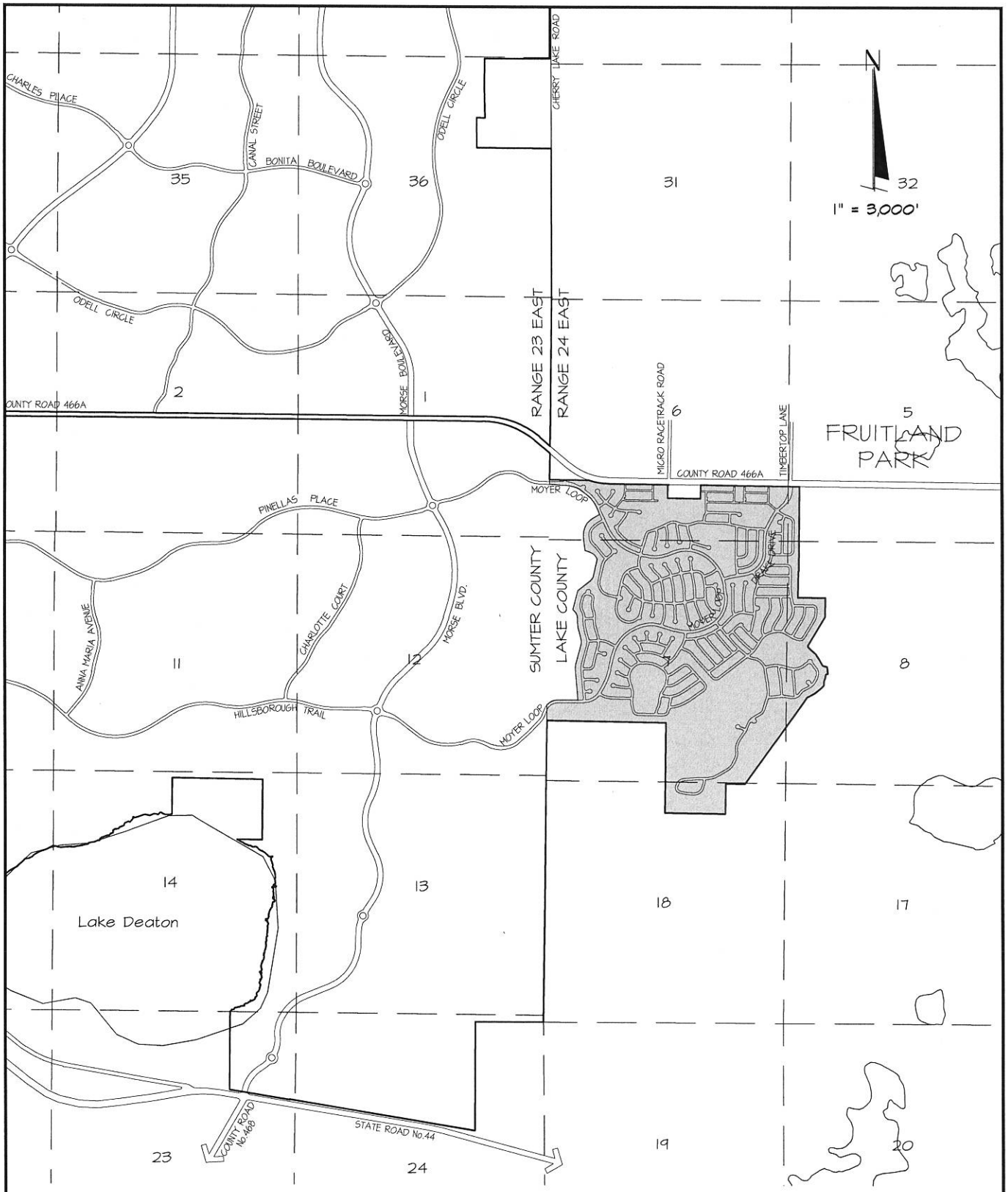
Commissioner Gunther _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____

Approved as to form:

_____
Scott A. Gerken, City Attorney

EXHIBIT A



LEGEND

DISTRICT No. 11 BOUNDARY

Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number: 27495

VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 11

EXHIBIT A

DESCRIPTION OF THE CREATION OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 APPROXIMATELY 692.8 ACRES

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,223.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°42'56"E, ALONG SAID WEST LINE A DISTANCE OF 103.98 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 641.90 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 295.96 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8;

THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7: THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 344.28 FEET TO A POINT ON A NON-TANGENT CURVE; SAID CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 315.00 FEET, CHORD BEARING AND DISTANCE OF N65°44'11"E, 258.89 FEET, TO WHICH A RADIAL LINE BEARS N48°31'39"W; THENCE DEPARTING SAID WEST LINE RUN NORTHEASTERLY A DISTANCE OF 266.79 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 48°31'39" TO THE POINT OF TANGENCY; THENCE N90°00'00"E, 448.61 FEET; THENCE N03°14'11"W, 110.10 FEET; THENCE N05°03'54"W, 565.39 FEET; THENCE N03°02'08"E, 90.22 FEET; THENCE N14°52'03"E, 429.23 FEET; THENCE N14°51'03"E, 69.35 FEET; THENCE N03°39'24"E, 55.35 FEET; THENCE N13°56'20"W, 63.62 FEET; THENCE N15°40'33"W, 140.00 FEET; THENCE N13°39'39"W, 77.86 FEET; THENCE N08°34'04"W, 78.95 FEET; THENCE N03°24'28"W, 78.96 FEET; THENCE

N00°08'42"E, 71.92 FEET; THENCE N05°15'50"W, 57.67 FEET; THENCE N24°00'12"W, 66.30 FEET; THENCE N44°16'41"W, 103.06 FEET; THENCE N15°15'51"E, 431.79 FEET; THENCE N51°33'04"E, 359.26 FEET; THENCE N40°15'33"E, 96.40 FEET; THENCE N12°13'19"E, 407.50 FEET; THENCE N25°00'16"W, 60.75 FEET; THENCE N39°24'48"W, 70.00 FEET; THENCE N59°13'55"W, 73.36 FEET; THENCE N70°10'27"W, 141.07 FEET; THENCE N07°46'21"W, 229.71 FEET; THENCE N02°53'29"W, 103.16 FEET; THENCE N04°11'58"E, 93.01 FEET; THENCE N16°46'45"E, 97.90 FEET; THENCE N27°10'50"E, 101.34 FEET; THENCE N47°22'37"E, 83.02 FEET; THENCE N52°10'47"E, 80.36 FEET; THENCE N60°30'54"E, 177.38 FEET; THENCE N23°33'29"W, 164.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 720.00 FEET; THENCE RUN NORTHWESTERLY, A DISTANCE OF 365.22 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 29°03'47" TO THE POINT OF TANGENCY; THENCE N52°37'17"W A DISTANCE OF 139.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 670.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°54'33", AN ARC DISTANCE OF 69.10 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°58'19", AN ARC DISTANCE OF 57.45 FEET TO THE POINT OF TANGENCY; THENCE N69°30'10"W, 10.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 486.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°06'24", AN ARC DISTANCE OF 85.73 FEET TO THE POINT OF TANGENCY; THENCE N79°36'34"W, 89.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'58", AN ARC DISTANCE OF 109.66 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 55.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 314.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 56.78 FEET TO THE POINT OF TANGENCY; THENCE N78°54'51"W, 55.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 54.25 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 100.33 FEET TO THE POINT OF BEGINNING.

PETITION TO ESTABLISH
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

Petitioner, The Villages of Lake-Sumter, Inc., a Florida Corporation, petitions the City of Fruitland Park (hereinafter referred to as "City") pursuant to the Uniform Community Development District Ave of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a Uniform Community Development District and to designate the land area for which the District would manage and finance basic service delivery and states as follows:

1. Petitioner is a Florida corporation with its principal place of business at 1020 Lake Sumter Landing, The Villages, Florida 32162.

2. The land area to be served by the District comprises of 692.8 acres. A map showing the location of the land area to be serviced by the District is attached as ***EXHIBIT 1.*** All of the land in the proposed District is within the City of Fruitland Park, Florida.

3. A metes and bounds legal description and sketch of the external boundaries of the District is attached as ***EXHIBIT 2.*** Section 190.005(2)(a) and (1)(a)(1), Florida Statutes. There is no real property wholly within the external boundaries of the District, which is to be excluded from the District.

4. Attached as ***EXHIBIT 3*** is documentation constituting written consent to the establishment of the District by the owners of the real property to be included in and serviced by the District. Section 190.005(2)(a) and (1)(a)(2), Florida Statutes.

5. The five persons designated to serve as the initial members of the Board of Supervisors of the District are named in ***EXHIBIT 4*** attached hereto. Section 190.005(2)(a) and (1)(a)(3).

6. The proposed name of the District is Village Community Development District No. 11. Section 190.005(2)(a) and (1)(a)(4), Florida Statutes.

7. The major trunk water mains, sewer interceptors, and outfalls currently in existence on the property to be serviced by the District are identified on ***EXHIBIT 5*** attached hereto. Section 190.005(2)(a) and (1)(a)(5), Florida Statutes.

8. The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached as ***EXHIBIT 6.*** Section 190.005(2)(a) and (1)(a)(6), Florida Statutes.

9. All of the property in the District will be designated Planned Unit Development (PUD) pursuant to the development plan approved as part of the Villages of Fruitland Park, and related approvals of Notice of Proposed Change and Comprehensive Plan Amendment and Zoning Ordinance, collectively comprising the Development Order for said property pursuant to the provisions of Chapter 380 F.S., and under the City's Land use Element and Future Land Use Map, attached as ***EXHIBIT 7.***

10. The Statement of Estimated Regulatory Cost of the granting of this Petition and the establishment of the District is attached as ***EXHIBIT 8.*** Section 190.005(2)(a) and (1)(a)(8), Florida Statutes.

WHEREFORE, Petitioner respectfully requests the City of Fruitland Park to:

A. Schedule a public hearing on May 22, 2014 to consider this Petition filed pursuant to the uniform procedures set forth in Section 190.005(2), Florida Statutes.

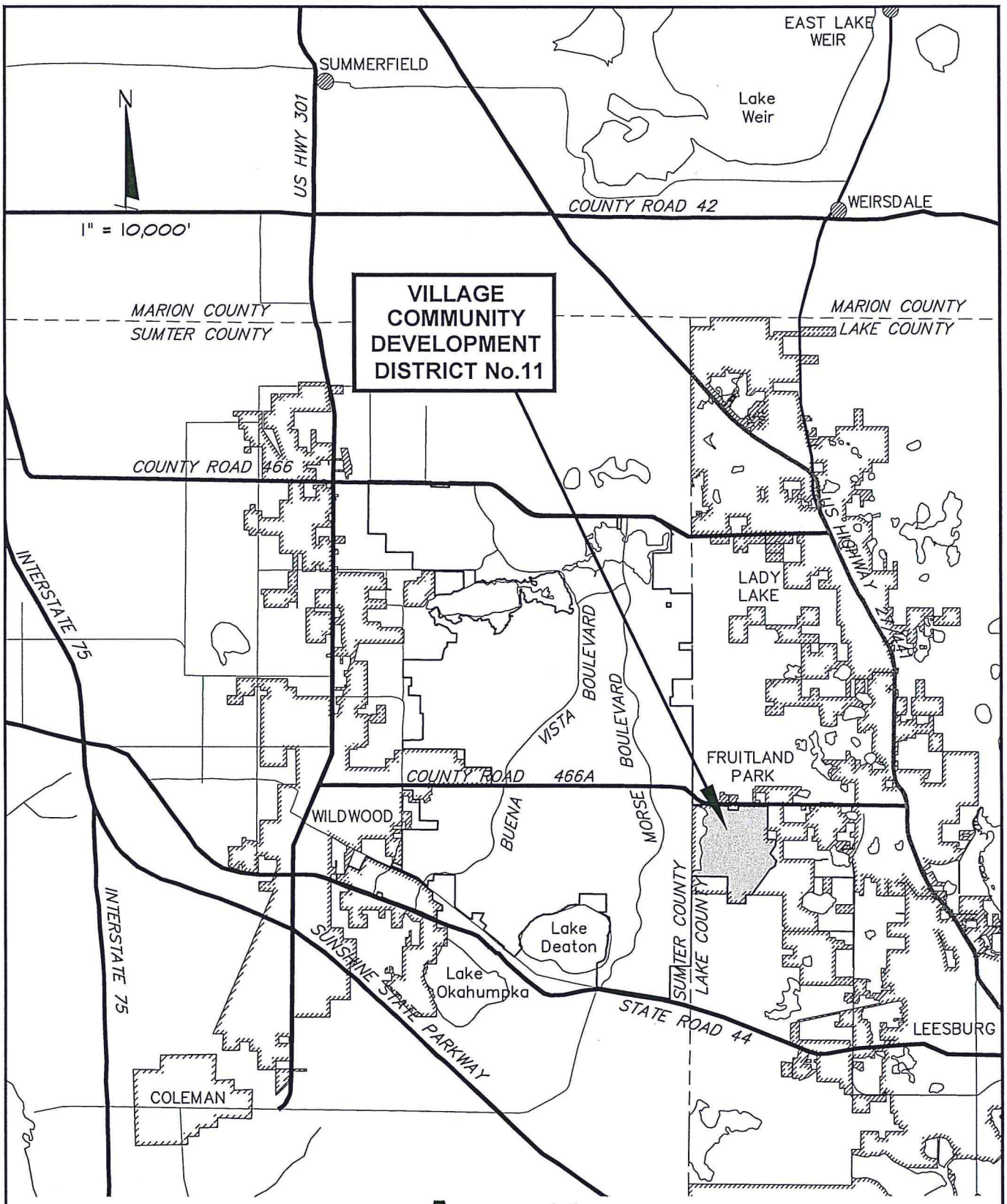
B. Grant the Petition and adopt an ordinance to establish the District and designate the land area to be serviced by the District, pursuant to Sections 190.005(2), Florida Statutes.

RESPECTFULLY SUBMITTED this 11th day of April, 2014.

THE VILLAGES OF LAKE-SUMTER, INC.

By: _____

EXHIBIT 1



Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number: 27495

GENERAL LOCATION MAP

EXHIBIT 2

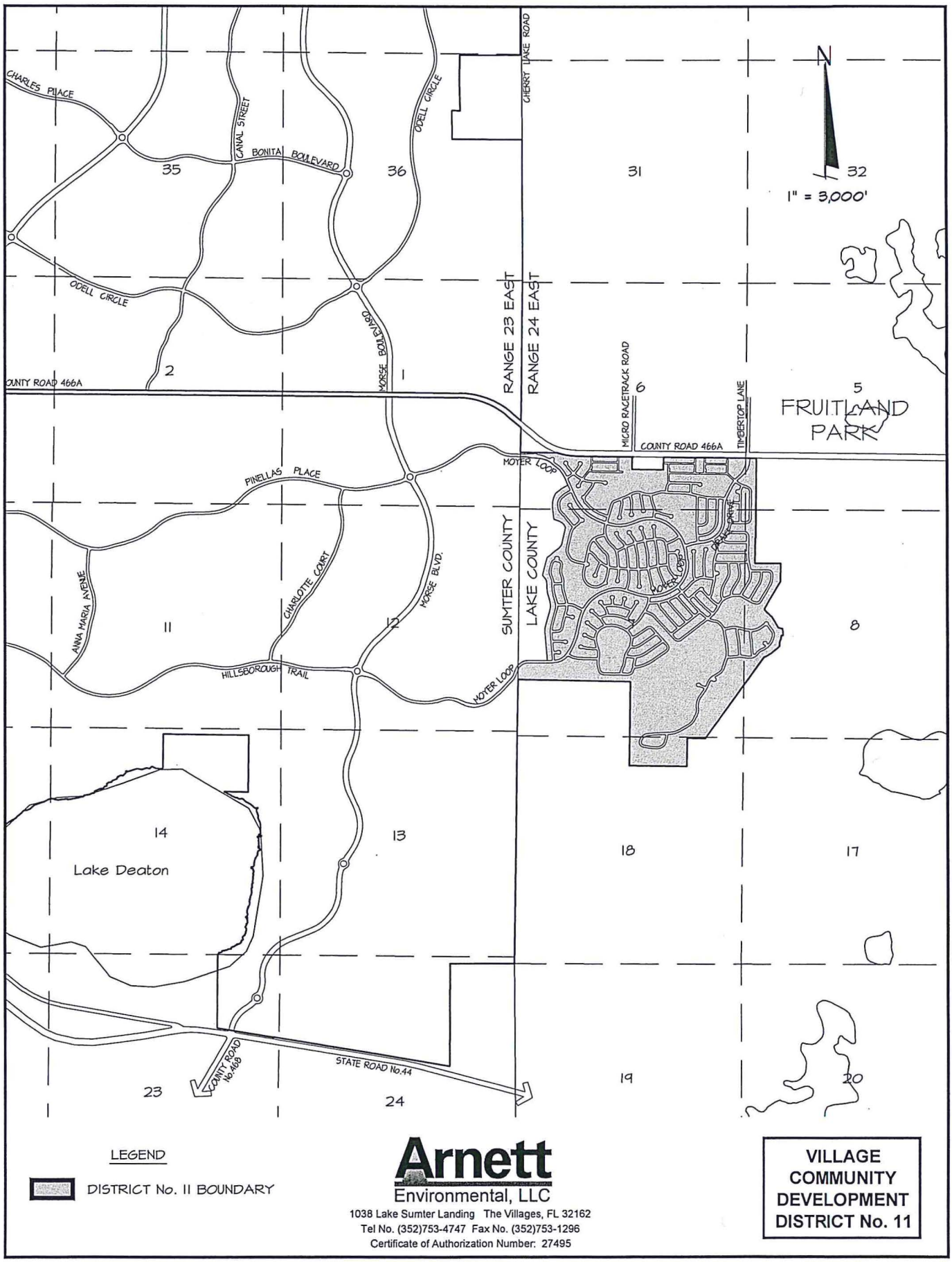

CHARLES PLACE
CANAL STREET
BONITA BOULEVARD
ODELL CIRCLE
CHERRY LAKE ROAD
N
1" = 3,000'
35
36
31
32
ODELL CIRCLE
MORSE BOULEVARD
RANGE 23 EAST
RANGE 24 EAST
COUNTY ROAD 466A
2
1
6
5
MICRO RACETRACK ROAD
TIMBERTOP LANE
FRUITLAND PARK
COUNTY ROAD 466A
MOTER LOOP
PINELLAS PLACE
ANNA MARIA AVENUE
CHARLOTTE COURT
MORSE BLVD.
SUMTER COUNTY
LAKE COUNTY
MOTER LOOP
11
12
8
HILLSBOROUGH TRAIL
MOTER LOOP
14
Lake Deaton
13
18
17
COUNTY ROAD No.468
STATE ROAD No.44
23
24
19
20
LEGEND
DISTRICT No. 11 BOUNDARY
Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number: 27495
VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 11

EXHIBIT 2

DESCRIPTION OF THE CREATION OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 APPROXIMATELY 692.8 ACRES

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,223.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°42'56"E, ALONG SAID WEST LINE A DISTANCE OF 103.98 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 641.90 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 295.96 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A

DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7: THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 344.28 FEET TO A POINT ON A NON-TANGENT CURVE; SAID CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 315.00 FEET, CHORD BEARING AND DISTANCE OF N65°44'11"E, 258.89 FEET, TO WHICH A RADIAL LINE BEARS N48°31'39"W; THENCE DEPARTING SAID WEST LINE RUN NORTHEASTERLY A DISTANCE OF 266.79 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 48°31'39" TO THE POINT OF TANGENCY; THENCE N90°00'00"E, 448.61 FEET; THENCE N03°14'11"W, 110.10 FEET; THENCE N05°03'54"W, 565.39 FEET; THENCE N03°02'08"E, 90.22 FEET; THENCE N14°52'03"E, 429.23 FEET; THENCE N14°51'03"E, 69.35 FEET; THENCE N03°39'24"E, 55.35 FEET; THENCE N13°56'20"W, 63.62 FEET; THENCE N15°40'33"W, 140.00 FEET; THENCE N13°39'39"W, 77.86 FEET; THENCE N08°34'04"W, 78.95 FEET; THENCE N03°24'28"W, 78.96 FEET; THENCE N00°08'42"E, 71.92 FEET; THENCE N05°15'50"W, 57.67 FEET; THENCE N24°00'12"W,

66.30 FEET; THENCE N44°16'41"W, 103.06 FEET; THENCE N15°15'51"E, 431.79 FEET; THENCE N51°33'04"E, 359.26 FEET; THENCE N40°15'33"E, 96.40 FEET; THENCE N12°13'19"E, 407.50 FEET; THENCE N25°00'16"W, 60.75 FEET; THENCE N39°24'48"W, 70.00 FEET; THENCE N59°13'55"W, 73.36 FEET; THENCE N70°10'27"W, 141.07 FEET; THENCE N07°46'21"W, 229.71 FEET; THENCE N02°53'29"W, 103.16 FEET; THENCE N04°11'58"E, 93.01 FEET; THENCE N16°46'45"E, 97.90 FEET; THENCE N27°10'50"E, 101.34 FEET; THENCE N47°22'37"E, 83.02 FEET; THENCE N52°10'47"E, 80.36 FEET; THENCE N60°30'54"E, 177.38 FEET; THENCE N23°33'29"W, 164.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 720.00 FEET; THENCE RUN NORTHWESTERLY, A DISTANCE OF 365.22 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 29°03'47" TO THE POINT OF TANGENCY; THENCE N52°37'17"W A DISTANCE OF 139.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 670.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°54'33", AN ARC DISTANCE OF 69.10 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°58'19", AN ARC DISTANCE OF 57.45 FEET TO THE POINT OF TANGENCY; THENCE N69°30'10"W, 10.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 486.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°06'24", AN ARC DISTANCE OF 85.73 FEET TO THE POINT OF TANGENCY; THENCE N79°36'34"W, 89.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'58", AN ARC DISTANCE OF 109.66 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 55.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 314.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 56.78 FEET TO THE POINT OF TANGENCY; THENCE N78°54'51"W, 55.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 54.25 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 100.33 FEET TO THE POINT OF BEGINNING.

EXHIBIT 3

CONSENT TO THE ESTABLISHMENT OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Village Community Development District No. 11, hereby consents to the Petition to Establish Village Community Development District No. 11, dated the 10 of April, 2014.

The Villages of Lake-Sumter, Inc.

By: _____
Mark Morse
Its: President

EXHIBIT 4

BOARD OF SUPERVISORS

VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

(To be completed by Petitioner prior to final submittal)

1. John Wise – 1020 Lake Sumter Landing, The Villages, FL 32162
2. Bob Thorne – 1020 Lake Sumter Landing, The Villages, FL 32162
3. Scott Renick – 1020 Lake Sumter Landing, The Villages, FL 32162
4. Bobby Hoopfer – 1020 Lake Sumter Landing, The Villages, FL 32162
5. Scott Robertson – 1020 Lake Sumter Landing, The Villages, FL 32162

EXHIBIT 5

There are no major trunk water mains, sewer interceptions or outfalls currently in existence on the property to be serviced by the District

Exhibit 6

PROPOSED TIME TABLES AND RELATED ESTIMATES OF COST OF DISTRICT SERVICES AND FACILITIES VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

ITEM	ANTICIPATED SCHEDULE	ESTIMATED COST
Subdivision Infrastructure Roads & Drainage	2014 - 2015	$12,100,000
Collector Road Infrastracture Roads & Drainage	2014 - 2015	$3,800,000
Landscaping & Irrigation in Common Areas[1]	2014 - 2015	$2,000,000
Master Earthwork for Stormwater Collection System	2014 - 2015	$22,100,000
Collector Road Traffic Signal	2014 - 2015	$200,000
TOTAL:		$40,200,000

EXHIBIT 7

Currently, Lake County Rural pending approval of Fruitland Park's Comprehensive Plan in which the Villages of Fruitland Park Land Use Plan, Zoning and NOPC Development Order will supersede the current plan.

