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## **EXECUTIVE SUMMARY**

## **DEFINITIONS**

### **Text to Come**

**{The existing WRPA definitions to be retained and other appropriate definitions should be placed here.}**

Clustering shall be defined to mean a development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, the creation of common contiguous expanses of open space and the protection of environmentally sensitive areas.

## **ABBREVIATIONS**

BCC	Board of County Commissioners	FLUE	Future Land Use Element
CEA	Community Enhancement Area	FLUM	Future Land Use Map
CDBG	Community Development Block Grant	FS	Florida Statutes
CIP	Capital Improvement Program	GSACSC	Green Swamp Critical Area of State Concern
COA	Condition of Approval	HUD	US Department of Housing and Urban Development
DIA	Data, Inventory and Analysis	JPA	Joint Planning Area
DRI	Development of Regional Impact	LDR	Land Development Regulations
EAR	Evaluation and Appraisal Report	NRSA	Neighborhood Revitalization Strategy Area
FAC	Florida Administrative Code	PUD	Planned Unit Development
FDEP	Florida Department of Environmental Protection	TDR	Transfer of Development Rights
FEMA	Federal Emergency Management Agency	TND	Traditional Neighborhood Development
FFWCC	Florida Fish and Wildlife Commission	WMD	Water Management District
FLU	Future Land Use	WPPA	Wekiva Parkway and Protection Act
FLUC	Future Land Use Category	WRPA	Wekiva River Protection Area
		WSA	Wekiva Study Area

## **GOAL FLU 1**

### **The goal of the FLUE is for the character and location of land uses to:**

Promote conservation of Lake County's natural and cultural resources;

Provide public facilities and services concurrent with the impacts from development and comply with adopted minimum levels of service standards;

Maximize economic benefits for existing and future citizens;

Promote compact growth and development pattern that establishes a clear delineation between urban and rural land uses; and

Minimize detrimental impacts to health, safety and welfare that are caused by environmental degradation, nuisances and incompatible land uses.

## **OBJECTIVE 1.0 ESTABLISH A SMART GROWTH FRAMEWORK**

Lake County shall establish a smart growth framework to provide for the efficient provision of services, use of innovative planning techniques, a variety of transportation and housing options, protection of the environment, and a sustainable diversified economy.

### **ADOPTED FUTURE LAND USE MAP SERIES**

The framework plan for future land use within Lake County shall be depicted through the adoption of the Future Land Use Map (FLUM) series. The FLUM shall be comprised of the following exhibits:

Exhibit	Title
X	Conservation and Trails Corridors
X	FLUM Atlas
X	Rivers, Lakes and Flood Plains
X	General Soils and Minerals
X	Joint Planning Areas
X	Aquifer Recharge Areas Existing and planned public potable water wells and wellhead protections area.
X	Resource Protection Areas
x	Wetlands

X	Wekiva Map Series
X	GSACSC
X	Emerelda Marsh
X	Overlays Map

### **ENCOURAGE DENSITY WITHIN EXISTING CENTERS**

Land use patterns delineated in the Future Land Use Map shall promote orderly, compact growth. The County shall encourage growth within urban areas where public facilities and services are presently in place and discourage growth within rural areas.

Higher intensity commercial and higher density residential infill development shall be encouraged within existing urbanized areas of the County.

### **CONSISTENCY BETWEEN FUTURE LAND USE AND ZONING**

The County shall regulate land use activities within the Future Land Use categories and overlay areas illustrated on the Future Land Use map and described within the Comprehensive Plan through the implementation of zoning districts. Zoning districts shall be defined within the LDRs, and a zoning map produced that depicts the demarcation of each zoning district. The maximum density and intensity established for each zoning district shall not exceed the density or intensity provided for by the corresponding Future Land Use category. A Future Land Use Map amendment shall be required in order to amend the boundary of a future land use category, when a proposed use exceeds the allowable density or intensity for the future land use category, or when a proposed use is not within a zoning district allowed with the existing future land use category.

### **INTERPRETATION OF RESIDENTIAL DENSITY**

Maximum residential density, expressed as “dwelling units per net acre”, shall be defined as the total allowable number of dwelling units that may be constructed on the “net buildable area” of a parcel. “Net buildable area” shall be defined as the total area of a parcel, less wetlands and water bodies. In addition to the aforementioned allowance, one (1) additional dwelling unit may be built within the net buildable area of a parcel for every five (5) acres of wetlands on the entire subject parcel. The total number of dwelling units that may be built on a parcel of land is therefore calculated as follows:

Notwithstanding this, within the Green Swamp Area of Critical State Concern, only one (1) additional dwelling unit may be built within the net buildable area of a parcel for every twenty (20) acres of wetlands on the subject parcel.

### **INTERPRETATION OF MAXIMUM DENSITY AND INTENSITY ALLOCATIONS IN FUTURE LAND USE CATEGORIES**

The maximum density or intensity provided for within a Future Land Use category shall not be construed as a guaranteed right or entitlement. The application of the goals, objectives, and policies within the Comprehensive Plan and zoning, subdivision, and site plan review criteria and procedures contained within the LDRs shall assure that the specific density or intensity assigned to a development project or parcel of land is compatible with established development patterns, protects natural resources, and provides an equitable use. Criteria to be considered in allocating the specific density and intensity through zoning shall include, but not be limited to, the following:

Presence of onsite and adjacent natural resources or environmentally-sensitive features such as surface waters, wetlands, tree canopy, upland habitat, listed species, wildlife corridors, and karst features.

Floodplain and flood hazards

Neighborhood compatibility, cohesiveness and stability of established community character

Compatibility to abutting land uses such as residential development or public conservation land

Availability of infrastructure and services

Zoning overlay policies or special criteria contained within the Comprehensive Plan or LDRs specific to the area

### **RESERVATION OF FACILITIES AND SERVICES**

The County shall require that an applicant requesting an amendment to the Future Land Use Map demonstrate that all facilities or service capacities are currently available or shall be available after the implement of scheduled capital improvements to meet general needs of the proposed land use. A future land use amendment 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 that a development project will place on capacity.

The County shall require the issuance of a Certificate of Level of Service compliance prior to the approval of any of the following Development Orders:

DRI, Florida Quality Development;

Preliminary Site Plan approval; and

Subdivision Plats.

By 2007, the County shall implement a program/economic model to evaluate the long-term economic impacts of proposed Future Land Use Map amendments.

By 2007, the County shall establish a schedule for the phasing of large-scale residential development to ensure the coordination of community needs including but not limited to education, jobs and housing.

Cumulative traffic analysis shall be conducted for the proposed Future Land Use Map amendment and must consider other proposed FLUM amendments.

The County shall publish an annual report for the purposes of planning analysis, which tabulates the number of development orders by type, acreage, location, density, and /or intensity. By tracking zoning and subdivision approvals, building permits, and other development orders, it will be possible to determine the amount, rate, and location of new development orders, and it will be possible to determine the amount, rate, and location of new development by type.

### **ADOPT LAND DEVELOPMENT REGULATIONS**

The County shall adopt and maintain a set of specific and detailed LDRs that implement and are consistent with the goals, objectives and policies of the Comprehensive Plan. The LDRs at a minimum shall address the following:

Zoning and the subdivision of land,

Incentives to encourage growth in areas that will minimize and mitigate development's negative impacts on the natural and aesthetic environment and to encourage preservation of rural areas

Standards for development including but not limited to permitted uses, floor area, building height, architecture, setbacks, parking, access, lighting, landscaping, signage, sidewalks, tree protection, open space, and buffers, walls, or screening

Transfer of development rights

Development and site design standards to ensure preservation of natural resources including but not limited to surface waters, wetlands, wildlife, sensitive natural habitat, aquifer recharge, springsheds, and karst features

Tree preservation and/or replacement; native vegetation

Dedication of land and/or facilities for active and passive recreation

Floodplain management and regulation of areas vulnerable to flooding

Stormwater, drainage, erosion and sedimentation control

Water conservation measures and **Florida Friendly**, "right plant in the right place" landscaping

Excavation and mining operations

Provision of public facilities including but not limited to potable water, sanitary sewer, reclaimed water, gas and electric utilities; and emergency services

Minimum standards for water wells and septic tanks

Fire prevention, building, and electric codes, health and sanitation

Circulation, access, and parking for various modes of transportation

Requirements regarding implementation and enforcement of the Concurrency Management System, including level of service standards, prior to issuance of a development order or permit.