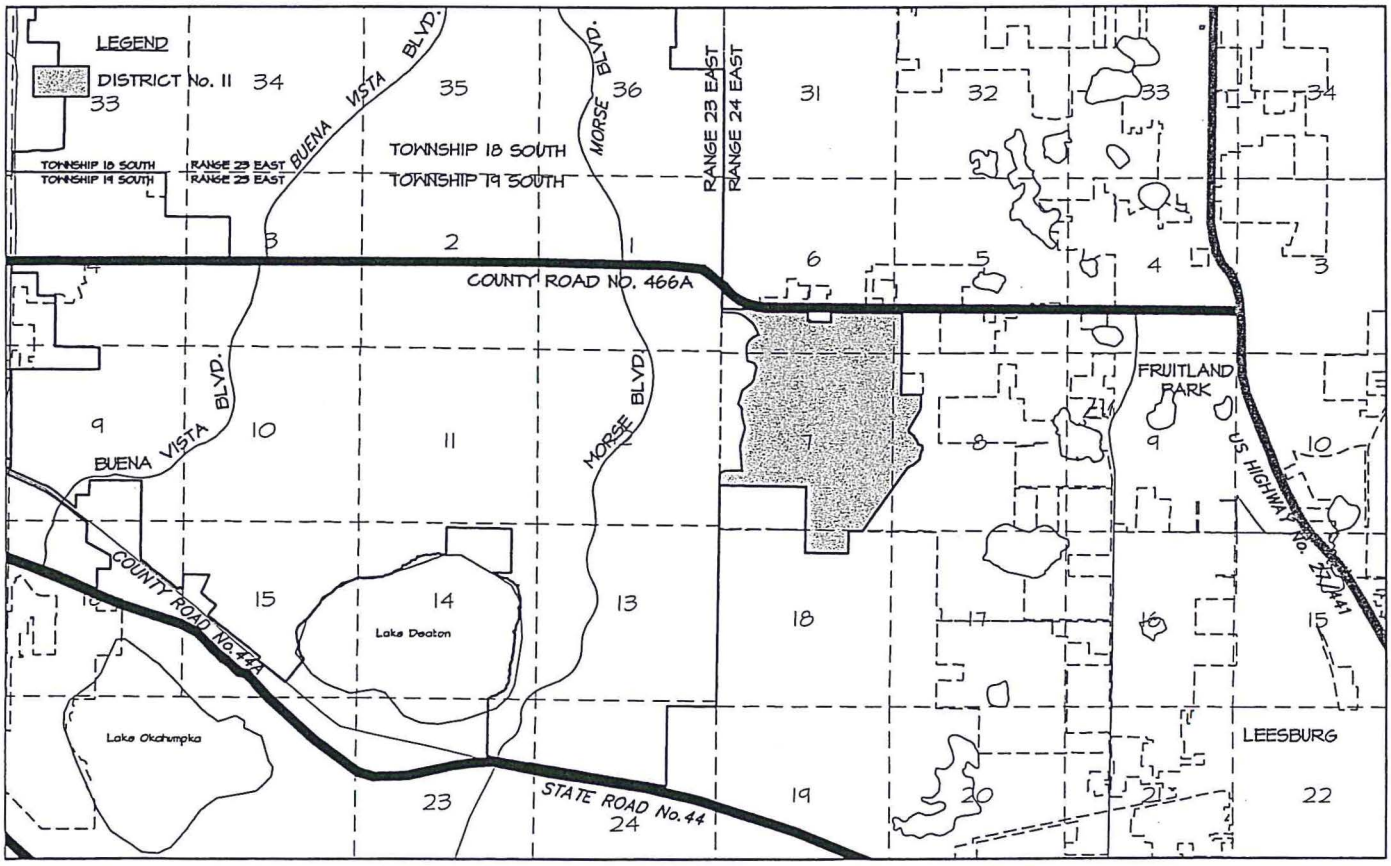


EXHIBIT 8

STATEMENT OF ESTIMATED REGULATORY COSTS

ESTABLISHMENT OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 11

1.0 Introduction

1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to establish Village Community Development District No. 11 (the "District"). The proposed District will include approximately 693 +/- acres of land on which 2,050 dwelling units are planned for development. The district proposes to provide infrastructure and community services to this area in the District as described more fully below.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. as follows (emphasis added):

"That the process of establishing such a district pursuant to uniform general law shall be fair <u>and based only on factors material to managing and financing</u> the service delivery function of the district, so that <u>any matter concerning permitting or planning of the development is not material or relevant.</u>"

1.2 Overview of the proposed District No. 11

The proposed District would provide community infrastructure, services, and facilities, along with their operations and maintenance, to a portion of the Villages of Fruitland Park, one of the family of five "Villages" communities under development by The Villages of Lake-Sumter, Inc. (the master developer of The Villages). The proposed Village Community Development District No. 11 will encompass 693 acres to be used exclusively for residential development. Table 1 below summarizes the land use plan for the District.

Table 1. Residential Development Planned for Village Community Development District No. 11

Category	Quantity
Courtyard Villa	191
Standard Homesite	1,727
Premium Homesite	132
Total Residences	**2,050**

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2012) defines the elements a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:
1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of $1 million in the aggregate within 5 years after the implementation of the rule;
2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of $1 million in the aggregate within 5 years after the implementation of the rule; or
3. Is likely to increase regulatory costs, including any transactional costs, in excess of $1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable

based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 An economic analysis showing whether the rule directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs

Florida Statutes 120.541(2)(a) requires an economic analysis showing whether the establishment of the District will directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs exceeding $1 million in the aggregate within 5 years after the establishment occurs. The simple answer is that the establishment of the District will not have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs.

The District's establishment is overwhelmingly likely to increase economic growth, job creation, employment, private sector investment, and business competitiveness. This is because the District will provide infrastructure

improvements within and surrounding the District's boundaries, allowing for the development of the land within the District. This development is planned to include 2,050 new residences. The residents of the District will require goods and services. This new demand created by the District's residents will increase economic growth, job creation, employment, private sector investment, and business competitiveness in the areas surrounding the District.

The District will have the ability to assess its property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to the District. The infrastructure improvements to be funded by the District would be required to support development of the planned 2,050 residences, regardless of the District's existence. Community development districts such as the proposed District can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned new development will not be increased due to the existence of the District.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

As noted above, the proposed District encompasses 693 +/- acres. The District's landowner plans to develop 2,050 dwelling units on this property. Formation of the proposed District would put all of these landowners under the jurisdiction of the proposed District. Of course, prior to the sale of the property within the District, the developer will also be subject to the District's jurisdiction.

4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues.

4.1 Impact on State and Local Revenues

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the formation of the District. The District consists of less than 1,000 acres, therefore The City of Fruitland Park (the "City") is the establishing entity, pursuant to Florida Statutes Section 190.005(2). The State will incur no costs in reviewing the petition to establish the District and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the establishment of the District relate strictly to the receipt and processing of various reports that the District is required to file annually with the State and its various entities. These annual reports are outlined in the attached Appendix. However, the costs to the State agencies that will receive and process the District's reports will be minimal. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.412 of the Florida Statutes, the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

The City of Fruitland Park

City staff will process, analyze, and conduct public hearing(s) on the petition to establish the District. These activities will absorb the time of the City staff and City Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to establish a community development district.

The annual costs to the City, related to the continued existence of the District, are also minimal and within the control of the City. The District will be an independent unit of local government. The only annual costs incurred by the City will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City.

4.2 Impact on State and Local Revenue

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the City, or any unit of local government. By State law, the debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule.

Table 2 provides an outline of the various facilities and services the proposed District may provide. The District plans to fund, own, operate and maintain certain drainage and stormwater systems, landscaping, and lakes. The District will also plan, construct and finance some of the community's roadways. The roadways and drainage systems within publicly-dedicated rights of way will be conveyed to The City of Fruitland Park for operations and maintenance. Other roadways will be owned and maintained by the District. The landowner will provide the utilities, amenities, and other community infrastructure and facilities. The District will be responsible for maintenance of these facilities.

Table 2. Proposed Facilities and Services

Improvement/Facility	Funded By	O&M By	Ownership
Roads	Landowner/CDD	CDD/City	CDD/City
Utilities	Landowner	Landowner	Landowner
Amenities	Landowner	CDD	CDD/Landowner
Drainage	CDD	CDD	CDD
Landscape/Lakes	CDD	CDD	CDD

The petitioner has estimated the costs for providing the capital improvements and facilities outlined in Table 2. The cost estimates for these improvements and facilities are shown in Table 3, below. Total costs are estimated at approximately $40,200,000. To fund these improvements, the District may issue special assessment or other revenue bonds. These bonds would be repaid through non-ad valorem assessments levied on all properties located within the boundaries of the District that benefit from these improvements.

Table 3. Summary of Estimated Capital Costs

Improvement	Est. Schedule	Est. Cost
Subdivision Infrastructure Roads and Drainage	2014 - 2015	$12,100,000
Collector Road Infrastructure Roads and Drainage	2014 - 2015	$3,800,000
Landscaping and Irrigation in Common Areas	2014 - 2015	$2,000,000
Master Earthwork for Stormwater Collection System	2014 - 2015	$22,100,000
Collector Road Traffic Signal	2014 - 2015	$200,000
Total		**$40,200,000**

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred by the District through one or more bond issuances. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Table 3 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer provided infrastructure and facilities. Along these same lines, District imposed assessments for operations and maintenance cost are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the cost and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides.

The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be no adverse impact on small businesses because of establishment of the District. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

Fruitland Park has an estimated population of less than 10,000, according to the most recent federal census (2010). Therefore, the City is defined as a "small" City according to Section 120.52 of the Florida Statues. However, as noted above, there will be no adverse impact on the City due to the creation of the District. The District will provide infrastructure facilities and services to the property located within the District. These facilities and services will help make this property developable. Development of the property within the District will increase the value of this property and, consequently, increase the property taxes that accrue to the City. These increased property taxes (along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District) will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

Finally, it is useful to reflect upon the question of whether the District is the best alternative to provide community facilities and services to the Development. As an alternative to the District, the City could approve a dependent special district for the area, such as an MSBU or a special taxing district under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the proposed District.

However, unlike the District, the alternatives would require the City to continue to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. In addition, administering a project of the size and complexity of the development program anticipated for the District is very significant and expensive undertaking.

With a District, residents and renters within the District would have a focused unit of government under their direct control. The District can

then be more responsive to resident needs without disrupting other City responsibilities.

Third, any debt of a District is strictly the District's responsibility. While it may be technically true that the debt of the City-established, dependent special district, is not strictly the City's responsibility, any financial problems that the special District may have will inevitably entangle the City. This will not be the case if the District is established as proposed.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA a District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government. Therefore, unlike the POA the District must abide by all governmental rules and regulations.

Fishkind & Associates, Inc. ("Fishkind") certifies that this SERC meets the requirements for a SERC as set out in Chapter 120.541, F.S.

Fishkind drafted more than 100 SERCs. Below is a listing of some of the Districts for which we have prepared SERCs.

- Urban Orlando Community Development District
- Palazzo Del Lago Community Development District
- Winter Garden Village at Fowler Groves Community Development District
- Midtown Orlando Community Development District
- New Port Tampa Bay Community Development District
- The Tradition "Family" of Community Development Districts
- Marshall Creek Community Development District
- Cedar Hammock Community Development District
- Meditera Community Development District
- Brooks Community Development District
- Highlands Community Development District

AGENDA ITEM NUMBER
7j

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**The Villages of Fruitland Park DRI Comprehensive Plan – Ordinance 2014-002**				
For the Meeting of:	May 8, 2014				
Submitted by:	Community Development Director				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Ordinance 2014-002 passed first reading on February 27, 2014 and has been duly advertised.					
Action to be Taken: Enact Ordinance 2014-002					
Staff's Recommendation: Approval.					
Additional Comments: None.					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN ENTITLED 'THE VILLAGES OF FRUITLAND PARK-DRI'; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE, AFTER APPROVAL, TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Darrin Taylor, as Applicant, on behalf of The Villages of Lake-Sumter, Inc. as Owner, has submitted an application requesting that approximately 780 acres of real property generally located south of CR 466-A and north of Pine Ridge Dairy Road within the city limits of the City of Fruitland Park be assigned a land use designation under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the City of Fruitland Park City Commission finds and determines that the City's Future Land Use Element of the City's Comprehensive Plan should be amended to accommodate the uses and development proposed by the Applicant, on behalf of the Owner; and

WHEREAS, the City of Fruitland Park City Commission accordingly desires to amend the City of Fruitland Park's Comprehensive Plan to create a new future land use designation of "The Villages of Fruitland Park DRI" under the Comprehensive Plan for the City of Fruitland Park and to incorporate the associated objectives and policies to such category; and

WHEREAS, the required notice of the proposed comprehensive plan amendments has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendments to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The City of Fruitland Park Future Land Use Element of the City's Comprehensive Plan is hereby amended to create a new future land use designation of "The Villages of Fruitland Park DRI," and to include the associated objectives and policies as set forth on Exhibit "B," attached hereto and incorporated herein by reference.

Section 2: The following described property consisting of approximately 780 ± acres generally located south of CR 466-A and north of Pine Ridge Dairy (the "Property"), and more particularly described as follows:

LEGAL DESCRIPTION: THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,327.16 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 663.90 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID EAST LINE, S00°44'25"W, 8.38 FEET; THENCE DEPARTING SAID EAST LINE, N89°21'10"W 22.00 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 287.58 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE

S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7: THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1,329.81 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4, N00°40'16"E, 2,658.38 FEET TO THE POINT OF BEGINNING.
CONTAINING 777.60 ACRES±

Parcel Alternate Key No.'s - 1288363, 1288479, 1288487 and a portion of 1288703

Shall be assigned a land use designation of The Villages of Fruitland Park DRI, under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

Section 3: The City Clerk is hereby directed to transmit a copy of this Ordinance to the state land planning agency upon adoption.

Section 4: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 5: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 6: If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 7: This Ordinance shall become effective thirty one (31) days after the state land planning agencies notify the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

Section 8: The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Secretary of State of Florida within seven (7) days after its passage on second and final reading.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2014.

_____
Chris Bell, Mayor
City of Fruitland Park, Florida

ATTEST:

_____
Esther Coulson, CMC, City Clerk

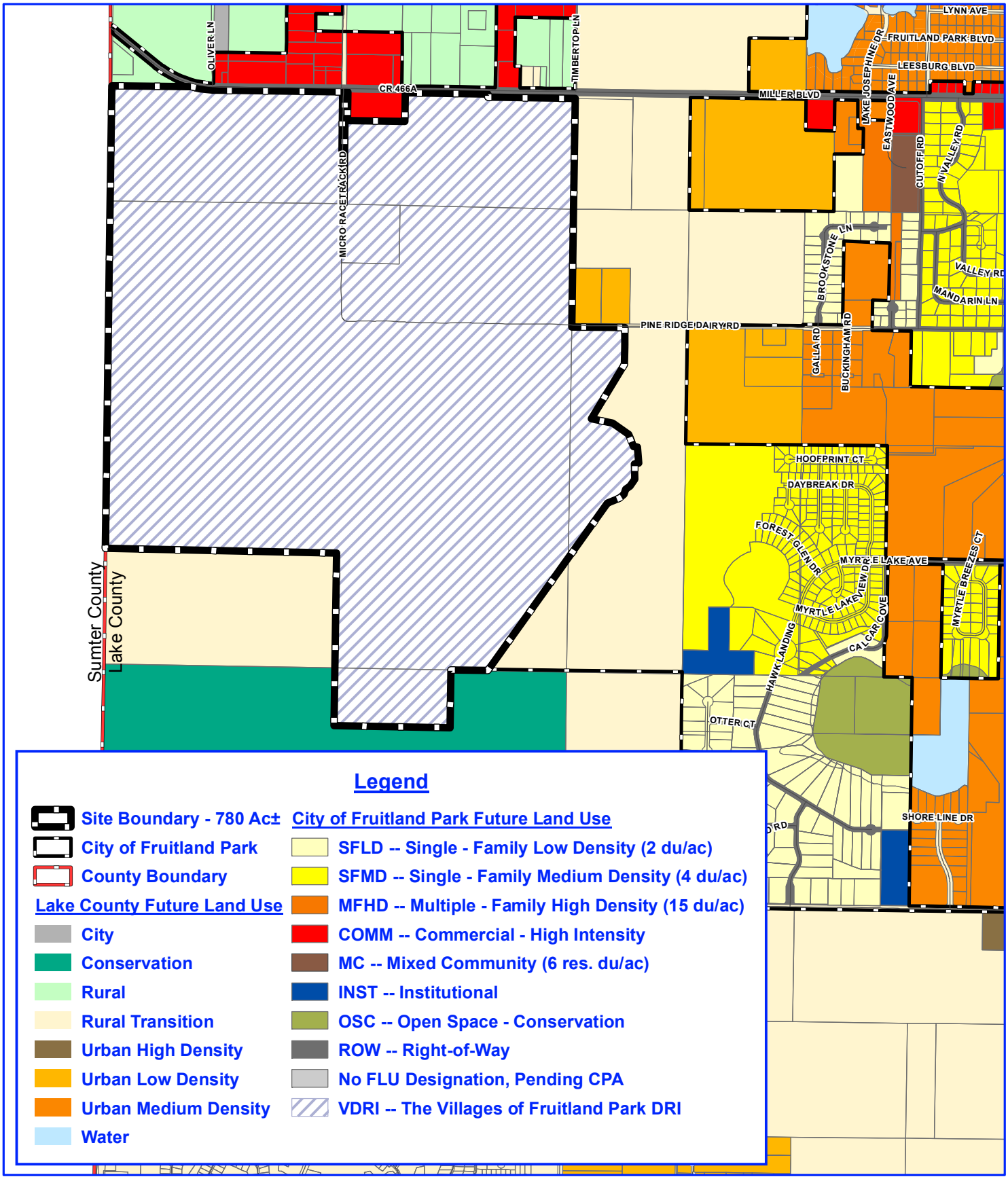
Approved as to Form:

_____
Scott Gerken
City Attorney

Commissioner Kelly	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor Goldberg	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Gunther	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Mayor Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Passed First Reading February 27, 2014
Passed Second Reading _____

Approved as to form:



Legend

- Site Boundary - 780 Ac±
- City of Fruitland Park
- County Boundary

Lake County Future Land Use

- City
- Conservation
- Rural
- Rural Transition
- Urban High Density
- Urban Low Density
- Urban Medium Density
- Water

City of Fruitland Park Future Land Use

- SFLD -- Single - Family Low Density (2 du/ac)
- SFMD -- Single - Family Medium Density (4 du/ac)
- MFHD -- Multiple - Family High Density (15 du/ac)
- COMM -- Commercial - High Intensity
- MC -- Mixed Community (6 res. du/ac)
- INST -- Institutional
- OSC -- Open Space - Conservation
- ROW -- Right-of-Way
- No FLU Designation, Pending CPA
- VDRI -- The Villages of Fruitland Park DRI

N W E S

500 0 500 1,000 Feet

1 inch = 1,500 feet

City of Fruitland Park
The Villages of Lake-Sumter, Inc.

Lake County, Florida
Proposed Future Land Use

Project: 398-14-01
File: Proposed FLU.mxd
Name: The Villages
PM: Sherie Lindh
Date: March 27, 2014
Created By: J.Wilson

LPG Urban & Regional Planners, Inc.
1162 Camp Avenue, Mount Dora, Florida 32757
Office: (352) 385-1940 / Fax: (352) 383-4824

CHAPTER 1

FUTURE LAND USE ELEMENT

City of Fruitland Park Comprehensive Plan

Goals, Objectives and Implementing Policies

This section stipulates goals, objectives and policies for implementing the desired future land use of the City of Fruitland Park.

GOAL 1: LAND USE. INSURE THAT THE CHARACTER AND LOCATION OF LAND USES PROMOTE CONSERVATION OF RESOURCES, EFFICIENCY AND CONCURRENCY IN THE PROVISION OF PUBLIC FACILITIES AND SERVICES, MAXIMIZATION OF ECONOMIC BENEFITS FOR EXISTING AND FUTURE CITIZENS, AND COMPLIANCE WITH ADOPTED MINIMUM LEVELS OF SERVICE STANDARDS, AND CONCOMITANTLY MINIMIZE DETRIMENTAL IMPACTS TO HEALTH, SAFETY, AND WELFARE WHICH MAY BE JEOPARDIZED BY ENVIRONMENTAL DEGRADATION, NUISANCES AND IMCOMPATIBLE LAND USES.

OBJECTIVE 1-1: <u>PLANNING FOR RESIDENTIAL QUALITY AND NEIGHBORHOOD COHESIVENESS</u>. The city shall designate and promote sufficient area on the 2010 Future Land Use Map for quality residential development and neighborhood cohesiveness, and require the availability of adequate facilities, to support demands necessitated by existing and future housing development and associated population.

Policy 1-1.1: <u>Adequate Residential Land Area</u>. The Future Land Use Map shall designate sufficient land area for residential land uses according to a pattern which promotes neighborhood cohesiveness and identity, and which enables efficient provision of public facilities and services. A minimum of 937 acres shall be allocated for allowing residential land uses on the Future Land Use Map. Residential acreage allocated on the Future Land Use Map shall be sufficient to attract development to the City rather than outside the City limits.

Policy 1-1.2: <u>Allowance for Open Space</u>. The City, incorporated within the Land Development Regulations provisions which require residential open space in new developments. Such provisions include are not limited to a minimum of 25% open space for residential land uses, maximum percentages of lot coverage for other land uses, and requiring proposed development to incorporate such requirements into all development review submittals.

Policy 1-1.3: Mitigation of Impacts from Adjacent Development. The Land Development Regulations standards require adjacent development and redevelopment to provide sufficient buffers and screening for purposes of mitigating impacts to adjacent residential land uses. Such standards are based on the type of zoning of the subject property as well as the adjacent property. The zoning districts determine the width and the amount of landscaping that is required.

The City minimizes potential adverse impacts created by non-residential land uses located adjacent to residential uses by requiring the provision of landscaping, buffering, or other appropriate screening techniques.

Policy 1-1.4: Existing Incompatible Land Use Activities Located within Residential Districts Delineated on the Future Land Use Map. The Land Development Regulations include standards for the transition of incompatible land uses located within the designated residential land districts. These standards include limitations to the expansion of such incompatible uses and provisions for discontinuing the incompatible use if that use should cease for a specified period of time.

Policy 1-1.5: Access to and Circulation within Residential Areas. Transportation systems within designated residential areas delineated on the Future Land Use Map shall be designed to accommodate traffic conditions that further public safety and limit nuisances. Access to residential areas shall comply with policies established within the Traffic Circulation Element that address access management. The design of new residential subdivisions must include the dedication of right-of-way to enable pedestrian access to adjacent residential subdivisions, unless the distance between the furthest lot from the subdivision entrance is less than 1320 feet to the nearest public entrance to the adjacent residential subdivision.

Policy 1-1.6: Transition of Residential Densities. The City shall pattern the transition of residential densities on the Future Land Use Map toward higher densities in areas accessible to employment and commercial areas and away from environmentally sensitive areas, while directing lower density residential development in areas close to environmentally sensitive areas.

Policy 1-1.7: Availability of Facilities to Support Residential Land Uses. Residential densities shall be compatible with available public facilities and their capacity to serve development. Residential areas designated on the Future Land Use Map shall be allocated according to a pattern that promotes efficiency in the provision of public facilities and services, and furthers the conservation of natural resources. Public facilities shall be required to be in place concurrent with in the impacts of new residential development.

OBJECTIVE 1.2: PLANNING FOR CONSERVATION OF ENVIRONMENTALLY SENSITIVE LANDS. OTHER NATURAL RESOURCES AND HISTORICALLY SIGNIFICANT SITES. The City shall manage and control existing and future land uses located within or adjacent to environmentally sensitive lands, other significant natural resources, and historically significant sites, by continuing to enforce protection standards within the Comprehensive Plan and Land Development Regulations. The measure of successful management of these resources shall be the amount of land protected each year as a result of the development review process.

Policy 1-2.1: Wetlands. The City has incorporated provisions within the Land Development Regulations that require all unaltered wetlands to be placed within conservation easements with the excepting of alteration as allowed in Policy 5-2.4, Conservation element. Any such alteration shall be permitted by the appropriate jurisdictional agency and shall be mitigated with the result of no net loss of natural functional value. Wetlands placed in conservation easements may be utilized for passive recreation activities and shall include but not be limited to elevated boardwalks, nature trails, hiking, bird watching and picnicking. Wetlands are 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 non contiguous or isolated wetlands to waters, water bodies and watercourses. Wetlands include but are not limited to Cypress, Hardwood Swamp, Bayhead, Hydric Hammock, Shrub Swamp, Shrub Bog, Deep Marsh, Freshwater Marsh, Shallow March and Wet Prairie. An upland buffer of sufficient width which will be determined on an individual basis based upon the wetland size, hydrologic functions, human impacts, plant diversity and integration with other ecosystems will be required.

Policy 1-2.2: Floodplains and Stormwater Management. The City has incorporated provisions within the Land Development Regulations that prohibit development within the 10 year floodplain and allow limited development within the 100 year floodplain as permitted by the St. Johns River Water Management District (SJRWMD) provided that compensating storage is provided and structures located within the 100 year floodplain shall have the first floor elevation at least 18" above the floodplain elevation. The following activities shall be prohibited within the 100 year floodplain:

- septic tanks and the storing of hazardous waste material;
- roads, bridges, and other similar public facilities should not be located within the floodplains, except where no reasonable alternative exists.

The stormwater regulations shall insure that adequate stormwater management or drainage facilities maintain pre-development conditions, provide adequate facilities as may be necessary to insure that the stormwater runoff rate and the quantity shall not be increased, nor adversely affect existing surface water flow pattern, insure that sediment from runoff will not enter natural drainageway and all systems shall be functionally independent of planned but unbuilt phases of the development project.

Policy 1-2.3: Aquifer Recharge. The City has incorporated provisions within the Land Development Regulations that prohibit non-residential land uses which are likely to generate toxic, hazardous or industrial waste in high recharge areas, unless otherwise approved by the Florida Department of Environmental Protection (FDEP), from utilizing septic tanks and where such uses are allowed, must be served by a central sanitary sewer system.

Policy 1-2.4: Sinkholes. The City has incorporated within the Land Development Regulations provisions which require setbacks from sinkholes. The setback criteria will be based on a case by

case basis as determined appropriate by a geotechnical engineer and/or the Florida Sinkhole Research Institute.

Policy 1-2.5: Lake Front and Wetland Littoral Zone. The City protects lakefront and wetland littoral zones through the provisions of Policy 5-2.3, Conservation Element. Such provisions are also incorporated into the Land Development Regulations.

Policy 1-2.6: Vegetative Communities and Wildlife Habitats. The City has incorporated provisions within the Land Development Regulations that require all developments to place a percentage of the natural upland communities and native vegetation as defined in the Florida Natural Areas Inventory (FNAI) in conservation easements as specified in Policy 5-1.4.1, Conservation Element. The set aside requirement may be credited toward meeting the Open Space and Landscaping requirements.

(1) designate the area as conservation open space, precluding the encroachment or intrusion of any development other than passive recreation or conservation facilities; or

(2) provisions within the Land Development Regulations require developments to preserve portions of developable upland areas for environmental preservation. The development review process shall determine the extent to which preservation for vegetative communities and wildlife habitats shall be protected from development.

Policy 1-2.7: Historically Significant Sites. Any structure, building, or site which is deemed historically significant and is placed on the Florida Master File or the National Register of Historic Places shall be identified on the Future Land Use Map Series. There is one historically significant site within the City of Fruitland Park's Joint Planning Area (JPA), as of January 1996. (Holy Trinity Episcopal Church.)

OBJECTIVE 1.3: PLANNING FOR COMMERCIAL ACTIVITIES. The 2010 Future Land Use Map shall continue to allocate sufficient land area to accommodate commercial activities that provide goods and services demanded by local and area-wide markets, with consideration to fiscal and environmental impacts to the City of Fruitland Park.