Criteria for a littoral protection zone for lake front areas and wetlands

Criteria for protection of historically significant structures and sites which merit protection

## **WATER AND SEWER SERVICE CONNECTIONS**

The County shall encourage compact development and ensure that future urban development occurs in a contiguous fashion through the detailed requirements of policies within the Potable Water and Sanitary Sewer Elements. Central water and sewer services are not intended nor required for areas within the Rural Land Use Series, provided however that property within the **High Density Rural** future land use category adjacent to urban areas shall be encouraged to connect to central services if available. Otherwise central services should only be provided within the Rural Land Use Series if the absence of such facilities would result in a threat to public health or safety.

## **INNOVATIVE PLANNING TECHNIQUES**

The County shall develop and enforce innovative planning techniques and LDRs designed to protect residential neighborhoods, enhance the economic viability of the community, promote the efficient use of infrastructure, including transportation, and preserve natural resources. The FLUM series embodies strategies designed to protect the rural character of the County, build long-term community value, discourage urban sprawl, and ensure that public facilities and services are provided in the most cost-effective and efficient manner.

In addition to implementing the location policies and standards set forth herein, the County shall ensure that properties assigned the planned commercial classification maintain the internal consistency and integrity of the Comprehensive Plan. The Comprehensive Plan and FLUM shall explicitly protect:

Residential uses and neighborhoods;

Public Lands, including local, state and federal public lands

Trails and Parks, including local, state and federal parks, and national scenic trails

CDBG Target Areas;

CEAs;

Entranceways or gateways into the County and roadway corridors which serve as residential or commercial hubs.

The provision of quality communities and jobs to the residents of the County.

Rural Lands Stewardship Program

## OBJECTIVE 2.0 FUTURE LAND USE CATEGORIES

Lake County shall establish FLUCs that reflect the grouping of compatible types of land uses, provides sufficient acreage to meet the projected growth, the suitability of land for development and redevelopment, recognizes existing land uses, and provides guidance in preparing and updating the LDRs.

To implement the County's FLU Plan to achieve an appropriate balance between public and private interests in the:

Protection of the environment;

Creation of favorable economic conditions;

Provision of adequate housing;

Provision of adequate services and facilities;

Maintenance of established residential neighborhoods;

Promotion of compact growth;

Protection of rural and agricultural areas; and

Protection of private property rights.