Policy 1-3.1: Criteria for Identifying Marketable Commercial Sites. The location and distribution of commercial land use categories delineated on the Future Land Use Map shall be determined according to the following criteria:

a. Access and vicinity to U.S. 27/441; ease of access and egress to and from major thoroughfares to commercial sites; ability to achieve a functional internal circulation and off-street parking system,

b. Access to County Roads 466A and 25A; ease of access to collector thoroughfares to commercial sites; ability to achieve a functional internal circulation and off-street parking system;

c. Ability to comply with adopted performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, noise, odor, and generation of hazardous waste of products;

d. Impact to the conservation and preservation of natural resources;

e. Demand on existing and planned public services, utilities, water resources and energy resources;

Policy 1-3.2: General Pattern of Commercial Land Use.
Commercial land use shall be permitted in three Future Land Use categories. Higher intensive commercial activities shall be confined to the Commercial Land Use category, while wholesale commercial activities shall be permitted in the Industrial Land Use category, and lower intensive commercial activities shall be permitted in the Mixed Community Land Use category designated on the Future Land Use Map. Higher intensive commercial activities shall be directed toward the existing commercial business district located along U.S. 27/441. The Commercial Land Use category shall serve to prevent high intensive commercial from dispersing throughout the rest of the City.

Policy 1-3.3: Access to Commercial Land Uses. Access to commercial sites shall utilize adjacent streets adjoining U.S. 27/441, County Road 466A and County Road 25A where such streets serve to provide safe ingress\egress to the site. Such use of existing streets shall not be designed to direct traffic into residential areas.

Commercial development pursuing access to U.S. 27/441 shall be required to obtain all access management (curb cut) permits from the FDOT, while commercial development pursuing access to County Road 466A and County Road 25A shall be required to obtain all access management (curb cut) permits from the County in accordance with the County's rules and regulations and not prior to a site plan being approved by City staff.

Policy 1-3.4: Mitigation of Impacts to Adjacent Land Uses. The Land Development Regulations require commercial developments and redevelopments to provide sufficient buffers and screening for purposes of mitigating impacts to adjacent residential or public facility land uses. These standards are based on the type of zoning of the subject property as well as the adjacent property. The zoning districts of each shall determine the width and the amount of landscaping that will be required of buffers between incompatible land uses.

Policy 1-3.5: Availability of Facilities to Support Commercial Development. The density and intensity of commercial uses, as specified on Table 1-4, Future Land Use Element, shall be compatible with the ability of public facilities to provide adequate service according to the adopted levels of service standards. The City will not approve additional commercial land uses than those which can support adopted minimum level of service standards.

Policy 1-3.6: Provision of Open Space. New development shall be required to maintain a portion of commercial sites as open space. The Land Development Regulations specify the proportion of land which shall be retained for open space.

OBJECTIVE 1-4: PLANNING FOR PUBLIC FACILITIES AND INSTITUTIONAL ACTIVITIES. The City shall assure that adequate public facilities are in place concurrent with the impact of new development through the designation of adequate institutional land uses on the 2010 Future Land Use Map and the Programmed Improvements in the Adopted Capital Improvements Element of the Comprehensive Plan. The criteria for meeting concurrency shall be specified in the Concurrency Management System.

Policy 1-4.1: Coordinate Public Facilities with Land Use. The City shall extend public facilities to existing and proposed land use activities, as shown on the Future Land Use Map, which shall require and demand such services. Undeveloped land shall not be designated for development without assurance through the Comprehensive Plan that public facilities shall be available concurrently with the impacts of development. The impacts of land uses, including their densities and intensities, shall be coordinated with the City's ability to finance or require provision of necessary public facilities at conditions meeting or exceeding the adopted minimum level of service standards.

Policy 1-4.2: Coordinate Public Facilities and Services with Concurrency Management System. The timing and location of public facilities shall be coordinated through the Concurrency Management System to assure that development occurs in an orderly and timely manner consistent with the availability of public facilities and services.

Policy 1-4.3: Protection of Potable Water Wellfields. The City has incorporated within the Land Development Regulations provisions that prohibit activities/land uses within the following wellfield protection zones.

- Within all zones any nonresidential land use which stores, handles, produces or uses any regulated substance is prohibited,

- The location of septic systems within two hundred (200) feet of a public water supply well, unless otherwise approved by FDEP or HRS;

- The location of stormwater areas, as defined by SJRWMD, within three hundred (300) feet of a public water supply well, unless otherwise approved by SJRWMD,

- The location of wastewater treatment plant effluent discharges including but not limited to percolation ponds, surface water discharge, spray irrigation, or drainfields within five hundred (500) feet of a public supply well, unless otherwise approved by FDEP,

- The location of a landfill and/or collection center within five hundred (500) feet of a public supply well;

- The location of feed lots or other commercial animal facilities within five hundred (500) feet of a public supply well;

- The location of mining and/or excavation of waterways of drainage facilities which intersect the water table within one thousand (1000) feet of a public supply well, unless otherwise approved by SJRWMD; and

- The location of underground or above ground stationary tanks containing regulated substances, including fuel storage tanks, within five hundred (500) feet of a public supply well.

The Land Development Regulations also include provisions for exemptions based on the following criteria:

1) The application of pesticides, herbicides, fungicides, and rodenticide if application is in strict conformity with EPA regulations and in strict conformity with Chapters 5E-2 and 5E-9 of the Florida Administrative Code;

2) the application of fertilizers containing any form of nitrogen providing that the amount of fertilizer applied shall not exceed forty (40) pounds of nitrogen per acre per month for the total area or two (2) pounds per thousand (1000) square feet per month, however, the applied fertilizer shall not exceed two hundred (200) pounds of nitrogen per acre per year;

3) retail and wholesale establishments in regulated areas provided that the establishments only store and handle regulated substances for resale in their original unopened containers;

4) regulated substances for the maintenance and cleaning of office buildings and regulated substances associated with office equipment;

5) nonresidential land uses which are determined to be exempt in consultation with the SJRWMD and/or the City's engineer. Special exemptions may also be issued subject to the written verification by a qualified Florida professional engineer of Florida certified hydrogeologist that the proposed use or activity will not result in adverse impacts to the protected wellfield potable water supply. Public supply well shall mean a potable water system which provides water to the public and has at least fifteen (15) service connections or regularly serves an average of at least twenty five (25) individuals daily for at least sixty (60) days of the year. Regulated Substances shall include but not be limited to the following:

1) Chapter 38F-41, Florida Administrative Code;

2) Title 40 of the Code of Federal Regulations Part 261 (Identification and listing of Hazardous Wastes);

3) Title 40 of the Code of Federal Regulations Part 302.4 (List of Hazardous Substances and Reportable Quantities);

4) Title 40 of the Code of Federal Regulations Part 355, Appendix A & B (List of extremely Hazardous Substances);

5) Title 49 Code of Federal Regulations Parts 172.101 and 172.102.

OBJECTIVE 1-5: PLANNING FOR INSTITUTIONAL LAND USES.
The City Shall Adequately Plan for the Land Needs of Institutional Activities.

Policy 1-5.2 Compliance with Concurrency Management System. All institutional land uses, both private and public, shall comply with requirements stipulated within the Concurrency Management System. Public facilities shall be available concurrent with the impacts of development. The City shall adequately plan for the land needs of institutional activities.

Policy 1-5.3. Development and Siting of School Facilities. Schools built and operated by the Lake County School Board, will be allowed throughout the city except in areas designated for Industrial or Conservation land use. The Industrial and Conservation categories are excluded in order to avoid dangerous transportation conflicts that may arise from the inter-mixing of children and heavy equipment and in the interest of environmental protection. The use of land not already designated as Institutional for schools shall require a land use change to designate the land for institutional use and the associated zoning category change. Development and siting of school facilities will meet the following conditions:

1-5.3.1: Facilities and services needed to meet the impacts of the facility are available or will be provided by the School Board in accordance with the Comprehensive Plan Elements and CIE.

1-5.3.2: Transportation facilities needed to serve access of buses are designed and constructed in a manner that can sustain the substantial impact of the school without the requirement of additional upgrades at the expense of the City.

1-5.3.3: The scale and intensity of the host land use will be respected.

1-5.3.4: The City will be allowed to contribute to the review of the site design for new facilities, in order to avoid conflict with surrounding properties and existing City land development regulations.

1-5.3.5: The School Board is expected to accommodate City concerns over the design of access and impact of traffic on residential neighborhoods and will be encouraged to provide bicycle and pedestrian access at multiple points on campus.

1-5.3.6: Non-School facilities will be sited in land use categories allowing the specific activity of the intended use.

1-5.3.7: In recognition that the siting of a new school often draws additional development into the area, the School Board will choose new sites in a manner that compliments the City's growth plans, maximizes the use of existing facilities and discourages urban sprawl.

OBJECTIVE 1-6. COORDINATE FUTURE LAND USES WITH THE CONCURRENCY MANAGEMENT SYSTEM. The City shall not approve development after the adoption of this Comprehensive Plan which cannot be served by adequate facilities at adopted levels of service. The provision of such public facilities shall be planned in an efficient manner and programmed in the Capital Improvement Element and the City's Five Year Capital Improvement Program.

Policy 1-6.1: Availability of Public Facilities The City shall not issue development orders or permits unless public facilities and services are available at adopted levels of service concurrent with the impacts of development as specified in Policy 8A-1.1.3, Concurrency Management System.

Policy 1-6.2: Efficiency in the Provision of Public Facilities.. Allocation of future land use shall occur in a manner which promotes efficient distribution and provision of public facilities. Land use allocations shall assure that future sites can be acquired for public facilities programmed within the Five-Year Schedule of Capital Improvements or determined necessary to meet demands generated by growth and development anticipated through the year 2005.

OBJECTIVE 1-7: PREVENT THE OCCURRENCE OF BLIGHTED AREAS. The City of Fruitland Park Shall Prevent the Occurrence of Blighted Areas Which Would Need Renewal by Enforcing the adopted Minimum Land Development Regulations and Building Codes.

Policy 1-7.1: Maintain and Enforce Minimum Standards for Existing and New Development. The City shall continue to enforce appropriate standards for the design and construction of development and redevelopment, including public and semi-public facilities. Code enforcement activities shall be administered to maintain such standards in existing development.

OBJECTIVE 1-8: PLANNING FOR UTILITIES. The City Shall Assure That Needed Utilities Are Provided Through the Designation of an Institutional District on the Future Land Use Map and the Provisions for Allowing those Facilities Within Public Facilities Districts Zoning Category as Stated in the Land Development Regulations.

Policy 1-8.1: Coordinate Land Use Needs for Utilities. The City shall coordinate with utility providers to assure that sufficient right of way and easements are available for utility placements and distribution lines. Utilities will be allowed in the Public Facility Land Use Category and provisions will be made to allow such facilities within the public right-of-ways and throughout the City under conditions specified in Policy 1A-1.2, Future Land Use element which are also included in the Land Development Regulations.

Utilities shall be permitted on a conditional basis in all land use categories, with such conditions defined in the Land Development Regulations. Utilities requiring separation from other forms of development and human activity shall be designated as open space if such land use represents a potential threat to the health or safety of citizens or to the investment in development.

Policy 1-8.2: Coordinate Traffic Plans with Utilities. As utility service lines are placed within existing transportation right-of-ways, the City shall review future land use plans and transportation improvements to assure that appropriate land and air space are available to accommodate utility lines. Such land use needs shall be delineated as utility open space on the Future Land Use Map when necessary. The City shall inform the utility company of all transportation improvements scheduled within the Five-Year Schedule of Capital Improvements which require relocation of utility service lines or other ancillary facilities.

OBJECTIVE 1-9: DISCOURAGE URBAN SPRAWL. The City Shall Discourage Urban Sprawl Through the Designation of Adequate Land Uses of the 2010 Future Land Use Map to Serve the Existing and Projected Population. Such Land Uses Shall Promote Orderly Development and Provide Adequate Land for a Viable Real Estate Market.

Policy 1-9.1: Land Use Allocation. The City has designate*d* land uses on the Future Land Use Map to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data Inventory & Analysis). The City shall allocate a reasonable amount of land above identified needs to avoid economic impacts which a controlled supply of land places on land values and market potential.

Policy 1-9.2: Promote Orderly, Compact Growth. Land use patterns delineated on the Future Land Use Map shall promote orderly, compact growth. The City shall encourage growth and development in existing developed areas where public facilities and services are presently in place and in those areas where public facilities can provide the most efficient service.

Policy 1-9.3: Coordination with Lake County to Reduce Urban Sprawl. The City of Fruitland Park shall coordinate with Lake County to promote a regional development concept that directs future growth to urbanized or urban/rural transitional areas where public facilities and services are available or proposed to be available by year 2005.

Policy 1-9.4: As a condition of site plan approval, the City shall require applicants proposing to develop subdivisions, multi-family developments over 20 units in size and commercial facilities to demonstrate that the proposed development will not contribute to urban sprawl. "Urban sprawl" means urban development or uses that are located in predominately rural areas, or rural areas interspersed with generally low intensity or low density urban uses, and which are characterized by one or more of the following conditions:

a. The premature or poorly planned conversion of rural land to other uses:
b. The creation of areas of urban development or uses that are not functionally related to land uses which predominate the adjacent area: or
c. The creation or areas of urban development or uses where public services are not currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns; leapfrog or scattered development, density, mixed community, institutional, commercial and industrial.

a. Single-Family Low Density – Development within this category shall be limited to single-family detached dwelling units and mobile home subdivisions and the density shall not exceed 2 dwelling units/acres. Planned Unit Developments (PUDs) shall be allowed as outlined in Policy 1-10.2. Public Facilities/services shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed within this land use category.

b. Single-Family Medium Density – Development within this category shall be limited to single-family detached dwelling units and the density shall not exceed 4 dwelling units/acres. PUDs shall be allowed as outlined Policy 1-10.2. Public facilities/services shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed within this land use category.

c. Multiple-Family Low Density – Development in this land use category shall be limited to single-family detached, single-family attached, two-family (duplex), multi-family homes, mobile homes however, mobile homes shall only be permitted in mobile home parks subdivisions. Density shall not exceed 8 dwelling units / acre; however, density shall be limited to 4 dwelling units/acre unless a centralized sanitary sewer system is provided. PUDs shall be allowed as outlined in Policy 1-10.2. Public facilities/services shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed within this land use category.

d. Multiple-Family Medium Density – Development in this land use category shall be limited to single-family detached, single-family attached, two-family (duplex), multi-family homes, mobile homes however, mobile homes shall only be permitted in mobile home parks subdivisions. Density shall not exceed 10 dwelling units / acre; however, density shall be limited to 4 dwelling units/acre unless a centralized sanitary sewer system is provided. PUDs shall be allowed as outlined in Policy 1-10.2. Public facilities/services shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed within this land use category.

e. Multiple-Family High Density - Development in this land use category shall be limited to single-family detached, single-family attached, two-family (duplex), multi-family homes, mobile homes however, mobile homes shall only be permitted in mobile home parks subdivisions. Density shall not exceed 15 dwelling units/acre; however, density shall be limited to 4 dwelling units/acre unless a centralized sanitary sewer system is provided. PUDs shall be allowed as outlined in Policy 1-10.2. Public facilities/services shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed within this land use category.

f. Commercial – High Intensity. Development in this land use category shall be limited to retail sales and service, professional services, higher intensity commercial uses and wholesale commercial uses. PUDs shall be allowed as outlined in Policy 1-10.2. Public facilities shall be allowed as outlined in Policy 1A-1.2. No industrial development shall be allowed. The Maximum intensity standard for this land use category is limited to 70% impervious surface (which includes building coverage. Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.

g. Mixed Community – Development in this land use category shall be limited to single family attached, single family detached, multi-family, retail sales and services, neighborhood commercial and professional services. No industrial, mobile homes, and Public facilities/services shall be allowed as outlined in Policy 1A-1.2. The maximum residential density shall not exceed 6 dwelling units/acre; however, density shall be limited to 4 units/acres unless a centralized sanitary sewer system is provided. The maximum intensity standard for commercial uses shall be limited to 70%.

h. Industrial. Development in this land use category shall be limited to wholesale commercial and light industrial development PUDs shall be allowed as outlined in Policy 1-10.2. Public facilities/services shall be allowed as outlined in Policy 1A-1.2. Heavy industrial retail sales and services, and residential development shall not be allowed. The maximum intensity standard for this land use category shall be limited to 75% impervious surface (which includes building coverage). Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.

i. Institutional. This land use category includes public facilities such as educational, religious, public and private utilities, and governmental land uses. Such uses shall be allowed as specified in Policy 1A-1.2, Future Land Use element. The maximum intensity standards for institutional shall be 70% impervious surface ratio (which includes building coverage). Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.

j. Recreation. This land use category includes private and public recreation facilities including but not limited to golf courses, parks, and other similar uses. The intensity standard for this land use category is limited to a maximum of 30% impervious surface (which includes building coverage). Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.

k. Open Space. This land use category consists of Conservation Open Space which includes water bodies, wetland, and environmentally sensitive areas and Utilitarian Open Space which includes cemeteries and stormwater facilities. The intensity standard for the Conservation Open Space land use category is limited to passive recreation which includes but not limited to elevated boardwalks, nature trails, bird watching, hiking and picnicking. The intensity standard for Utilitarian Open Space is limited to a minimum of 35% impervious surface ratio. Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.

OBJECTIVE 1-10: <u>PROMOTE INNOVATIVE LAND DEVELOPMENT APPLICATIONS.</u> The City Shall Promote Innovative Land Development Applications Through the Continued Use of Variable Land Use Designations on the 2010 Future Land Use Map and by Implementing the Following Supporting Policies.

Policy 1-10.1: Application of Land Use Designations. The 2005 Future Land Use Map shall designate variable land uses which will allow the following land use categories: Single-family low and medium density residential; multiple-family low, medium and high density, commercial-high intensity, mixed community, industrial, institutional, recreation and open space.

Policy 1-10.1a: The City of Fruitland Park, recognizing the uniqueness of the property annexed through the adoption of Ordinance 2006-025 (18.78± acres) (the "468 LLC Property"), has adopted and will enforce development standards on the 468 LLC Property to ensure the discouragement of urban sprawl, coordination with public facilities, and the protection of the environmental function of this area. The 468, LLC development agreement serves as the data and analysis for the Comprehensive Plan. The area identified on the FLUM as "468, LLC" is subject to the following:

a. The maximum gross density of the project shall not exceed 7 residential dwelling units per gross acre. Connection to the City's potable water system and central waste water system shall be required for development of the 468 LLC Property. All improvements necessary to connect to the water and wastewater system, including the extension of utility lines, shall be provided at the expense of the owner/developer of the 468 LLC Property. The project must adhere substantially to the provisions set forth in the master development agreement, attached as Exhibit B to Ordinance 2006-025, adopted on April 12, 2007. All other applicable provisions set forth within the R-3A (High Density Residential/Neighborhood Commercial) zoning category of the Fruitland Park Land Development Regulations shall be adhered to. All other applicable provisions set forth within the Multi-family High Density land use category of City of Fruitland Park Comprehensive Plan shall be adhered to.

b. The approval of development orders for the 468 LLC Property shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions exhibits.

c. The 468, LLC development order ensures a consistency of the land use designation on the FLUM with the goals, objective, policies, and future conditions exhibits of the City's Comprehensive Plan.

Policy 1-10.1b: The City of Fruitland Park, recognizing the uniqueness of the property annexed through the adoption of Ordinance 2006-026 (21.48± acres) adopted on April 12, 2007, (the "Breeze Lane Property"), has adopted and will enforce development standards on the Breeze Lane Property to ensure the discouragement of urban sprawl, coordination with public facilities, and the protection of the environmental function of this area. The Breeze Lane development agreement serves as the data and analysis for the Comprehensive Plan. The area identified on the FLUM as "Breeze Lane" is subject to the following:

a. The maximum gross density for the project shall not exceed 10 residential dwelling units per gross acre. Connection to the City's potable water system and central waste water system shall be required for development of the Breeze Lane Property. All improvements necessary to connect to the water and wastewater system, including the extension of utility lines, shall be provided at the expense of the owner/developer of the Breeze Lane Property. The project may contain a combination of villas and townhomes and must adhere substantially to the provisions set forth in the master development agreement, attached as Exhibit B to Ordinance 2006-026. All other applicable provisions set forth within the PUD (Planned Unit Development) zoning category of the Fruitland Park Land Development Regulations shall be adhered to. All other applicable provisions set forth within the Multi-family High Density land use category of City of Fruitland Park Comprehensive Plan shall be adhered to.

b. The approval of development orders for the Breeze Lane Property shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions exhibits.

c. The Breeze Lane development order ensures a consistency of the land use designation on the FLUM with the goals, objective, policies, and future conditions exhibits of the City's Comprehensive Plan.

Policy 1-10.1c: The City of Fruitland Park, recognizing the uniqueness of the property annexed through the adoption of Ordinance 2007-003 (94± acres) adopted on April 12, 2007, (the "Armentano Property"), has adopted and will enforce development standards on the Armentano Property to ensure the discouragement of urban sprawl, coordination with public facilities, and the protection of the environmental function of this area. The Armentano Property development agreement serves as the data and analysis for the Comprehensive Plan. The area identified on the FLUM as "Armentano Enterprises" is subject to the following:

a. The maximum gross density for the project shall not exceed 4 residential dwelling units per gross acre. Connection to the City's potable water system and central waste water system shall be required for development of the Armentano Property. All improvements necessary to connect to the water and wastewater system, including the extension of utility lines, shall be provided at expense of the owner/developer of the Armentano Property. The project may contain single-family residential dwelling units, townhomes and/or condominiums and must adhere substantially to the provisions set forth in the master development agreement, attached as Exhibit B to Ordinance 2007-003. All other applicable provisions set forth within the PUD (Planned Unit Development) zoning category of the Fruitland Park Land Development Regulations shall be adhered to. All other

applicable provisions set forth within the Multi-family Low Density land use category of City of Fruitland Park Comprehensive Plan shall be adhered to.

b. The approval of development orders for the Armentano Property shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions exhibits.

c. The Armentano Enterprises, Inc. development order ensures a consistency of the land use designation on the FLUM with the goals, objective, policies, and future conditions exhibits of the City's Comprehensive Plan.

Policy 1-10.1d: The City of Fruitland Park, recognizing the uniqueness of the property annexed through the adoption of Ordinance 2007-008 (159± acres) adopted on April 12, 2007, (the "Lake Ella Property"), has adopted and will enforce development standards on the Lake Ella Property to ensure the discouragement of urban sprawl, coordination with public facilities, and the protection of the environmental function of this area. The Lake Ella Property development agreement serves as the data and analysis for the Comprehensive Plan. The area identified on the FLUM as "Lake Ella Developers II, LLC" is subject to the following:

a. The maximum gross density for the project shall not exceed 4 residential dwelling units per gross acre. Connection to the City's potable water system and central waste water system shall be required for development of the Lake Ella Property. All improvements necessary to connect to the water and wastewater system, including the extension of utility lines, shall be provided at expense of the owner/developer of the Lake Ella Property. The project may contain single-family dwelling units and townhomes and/or condominiums and must adhere substantially to the provisions set forth in the master development agreement, attached as Exhibit B to Ordinance 2007-008. All other applicable provisions set forth within the PUD (Planned Unit Development) zoning category of the Fruitland Park Land Development Regulations shall be adhered to. All other applicable provisions set forth within the Multi-family Low Density land use category of City of Fruitland Park Comprehensive Plan shall be adhered to

b. The approval of development orders for the Lake Ella Property shall be consistent with this policy and other comprehensive plan goals, objectives, policies and future conditions exhibits.

c. The Lake Ella Developers II, LLC development order ensures a consistency of the land use designation on the FLUM with the goals, objective, policies, and future conditions exhibits of the City's Comprehensive Plan.

Policy 1-10.2: Planned Unit Developments. The City has incorporated provisions within the Land Development Regulations that allow mixed use PUD's in all land use categories of the Future Land Use Map except Recreation and Open Space. Residential PUD's will be located within residentially designated areas, Commercial PUD's will be located in commercially designated areas and Industrial PUD's will be located in industrially designated areas of the Future Land Use Map. A PUD with a mix of housing types (i.e., single family & multi-family) shall be allowed in residentially designated areas of the Future Land Use map and the percentage of distribution of each housing type shall be flexible, however, in no case shall the multi-family units within PUD's located within single family designated areas of the Future Land Use map exceed 49% of the housing stock. Commercial land uses will be allowed within PUD's located within residentially designated areas of the Future Land Use map provided that the commercial uses within the PUD are restricted to on-site day care facilities, convenience store, and personal services that are intended to serve the principal use. Commercial land uses will be allowed within PUD's located within industrial designated areas of the Future Land Use map provided that the commercial uses within the PUD are intended to serve the primary industrial users. The maximum densities and intensities allowed within each PUD will be restricted to the overlay land use category however, densities may exceed the maximum allowed up to 20% through the density bonus credits for providing affordable housing. Buffering and landscaping will be provided along the perimeter and interior boundaries of the PUD based on the type and mix of land use of the subject property and adjacent property. The minimum land requirement for PUD's shall be ten (10) acres unless it can be demonstrated that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

Future Land Use Element Objective 1-11 - The Villages of Fruitland Park — The Villages of Fruitland Park DRI land use category (referred to under Objective 1-11 and the supporting policies as "the DRI" or "the project") is designated as such on the City of Fruitland Park's Future Land Use Map and is consistent with the supporting policies identified in this Objective. The DRI is composed of up to 2,050 residential units with supporting golf course and recreation centers which is consistent with the Villages community design. The DRI will be linked to the larger Villages road and path system so residents will be able to access the town centers without leaving the community. The DRI also includes the option to convert residential units to a maximum of 30,000 square feet of retail. The Villages of Fruitland Park DRI land use category is subject to the supporting policies under this Objective.

Policy 1-11.1 - The Villages of Fruitland Park DRI will include up to 2,050 residential units, golf course and recreation centers, with the option to add up to 30,000 square feet of retail through the DRI conversion matrix, and supporting infrastructure (e.g. roads, water, sewer, etc.). The maximum residential gross density is 4 units per acre and the maximum non-residential land use intensity is 1.0 Floor Area Ratio (FAR). Interim land use activities for undeveloped land may include farming, and cattle and buffalo husbandry, provided such activities are not in conflict with the Wildlife Habitat Management Plan approved by the FFWCC for the DRI.

The DRI development order contains the requirements for the land use conversion matrix. Use of the matrix does not result in any increase in public facility impacts and the matrix is limited to the conversion of residential units to a maximum of 30,000 square feet of retail. Proposed

development orders for the DRI must be consistent with this policy and other policies under Objective 1-11 and future conditions maps.