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
<b>RURAL LAND USE SERIES</b>			
Rural Low Density (RLD)	Rural residential Public and private parks and recreation facilities Churches,	1 DU/5 net acres max	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
	<p>Agricultural operations and attendant structures, greenhouses, nurseries and silviculture</p> <p>Schools</p> <p>Uses requiring a conditional use permit include peat mines, sand mines, adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills and utilities</p>		
Rural Medium Density (RMD)	<p>Rural residential</p> <p>Public and private parks and recreation facilities</p> <p>Churches,</p> <p>Agricultural operations and attendant structures, greenhouses, nurseries and silviculture</p> <p>Schools</p> <p>Uses requiring a conditional use permit include adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills and utilities</p>	1 DU/3 net acres max	
<b>URBAN LAND USE SERIES</b>			
Very Low Density (VLD)	<p>Single family residences (clustering may be required to protect the environment and ensure compatibility between urban and lower density rural land uses)</p> <p>Public and private parks and recreation facilities</p> <p>Churches,</p> <p>Schools</p> <p>Uses requiring a conditional use permit include adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills and utilities</p>	1 DU/net acre max	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
Low Density Residential (LDR)	<p>Single family residences</p> <p>Duplexes and town homes designed to ensure compatibility with neighboring single family residences</p> <p>Schools</p> <p>Uses requiring a conditional use permit include group homes, churches, day cares, guest cottages, home occupation, utilities, and public parks and recreational areas</p>	2.5 DU/1 net acre max	
Medium Density Residential (MDR)	<p>Single family residences, patio homes, duplexes and townhouses</p> <p>Conversion of existing residential to residential professional offices</p> <p>Schools</p> <p>Uses requiring a conditional use permit include group homes, churches, day care, guest cottages, home occupation, hospitals, convalescent and nursing homes, accessory office uses, utilities, and public parks and recreational areas</p>	4 DU/1 net acre max	
Medium-High Density Residential (MHDR)	<p>Single family residences, patio homes, duplexes and townhouses, and multifamily,</p> <p>Boarding and lodging houses</p> <p>Conversion of existing residential to residential professional offices</p> <p>Schools</p> <p>Uses requiring a conditional use permit include group homes,, churches, day care, guest cottages, home occupation, hospitals, convalescent and nursing homes, accessory office uses, utilities, and public parks and recreational areas</p>	6 DU/1 net acre max	
High Density	Single family residences, patio	Minimum density of 4 DU/net	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
Residential (HDR)	homes, duplexes and townhouses, and multifamily, Boarding and lodging houses Schools Uses requiring a conditional use permit include group homes, churches, utilities, hospitals, convalescent and nursing homes, accessory office uses, and public parks and recreation areas	acre max, maximum density of 12DU/1 net acre max	
Higher Intensity Development District (HIDD)	Target businesses and industries as identified by the Board of County Commissioners Manufacturing, distribution and industrial Duplexes, townhouses, and multifamily residential Commercial Office Schools	Minimum density of 4 DU/net acre minimum, maximum of 12 DU/net acre max  FAR=0.5-2.0	
Mixed Use Development District (MXD)/ Traditional Neighborhood Development (TND)	Mixed use in a planned district, including: Public Civic Workplace, including office and commercial Residential	Minimum of 4 DU/net acre minimum, maximum of 12 DU/net acre  FAR=0.5-2.0	
Office (O)	Conversion of residential to low intensity professional office General office and limited commercial that supports the Office land use including but not limited to financial institutions Light manufacturing, Laboratories, Nursery schools, libraries, and day care centers Institutes of higher learning, colleges and universities Uses requiring a conditional use permit include hospitals, funeral	FAR=0.25-0.50	

Table 1 – Future Land Use Categories

CLASSIFICATIONS	PERMITTED USES	DENSITY/ INTENSITY	LOCATION
	homes, medical clinics, utilities and service structures		
Commercial (C)	<p>Neighborhood convenience store Community, regional and sub-regional shopping centers Retail sales and commercial services Highway oriented businesses Amusement and commercial recreation within enclosed building Day care and nurseries Schools Hotels and Motels</p> <p>Uses requiring a conditional use permit include contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes</p>	FAR=0.25-1.5	
Industrial (IND)	<p>Light manufacturing industry Distribution and terminals Automobile repair shops Warehousing Wholesale greenhouse Lumberyards and machinery sales Paint and body shops Trade shops and schools Publishing plants Public buildings Stockyards</p> <p>Uses requiring a conditional use permit include utilities, service stations, hospitals, nursing homes, heliports and airports</p>		
Public/Quasi-Public/Institutional (INS)	<p>Public and private recreation, education and library facilities Schools Public safety facilities</p>		

Table 1 – Future Land Use Categories

<b>CLASSIFICATIONS</b>	<b>PERMITTED USES</b>	<b>DENSITY/ INTENSITY</b>	<b>LOCATION</b>
	Utilities		
Recreation (REC)	Public and private open space County and municipal parks, community parks Recreational facilities		
Conservation (CONS)	Local, state and federal public lands such as passive parks, preserves, reserves, forests, and wildlife management areas Water management areas held by SJRWMD or SFWMD Private land protected in perpetuity by conservation easement held by a public agency or private non-profit conservation entity Special exceptions including nature centers and facilities associated with passive recreation	See policy XXXX	
LIST ALL CATEGORIES HERE, INCLUDING THE WEKIVA AND GREEN SWAMP FLUCS			
<b>OVERLAYS</b>	<b>PERMITTED USES</b>	<b>DENSITY/INTENSITY/OTHER DEVELOPMENT STANDARDS</b>	
Historic Village	See Policies XXXX	See Policies XXXX	
Mt. Plymouth-Sorrento	See Policies XXXX	See Policies XXXX	
Green Mountain Scenic Byway Overlay	See Policies XXXX	See Policies XXXX	
Gateway Overlay District	See Policies XXXX	See Policies XXXX	
Neighborhood Revitalization Strategy Areas	See Policies XXXX	See Policies XXXX	