Policy 1-11.2 — The Villages of Fruitland Park DRI must be consistent with Objective 1-11 and the supporting policies under this Objective. This Objective and supporting policies includes all relevant policies and standards that impact the DRI in regards to the standards for development, environmental protection and provision of public facilities. Thus, these policies restate the relevant provisions within the City's plan as it relates to the DRI, but exempts the project from all other comprehensive plan standards which do not relate to the project or have been superseded by Objective 1-11 and the supporting policies. This exemption is necessary in order to ensure that the DRI is developed consistently with the remainder of the Villages of Sumter DRI and considers those land uses that are outside of, but support, the portion within the City. The DRI must also be consistent with the City of Fruitland Park FLUM and future conditions maps.

Policy 1-11.3 — The Villages of Fruitland Park DRI will meet all applicable local, state and federal regulations as specified in the DRI development order and zoning requirements.

Policy 1-11.4 — The Villages of Fruitland Park DRI is determined to be suitable for the land uses proposed for the site and will remain compatible with the surrounding area through the design requirements including standards for buffering and landscaping. The project will also be integrated into the larger Villages development providing the benefits of a mixed use project that will encourage pedestrian activity and other modes of transportation through multi-use roadways connected to the larger Villages multi-modal transportation system.

Policy 1-11.5 — The Villages of Fruitland Park DRI as analyzed in the supporting plan amendment has determined there are approximately 77 acres of wetlands on-site. The wetlands will be protected or mitigated in accordance with the Southwest Florida Water Management District's Environmental Resource Permit (ERP) requirements. Wetlands impacted will be limited to isolated wetlands and may be mitigated off-site as provided by the conditions of the ERP. No development will be permitted within protected wetlands in accordance with the development order. Impacted wetlands can be developed in accordance with the DRI development order as long as the wetlands are mitigated as required under the ERP.

Policy 1-11.6 — The Villages of Fruitland Park DRI as analyzed in the supporting plan amendment has identified the nesting of a Bald Eagle on the northern boundary of the property, five gopher tortoise burrows and the Southeastern Kestrel. No other listed plant or animal species or other environmental features have been identified. A habitat management plan must be developed and incorporated into the DRI development order which will direct the protection and/or mitigation of impacts to any listed species. The Habitat Management Plan also requires coordination with the Florida Game and Freshwater Fish Commission.

Policy 1-11.7— Development of the Villages of Fruitland Park DRI will require coordination between the Developer, the City of Fruitland Park and Sumter County. This may include the development of any necessary agreements between the Developer of the DRI, one or more Community Development Districts, Dependent Districts established pursuant to Chapter 189, F.S., Sumter County and the City of Fruitland Park, either through joint or separate agreements,

in the provision of services. The Developer will also coordinate with the City in regards to capital improvement planning as required in Policy 1-11.11.

Policy 1-11.8 — New development within the Villages of Fruitland Park DRI must not degrade the adopted level of service for the public facilities required to serve this development. Water service will be provided by Central Sumter Utility Company pursuant to a bulk water purchasing agreement with the City of Fruitland Park. Sewer facilities will be provided by the Central Sumter Utility Company and not by the City of Fruitland Park. For transportation facilities, the DRI development order includes requirements for mitigating transportation impacts if there is a significant and adverse impact on a roadway segment. The Villages have mitigated for all transportation impacts to date. Regarding any future development above the current proposed 2,050 units, if improvements are necessary, then the Developer will coordinate with the City regarding any necessary capital planning which may include agreements to ensure the impacts are mitigated.

Policy 1-11.9 — The Villages of Fruitland Park DRI will be developed in accordance with the following level of service standards and shall be used as the basis for determining the availability of facility capacity and the demand generated for the DRI. Decisions regarding the issuance of development orders and permits for the DRI will be based upon coordination of the development requirements adopted as part of Objective 1-11 and its supporting policies.

Level of Service Standards for The Villages of Fruitland Park DRI			
(These level of service standards only apply within the boundaries of The Villages of Fruitland Park DRI)			
TRANSPORTATION FACILITIES			**LEVEL OF SERVICE**
Principal Arterial			D
Minor Arterial and others			D
POTABLE WATER AND SANITARY SEWER		**LEVEL OF SERVICE**	
Land Use	Unit	Sanitary Sewer (GPD)	Potabl Water (GPD)
Residential	Dwelling unit/day	**45.7**	**50.3**
Retail / Service	Gross SF	0.15	0.15
Educational/ Institutional	Gross SF	0.15	0.15
DRAINAGE FACILITIES			
Stormwater facilities shall be designed to accommodate the 15-year, 24-hour design storm to meet the water quality and quantity standards below.			

WATER QUALITY and QUANTITY
Treatment and attenuation of stormwater runoff shall be required for all development, redevelopment and, when expansion occurs, existing developed areas. Infill residential development within improved residential areas or subdivisions, which existed prior to the adoption of the comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the runoff from the entire improved area to degrade receiving waters. Water quality and attenuation shall be deemed acceptable when the applicant has demonstrated compliance with Southwest Florida Water Management District Chapter 40D-4 and Chapter 40D-40, F.A.C.
RECREATION FACILITIES
The recreation facilities necessary for this site are provided on site and in the remainder of the Villages development. These facilities are in excess of required recreation level of service to serve the project.

Policy 1-11.10 — The Villages of Fruitland Park DRI will include as part of this project an internal multi-use street system to ensure the project is interconnected with the remainder of The Villages.

Policy 1-11.11 — The Developer has addressed its transportation impacts for the proposed 2,050 residential units. If additional development is proposed in the future, then any transportation impacts must be addressed, in accordance with the development order. As part of any required mitigation, the Developer will coordinate with the City to ensure the mitigation can be considered as part of the City's required capital improvement planning. The Developer will also coordinate with the City in accordance with the Consumptive Use Permit to ensure that adequate water supplies are available to serve the DRI. The Villages will also coordinate with the Central Sumter Utility Company in the provision of sewer service.

Policy 1-11.12 - Amendments to the DRI through the Notice of Proposed Change process pursuant to s. 380.06(19), FS, shall not require a plan amendment provided the change does not include the addition of land or a new use and is otherwise consistent with the comprehensive plan. Changes to a DRI Development Order adopted by the City of Fruitland Park shall be reflected in the Conceptual Master Plan and other zoning support documents as a ministerial function.

Policy 1-11.13 - The Villages of Fruitland Park DRI Development Order ensures consistency of the DRI land use designation on the FLUM with Objective 1-11 and supporting policies and future conditions maps of the Fruitland Park Comprehensive Plan.

GOAL 1A. FUTURE LAND USE MAP. ADOPT AND MAINTAIN A FUTURE LAND USE MAP SERIES WHICH SHALL DESIGNATE LAND USE ACTIVITIES TO MEET ANTICIPATED GROWTH AND DEVELOPMENT AND TO CONSERVE NATURAL RESOURCES OF FRUITLAND PARK THROUGH THE YEAR 2005.

OBJECTIVE 1A-1: FUTURE LAND USE MAP SERIES. The City of Fruitland Park hereby adopts the Future Land Use Map Series, Maps I-1 through I-4 to

Represent City Policy for Managing the Allocation of Future Land Use through the Year 2010. The Future Land Use Map Series Is and Shall Be Supported by the Comprehensive Plan Data Inventory & Analysis Report as recommended by the EAR based Plan amendment. Land Use Designations on the Future Land Use Maps Are and Shall Be Allocated Pursuant to the following:

- Goals, Objectives and Policies Established in the Comprehensive Plan;

- Based on Anticipated Growth and Development through Year 2005, as determined within the Data Inventory & Analysis Report;

- Conservation of Natural Resources including lakes wetlands, floodplains, sinkholes, groundwater high recharge areas, endangered and threatened species and their native habitats;

- Efficiency in the Provision of Public Facilities;

- Preservation of Fiscal Resources and Maximization of Economic Benefit.

Map I-1

CITY OF FRUITLAND PARK
FUTURE LAND USE MAP SERIES
LAND USE POLICY DESIGNATION

Map I-2

CITY OF FRUITLAND PARK
FUTURE LAND USE MAP SERIES
EXISTING AND PLANNED WATER WELLS AND FLORIDAN AQUIFER RECHARGE AREAS

Map I-3

CITY OF FRUITLAND PARK
FUTURE LAND USE MAP SERIES
100 YEAR FLOODPLAIN

Map I-4

CITY OF FRUITLAND PARK
FUTURE LAND USE MAP SERIES
SOIL TYPES & TOPOGRAPHY

Policy 1A-1.2: Public Facilities Land Use Designation. Necessary Public facilities shall be permitted as Institutional Land Uses within any Future Land Use designation if such facility satisfies the following criteria: 1) serves the majority of the population; 2) located in close proximity to the main user group; 3) buffers will be provided along the perimeter property boundary and the width of such buffers shall be determined by the adjacent land use and the proposed land use; 4) landscaping will be provided based on the adjacent land use and the proposed land use. Public Facilities/Services shall include but not be limited to public and private utilities, governmental, religious, and educational land uses.

OBJECTIVE 1A-2: LAND ALLOCATIONS FOR RESIDENTIAL USES. Allocate Sufficient Land Area on the Future Land Use Map to Accommodate Anticipated Housing Needs through the Year 2010.

Policy 1A-2.1: Allocation of Residential Densities. Future land use policy, as illustrated in Map I-1, shall allocate residential density based on the following considerations:

- Past and anticipated future population and housing trends and characteristics;

- Provision and maintenance of the quality of residential neighborhoods and preservation of cohesive neighborhoods;

- Protection of Environmentally Sensitive Lands;

- Transition of densities between low, medium and, multiple family categories.

- Need to accommodate affordable housing for very low, low, and moderate income households.

Policy 1A-2.2: Interpretation of Residential Density Designations. The City, has incorporated provisions within the Land Development Regulations that define gross residential density as the maximum allowable units which may be constructed on the gross land area, determined by dividing the “maximum allowable units” by the “gross land area”. Residential densities shown on the 2005 Future Land Use Map shall be construed as the maximum gross residential density permitted for development in that residential district. Gross land area shall be construed to represent all land under common ownership proposed for residential development excluding waterbodies.

Policy 1A-2.3: Interpretation of Non-Residential Intensities. Intensity of non-residential development shall be evaluated according to a combination of impervious surface area ratio plus maximum building height as specified in Policy 1A-1.1a-i of this Comprehensive Plan.

Policy 1A-2.4: Vested Rights to Density. Where Land use densities are presented as a range, the maximum density shall not represent a guaranteed right. Subdivision, zoning and site plan review criteria and procedures within the Land Development Regulations shall assure that specific density assigned to new development is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following:

(a) Protect neighborhood cohesiveness and stability of residential characteristics,

(b) Assure compatible transitions between abutting low, medium, and high residential districts,

(c) Require compliance with the City's proposed tree protection and landscaping ordinance,

(d) Protect environmentally sensitive areas, particularly wetlands and floodplains and;

(e) Minimize impacts of flood hazards to development.

OBJECTIVE 1A-3: LAND ALLOCATIONS FOR INDUSTRIAL AND COMMERCIAL USE. The 2010 Future Land Use Map Shall Delineate Sufficient Land to Accommodate Industrial and Commercial Trades.

Policy 1A-3.1: Commercial Designations. The Commercial land use designation is to accommodate all types of commercial businesses. Acceptable uses intended for this district include: business and professional office buildings, retail sales and services, wholesale sales and services, and medical facilities.

In addition, this policy designation is intended for sites which:

- Possess accessibility to major thoroughfares or adjacent general commercial areas:

- Have potential to be served by a full complement of urban services:

- Contain sufficient land area to accommodate sound principles of urban design, including sufficient land area to provide landscaping and buffers to separate existing and potential adjacent residential land uses.

Policy 1A-3.2: Mixed Community Development. Lands designated for this use shall permit low intensity commercial (the maximum intensity standard for commercial uses shall be limited to 70% impervious surface ratio per acre, which includes building coverage). The Mixed Community land use designation is to accommodate the following commercial businesses:

professional office buildings, low intensive community retail sales and services, cultural and entertainment, and medical facilities.

Policy 1A-3.3: Allocation of Commercial Land. The Future Land Use Map shall designate land area at a level equal to or above indicated needs in the supporting document.

Policy 1A-3.4: Coordination with Lake County Future Land Use. To discourage urban sprawl, Lake County has oriented land use patterns in its Future Land Use Map to direct development requiring public services and facilities to urbanized or rural/urban transitional areas which already provide them. Hence, the Future Land Use Map for Fruitland Park shall dedicate more land for commercial activities than its population can support in order to meet regional market demands and to discourage urban sprawl into rural areas by development requiring facilities and services of an urban nature.

Policy 1A-3.5: Industrial Designation. Industrial land uses which are likely to generate toxic, hazardous or industrial waste must be served by a centralized sanitary sewer system.

OBJECTIVE 1A-4: LAND ALLOCATIONS FOR RECREATION ACTIVITIES. The 2010 Future Land Use Map Shall Designate Public Areas for Recreation Space and Facilities to Meet Adopted Levels of Service Standards.

Policy 1A-4.1: Designate Recreation Sites. The City shall designate the existing parks for continued recreation use. Additional land shall be acquired only if necessary to meet the adopted level of service. At any time land for recreation purposes becomes available to the City, the comprehensive plan shall be revised to establish the subject site under a designated recreation land use policy.

OBJECTIVE 1A-5: LAND ALLOCATIONS FOR INSTITUTIONAL LAND USES. The 2010 Future Land Use Map Shall Allocate Land Resources for Institutional Land Uses. Compatibility With Adjacent Land Uses Shall be Assured Through the Provisions of this Comprehensive Plan and the Land Development Regulations.

Policy 1A-5.1: Institutional Land Use Designation. The institutional land use designation shall accommodate land resource needs of existing public and semi-public services, which shall comprise: governmental administration buildings; educational facilities; utilities; and essential public services and facilities.

Policy 1A-5.2: Reduce Impacts to Adjacent Land Uses. Lands designated for institutional uses shall contain sufficient acreage and open space. Such uses shall provide screening and buffer areas, as set forth in the Land Development Regulations, to minimize potential adverse impacts to adjacent land uses.

OBJECTIVE 1A-7: LAND ALLOCATIONS FOR OPEN SPACE. The 2010 Future Land Use Map shall designate wetlands, water bodies and other environmentally sensitive lands as Conservation Open Space and Cemeteries as Utilitarian Open space.

Policy 1A-7.1: Open Space Designations. Land qualifying as open space shall meet the below cited definitions. Where land serves as both open space and recreation uses, the latter shall be used as the land use designation for the site.

Conservation Open Space -- shall be construed to represent areas which contain significant natural or historical resources which require protection from detrimental impacts associated with the encroachment and intrusion of development. Such areas on the Future Land Use Map shall include wetlands, water bodies and areas set aside for conservation during the development review process.

Utilitarian Open Space -- shall be construed to represent areas unsuitable for development due to a potential threat to public health and safety as a result of the presence of a facility or utility, and areas unsuitable for development due to the presence of a public service which would adversely affect the value of investments constructed thereon a particular site. Such areas shall include, but are not limited to cemeteries, drainage canals, and retention ponds.

Policy 1A-7.2: Allocation of Open Space. The Future Land Use Map shall identify the following areas as open space:

Conservation: All wetlands, waterbodies, and environmentally sensitive area set aside in conservation easements.

Utilitarian: Cemeteries, stormwater facilities.

Policy 1A-7.3: Consistency with Recreation & Open Space Element and the Conservation Element. Land identified as open space on the Future Land Use Map shall be consistent with open space identified within the Recreation and Open Space Element and with conservation activities within the Conservation Element of this Comprehensive Plan.

Policy 1A-7.4 As part of the EAR based Plan amendment, the City shall review the Future Land Use Map to determine whether there are any additional wetlands, water bodies and other environmentally sensitive lands that should be designated as Conservation Open Space or Utilitarian Open Space.

GOAL 1B: IMPLEMENTATION OF FUTURE LAND USE ELEMENT AND MAP SERIES. IMPLEMENT THE FUTURE LAND USE ELEMENT, FUTURE LAND USE MAP SERIES, AND THE COMPREHENSIVE PLAN BY EVALUATING AND MONITORING EXISTING AND FUTURE GROWTH AND DEVELOPMENT WITHIN THE TOWN FOR COMPLIANCE WITH THE GOALS, OBJECTIVES AND POLICIES ESTABLISHED IN THE COMPREHENSIVE PLAN.

OBJECTIVE 1B-1: CONCURRENCY MANAGEMENT SYSTEM. The City Shall Continue to Monitor Impacts Generated by Future Growth and Development For Compliance with Minimum Levels of Service Standards and For the Availability of Public Facilities and Resources Through a Concurrency Management System. No Development Order or Permit for Development Shall Be

Issued by the City Unless Criteria within the Concurrency Management System Determines that Adequate Facilities and Resources are Available Concurrent with the Impacts of Development and at Levels which Equal or Exceed Minimum Adopted Level of Service Standards Adopted in this Comprehensive Plan.

Policy 1B-1.1: Mandatory Compliance with the Concurrency Management System. The City of Fruitland Park shall issue no development order or permit for development unless the applicant demonstrates that impacts associated with the proposed development meet criteria set forth within the Concurrency Management System. Through principles established within the Concurrency Management System, an applicant shall demonstrate through narrative and graphic information that:

1) necessary facilities and resources are in place and functional concurrent with the impacts of development as specified in Policy 8A-1.1.1, Concurrency Management System; and,

2) the subject development shall not reduce the levels of service (LOS) below the minimum adopted standard established in policy for each applicable public facility.

For proposed developments which shall require public facilities or services provided by the City of Fruitland Park, no development order or permit for development shall be issued until a maximum capacity for a public facility is assigned to and reserved for the subject development. The reservation of capacity for a public facility shall be granted to an applicant of development only upon satisfactory compliance with the Concurrency Management System. All rights pertaining to the assignment and forfeit of capacity allocations shall be defined within the Concurrency Management System of the Comprehensive Plan and the Land Development Regulations.

Policy 1B-1.2: Amendments to the Comprehensive Plan. The City shall require all applicants pursuing an amendment to the Future Land Use Map to demonstrate that all facilities or service capacities are currently available, or shall be available after the implementation of scheduled capital improvements, to meet general needs of the proposed land use. An amendment to the Future Land Use Map shall not constitute the reservation of capacity for any public facility. Reservation of capacities shall only be granted to development orders or permits which demonstrate specific impacts which a development will place on public capacities.

OBJECTIVE 1B-2: MANAGEMENT AND COORDINATION OF FUTURE LAND USE DECISIONS. Management of Land and Physical Improvements Identified on the 2010 Future Land Use Map Shall Be Coordinated with Natural Systems, Including Topography, Soil Conditions, Vegetation, Natural Habitat, Potable Water Wellfields, and Other Environmentally Sensitive Land and Water Resources. In Addition, Such Coordination Shall Analyze Future Land Use for Consistency with the Furtherance of the City's Desired Character and the Promotion of Neighborhood Cohesiveness. Land Use Decisions Shall Also Be Based on the Availability of Public Services and Infrastructure Required to Support Land Use Activities Permitted for Land Use Districts of the Future Land Use Map.

Policy 1B-2.1: Future Land Use Map and Related Policies. The Future Land Use Map and related policies pertaining to the Future Land Use Map (Map I-1) provide definitions of land use designations and qualitative standards which shall be applied in allocating future land uses.

Policy 1B-2.2: Land Development Regulations. Existing regulations governing zoning; subdivision; signage; tree protection and landscaping; floodplain management; surface water management; water conservation; septic tanks and sewage disposal; roadways and sidewalks; recreation space and facilities; health and sanitation; fire prevention and protection; building and electrical codes; excavation and erosion control; and other land and water management regulations shall be revised and/or updated as necessary to effectively regulate future land use activities and natural resources identified on the Future Land Use Map. The Land Development Regulations for the City of Fruitland Park are consistent with, and serve to implement the goals, objectives and policies established within the Comprehensive Plan. To implement the goals, objectives and policies of the Comprehensive Plan, provisions are incorporated into the Land Development Regulations pursuant to Chapter 163.3202, F.S., and contain specific and detailed provisions which as a minimum:

a. Regulate the subdivision of land;

b. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space;

c. Protect the environmentally sensitive lands designated in the Comprehensive Plan, particularly those identified in the Future Land Use Map Series;

d. Regulate development within areas which experience seasonal and periodic flooding;

e. Specify drainage and stormwater management requirements;

f. Protect potable water wellfields and aquifer recharge areas;

g. Specify minimum design standards for sanitary sewer and septic tank systems;

h. Regulate signage;

i. Ensure safe and convenient on-site and off-site traffic flow and parking needs of motorized and non-motorized transportation;

j. Require that development meet all appropriate provisions of the Concurrency

Management System, including level of service standards adopted by the City Commission, prior to the issuance of a development order or permit.

Policy 1B-2.3: Consistency of Zoning Districts with the Future Land Use Map. The City may elect to further regulate land use activities within land use categories shown on the Future Land Use Map through the establishment of zoning districts. Such zoning districts shall be defined within

the Land Development Regulations, and a Zoning Map shall illustrate the demarcations of each district. The density and intensity of land use activities established for each zoning district shall be consistent with density and intensity qualitative standards set forth on the Future Land Use Map for the associated land use district. Land Development Regulations adopted to implement this Comprehensive Plan are based on and consistent with the densities and intensities of use established in Policy 1A-1.1.

OBJECTIVE 1B-4: PROTECTION OF ARCHAEOLOGICAL AND HISTORIC RESOURCES. The City Shall Continue to Incorporate Within the Land Development Regulations Provisions That Assure the Protection of Archaeological and/or Historic Sites.

Policy 1B-4.1: Preventing Detrimental Impacts of Development on Historic Sites. The City hereby adopts and has incorporated provisions within the Land Development Regulations that prevent detrimental impacts of development to historic sites which preclude: 1) destruction or alteration of all or part of such site: 2) transfer or sale of a site of historical significance without adequate conditions or restrictions regarding continued preservation, maintenance, or use of such property; 3) encroachment or introduction of visible, audible, or atmospheric elements which are inconsistent with the character of the property; and 4) alteration or destruction of the site's surrounding environment.

Policy 1B-4.2: Preventing Destruction of Discovered Archaeological Sites. The City hereby adopts and has incorporated within the Land Development Regulations provisions that require development to cease construction when unidentifiable artifacts are uncovered during either land preparation or construction. The developer shall notify the City of such potential discovery, and the City and/or the developer shall contact the Florida Department of State of such discovery. Construction shall not begin until the State has determined the archaeological significance of the discovery and the restrictions which shall be imposed on development. Development may continue in areas which will not impact the site of the discovery.

OBJECTIVE 1B-6: PREVENT LAND USE INCONSISTENT WITH THE CITY'S CHARACTER. Future Land Uses Shall Be Compatible with the 2010 Future Land Use Map, Land Development Regulations, and Comprehensive Plan Adopted by the City and Other Applicable Laws.

Policy 1B-6.1: Existing Non-Compatible Land Uses. The City has incorporated within the Land Development Regulations provisions for eliminating land uses which are not in conformance with the 2005 Future Land Use Map adopted along with this Comprehensive Plan. Such provisions include prohibiting expansion of non-conforming land uses and the prohibiting of such uses if they cease to exist for longer than six months.

Policy 1B-6.2: Managing Future Land Use. The Future Land Use Map and related policies together with the Land Development Regulations shall be applied as a planning and management tool in order to prevent development of land uses which do not conform to the City's characters reflected in the City's adopted Future Land Use Map, Zoning Map, and other applicable laws, ordinances, and administrative rules.

OBJECTIVE 1B-7: INTERGOVERNMENTAL COORDINATION. The City Shall Continue to Coordinate Growth and Resource Management Issues with Other Applicable Local, State, and Federal Agencies According to the Intergovernmental Coordination Element.

Policy 1B-7.1: Implementing Intergovernmental Coordination. The City shall require that development applications be coordinated with Lake County, Lake County Board of Education, East Central Florida Regional Planning Council, St. Johns River Water Management District, the Florida Department of Transportation, as well as other applicable State and Federal agencies as applicable prior to final City approval of the development order. The Land Development Regulations ~~shall~~ describe all appropriate stages of a formal development review process which shall be followed to receive development approval.

OBJECTIVE 1B-8: COORDINATE TIMING AND PHASING OF DEVELOPMENT WITH THE CONCURRENCY MANAGEMENT SYSTEM. The City Shall Continue to Assure That The Location, Scale, Timing, and Design of Development Shall Be Coordinated Through the Concurrency Management System in Order to Promote Cost Effective Land Development Patterns and Direct Future Development Only to Those Areas Where Public Facilities are Available to Meet Level of Service Standards Concurrent With the Impacts of Development.

Policy 1B-8.1: Development Orders and Permitting Process. Development orders and permits for all future development shall not be approved until the Concurrency Management System has determined that adequate public facilities are available at levels consistent with adopted standards. Public facilities and infrastructure shall be available concurrent with the staging of development.

Policy 1B-8.2: Compliance of Sanitary Sewer/Septic Tank Systems with State Regulations. All developments services by sanitary sewer/septic tank systems shall be governed by applicable State laws and administrative regulations.

Policy 1B-8.3: Accommodating Requisite Infrastructure. The City shall include procedures in the development review process which apply to site plans, subdivision review, and permitting procedures to assure that sufficient land area has been allocated for infrastructure required to support proposed development.

OBJECTIVE 1B-9: PRECEDENCE OF GROWTH MANAGEMENT CONTROLS. The City Shall Continue to Represent the Primary Mechanism That Manages Growth and Development within the City of Fruitland Park, in Accordance with Chapter 163, F.S.

Policy 1B-9.1: Precedence Over Other Land Use Control Mechanisms. Growth management and land use controls stipulated in the Comprehensive Plan through goals, objectives and policies shall take precedence over all other land use policies established in other land use control mechanisms adopted by the City of Fruitland Park, including but not limited to the Land

Development Regulations and other components of the Code of Ordinances. Standards, provisions, and restrictions stated in the Land Development Regulations and the Code of Ordinances shall be consistent with the goals, objectives and policies of the Comprehensive Plan.