## **FUTURE LAND USE CATEGORY – RURAL LAND USE SERIES**

In addition to the designations assigned to the GSACSC and WRPA, the County has established three similar, yet very distinct, FLUCs assigned to the Rural Area of Lake County as depicted in Future Land Use Series. This series of land use designations is hereby designated the "Rural Land Use Series" and is made up of the "Conservation", "Rural Low Density" and "Rural Medium Density," and "Rural Transition" FLUCs.

These three land use designations are intended to work in harmony to maintain the rural character, lifestyle and agricultural potential of certain areas of Lake County. The creation of these land use designations also benefits the public by providing for an area in Lake County in which a reduced level of investment for public facilities is required and, accordingly, less public demands and expectations relating to such facilities.

Additionally, the creation of these land use designations will assist the County in implementing its overall Plan strategies to maintain the rural character and lifestyle of certain areas in the County and promote the protection of agricultural uses and the environment. Developments of Regional Impact are not consistent with the Rural Land Use Series and shall be discouraged from the Rural Land Use Series.

### **CONSERVATION SUBDIVISION DESIGN**

Lake County shall require clustering and use of other Conservation Subdivisions techniques, as a tool to preserve the values of rural land. Lake County shall update the LDRs by December 31, 2007 to provide design options and guidelines for the development of Conservation Subdivisions in the Rural Future Land Use Series that the following principles:

Maximize the creation of common open space for the preservation of wildlife, habitat, and aquifer recharge, and to provide for passive recreational use consistent with these purposes.

Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties.

Minimize alteration of the natural landscape and terrain using design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and Florida Friendly landscaping.

Preserve open space permanently in rural residential areas;

Preserve natural amenity areas;

Preserve evening dark skies through lighting ordinances;

Enhance the rural character of the area;

Ensure that development along roadway corridors improves or protects the visual character of the corridor; and

Implement water conservation techniques such as Florida Friendly landscaping, limiting turf grass and the size of areas requiring irrigation, and providing for the use of reclaimed water.

To better judge the impacts of Conservation Subdivisions on the demands for services and the effects of coordinating protected open space, the County may phase the implementation of Conservation Subdivisions by FLUC. The County shall define various FLU categories in which Conservation Subdivisions are allowed, the minimum percentages of tract(s) to be protected as contiguous open space percentages, and provisions for continuous maintenance of the open space.

The conservation subdivision regulations are intended to affect the location of the number of dwelling units authorized by the FLUC and not serve as a vehicle for increasing the lot yield above the number of units authorized by the designated rural land use designation.

## **RURAL LOW DENSITY**

The Rural Low Density Future Land Use Designation allows rural residential development at densities equal to or less than one (1) dwelling unit per five (5) net buildable acres, agricultural and attendant uses. This land use is established to allow residential development on large lots and accommodate the continuation of agricultural pursuits to:

Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of rural community;

Permit horses and other livestock on large residential lots;

Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and

Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

### **Uses:**

The Rural Low Density FLUC permits the following uses:

Rural single family residential;

Publicly and privately owned parks and recreation facilities;

Churches, country clubs (over 10 acres in size) and home occupations;

Family farms;

Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;

Schools; and

Uses requiring a conditional use permit include peat mines, sand mines, adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills, and utilities.

### **Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

## **RURAL MEDIUM DENSITY**

The Rural Medium Density Future Land Use Designation allows rural residential development at densities equal to or less than one (1) dwelling unit per three (3) net buildable acres, agricultural and attendant uses. This land use is established to allow residential development on large lots and accommodate the continuation of agricultural pursuits to:

Maintain the rural character of the area by developing at a very low intensity, by encouraging large areas to be left in a natural or open state, by reducing road congestion and the need for commercial services, urban public services and other uses beyond the needs of a rural community;

Permit horses and other livestock on large residential lots;

Minimize conflicts with agricultural operations (e.g., traffic congestion, noise, odor and visual conflicts); and

Minimize planned and programmed expenditures for public facilities (e.g., roadway improvements, schools, fire and law enforcement protection, etc.).