Policy 1B-9.3: Compliance with State and Federal Laws. The Comprehensive Plan shall not violate Statutes established in Florida Law or Administrative Rule, nor shall it violate the Constitution of the State of Florida or that of the United States of America. The City shall reserve the right to challenge State Administrative Rules or Laws which may serve to threaten the health, safety, or welfare of its residents.

AGENDA ITEM NUMBER
7k

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Pine Ridge Dairy Road – Rezoning Ordinance 2014-003**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	April 16, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Second reading and public hearing of Ordinance 2014-003 – Rezoning Pine Ridge Dairy Road. (First reading was held on April 24, 2014.)					
Action to be Taken: Approval.					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 780± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466A AND NORTH OF PINE RIDGE DAIRY ROAD FROM CITY "C-1" (NEIGHBORHOOD COMMERCIAL DISTRICT) FOR APPROXIMATELY 94.6 ACRES OF THE PROPERTY, CITY "C-2" (GENERAL COMMERCIAL) FOR APPROXIMATELY 60 ACRES OF THE PROPERTY, CITY "GB" (GREENBELT DISTRICT) FOR APPROXIMATELY 1.45 ACRES OF THE PROPERTY, CITY "PFD" (PUBLIC FACILITIES DISTRICT) FOR APPROXIMATELY 15 ACRES OF THE PROPERTY, CITY "R-1" (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR APPROXIMATELY 402.8 ACRES OF THE PROPERTY, CITY "R-2" (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 129.45 ACRES OF THE PROPERTY, CITY "R-2A" (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 41 ACRES OF THE PROPERTY, AND CITY "R-3" (MULTI-FAMILY HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 35.7 ACRES OF THE PROPERTY TO MIXED USE PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Darrin Taylor, as Applicant, on behalf of The Villages of Lake-Sumter, Inc. as Owner, requesting that approximately 780 acres of real property generally located south of CR 466A and north of Pine Ridge Dairy Road (the "Property") be rezoned from City "C-1" (Neighborhood Commercial District), City "C-2" (General Commercial), "GB" (Greenbelt District), "PFD" (Public Facilities District), "R-1" (Single Family Low Density Residential), "R-2" (Single Family Medium Density Residential), "R-2A" (Medium Density Residential), and "R-3" (Multi-Family High Density Residential) within the City limits to Mixed Use Planned Unit Development within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all required parties; and

WHEREAS, the property is contiguous to the City of Fruitland Park and reasonably compact; and

WHEREAS, the required notice of the proposed rezoning has been properly published.

NOW, THEREFORE, be it ordained by the City Commission of the City of Fruitland Park, Florida:

Section 1. The property consisting of approximately 780± acres generally located south of CR 466A and north of Pine Ridge Dairy Road and more particularly described on Exhibit "A," attached hereto and incorporated herein by reference, is hereby assigned a zoning designation of Mixed Use Planned Unit Development. Such zoning designation shall be subject to and conditioned upon the terms of a Master Development Agreement attached as Exhibit "B" and incorporated herein by reference.

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County Florida, and the Secretary of State of the State of Florida within seven days after its passage on second and final reading.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

Section 4. The property rezoned in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and the existing city zoning district regulations until the City adopts the Comprehensive Plan Amendment for the Property.

Section 5. This Ordinance shall be effective upon the effective date of the Comprehensive Plan Amendment adopted to provide for the Villages of Fruitland Park DRI, subject to the contingencies set forth herein. If the Comprehensive Plan Amendment is timely challenged, then this Ordinance does not become effective until the Comprehensive Plan Amendment goes into effect.

PASSED AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

ATTEST: _____
CHRISTOPHER J. BELL, MAYOR

_____
ESTHER COULSON,
CITY CLERK

Vice Mayor Goldberg _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Kelly _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading April 24, 2014
Passed Second Reading _____

Approved as to form:

_____
Scott A. Gerken, City Attorney

_____
Date

LEGAL DESCRIPTION – VILLAGES OF FRUITLAND PARK

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,327.16 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 663.90 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID EAST LINE, S00°44'25"W, 8.38 FEET; THENCE DEPARTING SAID EAST LINE, N89°21'10"W 22.00 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 287.58 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH

LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7: THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1,329.81 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4, N00°40'16"E, 2,658.38 FEET TO THE POINT OF BEGINNING.
CONTAINING 777.60 ACRES±

Exhibit B

MASTER DEVELOPMENT AGREEMENT

THIS MASTER DEVELOPMENT AGREEMENT ("Agreement") entered into and made as of the _____ day of _____, 2014, between the **CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation,** (hereinafter referred to as the "City"), and **THE VILLAGES OF LAKE-SUMTER, INC., a Florida corporation** (hereinafter referred to as the "Owner/Developer").

RECITALS

1. The Owner/Developer is the owner of that property described and depicted as set forth on ***Exhibit "1"*** attached to and incorporated in this Agreement (hereafter referred to as the "Property").

2. Owner/Developer represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.

3. The City of Fruitland Park has determined that the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.

4. The term Owner/Developer shall include any Community Development District formed pursuant to Chapter 190, F.S., or Special Dependent ~~velopment~~ District formed pursuant to Chapter 189, F.S., to fund and/or maintain certain public improvements and infrastructure to facilitate the development of the Property.

5. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner/Developer has requested and City desires to provide municipal services to the Property, including the bulk sale of potable water to an affiliate of the Owner/Developer.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. **Recitals.** The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. **Conditions Precedent.** The Property was annexed into the City and rezoned pursuant to Ordinance 2006-027 dated December 14, 2006 by the City and the previous owner.

Section 3. **Land Use/Development.** Development of the Property shall be in accordance with the conceptual plan prepared by Arnett Environmental, LLC dated _____, attached hereto as Exhibit "2" and incorporated herein by reference, the City's MUPUD (Mixed Use Planned Unit Development) zoning district, the Villages of Fruitland Park Land Development Regulations attached hereto as Exhibit "3", and, subject to City approval after public hearings and DEO approval, the City's The Villages of Fruitland Park DRI future land use category. The development of the Property shall be referred to herein as the "Project." As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures and approved by DEO before being effective.

Section 4. **Density.** Overall gross density for the Property shall not exceed four (4) units/acre and the total number of units shall not exceed 2,050.

Section 5. **Phasing.** Owner/Developer may develop the Property in one (1) Phase. Owner/Developer may construct single family villas and single-family homes.

Section 6. **Development Standards.**

A. Detached Single Family Homes:

I. Minimum Building Setbacks

i. Front: 20 feet
ii. Side: 0 feet (10' building separation)
iii. Rear: 0 feet (10' building separation)

II. Minimum Living Area: 1,050 SF/unit
III. Minimum Lot Width: 60 feet
IV. Minimum Lot Area: 5,400 SF

B. Detached Single Family Villas:

I. Minimum Building Setbacks

i. Front: 0 feet (50' building separation)
ii. Side: 0 feet (10' building separation)
iii. Rear: 0 feet (10' building separation)

II. Minimum Living Area: 1050 SF/unit

III. Minimum Lot Width: 40 feet

IV. Minimum Lot Area: 3,500 square feet

C. Recreational Facilities: Owner/Developer shall construct three (3) recreational facilities on the Property. Such Recreational Facilities shall be fully maintained by the Owner/Developer or its designee.

D. Building Heights: The maximum building height within the Property is 35 feet, provided, however, that the City may approve a higher building height if the City determines that ~~unless~~ adequate fire protection will be~~is~~ provided to such building(s).

Section 7. Permitting, Plan Review, and Construction Inspection. The City shall receive all of its usual fees, including, but not limited to, permitting and inspection fees, reimbursement of professional and consultant fees per Chapter 102 of the City's Code of Ordinances, and all impact fees except as otherwise may be provided herein. The City agrees to contract for the appropriate services needed to expand its current operations. Additionally, the City will utilize Owner/Developer's current technologies to ensure an uninterrupted flow of work. The standard for this commitment is the current system and product being utilized in Sumter County. The Owner/Developer shall provide to the City at no charge, the necessary hardware and software to allow the City to monitor and process all permits and inspections for the Project.

Section 8. Financing Community Development Districts. Subject to statutory requirements, Owner/Developer may establish a Community Development District pursuant to Chapter 190, F.S. for maintenance of common areas and infrastructure within the Property, including, but not limited to, financing the development of roads, parks and recreation areas, stormwater retention, open space areas, and common areas. Owner/Developer shall install all such improvements at their expense.

In order to serve the projected infrastructure needs of the Property without overburdening the existing taxpayers of the City of Fruitland Park, the City agrees in concept to financing districts as provided in the Florida Statutes, including, but not limited to, the establishment of a Special Assessment District or Community Development District ("CDD") pursuant to Chapter 190, Florida Statutes (or some other similar special taxing district or municipal service taxing unit), for the purpose of providing certain services and capital infrastructure to the Property, to the extent allowed and authorized by applicable law. In the event the Owner/Developer elects to proceed with such an entity, the City and Owner/Developer will cooperate in the establishment of such a district or entity in accordance with statutory requirements. City may condition its approval to the extent reasonably necessary to ensure that City residents that are outside the Property are not burdened or negatively impacted by the establishment of such entity. In addition, if consistent with approvals adopted, the City shall enter into an Interlocal Agreement with North Sumter County Utility Dependent District substantially in accordance with the Interlocal Agreement form set forth in ***Exhibit "~~3~~4"***.

Section 9. Multi-modal. Owner/Developer will construct an internal multi-use street system to ensure the Property is interconnected with the existing Villages.

Section 10. Road Improvements and Public Facilities. The Owner/Developer shall be responsible for maintenance of all drainage facilities. All roads shall be constructed in accordance with the Villages of Fruitland Park Land Development Regulations. Additionally,

Owner/Developer shall provide stormwater retention associated with the roads either within the right-of-way or on the Property.

Roads in the Project shall be a combination of gated (although with public access) and ungated roads dedicated to the public and maintained by the City, and in villas, the roads will be dedicated to the residents and maintained by the community development district. All gates located within the Property must be designed in a manner sufficient to ensure police and fire rescue personnel's ability to access the Property for emergency purposes. The road maintenance by the City will not include the maintenance for landscaping or drainage (including any storm drainage or stormwater facilities), which shall be performed by the Owner/Developer, a district, or an Owner/Developer affiliate. Owner/Developer agrees to make available to the City, at no charge, an administrative office appropriately sized (minimum of 1,000 square feet) to service City's police and administrative functions, within a recreational facility within the Project to enhance the communication of the residents of the Project with the City. The City agrees to support the Owner/Developer's effort to vacate the public dedication in favor of Lake County as to that portion of Pine Ridge Dairy Road lying within the Project.

Pursuant to the First Amendment to the Development Agreement between Owner/Developer and the Lake County Board of County Commissioners ("County") dated February 17, 2009, the County stipulated that the improvement costs for a portion of CR 466 were equivalent to the proportionate fair share due to the County by Owner/Developer for future CR 466A improvements. Owner/Developer has fulfilled their proportionate fair share responsibilities and has no further obligation for improvement costs for CR 466A. Notwithstanding the fact that the Owner/Developer has no responsibility for improvements to CR 466A, the Owner/Developer agrees to construct access improvements for the entrance road into The Villages of Fruitland Park Development of Regional Impact, and intersection improvements at Micro Racetrack Road and CR 466A, including signalization and the expansion of CR 466A to four (4) lanes from the easterly end of the Project west to the Sumter County Line, contemporaneously with the construction of the access improvements, provided that the City and/or Lake County has secured easements or right-of-way dedications necessary to complete such expansion and intersection improvements. If such easements or right-of-ways are not secured, Owner/Developer agrees to construct such expansion and improvements when obtained. Such construction will be generally in accordance with the construction plans prepared by Kimley-Horn and Associates, Inc. dated September 2, 2011 ("CR 466A Construction Plans"). Contingent on obtaining such rights of way, easements and approvals from City and provided that the CR 466A Construction Plans have been amended consistent with the improvements to be constructed and the appropriate permits have been issued, the Owner/Developer shall commence construction within six (6) months from the Effective Date of the Comprehensive Plan Amendment, Notice of Proposed Change, and Zoning adopted by the City.

The City will not object to the Owner/Developer's efforts to get Transportation Impact Fee Credits from Lake County for the Owner/Developer's cost in the expansion of CR 466A. Additionally, the Owner/Developer and the City agree to cooperate in an effort to maximize the beneficial effect of the Owner/Developer's commitment to widen a portion of CR 466A in an effort to induce and enable Lake County to complete the balance of the CR 466A widening all the way to Highway 441 contemporaneously with the widening of CR 466A being performed by the Owner/Developer.

No golf carts may ingress or egress the Project over or across a County road. The City shall not impose its golf cart regulation ordinance ~~have no enforcement obligations for golf carts~~ within the Project. The use of golf carts on dedicated or private roads within the Project shall be permitted without City inspection or permitting; however, all golf carts must comply with all applicable traffic control laws. The City may locate a golf cart path on the north side of CR 466A provided that such path does not contain a permitted crossing allowing access by golf carts to the Project.

Owner/Developer shall provide a gated entrance on the Property to be used only for emergency access purposes. Control of the gate will be strictly limited to emergency response personnel as designated by the City. This entrance shall not be used for normal traffic operations. The final location of this entrance may be the westerly end of Pine Ridge Dairy Road but shall be mutually agreed upon by the parties~~.~~ Such gated entrance must have access for emergency vehicles suitable to City.

Section 11. **Lighting.** Owner/Developer shall submit a site lighting plan in conjunction with the final site plan submittal for the Property for City approval. All exterior lighting shall be arranged to reflect light away from single-family residences to the greatest extent possible while providing lighting adequate to ensure safety on road right of way. The poles and street lights within the Property shall be installed by Owner/Developer or utility company, at Owner/Developer's expense, and thereafter maintained by the Owner/Developer or its designee.

Section 12. **Water, Wastewater, and Irrigation.** Central Sumter Utility Company ("CSU") will provide wastewater service. Central Sumter Utility Company will also provide potable water pursuant to a Bulk Water Purchasing Agreement with the City. Accordingly, Owner/Developer shall pay no City wastewater impact fees for the Project. The Sumter Water Conservation Authority will provide irrigation. Further, the City and Owner/Developer agree to the following:

a. The construction by the Owner/Developer, at its sole cost and expense, of:

1. improvements to the City's Water Treatment Facility No. 1 ("WTF No. 1") to increase the output by an amount equal to the water demand of the Project plus approximately 180,000 gallons-per-day for use by the City's water customers;
2. a 500,000 gallon ground storage tank; and
3. a new potable well sufficient to serve City's projected needs.

b. The construction by Owner/Developer, at its sole cost and expense, of an approximately sized diameter interconnect from the WTF No.1 to the point of connection on Pine Ridge Dairy Road abutting the Project;

c. The authorization of CSU to purchase potable water produced by the City at a bulk rate which will be discounted from the existing residential rate because the City will not be obligated to construct or maintain the distribution system, meter reading and billing, or similar operational and administrative expenses;

d. The City shall provide and meter potable water through a master meter to Central Sumter Utility Company, LLC at the bulk rate, with a fixed appropriate monthly base fee to cover meter maintenance and administrative overhead;

e. The delivered pressure, water quality, peak capacity, interconnect size and location, City water main size, and billing procedures shall be as agreed upon by the parties;

f. The Owner/Developer shall construct, at its sole cost and expense, an appropriately sized potable water transmission line from the point of termination of 12(b) above North along the Eastern boundary of the Property to the south side of CR 466A and then along the south side of CR 466A to the Sumter County line. ~~; If by the time the construction of C.R. 466A commences the City does not have all necessary easements, the Owner/Developer shall pay to the City the Farner Barley and Associates projected cost of construction of the water transmission line;~~

g. The Owner/Developer shall construct, at its sole cost and expense, an appropriately sized wastewater transmission line (which will include a master lift station unless deemed unnecessary by City) on the north side of CR 466A from the easterly most portion of the Project to the Sumter County line. In addition, the Owner/Developer agrees to fund to the City towards the construction costs of such wastewater line easterly, the amount of $445,000.00 together with the estimated cost of the master lift station (if not otherwise installed by Owner/Developer per the preceding sentence) as reasonably determined by City. ~~upon the issuance of Notice to Proceed for the construction of the four (4) lane improvements for that portion of CR 466A or at an earlier time if City decides to proceed with the construction of such wastewater line;~~

h. The Owner/Developer will assist the City by paying for all costs associated with the above, including, but not limited to, providing professional expertise to amend the City's Consumptive Use Permit (CUP) to allow the additional production of potable water required by the Owner/Developer for the Project while maintaining sufficient capacity for the City to serve its other anticipated water needs in addition to the Project as well as fees associated with modifying City's water allocation schedule.

i. Both the construction of the water line and the wastewater line with master lift station will each be ~~each~~ pursuant to what is generally referred to as a "Pro-Rata Contract" (a/k/a "Pioneering Agreement") by which the Developer will be reimbursed fifty percent (50%) of collected impact fees as new customers are hooked up to the City's water and/or wastewater systems by connecting to these lines paid for by Owner/Developer. ~~and s~~Such reimbursement amount shall not exceed the actual cost to Owner/Developer for installing the improvements referenced in this Section 12(i). Each such Pro-Rata Contract shall expire ten (10) years from the time the wastewater line or water line is put into service.

j. Notwithstanding the above, City and Owner/Developer anticipate that the utility needs for the Project will be clarified and may change as the Project proceeds. Therefore, the parties may enter into separate agreements affecting and amending Section 12 without the need to amend this Agreement.

Section 13. **Impact Fees.** Owner/Developer shall be required to pay potable water impact fees per residential dwelling equal to The Villages average Equivalent Residential Connection/Unit ("ERC") divided by the City's average ERC, multiplied by the City's existing potable water impact fee and Owner/Developer shall pay all other impact fees as established by City pursuant to Agreements by and between the City and Owner/Developer.

Section 14. **Easements.** Owner/Developer shall reserve easements on the recorded plats and/or in the Declaration of Restrictions for the installation and maintenance of utility services, including but not limited to sewer, water, drainage and reclaimed water services.

Section 15. **Landscaping/Buffers.** Owner/Developer will comply with the Villages of Fruitland Park Land Development Regulations for landscaping and/or buffering.

Owner/Developer, or its designee shall, at its sole expense, install underground irrigation systems on all common areas of the Property, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner/Developer, or its designee shall design, construct, and maintain, at its sole expense, the interior landscaped areas and islands within the common and parking areas of the Property in accordance with the Villages of Fruitland Park Land Development Regulations.

Owner/Developer acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner/Developer agrees to comply with the Villages of Fruitland Park Land Development Regulations pertaining to tree removal and replacement.

Owner/Developer agrees to construct all landscape buffers as required by the Villages of Fruitland Park Land Development Regulations.

Section 16. **Stormwater Management.** Owner/Developer agrees to provide at Developer's expense a comprehensive stormwater management system consistent with all regulatory requirements of the Villages of Fruitland Park Land Development Regulations and the Southwest Florida Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 17. **Other Municipal Facilities/Services.** The City hereby agrees to provide to the property, either directly or through its franchisees or third party providers, police protection, and emergency medical services. Solid Waste Disposal Services shall be provided by a City franchised disposal firm or a governmental entity currently providing solid waste collection services. If acceptable to the hauler, in lieu of requirements of Chapter 98 of the City's Code, collection within The Villages of Fruitland Park will be "single stream" recycling and plastic bags rather than containers.

Section 18. **U.S. Mail Delivery Services.** The Project shall use the 32162 zip code. The Project will use the City's grid system for numerical addressing and The Villages system for names for

Project roads. The City shall support Owner/Developer in its request to have the U.S. Postal Service use "The Villages" vanity name for addressing and mail delivered to the Project.

Section 19. The Villages Public Safety Department. Pursuant to an Interlocal Agreement in a form substantially consistent with attached ***Exhibit "~~3~~5"***, the Village Center Community Development District, by and through The Villages Public Safety Department, shall provide fire prevention and suppression, emergency medical services (non-transport), and rescue services within The Villages of Fruitland Park Development of Regional Impact. In consideration of the provision of such services, the City agrees to pay to The Villages Public Safety Department an Annual Fee (based on City's October 1 through September 30 fiscal year) payable in monthly installments. The monthly payment of the initial Annual Fee shall commence on October 1, 2015. The payment of the Annual Fee for that fiscal year shall be the number of residences issued a certificate of occupancy divided by the final approved number of residences in The Villages, times $325,000.00. (For example: if 1,019 homes/units have been issued a certificate of occupancy by October 1, 2015, the Annual Fee for the 2015-2016 fiscal year would be $162,500.00 payable in monthly installments of $13,541.67). When build out has been completed, the amount due will be adjusted annually according to the change in the United States Department of Commerce, Consumer Price Index (All Items U.S. City Average) occurring over the preceding year, according to the most recent data available from the Bureau of Rates and Statistics of the Department of Labor. Unless the parties agree otherwise, all emergency calls within the Project will go through Lake County's 911 system for dispatch.

Section 20. Tax Rate. The ad valorem tax rate within the Property shall be the same as the ad valorem tax rate imposed by the City outside of the Property.

Section 21. Recording Fees. Owner/Developer shall be responsible for all recording fees applicable to recording the ordinances, resolutions, and agreements passed by or entered into by the City.

Section 22. Concurrency. A complete concurrency study was completed and submitted with the Comprehensive Plan Amendment for this Property.

Section 23. Final Site Plan Approval. Prior to issuance of any permits for construction, including clearing and landfill, a preliminary plat and construction plans shall be prepared and submitted for review and approval in the manner required by the Villages of Fruitland Park Land Development Regulations.

Section 24. Environmental Considerations. The Owner/Developer agrees to comply with all federal, state, county, and the Villages of Fruitland Park Land Development Regulations, rules and regulations regarding any environmental issues affecting the Property.

Section 25. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the Villages of Fruitland Park Land Development Regulations and applicable City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to the Villages of Fruitland Park Land Development Regulation standards.

Section 26. **Due Diligence.** The City and Owner/Developer further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner/Developer from time to time in accordance with the City's applicable policies for the provision of said services.

Section 27. **Enforcement/Effectiveness.** A default by either party under this Agreement shall entitle the other party to all remedies available at law or as set forth in Section 163.3243, Florida Statutes. However, both parties acknowledge that any land use or development provisions of this Agreement shall not be effective or implemented unless and until the amendment to the City's comprehensive plan is found in compliance by the Florida Department of Economic Opportunity ("DEO") or any subsequent state agency serving as the state land planning agency, as set forth in Chapter 163, Florida Statutes.

Section 28. **Governing Law.** This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 29. **Binding Effect; Assignability.** This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner/Developer to successive owners. Owner/Developer shall, however, provide written notice to the City of any and all such assignees.

Section 30. **Waiver; Remedies.** No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 31. **Exhibits.** All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 32. **Notice.** Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	Mr. Gary LaVenia, City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Christopher J. Bell, City Mayor City of Fruitland Park 506 W. Berckman Street

	Fruitland Park, Florida 34731 352-360-6727 Telephone Scott A. Gerken, Esquire City Attorney 4850 N. Highway 19A Mount Dora, FL 32757 352-357-0330 Telephone 352-357-2474 Facsimile
As to Owner:	Gary Moyer, Vice President The Villages of Lake-Sumter, inc. 1020 Lake Sumter Landing The Villages, FL 32162 352-753-6261 Telephone 352-753-6716 Facsimile
Copy to:	Steven M. Roy, Esquire McLin Burnsed Post Office Box 1299 The Villages, FL 32159-1299 (352) 259-5006 (352) 751-4993 facsimile

Section 33. **Entire Agreement.** This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner/Developer from complying with the applicable law, the Villages of Fruitland Park Land Development Regulations, or agreements governing said permitting requirements, conditions, terms or restrictions.

Section 34. **Term of Agreement.** The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner/Developer, and shall terminate on December 31, 2023; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner/Developer, subject to a public hearing in accordance with the requirements of Section 163.3225, Florida Statutes.

Section 35. **Amendment.** Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 36. **Severability**. If any part of this Developer's Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer's Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer's Agreement is declared severable.

IN WITNESS WHEREOF, the Owner/Developer and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:	**THE VILLAGES OF LAKE-SUMTER, INC.**
_____	By:_____
Witness Signature	Signature
_____	_____
Print Name	Print Name
_____	
Witness Signature	
_____	
Print Name	

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this ____ day of _____ 2014, by _____, who personally known to me or who have produced _____ as identification and who did (did not) take an oath.

_____
Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

ACCEPTED BY THE CITY OF FRUITLAND PARK

Approved as to form and
Legality for use and reliance
by the City of Fruitland Park

By:_____
Christopher J. Bell, Mayor

Date:_____

ATTEST:_____
Esther Coulson, City Clerk

_____
City Attorney

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2014 by Christopher J. Bell, Mayor and Esther Coulson, City Clerk of the City of Fruitland Park, Florida, who are personally known to be me and they acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Fruitland Park, Florida.

_____
Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

EXHIBIT "1"

Subject Property Legal Description

EXHIBIT "2"

Conceptual Plan Prepared by Arnett Environmental, LLC dated _____

Formatted: Centered

EXHIBIT "3"

Village of Fruitland Park Land Development Regulations

EXHIBIT "4"

Formatted: Font: Bold

Interlocal Agreement with North Sumter County Utility Dependent District

EXHIBIT "5~~3~~"

Interlocal Agreement with Village Center Community Development District

INTERLOCAL AGREEMENT
BETWEEN
CITY OF FRUITLAND PARK, FLORIDA
AND
NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into this _____ day of _____, 2014, by and between **CITY OF FRUITLAND PARK, FLORIDA** (the "City"), and **NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT** (the "District").

RECITALS

A. The District is a dependent district of Sumter County authorized by Chapter 189, Florida Statutes (the "Act"), Chapter 125, Florida Statutes, and created pursuant to Ordinance No. 2010-10 duly adopted by the Board of County Commissioners of Sumter County on July 13, 2010, as amended.

B. The City is a Florida municipal corporation.

C. Pursuant to the Act and pursuant to Section 125.01 (1) (p) and Section 163.01, Florida Statutes, the City and the District may provide by interlocal agreement for the District to provide certain services outside of its geographical boundaries and within that portion of the City lying within The Villages of Fruitland Park.

NOW, THEREFORE, the parties agree as follows:

1. Authority. This Agreement is entered into pursuant to the authority set forth in Chapters 163 and 189, Florida Statutes (2013) and is consistent with the Comprehensive Plan for the City.

2. Definitions. Capitalized terms used and not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Act.

3. Additional Powers of the District. Pursuant to the provisions of the Act and Chapter 163, Florida Statutes, the District shall have and is hereby granted the right within the boundaries of that portion of the City lying within The Villages of Fruitland Park, the authority to provide:

A. Residential solid waste collection and disposal services. If the District provides solid waste collection and disposal services within The Villages of Fruitland Park, the District agrees to pay to the City the City's prevailing franchise fee rate for such services.

B. Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.

C. Water and wastewater services, including the use of reclaimed water for irrigation purposes in accordance with applicable state law.

D. In addition to any powers that the District may have, the District shall have and is hereby granted the right in that portion of the City lying within The Villages of Fruitland Park to exercise the power authorized under Florida Statutes, Chapter 189, to set and collect fees for such services. This Agreement shall at all times be conditioned on the requirement that City residents shall enjoy and be charged the same rates, for the same type of service, as the District charges to residents within its jurisdiction.

4. Revenue Bonds; City Not Liable. The City acknowledges that the District may issue revenue bonds of the District in accordance with the Constitution and laws of the State of Florida, and the Act, to finance the acquisition, construction, or expansion of a project or facility, which bonds may be secured by and payable from revenues derived from the operation of the facilities, including revenues from service provided within the territory governed by this Agreement. Any such revenue bonds issued by the District shall neither be, nor constitute, the general obligations or indebtedness of the City, the State of Florida, or any political subdivision thereof, within the meaning of the general revenues of the City, the State of Florida, or any political subdivision thereof, but shall be payable solely from the secured by a lien upon and a pledge of revenues from the operation and its facilities and all monies in the funds and accounts established under the indenture pursuant to which any such bonds are issued or other security provided by the District, in the manner and to the extent provided in such indenture. No bondholder shall ever have the right to compel the exercise of the ad valorem taxing power of the City, or the State of Florida, or of any political subdivision thereof, or taxation in any form on any real or personal property to pay any such bonds or the interest thereon, nor shall any bondholder be entitled to payment of such principal and interest from any other funds of the City, the State of Florida, or any political subdivision thereof, other than from the security pledged by the District in such indenture.

5. Term. This Agreement shall commence upon the date set forth above, and unless earlier terminated or extended by mutual agreement of the parties, this Agreement shall expire thirty (99) years from the date hereof.

6. Amendment. This Agreement may be modified or terminated in writing only by the mutual agreement of both parties in accordance with their respective laws, rules and procedures. Upon termination of the Agreement, the City shall have no duty to maintain or service and shall have no ownership interest in any personal property in place pursuant to this Agreement.

7. Severability. If any one or more of the covenants, agreements, or provisions of this Interlocal Agreement shall be held contrary to any expressed provision of law or contrary to any policy or expressed law, although not expressly prohibited, any reason

whatsoever be held invalid, then such covenants, agreements, or provisions shall be null and void, and shall be deemed separate from the remaining covenants, agreements, or provisions of this Interlocal Agreement.

8. Matters Unaffected. No right or obligation that may currently or subsequently exist respecting the parties and their relationship one to the other shall be deemed waived or otherwise affected by this Agreement, unless such right or obligation is specifically addressed herein.

9. Effective Date. This Agreement shall become effective upon the filing of the fully executed Agreement with the clerk of the circuit court of both Lake County and Sumter County, as required by subsection 163.01(11), Fla. Stat.

Any amendments to this Agreement must likewise be executed by both parties and filed with the clerk of the circuit court of both Lake County and Sumter County before becoming effective.

10. Miscellaneous. The parties agree that in the event of any litigation related to the construction or enforcement of any of the provisions of this Agreement: (a) each party shall bear and be responsible for its own attorneys fees and costs; (b) this Agreement shall be construed in accordance with the law of the State of Florida; (c) venue for any action concerning this Agreement shall be in Lake County, Florida; (d) because both parties participated in the drafting of this Agreement, the Agreement shall not be construed more favorably toward either of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representative.

AS TO CITY:

ATTEST:

CITY OF FRUITLAND PARK, FLORIDA

_____
Print Name_____
Title_____

_____
Print Name_____
Title_____

FOR THE USE AND RELIANCE OF
CITY OF FRUITLAND PARK, FLORIDA, ONLY,
APPROVED AS TO FORM AND LEGALITY

_____
City Attorney

AS TO DISTRICT:

NORTH SUMTER COUNTY UTILITY DEPENDENT DISTRICT

ATTEST:

By:_____
Print Name:_____
Title:_____

By:_____
Print Name:_____
Title:_____

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____, as _____, and _____, as _____ of and on behalf of **City of Fruitland Park, Florida**, who did not take an oath and is personally known to me.

_____
NOTARY PUBLIC - STATE OF FLORIDA
Print Name
My Commission Expires:_____
Serial/Commission Number_____

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____, as _____, and _____, as _____ of and on behalf of **North Sumter County Utility Dependent District,** who did not take an oath and is personally known to me.

_____
NOTARY PUBLIC - STATE OF FLORIDA
Print Name
My Commission Expires:_____
Serial/Commission Number_____

EXHIBIT "E"

INTERLOCAL AGREEMENT
BETWEEN
CITY OF FRUITLAND PARK, FLORIDA,
AND
VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into this ____ day of _____, 201___, by and between **CITY OF FRUITLAND PARK, FLORIDA** (the "City") and **VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT** (the "District").

RECITALS

1. The District is a local unit of special purpose government created pursuant to Chapter 190, Florida Statutes (the "Act").

2. The City is a Florida municipal corporation.

3. The District is authorized by the Act to exercise within its boundaries those powers conferred by the Act.

4. The District proposed to provide within the community generally known as The Villages of Fruitland Park certain activities permitted by the Act.

5. A portion of the area to be served by the District lies outside of the District and within the City.

6. Pursuant to the Act, particularly Section 190.011(12), and pursuant to Section 163.01 Florida Statutes, the City and the District may provide by interlocal agreement for the District to own and provide the additional powers and duties as set forth below, outside of its geographical boundaries and within the City lying within The Villages of Fruitland Park.

NOW, THEREFORE, the parties agree as follows:

1. **Authority.** This Agreement is entered into pursuant to the authority set forth in Chapters 163, and 190, Florida Statutes.

2. **Definitions.** Capitalized terms used and not otherwise defined in this Agreement shall have the meaning ascribed so such term in the Act.

3. **Additional Powers and Duties of the District.** In addition to any powers that the District may have, the District shall have and is hereby granted the right to:

A. provide parks and facilities for indoor and outdoor recreational, cultural, and educational uses;

B. provide fire prevention and control, including fire stations, water mains and plugs, fire trucks, and other vehicles and equipment;

C. provide security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries;

D. control and elimination of mosquitoes and other arthropods of public health importance;

E. exercise those other powers granted to the District pursuant to Chapter 190, Florida Statutes, including those powers set forth in Sections 190.012(1) and (2) of the Act as though the area was included within the boundaries of the District;

and to exercise all of the powers necessary and incidental thereto including the right to set and collect fees, in that area of the City described in the attached ***Exhibit "A"***.

4. **Indemnification of City by District.** To the extent permitted by law (not to be construed as a waiver of sovereign immunity), the District shall indemnify and hold harmless the City for all acts and omissions of the District arising out of authority granted herein, and in connection with the performance of this Agreement.

5. **Revenue Bonds; City Not Liable.** The City acknowledges that the District may issue revenue bonds of the District in accordance with the Constitution and laws of the State of Florida, and the Act, to finance the acquisition, construction, and expansion of the Facilities, which bonds may be secured by and payable from revenues derived from the operation of the Facilities, including revenues from service provided within the territory governed by this Agreement. Any such revenue bonds issued by the District shall neither be, nor constitute, the general obligations or indebtedness of the City, the State of Florida, or any political subdivision thereof, within the meaning of the general revenues of the City, the State of Florida, or any political subdivision thereof, but shall be payable solely from the secured by a lien upon and a pledge of revenues of the Facilities and all monies in the funds and accounts established under the indenture pursuant to which any such bonds are issued or other security provided by the District, in the manner and to the extent provided in such indenture. No bondholder shall ever have the right to compel the exercise of the ad valorem taxing power of the City, or the State of Florida, or of any political subdivision thereof, or taxation in any form on any real or personal property to pay any such bonds or the interest thereon, nor shall any bondholder be entitled to payment of such principal and interest from any other funds of the City, the State of Florida, or any political subdivision thereof, other than from the security pledged by the District in such indenture.

6. **Term.** Unless earlier terminated or extended by mutual agreement of the parties, this Agreement shall expire ninety-nine (99) years from the date hereof.

7. **Amendment.** This Agreement may be modified in writing only by the mutual agreement of both parties in accordance with their respective laws, rules and procedures. Any amendments to this Agreement must be executed by both parties and recorded in the Public Records before becoming effective.

8. **Severability.** If any one or more of the covenants, agreements, or provisions of this Interlocal Agreement shall be held contrary to any expressed provision of law or contrary to any policy or expressed law, although not expressly prohibited, any reason whatsoever be held invalid, then such covenants, agreements, or provisions shall be null and void, and shall be deemed separate from the remaining covenants, agreements, or provisions of this Interlocal Agreement.

9. **Matters Unaffected.** No right or obligation that may currently or subsequently exist respecting the parties and their relationship one to the other shall be deemed waived or otherwise affected by this Agreement, unless such right or obligation is specifically addressed herein.

10. **Effective Date.** This Agreement shall become effective upon, (A) execution by the District and the City, and (B) recording of this Agreement in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representative on the day and year first above written.

AS TO CITY:

ATTEST:

By:_____
Print Name:_____
Title:_____

CITY OF FRUITLAND PARK, FLORIDA

By:_____
Print Name:_____
Title:_____

FOR THE USE AND RELIANCE OF
THE CITY OF FRUITLAND PARK, FLORIDA,
ONLY, APPROVED AS TO FORM AND LEGALITY

_____, Attorney for City

AS TO DISTRICT:

ATTEST:

By:_____
Print Name:_____
Title:_____

VILLAGE CENTER COMMUNITY
DEVELOPMENT DISTRICT

By:_____
Print Name:_____
Title:_____

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 201___, by _____, as _____, and _____, as _____ of and on behalf of the **City of Fruitland Park, Florida,** who did not take an oath and is personally known to me.

_____
NOTARY PUBLIC - STATE OF FLORIDA
Print Name _____
My Commission Expires:_____
Serial/Commission Number_____

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by _____, as _____, and _____, as _____ of and on behalf of **Village Center Community Development District,** who did not take an oath and is personally known to me.

_____
NOTARY PUBLIC - STATE OF FLORIDA
Print Name _____
My Commission Expires:_____
Serial/Commission Number_____

506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352/ 360-6727
FAX: 352/ 360-6652

Board Members:	Others:
John Schaller, Chairman Colin Crews Connie Bame Daniel Dicus Philip Purlee	Charlie Rector, Community Development Director Tracy Kelley, Administrative Assistant

MINUTES
PLANNING & ZONING BOARD
April 17, 2014
6:00PM

I. INVOCATION: Chairman John Schaller called the meeting to order at 6:06P.M. Chairman Schaller gave the invocation and led the pledge of allegiance.

II. ROLL CALL: Board members present with exception of Board Member Connie Bame (absent) and present CDD Rector and Assistant Kelley. Board member Connie Bame had asked to be excused. Late to meeting Board Member Colin Crews.

III. MINUTES FROM PREVIOUS MEETING: Approve minutes from March 20, 2014. Motion to approve Meeting Minutes from March 20, 2014, by Philip Purlee/Second by Daniel Dicus. Approved.

IV. OLD BUSINESS: The Villages of Fruitland Park Tabled Item from March 20, 2014, P&Z Meeting.

V. NEW BUSINESS:

A. The Villages of Fruitland Park

a. NOPC (Notice of Proposed Change), Rezoning, and The Villages' LDR Development

Present Marty Dzuro, P.S.M., of Grant & Dzuro Engineers, Surveyors, and Land Planners; Present Gary L. Moyer, Vice President of Development.

CDD Rector noted change to revised Staff Reports for The Villages of Fruitland Park NOPC to recommend adoption to Commission.

Chairman Schaller reviewed staff reports accordingly; State agencies have received and approved VOFP submittals; Motion to adopt The Villages' of Fruitland Park NOPC by Philip Purlee/Second by Daniel Dicus. Approved (4-0)

Rezoning of the Pine Ridge Dairy property requested to change all current zoning of the 780 acres of the Pine Ridge Dairy property to Mixed Use PUD (Planned Unit Development); recommend approval of rezoning by CDD Rector, motion by Daniel Dicus/Second Colin Crews. Approved (4-0)

The Villages of Fruitland Park LDR (Land Development Regulations) has been developed for the Pine Ridge Dairy property by using the City's current LDR format; The Villages of Fruitland Park (VOFP) LDR has been created in order for The Villages to develop in accordance to their current standards creating The Villages of Fruitland Park Land Development Regulations (VOFP LDR). CDD Rector recommended approval to adopt the VOFP LDR, motion by Colin Crews/Second Philip Purlee. Approved (4-0)

B. DR GCS Holdings, LLC

a. Annexation
b. Small Scale Comprehensive Plan Amendment
c. Rezoning

Present spouse of applicant Mr. Robert Wilson; applicant requesting to annex 1.39 acres located on Micro Race Track Road; surrounding parcels are within the City limits of Fruitland Park with Commercial Zoning; applicant is only requesting annexation with no plans currently of developing property; CDD Rector recommends approval to annex property, motion by Daniel Dicus/Second by Colin Crews. Approved (4-0)

Applicant is also requesting Small Scale Comprehensive Plan Amendment being the property is less than 10 acres; CDD Rector recommends approval, motion by Chairman Schaller/Second by Philip Purlee. Approved (4-0)

Applicant requesting rezoning of property from current Agriculture Zoning to C2 (General Commercial) to meet surrounding property zoning; Chairman Schaller commented impact fees of connecting to city utility services would be applicable when services are available – applicant understood. Board member Daniel Dicus commented city services would be a pioneer agreement as same for the applicant of adjoining property requesting the development of mini warehouse. CDD recommends Rezoning to C2 approval, motion by Colin Crews/Second Daniel Dicus. Approved (4-0)

BOARD MEMBERS' COMMENTS:

Board member questioned ground breaking for proposed road construction of The Villages, CDD Rector stated a meeting regarding pre-road construction of The Villages is scheduled for the week of April 28, 2014 thru May 2, 2014; construction of the road is not slated until July 1, 2014. Construction will be from the Sumter County line to approximately 500' from the Windy Acres Rodeo entrance; Lake County current status from US Hwy 441 to Sunny Court is budgeted for the first quarter budget of 2015, however, may start end of 2014 year prior to October 2014.

Philip Purlee questioned City Water and Sewer lines for The Villages; CDD Rector stated service lines will start from the area of the current City Library, a new well be located near the current Parks and Recreation Building (500,000 gallon storage tank), and a 16'' water line will run along Berckman Street west to Josephine, turn south to Pine Ridge Dairy Road, and go west to The Villages; the line will then tee-off and follow the right-of-way of First Baptist Church property, cross over to 466A; sewer lines will only be located on the north side of 466A, from Windy Acres Rodeo to Poinsettia - it will be the responsibility of the City of Fruitland Park. Permitting and commencement of utility services slated to begin in approximately four months.

No further questions or comments.

CITIZENS' COMMENTS: None

ADJOURNMENT: 6:40P.M.

AGENDA ITEM NUMBER
7I

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Resolution 2014-001 Villages of Fruitland Park DRI - Notice of Proposed Change**				
For the Meeting of:	May 8, 2014				
Submitted by:	Community Development Director/City Attorney				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Second reading and public hearing on Resolution 2014-001, Development Order for the Villages of Fruitland Park Development of Regional Impact, Notice of Proposed Change. (First reading was held on April 27, 2014.)					
Action to be Taken: Adoption of Resolution 2014-001					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

RESOLUTION NUMBER 2014-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE VILLAGES OF FRUITLAND PARK DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Villages of Fruitland Park is a mixed-use retirement community located in the City of Fruitland Park, Florida. It is a continuation of a development known as The Villages which has five approved components with the Villages of Fruitland Park representing a sixth component. The first component is property lying north and east of U.S. 27/441 which was vested from Development of Regional Impact ("DRI") review pursuant to a binding letter of vested rights dated November 29, 1973.

The second component of The Villages is the DRI known as Tri-County Villages which is situated in both the Town of Lady Lake (Lake County) and Sumter County. The Tri-County Villages DRI is a consolidation of a DRI in Lady Lake known as Orange Blossom Gardens-South approved on January 18, 1988, by the Town of Lady Lake in Ordinance 88-1 with two substantial deviations in Sumter County, lying adjacent to the DRI in Lady Lake. The first substantial deviation to the OBG-South (OBGS) DRI was approved for development on May 29, 1990 by the Sumter County Board of County Commissioners and the Town of Lady Lake on May 7, 1990. This addition was originally called Orange Blossom Gardens-West (OBGW). The second substantial deviation was approved by the Sumter County Commission on September 20, 1994 and the Town of Lady Lake on October 12, 1994. The second substantial deviation Development Order added land to the DRI in Sumter County, plus lesser additions in Lady Lake and also consolidated the DRI and the two substantial deviation areas under the single DRI name of Tri-County Villages.

The third approved component of The Villages development is the Villages of Marion. This project is located in south Marion County adjacent to The Tri-County Villages DRI in

Formatted: Space Before: 0 pt, Line spacing: At least 12 pt

Sumter County. This project was approved by the Department of Community Affairs, n/k/a Department of Economic Opportunity, hereinafter referred to as "DEO," as a Florida Quality Development (FQD) and a Development Order was issued on October 15, 1999.

The fourth approved component of the Villages is The Villages of Sumter. This Development is entirely within Sumter County and is located between C.R. 466 and S.R. 44 with the eastern edge being adjacent to the Sumter/Lake County line. The original Development Order was issued by Sumter County on May 9, 2000. A Development Order approving a first substantial deviation to the Villages of Sumter DRI was approved by Sumter County on July 16, 2002 and a second substantial deviation was approved by Sumter County on February 24, 2004.

The fifth approved component of the Villages is The Villages of Wildwood. This Development is entirely within the City of Wildwood and is located between C.R. 466 and S.R. 44 with the eastern edge being adjacent to the Sumter/Lake County line. The Development Order was issued by the City of Wildwood on May 9, 2000.

WHEREAS, on June 9, 1999, The Villages of Lake-Sumter, Inc., and DEO, entered into a Section 380.032(3), Florida Statutes (F.S.), agreement, hereinafter referred to as the "Agreement," which treats the Tri-County Villages DRI, the Villages of Marion FQD and the Villages of Sumter DRI as separate developments rather than as substantial deviations to each other while, at the same time, assuring that the impacts of all four developments will be reviewed and assessed on a cumulative basis with certain impacts of the other developments; and

WHEREAS, for purposes of this Development Order, the term "Developer" shall include The Villages of Lake-Sumter, Inc., its affiliated utilities, one or more community development districts established pursuant to Chapter 190, F.S., and the successors and/or assigns of the listed entities; and

WHEREAS, on January 29, 2014 the Developer filed a Notice of Proposed Change for a an amendment to the Villages of Sumter DRI ("DRI-ADA"), pursuant to Chapter 380.06, F.S.,

on real property located in the City of Fruitland Park, Florida, as described in **Exhibit A** attached hereto and by this reference incorporated herein as the "Property", with the City; and

WHEREAS, this Amendment to the Villages of Sumter DRI involves only property within the City of Fruitland Park. For clarity and ease of reference, the DRI development within the City will henceforth be known as the Villages of Fruitland Park DRI; and

WHEREAS, the Developer proposes to build within the City of Fruitland Park 2,050 residential units, maximum of 30,000 square feet of commercial (if converted from other entitlements) 15 holes of golf course, and community facilities, and 186 acres of related roads, wetlands, preservation, buffer area, stormwater retention and open space for a total project area of 780 acres, located in the City of Fruitland Park herein referred to as the "Development" and described in **Exhibit A**; and

WHEREAS, the Developer anticipates establishing or using one or more community development districts ("CDDs") established pursuant to Chapter 190, F.S., and/or a Dependent District established pursuant to Chapter 189, F.S., to assist in the provision and/or maintenance of infrastructure and/or services; and

WHEREAS, the Fruitland Park City Commission (sometimes referred to as the City), as governing body of the local government having jurisdiction, is authorized and empowered to consider DRIs; and

WHEREAS, comprehensive plan amendments to assure consistency between the DRI and the City of Fruitland Park Comprehensive Plan are being adopted contemporaneously pursuant to the requirements of Section 380.06(6)b, F.S., and this Development Order is subject to those comprehensive plan amendments; and

WHEREAS, for DRI purposes, the public notice requirements of the City and Section 380.06 (11), F.S., have been satisfied and notice has been given to the DEO and the East Central Florida Regional Planning Council (ECFRPC) on January 29, 2014; and

WHEREAS, the City, on May 8, 2014, held duly noticed public hearings on the NOPC, and has heard and considered the testimony and documents received therein; and

WHEREAS, the City of Fruitland Park has afforded the public the opportunity to participate in the application hearing on the subject DRI before it, and received and considered the public input; and

WHEREAS, the City has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, this Development Order shall constitute the development order required by the policies in the comprehensive plan amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS 8TH DAY OF MAY, 2014, THAT THE VILLAGES OF FRUITLAND PARK DRI IS HEREBY APPROVED, EFFECTIVE AS SPECIFIED HEREIN, BASED UPON AND SUBJECT TO THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS/RESTRICTIONS.

SECTION I. FINDINGS OF FACT

A. The real property that is the subject of the Application is comprised of approximately 780 acres and is located in the City of Fruitland Park, and more specifically described in the legal description of the property in **Exhibit A** and generally depicted in Map H, the Master Development Plan and Land Use Allocation/Phasing Tables provided as **Exhibit B** attached to this Development Order and incorporated herein, and the Developer is the owner or has the authority to file the NOPC and obtain a DRI Development Order with respect to the Property, in accordance with Chapter 380.06, F.S.

B. The Developer submitted to the City of Fruitland Park the NOPC and the Comprehensive Plan Amendment dated January 29, 2014, all of which have been relied upon by

the City of Fruitland Park and which are herein incorporated by reference without the necessity of their being made a composite exhibit. To the extent the NOPC is inconsistent with the terms and conditions of this Development Order, this Development Order controls.

C. The proposed Development is not located in an area of critical state concern as designated pursuant to Chapter 380.05, F.S.

D. A comprehensive review of the impact generated by the Development has been conducted by the ECFRPC, the City of Fruitland Park Local Planning Agency (LPA), City Departments, DEO, other local governments and agencies of the State of Florida, and objections, comments and recommendations have been received from these entities.

E. The Developer now proposes to build 2,050 residential units, a maximum of 30,000 square feet of commercial (generated through the conversion matrix), community facilities, and 186 acres of related roads, wetlands, preservation, buffer area, stormwater retention and open space for a total project area of 780 acres located in the City of Fruitland Park and described in **Exhibit A**.

F. The Developer, through the NOPC and this Development Order, has entered into a binding commitment to provide for the construction of all on-site infrastructure necessary to support the Development. The Developer has scheduled the Development to ensure that the public facilities and services will be concurrent with the impacts of the Development where applicable, at the level of service standards adopted in the City of Fruitland Park Comprehensive Plan.

H. The Developer has committed, as described in the NOPC, to provide or cause to be provided, centralized potable water facilities, centralized wastewater facilities, and on-site stormwater management facilities. Centralized wastewater facilities shall be provided by the Central Sumter Utility Company, LLC or its successors and assigns (CSU). Centralized water will be provided by CSU pursuant to a bulk water purchasing agreement with the City.

I. The primary access to the Development will be from C.R. 466A or the internal Villages roadway system.

J. The NOPC was reviewed by the ECFRPC, the City of Fruitland Park and DEO on the 2nd day of April, 2014 and that the data and information contained within the NOPC application was sufficient for the City of Fruitland Park to perform the impact review required by Section 380.06, F.S.

K. The Development is consistent with the adopted State Comprehensive Plan and the adopted City of Fruitland Park Comprehensive Plan. As specified in the NOPC and this Development Order, the Development will further the goals and policies of the State Comprehensive Plan and the East Central Florida Strategic Regional Policy Plan.

SECTION II. CONCLUSIONS OF LAW

A. The NOPC, as submitted, complies with the requirements of Section 380.06, F.S., and Chapter 9J-2, Florida Administrative Code (F.A.C.)

B. The City of Fruitland Park's review of the NOPC has been conducted pursuant to and in compliance with the provisions of Section 380.06, F.S.

C. The review by the City of Fruitland Park, the ECFRPC and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Section 380.06, F.S., within the terms and conditions of this Development Order and the NOPC.

D. The Development, as approved in this Development Order, is consistent with the Report and Recommendations of the ECFRPC, local land development regulations, the adopted City of Fruitland Park Comprehensive Plan, as it has been amended, and State Comprehensive Plan, and will not unreasonably interfere with the achievement of objectives of the East Central

Florida Strategic Regional Policy Plan or state agency plans applicable to the area or Development.

E. The provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of the City of Fruitland Park. Development shall be in accordance with the Development Order, the Application pursuant to Section IV.A. herein, the specific Villages of Fruitland Park Land Development Regulations, the Master Development Agreement and Code of Ordinances and any other applicable regulations and ordinances of the City of Fruitland Park.

F. This Development Order constitutes final approval of the Villages of Fruitland Park DRI as specified in **Exhibit B** attached to this Development Order and incorporated herein.

G. These proceedings have been duly conducted pursuant to applicable law and regulations, and, based upon the record in this proceeding, the Developer and the various departments of the City are authorized to conduct development as described herein, subject to the conditions and restrictions set forth herein.

SECTION III. CONDITIONS AND RESTRICTIONS.