Uses:

The Rural Medium Density Future Land Use Designation permits the following uses:

Rural single family residential

Publicly and privately owned parks and recreation facilities;

Churches, country clubs (over 10 acres in size) and home occupations;

Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;

Schools; and

Uses requiring a conditional use permit include adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills, and utilities.

**Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

**RURAL TRANSITION DENSITY**

This land use consists of residential development on a maximum of one (1) du per net acre. Lots sizes of less than one (1) acre may be permitted with accompanying PUD zoning; provided, however, that density shall be computed on the basis of one (1) dwelling unit per net buildable acre; provided, further, however, that clustering shall not cause incompatibility with adjacent parcels. The term clustering shall be defined to mean that the built area of a development is well defined and compact, thereby enabling the creation of contiguous expanses of open space and the protection of environmentally sensitive areas.

Where required as part of a zoning overlay district pursuant to this Comprehensive Plan or otherwise determined necessary by the County, a "clustered subdivision" within the Rural High Density future land use category shall contain a minimum of 50 percent open space over the total net buildable area, and at least 75 percent of the minimum required open space within a clustered subdivision shall be contiguous. Development within a clustered subdivision shall be clustered away from environmentally sensitive areas on site and away from adjacent public conservation land. This land use is established to act as a transitional use between urban development and general rural uses; and to allow existing agricultural operations to continue.

Uses:

Single family residences (clustering may be required to protect the environment and ensure compatibility between urban and lower density rural land uses) Public and private parks and recreation facilities;

Churches, country clubs (over ten [10] acres in size) and home occupations;

Agricultural operations and attendant structures, greenhouses, nurseries and silviculture;

Elementary schools, middle schools and high schools; and

Uses requiring a conditional use permit include adult congregate living facilities, group homes, borrow pits, cemeteries, kennels, landfills and utilities.

**Services and Facilities:**

This land use requires an adequate, rural level of service for public safety, schools and transportation and may permit reduced standards for other services.

## **FUTURE LAND USE CATEGORY – URBAN LAND USE SERIES**

The “Urban Land Use Series” is established to identify areas within the county that are suitable for urban development. Categories within the “Urban Land Use Series” include “Low Density Residential”, “Medium Density Residential”, “Medium-High Density Residential”, “High Density Residential”, “Higher Intensity Development District” (HIDD), and “Mixed Use Development District (MXD) /Traditional Neighborhood Development (TND) District.”

### **LOW DENSITY RESIDENTIAL**

This land use is designated primarily for standard detached single-family residences at a maximum density of two and one half (2.5) dwelling units per net buildable acre. This land use requires a full range of basic services and facilities and may serve as an effective transitional use between more intense urban uses and Rural Transition District.

#### **Uses:**

Single family residences;

Duplexes and townhomes designed to ensure compatibility with neighboring single family residences;

Schools; and

Uses requiring a conditional use permit include group homes, churches, day care, guest cottages, home occupation, utilities, and publicly owned parks and recreational areas.

#### **Levels of Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

### **MEDIUM DENSITY RESIDENTIAL**

This land use provides for a range of residential uses at a maximum density of four (4) dwelling units per net buildable acre and allows for the conversion of existing residential units to residential professional office uses in the Residential Professional (RP) zoning classification. This land use should be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. This land use can serve effectively as a transitional use between more intense urban development and Low Density Residential uses.

Single family residences, condominiums, patio homes, duplexes and townhouses;

Conversion of existing residential units to residential professional offices;

Schools; and

Uses requiring a conditional use permit include group homes,, churches, day care, hospitals, convalescent and nursing homes, accessory office uses, guest cottages, home occupation, utilities and publicly owned parks and recreational areas.

#### **Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

### **MEDIUM-HIGH DENSITY RESIDENTIAL**

This land uses provides for a range of residential development at a maximum density of six (6) dwelling units per net buildable acre and allows for the conversion of existing residential units to residential professional office uses in the Residential Professional (RP) zoning classification.. Medium-High density residential development should be located adjacent to major collectors and arterial roadways to minimize traffic on local and minor collector roadways and to provide convenient access to transit

facilities. This land use can act as an effective transitional use between Medium and High Density Residential uses.