A. GENERAL.

1. This Development Order shall be effective upon the effective date of the Comprehensive Plan Amendment adopted to provide for the Villages of Fruitland Park DRI, provided, however, that filing of a notice of appeal pursuant to Section 380.07, F.S., will stay the effectiveness of this Development Order.

2. The real property that is the subject of the Application is comprised of approximately 780 acres and is located in the City of Fruitland Park, Florida, and more specifically described in the legal description of the property in **Exhibit A** and generally depicted in the Map H series, (the Master Development Plan and Land Use Allocation/Phasing Tables) provided as **Exhibit B** attached to this Development Order.

B. Except for terms defined herein, the definitions contained in Chapter 380, F.S., and Chapter 9J-2, F.A.C., shall govern and apply to this Development Order.

C. This Development Order shall be binding upon and shall be for the benefit of the Developer, its assignees, or successors in interest, including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order.

D. Whenever this Development Order provides for or otherwise necessitates reviews, approvals, or determinations of any kind subsequent to its issuance, the right to review and approve includes all directly affected governmental agencies and departments set forth under applicable laws and rules. However, this language shall not be construed to apply to obtaining permits required from federal, state, regional, or local agencies which would otherwise be required for the activities involved in the Development.

E. In each instance where the Developer is responsible for ongoing maintenance of privately owned facilities or infrastructure, the Developer may assign any or all of its responsibilities to improve, maintain and operate those facilities to an appropriate entity able to fulfill such responsibility consistent with statutory and rule requirements and the conditions of this Development Order. Similarly, where the Developer is responsible for the construction of any facilities or infrastructure, the Developer may assign to one or more community development districts established pursuant to Chapter 190, F.S., and/or Dependent Districts established pursuant to Chapter 189, F.S. the obligation to construct such facilities and/or infrastructure.

F. Except as provided for herein, any change in the plan of development or provisions of this Development Order will be submitted by the Developer to the City of Fruitland Park, DEO, the ECFRPC and such additional parties as may be appropriate or required by law and the Agreement. The proposed change will be reviewed pursuant to the provisions of Subsection 380.06(19), F.S. In addition, changes as submitted shall be reviewed under, and

subject to, requirements of the local government comprehensive plan and agency rules and regulations in effect at the time the proposed changes are submitted.

G. The City of Fruitland Park will monitor the Development to ensure compliance with the terms, general provisions, and conditions of this Development Order. The City Manager or his/her designee will monitor the Development through the review of the Annual Report, building permits, certificates of occupancy, plats, if applicable, or any other relevant and factual information.

H. The Developer may increase or decrease the amount of a particular land use within the approved development program without amending the Development Order by using the Conversion Table attached as **Exhibit C**. Use of the Conversion Table may not exceed a maximum of 25% of the total amount of each land use set forth in IV.C. below, unless the Development Order is amended to accommodate such a change. In addition, use of the Conversion Table shall not provide the ability to exceed the development impacts analyzed in the NOPC Application as described in IV.A. below. Anytime the Conversion Table is used, DEO, ECFRPC and the City must be provided notice at least 30 days in advance of use of the Conversion Table. Use of the Conversion Table will be reported and development impacts documented in the Annual Report. Changes shall be reflected in the next amendment to the Development Order.

I. The Developer shall file Annual Reports in accordance with Subsection 380.06(18), F.S. Annual Reports shall be due on May 1 of each year after approval of this Development Order until termination of development activity.

The Developer may submit the Villages of Fruitland Park Annual Status Report as part of a combined report containing a cumulative summary for all of The Villages Developments for items required to be analyzed cumulatively per the Agreement and individual reports specifically for each DRI as required by each individual DRI Development Order. Annual Reports shall be

submitted for review to the City of Fruitland Park, Sumter County, DEO, the ECFRPC, the Florida Fish and Wildlife Conservation Commission (FWC), the Florida Department of Transportation (FDOT), the St. Johns River Water Management District and Southwest Florida Water Management District (SWFWMD), the Florida Department of Environmental Protection (FDEP), and such additional agencies and parties as may be appropriate or required by law. The contents of the report shall include those items required by this Development Order and by rule of the Department.

The Annual Report specifically for the Villages of Fruitland Park shall contain the following:

1. All of the information required under Rule 9J-2.025(7), F.A.C.;

2. Documentation concerning the Water Conservation Plan (WCP) as specified in Development Order Section IV.G.5.;

3. Documentation concerning hazardous materials as specified in Development Order Section IV.M.;

4. Documentation concerning the regular engineering inspections of the on-site surface water management system as specified in Development Order Section IV.D.4.

I. Within fifteen (15) days of the effective date of this Development Order, the Developer shall cause a Notice of Adoption of this Development Order to be recorded in the Public Records of Lake County and shall not convey any portion of the Development, other than those conveyances required herein or by a public entity (such as the City, Lake County, SWFWMD, SJWMD, etc.), prior to recordation of the Notice of Adoption. The Developer shall transmit copies of the recorded Notice of Adoption of this Development Order to the City of Fruitland Park, DEO and the ECFRPC within fifteen (15) days following receipt of the recorded Notice of Adoption of this Development Order.

J. The City of Fruitland Park agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this Development Order, unless the City can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the City to be essential to the public health, safety or welfare.

SECTION IV. DEVELOPMENT ORDER CONDITIONS

A. Application

1. The Villages of Fruitland Park DRI shall be developed in accordance with the information, data, plans, and commitments contained in the Application unless otherwise directed by the conditions enumerated herein. For the purpose of this condition, the Application shall consist of the following:

a. The Villages of Sumter (Fruitland Park) NOPC dated January 29, 2014.

b. Comprehensive Plan Amendment data and analysis submitted with the Villages of Sumter (Fruitland Park) NOPC dated January 29, 2014.

c. Revised Transportation Analysis for the Comprehensive Plan Amendment and Villages of Sumter (Fruitland Park) NOPC dated March 14, 2014.

B. Buildout Date of the Development

1. The Buildout Date of this Development is December 31, 2018. The expiration date is December 31, 2023. In the event the Developer fails to have substantially proceeded with the development approved herein by December 31, 2016, the development approval shall terminate.

2. For the purposes of this Development Order, "substantially proceed" shall mean that the Developer shall have begun construction of 10 residential units.

C. Development

1. The Developer is hereby authorized to develop the property located in the City of Fruitland Park as shown in the legal description (**Exhibit A**) as listed below and specifically as provided in the Land Use Allocation/Phasing Tables provided on the Map H series, Master Development Plan (**Exhibit B**).

LAND USE	AMOUNT	ACREAGE
Residential	2,050 units	517 Acres
Retail/Services	30,000 gross sq. ft.*	N/A
Golf Course	15 Holes	
Wetlands		77 acres
Roads/Parks/Buffer/Stormwater/Open Space		186 acres

* Retail/Services is capped at 30,000 SF and can only be generated through conversion matrix.
The acreage numbers above are approximate and subject to change based on permitting, design and engineering requirements. Such changes do not constitute an NOPC.

2. Development within the City of Fruitland Park will occur in one phase from 2014 – 2016 pursuant to the Phasing Table on Map H-1, Master Development Plan (**Exhibit B**).

3. Buildout is projected for December 31, 2018.

D. Surface and Ground Water Management

1. No building permit shall be issued for development unless and until the Developer provides evidence to the satisfaction of The City of Fruitland Park that adequate drainage/storm water management facilities will be available concurrent with the impacts of the proposed Development at the levels of service adopted in the City's Comprehensive Plan. Most major stormwater ponds shall be lined. The stormwater management facilities shall adhere to the SWFWMD criteria for the design, construction, operation, treatment standards and maintenance of such facilities in hydrologic and karst sensitive areas as

determined by SWFWMD. The development shall utilize the following Low Impact Development (LID) methods to reduce the impact on nutrients on natural wetland systems:

- Minimizing development impacts by maintaining site runoff rates
- Use of integrated management practices
- Implementation of pollution prevention and proper maintenance and public education
- Conserving natural areas and wetlands as planned
- Maintaining site runoff rates

2. Should any noticeable soil slumping or sinkhole formation become evident before or during construction activities, all construction work shall stop in the area of slumping or sinkhole formation and remain stopped in the area of the slumping or sinkhole formation. The Developer shall comply with permit conditions of SWFWMD to develop a plan of action and corrective measures to correct the problem. Once a plan of action and corrective measures is determined, the Developer shall complete the required actions/measures and may then resume construction in the area.

3. Stormwater/drainage retention areas (DRAs), including either "wet" or "dry" DRAs will be designed and constructed according to all specifications and conditions as stated in the Application and in accordance with applicable permits and normal and accepted engineering practices. Soil boring(s) shall be used to verify that a minimum of five feet of suitable soil cover is maintained between each DRA bottom and any subsurface limestone rock strata, limestone pinnacles or potential karst connections.

4. A geotechnical report prepared by a qualified professional shall be used in the design and layout of the newly added portion of the Villages of Fruitland Park DRI. All geotechnical information will be forwarded to SWFWMD and the City of Fruitland

Park as part of the design plan submittals. SWFWMD and the Villages of Fruitland Park Land Development Regulations shall be met or exceeded in the design of stormwater management systems.

5. Once the on-site surface water management system is certified by SWFWMD as being in compliance with all permit requirements, the Developer shall conduct regular engineering inspections of the on-site surface water management system as required by applicable permits to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of storm water storage/treatment for which it was designed and intended. The results of the regular inspections shall be signed and sealed by the appropriate professional and included in the Annual Report.

6. In addition to meeting all requirements of the regulatory agencies, the Developer shall implement Best Management Practices (BMPs) to control siltation, soil erosion and prevent turbidity during proximate construction activities. These standards can be achieved by utilizing stacked hay bales and silt screens around the wetland perimeters. All construction shall be designed to meet the standards for NPDES requirements.

7. The Developer, a district, or an affiliate of Developer shall maintain the ~~Only~~ stormwater collection, drainage, and retention facilities ~~necessitated by city roads will be maintained by the City consistent with The Villages of Fruitland Park DRI DO~~within the Project. ~~Any stormwater collection and control structures not within rights-of-way nor easements accepted for maintenance by the City shall be maintained by the Developer, private maintenance entity or a public entity~~. The Developer shall provide to the City perpetual use of the retention areas included in the approved design for discharge of stormwater collected within the road rights-of-way.

E. Wildlife and Vegetation

1. The Environmental Assessment/Wildlife Habitat Management Plan (EA/WHMP) for the Villages of Sumter, dated August 2011 as it may be amended and approved by the Florida Fish and Wildlife Conservation Commission (FWC), is incorporated into this Development Order by reference, and the provisions of said Plan shall be conditions of this Development Order.

2. Site development related activities shall not result in the harming, pursuit or harassment of wildlife species classified as endangered, threatened or of special concern by either the state or federal government in contravention of applicable state or federal laws. Should listed species be determined to be residing on, or be otherwise significantly dependent upon the project site, the Developer shall cease all activities which might negatively affect that individual or population and immediately notify the FWC, and the United States Fish and Wildlife Service (USFWS) (if related to a federally listed species). Proper protection and habitat management, shall be provided by the Developer consistent with Rule 9J-2.041, F.A.C., requirements. "Harming" and "harassment" as used in this condition shall be defined as in 50 Code of Federal Regulations (CFR) Section 17.3.

3. Any revisions to the EA/WHMP shall not be considered an action requiring the filing of a Notice of Proposed Change for an Amendment to the Development Order pursuant to Section 380.06(19), F.S. The Development's Annual Report shall identify any revision(s) to the EA/WHMP that have been proposed by the Developer and approved by the FWC. If a revision(s) has been completed, copies of the complete revised EA/WHMP shall be submitted to the City of Fruitland Park, DEO, the FWC, the United States Fish and Wildlife Service and the ECFRPC on May 1 to serve as

a companion document to the Development's Annual Report consistent with Section III.I of this Development Order.

4. The Developer has and will continue to protect preserved wetland areas (as identified on **Exhibit B**) through the use of best management practices as required by the Villages of Fruitland Park Land Development Regulations and the SWFWMD. Where mitigation is required, it will take place consistent with the standards of SWFWMD and the Villages of Fruitland Park Land Development Regulations. Compliance with NPDES standards will also be maintained as applicable.

F. Historical Preservation

1. In the event of discovery of any archaeological artifacts during project construction, the Developer shall stop construction in that area and immediately notify DEO and the Division of Historical Resources of the Florida Department of State. Proper protection, to the satisfaction of the Division of Historical Resources, shall be provided by the Developer, consistent with Rule 9J-2.043, F.A.C., requirements.

G. Water Supply

1. Potable water shall be provided throughout the project through a centralized potable water system provided by CSU pursuant to a bulk water purchase agreement with the City. New individual potable water wells will not be allowed.

2. Irrigation water shall be provided by the Sumter Water Conservation Authority, LLC or its successors and assigns (SWCA). SWCA shall use the lowest quality water available for irrigation use, in the following order of priority:

a. Excess stormwater

b. Lower quality groundwater

c. Potable water

3. The Developer shall install water savings devices as follows:

a. Minimum flush volume toilets will be standard.

b. Water-saver shower heads will be used where applicable.

c. Automatic shut-off faucets will be used where applicable.

d. Rain or soil moisture sensors will be installed on all irrigation systems.

e. Low-volume irrigation spray heads as well as drip systems will be used appropriately for landscaping.

Formatted: Indent: Left: 0"

4. CSU and SWCA shall continue to implement the Water Conservation Plan (WCP) required by the current Water Use Permit issued by SWFWMD. The WCP may be amended by the Developer following review and approval by the water management district, and copies of the amended WCP shall be transmitted to the previously listed agencies with the next required submittal of the Development's Annual Report as required in Section III.I. of this Development Order. Amendment of the WCP shall not require the filing of a Notice of Proposed Change.

5. At least 75% of the species utilized in the landscaping shall be natural or drought tolerant. The Developer will ensure that all landscaping design and maintenance throughout the development on Developer maintained property conforms to the lawn and landscape practices of the Florida Yards and Neighborhoods Program, as implemented by the University of Florida Cooperative Extension Service.

H. Wastewater

1. Wastewater treatment shall be provided throughout the project through a centralized wastewater system provided by CSU.

2. The Villages of Fruitland Park wastewater treatment provider, CSU, will use advanced secondary treatment with denitrification for treatment of all waste from the Villages of Fruitland Park to reduce nitrate levels in irrigation water.

3. Generally, septic tanks shall not be used at the Development site. However, temporary septic tanks, portable pump-out type toilets, or a temporary package treatment plant may be used for construction activities and other similar temporary activities. Temporary sewer facilities shall be phased out as permanent central facilities become available and when the site in which they are located can reasonably be served by the central sewage system.

I. Solid Waste

1. Solid Waste Disposal Services shall be provided by a City franchised disposal firm or a governmental entity currently providing solid waste collection services. If acceptable to the hauler, in lieu of requirements of Chapter 98 of the City's Code, collection within The Villages of Fruitland Park will be "single stream" recycling and plastic bags rather than containers.

J. Fire

1. The Villages Public Safety Department (VCCDD) Public Safety Department shall extend primary first response for fire suppression within the Development and mutual aid for fire suppression outside the Development provided such extension of service is approved by the City.

2. The VCCDD Public Safety Department or some other Community Development District's Public Safety Department shall extend primary first response for non-transport Advanced Life Support (ALS) Emergency Medical Services within the Development.

3. In consideration of the provision of such services, the City agrees to pay to The Villages Public Safety Department an Annual Fee pursuant to an agreement with the City of Fruitland Park.

4. Water mains and fire hydrants shall be provided by the Developer as required in the applicable portion of the Villages of Fruitland Park Land Development Regulations. Fire flows at all hydrants serving habitable buildings shall be a minimum of 1,000 gpm and shall meet all NFPA standards and the requirements of the Insurance Service Office (I.S.O.) for a Class 8 fire suppression rating.

5. No Certificates of Occupancy shall be issued for a structure unless all water mains and fire hydrants required for fire protection are in service within the phase of development the structures are located.

K. Emergency Management

1. 911 System Management: All emergency calls within the Project will go through Lake County's 911 system for dispatch. ~~The Developer will continue to use the 911 system in place for The Villages of Sumter DRI and will provide information to the 911 Department~~.

L. Air Quality

1. During land clearing and site preparation, the Developer will minimize fugitive dust through wetting operations or other soil treatment techniques appropriate for controlling unconfined particulates, including grass seeding and mulching of disturbed areas, shall be undertaken and implemented by the Developer to comply with DEP air quality standards. The Developer will minimize wind erosion from land clearing and grubbing operations by performing such operations where construction is scheduled to proceed.

2. Air quality modeling, at the Developer's expense, shall be required should any significantly impacted regional transportation facility operate at LOS E or worse, or when peak hour flow within a parking lot equals or exceeds 1,500 vehicles per

hour. The Developer shall comply with the FDEP "Guidelines for Evaluating the Air Quality Impacts of Indirect Sources," January 1988, or amendments thereto.

3. Any required air quality study will be cumulative with The Villages of Sumter DRI, The Tri-County Villages DRI, the Villages of Wildwood DRI and The Villages of Marion FQD.

M. Hazardous Substances

1. The Developer shall incorporate specific language in restrictive covenants running with the land for retail or office space regarding the disposal of hazardous substances in amounts that are within but do not exceed the small quantity generator upper limit as defined in Section 62-730.160, F.A.C., and Chapter 40, CFR, Section 262.44, that these wastes must be disposed of by a hazardous waste transporter.

N. Transportation/Mass Transit

Pursuant to the First Amendment to the Development Agreement between Developer and the Lake County Board of County Commissioners ("County") dated February 17, 2009, the County stipulated that the improvement costs for a portion of CR466 were equivalent to the proportionate fair share due to the County by Developer for future CR466A improvements. Developer has fulfilled their proportionate fair share responsibilities and has no further obligation for improvement costs to CR466A. Notwithstanding the fact that the Developer has no responsibility for improvements to CR466A, the Developer agrees to construct access improvements for the entrance road into The Villages of Fruitland Park Development of Regional Impact, and intersection improvements at Micro Racetrack Road and CR466A, including signalization and the expansion of CR466A to four (4) lanes from the easterly end of the Project west to the Sumter County Line, contemporaneously with the construction of the access improvements, provided the City and/or Lake County has secured easements or right-of-

way dedications necessary to complete such expansion and intersection improvements. If such easements or rights-of-ways are not secured, Developer agrees to construct such expansion and improvements when obtained.

O. Annual Reports

1. The Annual Report, required by Subsection 380.06(18), F.S., and Section III I. of the General Provisions of this Development Order, shall be submitted on May 1st of each year to the City of Fruitland Park, City of Wildwood, Sumter County, Lady Lake, Marion County, DEO, WRPC, ECFRPC, SWFWMD, SJRWMD, FDOT, FWC, FDEP and such additional parties as may be appropriate or required by law. The contents of the Report shall include those items required by this Development Order and by state land planning agency rules.

BE IT FURTHER RESOLVED BY THE FRUITLAND PARK CITY COMMISSION THAT THE FOLLOWING SHALL APPLY;

1. That this Development Order shall constitute the Development Order of The City of Fruitland Park in response to the DRI-ADA filed by the Developer.

2. That, in the event any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order, which shall remain in full force and effect. If this Development Order is in conflict with the Application or with any other documents submitted pursuant to the Project, this Development Order shall prevail.

3. That approval of this Development Order shall not exempt any portion or unit of the Villages of Fruitland Park Development from any future impact fees imposed by the City. Developer credit for applicable improvements paid for by it pursuant to the requirements of this Development Order shall be given as provided for by Section 380.06(16), F.S.

4. That certified copies of this Development Order shall be transmitted immediately by certified mail to ECFRPC, DEO and the Developer by The City of Fruitland Park. The City of Fruitland Park shall also notify the above parties, by certified mail, when the comprehensive plan amendments are deemed in compliance pursuant to Section 163.3189, F.S.

5. This Development Order shall be effective upon the effective date of the Comprehensive Plan Amendment adopted to provide for the Villages of Fruitland Park DRI, provided, however, that filing of a notice of appeal pursuant to Section 380.07, F.S., will stay the effectiveness of this Development Order.

PASSED AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

ATTEST: _____
CHRISTOPHER J. BELL, MAYOR

_____
ESTHER COULSON, CITY CLERK

Vice Mayor Kelly	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Goldberg	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Approved as to form:

_____
Scott A. Gerken, City Attorney

_____
Date

EXHIBITS

Exhibit A - Legal Description

Exhibit B - Master Development Plan, and Land Use Allocation/ Phasing Tables

Exhibit C - Land Use Entitlement Conversion Table

EXHIBIT A

LEGAL DESCRIPTION OF
THE VILLAGES OF FRUITLAND PARK DRI

EXHIBIT B

MASTER DEVELOPMENT PLAN AND
LAND USE ALLOCATION/ PHASING TABLES
JANUARY 2014

EXHIBIT C

LAND USE ENTITLEMENT
CONVERSION TABLE

LEGAL DESCRIPTION – VILLAGES OF FRUITLAND PARK

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,327.16 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 663.90 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID EAST LINE, S00°44'25"W, 8.38 FEET; THENCE DEPARTING SAID EAST LINE, N89°21'10"W 22.00 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 287.58 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH

LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7: THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1,329.81 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4, N00°40'16"E, 2,658.38 FEET TO THE POINT OF BEGINNING.
CONTAINING 777.60 ACRES±

SKETCH FOR DESCRIPTION
(NOT A FIELD SURVEY)

EXHIBIT "A"

SHEET 1 OF 3

LEGAL DESCRIPTIONS:

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,327.16 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 663.90 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID EAST LINE, S00°44'25"W, 8.38 FEET; THENCE DEPARTING SAID EAST LINE, N89°21'10"W 22.00 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 287.58 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1,329.81 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4, N00°40'16"E, 2,658.38 FEET TO THE POINT OF BEGINNING.
CONTAINING 777.60 ACRES±

1/28/14
DATE

WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 3815

GENERAL NOTES

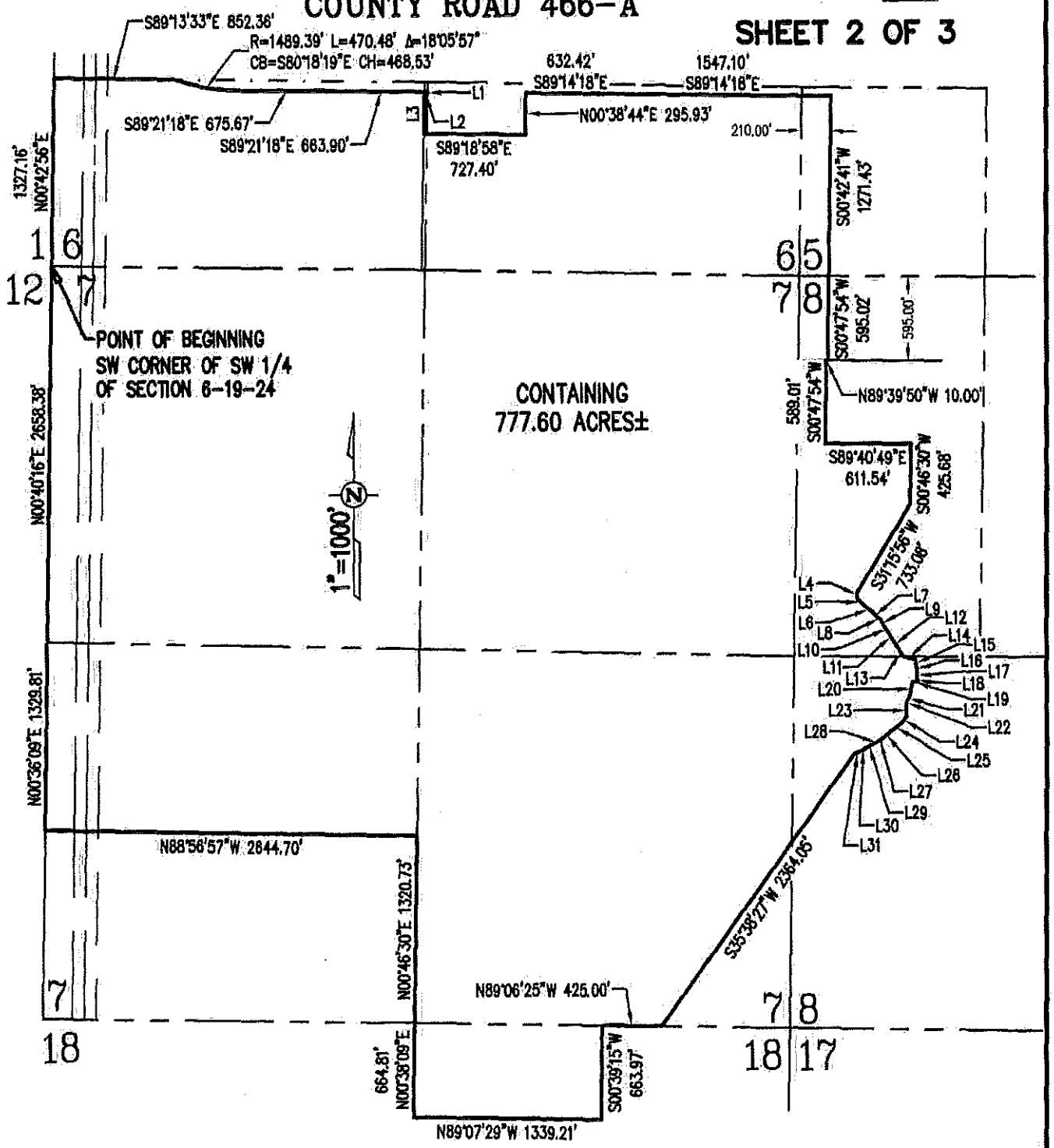
1. *REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*
2. *THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.*
3. *BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AS BEING N00°42'56"E, AN ASSUMED MERIDIAN.*

FARNER BARLEY AND ASSOCIATES, INC.
▲ ENGINEERS ▲ SURVEYORS ▲ PLANNERS
LB 4709
4450 NE 83RD ROAD ▲ WILDWOOD, FL 34785 ▲ (352) 748-3128

S:\SURVEY NEW\SURVEY\LAKE\19-24\SECT 7\931095.0002\PN\BRIDGEDATRY_BDY\PRD MASS GRADING R2.dwg, 1/28/2014 11:05:17 AM, Color 31:10 Surv.pc3

SKETCH FOR DESCRIPTION
(NOT A FIELD SURVEY)

EXHIBIT "A"
SHEET 2 OF 3



GENERAL NOTES

1. *REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*
2. *THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.*
3. *BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AS BEING N00°42'56"E, AN ASSUMED MERIDIAN.*

FARNER BARLEY AND ASSOCIATES, INC.
▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4709
4490 NE 83RD ROAD ▲ WILDWOOD, FL 34785 ▲ (352) 748-3128

S:\SURVEY NEW\SURVEY\LAKE19-24\SECT 7\931093.0001PENRIDGEDAIRY_BDY\PRD MASS GRADING R2.dwg; 1/28/2014 11:01:39 AM, Color 3110 Survey3

SKETCH FOR DESCRIPTION
(NOT A FIELD SURVEY)

EXHIBIT "A"

SHEET 3 OF 3

LINE TABLE		
LINE	LENGTH	BEARING
L1	8.38'	S0°44'25"W
L2	22.00'	N89°21'10"W
L3	287.58'	S0°44'25"W
L4	35.45'	S0°47'54"W
L5	75.41'	S43°54'50"E
L6	80.87'	S49°19'38"E
L7	45.42'	S45°31'17"E
L8	31.06'	S57°57'35"E
L9	46.23'	S27°16'42"E
L10	62.89'	S36°00'06"E
L11	49.91'	S26°28'20"E
L12	80.27'	S32°28'21"E
L13	60.93'	S29°57'55"E
L14	99.18'	S75°47'10"E
L15	55.03'	S7°22'59"E
L16	28.31'	S4°58'53"E

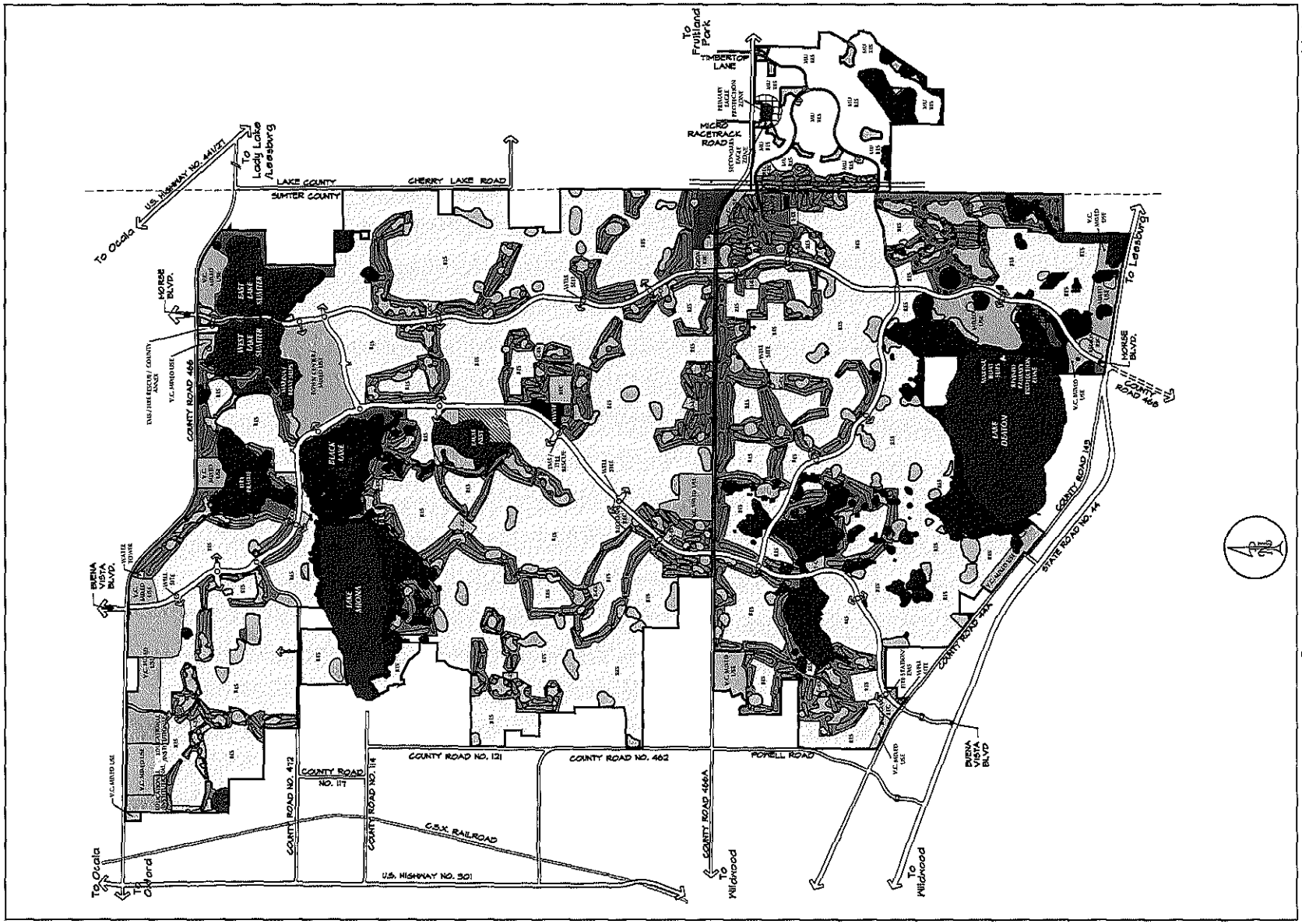
LINE TABLE		
LINE	LENGTH	BEARING
L17	57.52'	S3°51'23"E
L18	15.26'	S3°23'32"W
L19	38.64'	S75°48'45"W
L20	92.40'	S12°05'00"W
L21	41.93'	S24°08'42"W
L22	21.80'	S11°20'47"W
L23	90.73'	S0°21'45"W
L24	53.01'	S40°46'06"W
L25	104.34'	S53°05'55"W
L26	70.59'	S49°53'36"W
L27	37.84'	S48°18'47"W
L28	48.54'	S81°43'23"W
L29	50.56'	S62°49'12"W
L30	52.64'	S59°14'26"W
L31	38.87'	S70°58'32"W

GENERAL NOTES

1. *REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*
2. *THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.*
3. *BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AS BEING N00°42'56"E, AN ASSUMED MERIDIAN.*

FARNER BARLEY AND ASSOCIATES, INC.
▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4709
4450 NE 83RD ROAD ▲ WILDWOOD, FL 34785 ▲ (352) 748-3126

S:\SURVEY NEW\SURVEY\LAKE\19-24\SECT 7\951099.0001PINERIDGEDAIRY_BDY\PRD MASS GRADING R2.dwg, 1/28/2014 11:00:49 AM, Color 3110 Surv



LEGEND

- VILLAGES OF SUMTER DRI BOUNDARY
- COUNTY LINE
- R.O.W.
- RESIDENTIAL
- RETAIL
- MIXED USE: May include one or more of the following: Retail, Service, Office, Hotel, Recreation, Residential, Institutional, Life Care Services (ALF, SNF, ILF)
- MIXED USE RESIDENTIAL May include Residential and Commercial
- EDUCATIONAL/INSTITUTIONAL
- WASTE WATER TREATMENT FAC.
- WATER TOWER / WELL SITE
- HOSPITAL / FIRE STATION / EMS
- REGIONAL / VILLAGE REC CENTER
- GOLF ROUGH
- GOLF GREENS/TEES/FAIRWAYS
- LAKE
- STORMWATER
- BUFFER
- EAGLE, KESTREL & TORTOISE PRES. WILDLIFE CORRIDOR
- R.I.B. SITE
- WETLAND
- EAGLE MANAGEMENT AREA
- ACC CHAMPIONSHIP GOLF COURSE
- A-EX EXECUTIVE GOLF COURSE
- ★ GATE HOUSE

VILLAGES OF FRUITLAND PARK

EIGHTH AMENDMENT TO THE SECOND AMENDED AND RESTATED DEVELOPMENT ORDER VILLAGES OF SUMTER DEVELOPMENT OF REGIONAL IMPACT

JANUARY, 2014

MASTER DEVELOPMENT PLAN

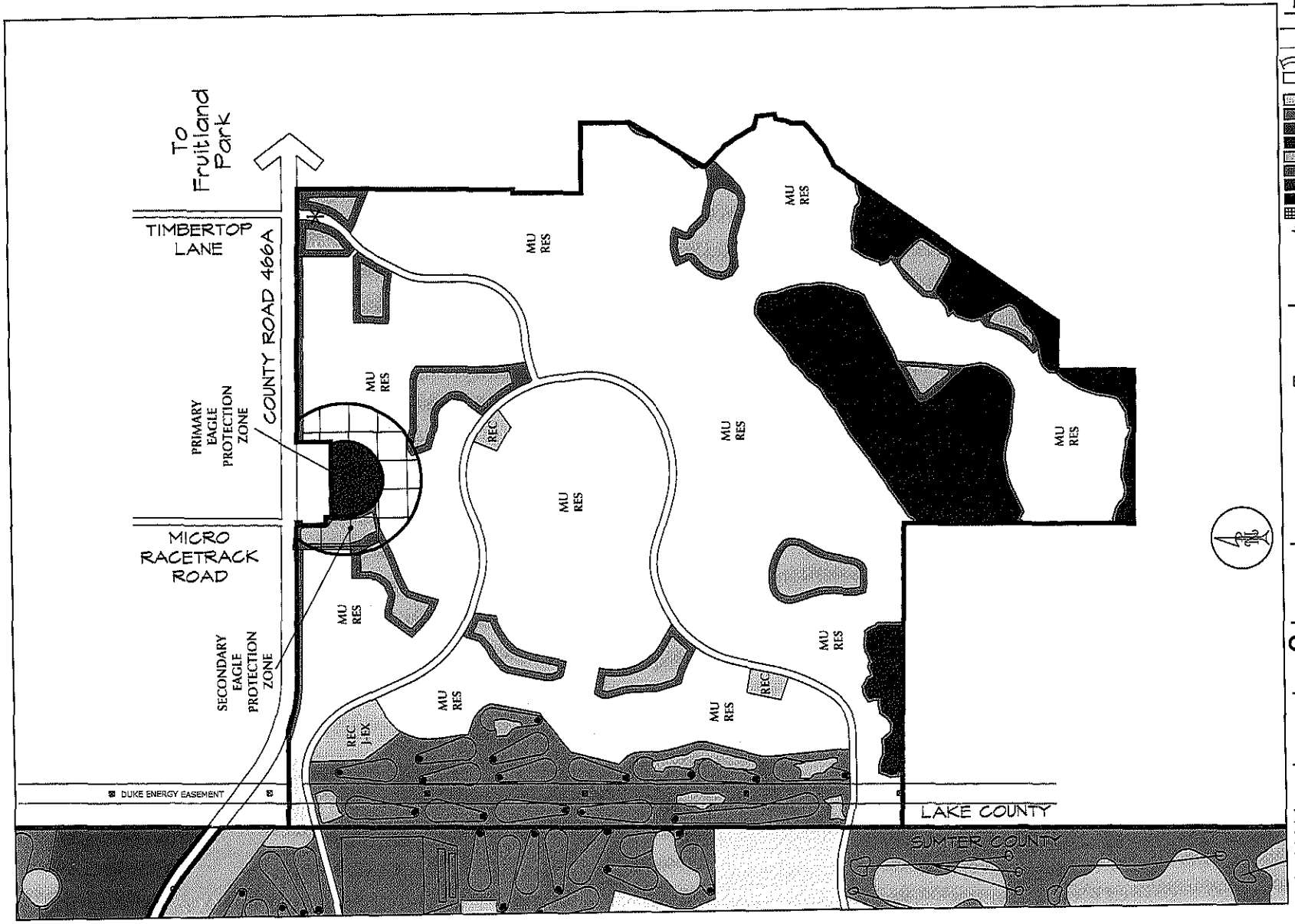
The Villages
1020 Lake Sumter Landing
The Villages, Florida 32162

Arnett Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1398
Certificate of Authorization Number: 27495

0 3600 7200 10800 14400
SCALE IN FEET

Job number:	
File name:	MAP H
Date:	01-27-14
Drawn by:	KMK
Checked by:	SRV
Revisions:	

EXHIBIT



LEGEND

- VILLAGES OF SUMTER DRI BOUNDARY
- COUNTY LINE
- MINOR COLLECTOR ROADS
- MIXED USE RESIDENTIAL (May include Residential and Commercial)
- REGIONAL / VILLAGE REC CENTER
- GOLF ROUGH
- GOLF GREENS/TEES/FAIRWAYS
- LAKE
- STORMWATER
- BUFFER
- PRESERVE
- WETLAND
- SECONDARY PROTECTION ZONE
- J-EX EXECUTIVE GOLF COURSE
- GATE HOUSE

VILLAGES OF FRUITLAND PARK

EIGHTH AMENDMENT TO THE SECOND AMENDED AND RESTATED DEVELOPMENT ORDER VILLAGES OF SUMTER DEVELOPMENT OF REGIONAL IMPACT

JANUARY, 2014

MASTER DEVELOPMENT PLAN

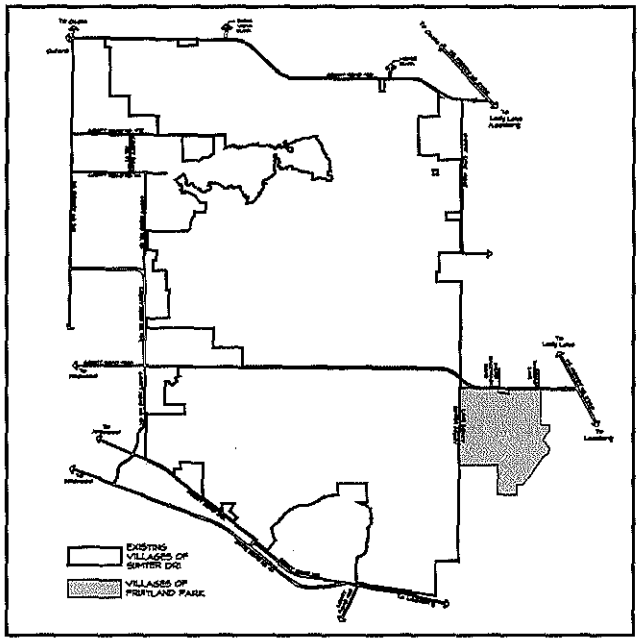
The Villages
1020 Lake Sumter Landing
The Villages, Florida 32162

Arnett Environmental, LLC
1935 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number: 27495

0 800 1600 2400 3200
SCALE IN FEET

Job number:	
File name:	MAP H
Date:	01-27-14
Drawn by:	KMK
Checked by:	SRV
Revisions:	

MAP H



Villages of Fruitland Park - Land Use Allocation

LAND USE	VILLAGES OF FRUITLAND PARK					
	ACREAGE	UNITS	NON-RESIDENTIAL GROSS SQUARE FEET	OTHER	NET DENSITY D.U/AC. AMENDED VOS	PERCENT OF TOTAL ACRES
MIXED USE RESIDENTIAL	517	2,050			4.0	66.2
CLUBHOUSES / VILLAGE REC. CENTERS	6					0.8
GOLF COURSES	69					8.9
HOLES				15		
CONSERVATION (WILDLIFE / PRESERVATION & MANAGEMENT AREAS)	6					0.8
WETLANDS	77					9.9
COLLECTOR ROADS	19					2.4
PARKS / OPEN SPACE/ BUFFERS	43					5.5
STORMWATER	43					5.5
TOTAL	780					100

NOTE: ACREAGES SHOWN ARE ROUNDED TO THE NEAREST WHOLE NUMBER AND SUBJECT TO CHANGE BASED ON SURVEY AND ENGINEERING.
INDIVIDUAL ACRE PERCENTAGES ARE ROUNDED AND MAY NOT TOTAL 100%.

VILLAGES OF FRUITLAND PARK
EIGHTH AMENDMENT TO THE SECOND AMENDED AND RESTATED DEVELOPMENT ORDER VILLAGES OF SUMTER DEVELOPMENT OF REGIONAL IMPACT

JANUARY, 2014

MASTER DEVELOPMENT PLAN

The Villages
1020 Lake Sumter Landing
The Villages, Florida 32162

Arnett Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1298
Certificate of Authorization Number: 27462

Job number:	
File name:	MAP H-1
Date:	01-28-14
Drawn by:	KMK
Checked by:	SRV
Revisions:	

MAP H-1

Exhibit C

Land Use Conversion Table

Land Use		Residential (D.U.)	Retail (sq. ft.)
Residential	1 d.u. is equivalent to	1	101
Retail	1,000 sq. ft. is equivalent to	9.875	1,000

AGENDA ITEM NUMBER
7m

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Agreement - Bulk Potable Water**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Attorney				
Date Submitted:	May 5, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: An agreement with Central Sumter Utility Company for bulk potable water.					
Action to be Taken: Approve					
Staff's Recommendation: Approval.					
Additional Comments: None.					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7n

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Agreement – Water Plant Improvements**				
For the Meeting of:	May 8, 2014				
Submitted by:	City Attorney				
Date Submitted:	May 5, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: An agreement with The Villages of Lake-Sumter Inc.					
Action to be Taken: Approve					
Staff's Recommendation: Approval.					
Additional Comments: None.					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

AGENDA ITEM NUMBER
7o

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Municipal Service Taxing Unit**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Second reading and public hearing of Ordinance 2014-010 amending 2013-002 to renew the countywide Municipal Service Taxing Unit (MSTU) for ambulance and emergency medical services. The consent was for a period of one year and will expire on July 12, 2014.					
Action to be Taken: Approval.					
Staff's Recommendation: Approval.					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2014-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF ONE (1) YEAR; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake County has created a non-profit corporation to provide ambulance services in Lake County; and

WHEREAS, Lake County has determined that the best mechanism to secure the necessary funding to provide said ambulance service is to create a county-wide municipal service taxing unit authorizing the County to levy ad valorem taxes therein for the provision of ambulance and emergency medical services, and has enacted an ordinance creating that municipal service taxing unit; and

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides that the boundaries of a municipal service taxing unity may include all or part of the boundaries of a municipality if the affected municipality consents, by ordinance, to be included therein; and

WHEREAS, the City Commission of the City of Fruitland Park previously determined, as set forth in Ordinance 2013-002, that it is in the best interest of and served the health, safety and general welfare of the residents of Fruitland Park to include the City of Fruitland Park within the Lake County municipal service taxing unit for ambulance and emergency services; and

WHEREAS, Lake County's ordinance expressed its intent to include the City of Fruitland Park within the boundaries of the "Lake County Municipal Service Taxing Unity for Ambulance and Emergency Medical Services," subject to the adoption of an approving ordinance by the City Commission of the City of Fruitland Park; and

WHEREAS, the consent as set forth in approving Ordinance 2013-002 is due to expire on July 12, 2014; and

WHEREAS, the City Commission of the City of Fruitland Park desires to extend such consent for an additional one (1) year term.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA:

Section 1. The City Commission of the City of Fruitland Park hereby consents to the inclusion of the City of Fruitland Park within the boundaries of the "Lake County Municipal Service Taxing Unit for Ambulance and Emergency Medical Services."

Section 2. This consent shall be effective until July 12, 2015; thereby extending the consent term as previously approved in City Ordinance 2013-002 for an additional one (1) year.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

Section 4. This Ordinance shall be codified and included in the Municipal Code by the appropriate party. The section of this ordinance may be renumbered or relettered, and the word "Ordinance" may be changed to "Section", "Article", or other appropriate designation.

Section 5. This Ordinance shall take effect immediately upon final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED and ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

_____
CHRISTOPHER J. BELL
Mayor

ATTEST:

_____
Esther Coulson
City Clerk

Vice-Mayor Goldberg _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Kelly _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____

Approved as to form:

_____
SCOTT GERKEN
City Attorney

AGENDA ITEM NUMBER
7p

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	**Golf Carts Ordinance**				
For the Meeting of:	May 8, 2014				
Submitted by:	Gary La Venia, City Manager				
Date Submitted:	May 1, 2014				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item: Second reading and public hearing on Ordinance 2014-011 to repeal the fee portion and delete the registration process.					
Action to be Taken: Enact Ordinance 2014-011.					
Staff's Recommendation: N/A					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE NO. 2014-

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73.04 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; SPECIFICALLY DELETING PROVISIONS REGARDING GOLF CART AND LOW SPEED VEHICLE INSPECTIONS AND FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park City Commission passed Ordinance 2012-018 allowing the use of golf carts and low speed vehicles on certain roadways under certain conditions; and

WHEREAS, the City of Fruitland Park City Commission passed Ordinance 2012-___ which imposed certain additional restriction regarding the operation of golf carts within the City; and

WHEREAS, the City of Fruitland Park City Commission desires to further amend City Code Chapter 73 to delete certain requirements relating to the operation of golf carts and low speed vehicles, including required permits and fees; and

WHEREAS, the City of Fruitland Park City Commission accordingly finds and determines that it is in the best interests of the City to pass this Ordinance 2014-___.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. Chapter 73.04 of the City of Fruitland Park Code of Ordinances is hereby amended to read as follows:

Sec. 73.04. Requirements applicable to low-speed vehicles and golf carts.

(1) Before low-speed vehicles and golf carts may be operated under this section, the owners thereof must purchase and maintain liability insurance insuring against personal injury and damage to property of any nature relative to the operation of the same on the designated public roads and streets. The minimum required insurance will be the same as applicable for motor vehicles registered in the State of Florida for personal use.

(2) Low-speed vehicles and golf carts shall comply with all local and state traffic laws, and may be ticketed for traffic violations in the same manner as motor vehicles.

~~(3) Before low-speed vehicles and golf carts may be operated under this section, the owners thereof shall execute a hold harmless agreement releasing the city from any liability arising out of the operation of golf carts and low-speed vehicles on the designated public roads and streets, and such form shall be provided by the city manager or designee.~~

~~(4) Before golf carts and low-speed vehicles may be operated under this section, the owners thereof shall ensure an inspection of the golf cart or low-speed vehicle is completed. The city commission may, by resolution, establish a fee and otherwise regulate such inspections. Provided the inspection is satisfactory and the requirements of Chapter 73 of the City Code of Ordinances are met, the Fruitland~~

~~Park Police Department shall issue a satisfactory inspection decal (the "Decal"). The owner of the golf cart or low-speed vehicle shall display such decal on the golf cart or low-speed vehicle at all times~~.

Section 2. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This Ordinance shall become effective immediately upon passing.

Section 4. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

PASSED AND ORDAINED this _____ day of _____, 2014, by the City Commission of the City of Fruitland Park, Florida.

_____
Christopher J. Bell, City Mayor

ATTEST:

_____
ESTHER COULSON, CITY CLERK

Commissioner Kelly	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor Goldberg	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunther	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading_____
Passed Section Reading_____

Approved as for form:

_____
Scott A. Gerken, City Attorney

ORDINANCE NO. 2012-025

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; PROVIDING AGE RESTRICTIONS ON OPERATORS OF GOLF CARTS WITHIN THE CITY; PROVIDING FOR ENFORCEMENT MEASURES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park City Commission passed Ordinance 2012-018 allowing the use of golf carts and low speed vehicles on certain roadways under certain conditions; and

WHEREAS, the City of Fruitland Park City Commission desires to amend Ordinance 2012-018 to impose certain restrictions regarding the age of operators of golf cars within the City; and

WHEREAS, the City of Fruitland Park City Commission further desires to amend Ordinance 2012-018 to provide for measures available to the City to enforce the terms of Ordinance 2012-018 and this Ordinance 2012- ; and

WHEREAS, the City of Fruitland Park City Commission desires to identify the roadways on which golf carts may be utilized within the City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. Section 73.03 of the City of Fruitland Park Code of Ordinances is hereby amended to read as follows:

Section 73.03. Golf carts.

(1) Golf carts may be operated within the city limits where the posted speed limit is thirty (30) miles per hour or less on such streets designated therein. Such signage shall reference this Ordinance as required by F.S. s. 316.212(8).

(2) All golf carts operated within the city limits of Fruitland Park shall be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, red reflectorized warning devices in both the front and rear, headlights, brake lights, turn signals, and a windshield.

(3) Golf carts so equipped may be operated at anytime during the day or night.

(4) Drivers of a golf cart must be at least fifteen ~~ourteen~~ (154) years old. Any drivers of golf carts who are between the ages of fifteen (15) and seventeen (17) must possess either a valid driver's license or a valid learner's permit. –The number of occupants of a golf cart must equal the number of seats of such golf cart. No person is to stand while the golf cart is in motion.

(5) Operators of golf carts who are at least eighteen (18) years old are not required to possess a driver's license. Notwithstanding anything herein to the contrary, however, any individual whose driver's license has been suspended or revoked due to an incidence of driving under the influence may not operate a golf cart within the City unless and until the suspension or revocation of his or her driver's license is lifted.

Section 2. Section 73.05 of the City of Fruitland Park Code of Ordinances is hereby amended to read as follows:

Section 73.05. Enforcement.

The City of Fruitland Park shall have the authority to enforce the provisions set forth herein and applicable traffic and parking laws. Specifically, the City of Fruitland Park's enforcement of Ordinance 2012-018 and this Ordinance 2012- includes, but is not limited to, issuing notices of violation and processing such violations through the City's Code Enforcement procedures and the revocation of the ability to operate a golf cart within the City.

Section 3. Golf carts may be utilized in accordance with all applicable rules and regulations on the roadways shown on Exhibit "A," attached hereto and incorporated herein by reference. Golf carts may not be operated on County Road 468, County Road 466A, U.S. Highway 441/27, and North Dixie Avenue unless such use is at a designated crossing with signage indicating such crossing is permitted.

Section 4. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. This Ordinance shall become effective immediately upon passing.

Section 6. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

PASSED AND ORDAINED this _____ day of _____, 2012, by the City Commission of the City of Fruitland Park, Florida.

_____
Christopher J. Bell, City Mayor

ATTEST:

_____
Diane Gibson Smith,CMC, MBA, CITY CLERK

Passed First Reading_____
Passed Section Reading_____

Approved as for form and legality:

_____
Scott A. Gerken, City Attorney