**Uses:**

Single family residences, patio homes, duplexes and townhouses;

Condominiums, apartments, boarding and lodging houses;

Conversion of existing residential units to residential professional offices;

Schools; and

Uses requiring a conditional use permit including group homes, churches, day care, guest cottages, home occupation, hospitals, convalescent and nursing homes, accessory office uses, and publicly owned parks and recreational areas.

**Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

**HIGH DENSITY RESIDENTIAL**

This land uses provides for a range of residential development at a minimum density of 4 dwelling units and a maximum density of twelve (12) dwelling units per net buildable acre. High-density residential development should be located adjacent to major collectors and arterial roadways to minimize traffic on local and minor collector roadways and to provide convenient access to transit facilities. This land use can act as an effective transitional use between nonresidential and Medium-High Density Residential uses.

**Uses:**

Single family residences, patio homes, duplexes and townhouses;

Condominiums, apartments, boarding and lodging houses;

Schools; and

Uses requiring a conditional use permit including churches, utilities, group homes, hospitals, convalescent and nursing homes, accessory office uses, and publicly owned parks and recreational areas.

**Services and Facilities:**

Levels of service shall be addressed through the respective Elements.

**HIGHER INTENSITY DEVELOPMENT DISTRICT (HIDD)**

The Higher Intensity Development Districts (HIDD) designation is designed to provide a variety of land uses, development intensities and planned industry development. Allowable zoning classifications in the HIDD designations include the Planned Unit Development (PUD), Planned Commercial (PC), Planning Industrial (PI) and Community Facilities (CF) districts. Allowable uses vary according to each HIDD proposal. It is the intent of the county to emphasize office, industrial, and mixed use development within the HIDD district in order to promote economic development, generate high-wage employment opportunities, and increase the tax base. The maximum residential density of a HIDD district shall be defined by the individual district, with a minimum density of four (4) dwelling units but not to exceed (12) dwelling units per net buildable acre.

**Location Criteria.** This land use shall be designated along the Florida Turnpike Corridor and other highly accessible regional transportation corridors where location factors and higher land values tend to attract higher intensity development and services and facilities are programmed to accommodate a range of residential and nonresidential uses. In addition, this land use shall be located where public utilities can be provided by a municipality or a private utility provider.

**Design:** The County shall consider the design aspects of development proposals for landscaping, hardscape, signage, lighting, and other design features to enhance the appearance of developments and roadways during the review and approval of HIDD development proposals.

**Uses:**

To maintain adequate lands for planned industry in close proximity to and high visibility from major interchanges, this RAC Area shall be comprised of:

Target businesses, manufacturing, distribution and industries as identified by the Board of County Commissioners

High density residential uses;

Commercial uses located adjacent to the interchanges, at major roadway intersections (i.e., collector and arterial intersections) and as an accessory use located within a principal office structure;

Infill commercial uses are permitted along major collector and arterial roads when commercial uses are the predominant existing use along the roadway in both directions from the project site, and therefore the proposed commercial development represents infill development;

Lower intensity office uses may only be located adjacent to existing subdivisions as a buffer from future planned industry development if such development provides adequate areas on the development site to buffer the residential uses from future planned industry development; and

Elementary schools, middle schools and high schools

This land use provides for a variety of business and industry development having the following characteristics:

Basic industry providing goods and services to markets outside the region;

High growth potential industries such as information based businesses, headquarters and health care; and

Business and industry providing high average annual wages, high property tax potential, high value added, and economic multiplier effects.

The ultimate specific business and industry types within these areas are subject to economic cycles and the timing of individual property owners(s) proposals and therefore should not be specifically designated on the Exhibit FLUM. Rather, these areas should remain flexible in terms of future uses while ensuring that the uses developed can meet particular standards for facility capacity and land use compatibility.

**MIXED-USE DEVELOPMENT DISTRICT (MXD)/TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT**

**Purpose and Intent**

The Mixed-Use Development/Traditional Neighborhood Development (MXD/TND) district, which is intended for master planned developments, shall provide a functional mix of land uses developed in a livable and sustainable community, which protects natural resources and has minimal impacts on surrounding lands. The MXD/TND future land use designation is also intended to foster infill and redevelopment efforts, deter urban sprawl, encourage a mix of housing options, and lessen the amount of vehicular trips through the internalization of trips within a neighborhood or project.

It is the purpose of the MXD/TND district to encourage mixed-use, compact development which is sensitive to environmental characteristics of the land, and which facilitates efficient use of services within the County. The MXD/TND provides an opportunity for diversification and integration of land uses including

residential, retail, office, recreation, civic, etc., within close proximity to each other, providing for the daily recreation and shopping needs of the residents.

The MXD/TND shall provide for innovative and alternative development patterns, provide for employment centers, and allow the integration of residential uses with:

1. Community serving Workplace activities including commercial and office uses;
2. Recreation and Open Space systems;
3. Institutional, Civic and Public Facility uses; and
4. Well coordinated vehicular and pedestrian circulations systems.

Mixed-use and Traditional Neighborhood Developments are allowed and encouraged within the proposed and adopted joint planning areas, provided they are not designated GSACSC or WRPA, except within the Mt. Plymouth-Sorrento Overlay District, and where designated as MXD/TND on the Future Land Use Map. The maximum residential density of a MXD/TND district shall be defined by the individual district, with a minimum of four (4) dwelling units per net buildable acre not to exceed twelve (12) dwelling units per net buildable acre.

### General Standards

All commercial development and a minimum of 50% of the residential development within MXD/TND projects over 1,000 acres shall comply with the traditional neighborhood land use and design standards established in this section, and with TND standards adopted as a part of the County's LDRs. Prior to the adoption of TND standards in the LDRs, standards shall be established based on these policies and implemented through the PUD process and zoning district. Where traditional neighborhood design standards are not used, supplemental standards for these areas will be adopted at the time of the Development Order approval.

If a project within the MXD/TND district is to be built in phases, each phase shall include a balanced share of the proposed residential, recreational, open space, commercial, and other sites and building amenities of the entire development. Those phases which include components that are not part of the individual neighborhoods, such as employment, recreation, and education centers, should be timed and built in a sequence that would contribute to the completion of the MXD/TND project as a whole.

Open space shall be provided consistent with zoning requirements and shall be designed to enhance community aesthetics, common recreational areas, and in a manner to promote compatibility of uses by promoting community trails and pedestrian connections.

In order to encourage internal trip capture, all projects within the MXD/TND district shall achieve a minimum 20% internal trip capture rate for transportation.

Each MXD/TND project shall have its own master plan based upon the criteria adopted for Lake County as part of the County's LDRs. The LDRs for MXD/TNDs shall address, at a minimum, the regulations and requirements for each element of a MXD/TND project as outline below.

### Land Use Allocations

The following are the minimum criteria to be used for development of sites designated as MXD/TND:

Requirements/Thresholds	
Minimum Size	50 acres
Net Buildable Density	4 du/ac – 12 du/ac

Minimum # of Land Uses*	3
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\* e.g. Residential, Workplace (Commercial, Office, & Industrial) Institutional, Recreation, Civic, etc.

Land Use Allocations			
Land Use Element	Density/ Intensity	Minimum	Maximum
Residential	4 du/ac – 12 du/ac	50%	80%
Workplace	1.0 FAR	10%	30%
Civic	1.0 FAR	2%	-
Recreation	-	4 acres / 1,000 population	-
Open Space/Environmental	-	25%	-

### Specific Standards

The MXD/TND district shall provide for a community plan, which is guided by the sensible and desirable attributes of "traditional neighborhoods." The following apply to all MXD/TND projects:

#### Residential

The Residential elements shall:

- contain a minimum of three (3) different housing types (eg. Single-family, zero lot line, townhouse, multifamily, apartment, etc.). Each housing type shall be a minimum of 10% of the total number of units;
- contain neighborhoods which are pedestrian oriented, physically recognizable, developed at a human scale, limited in size (allowing residents to walk to the neighborhood center within approximately five minutes), and efficiently organized to provide for the daily needs of the residents;
- allow for the provision of alleys;
- allow for the provision of on-street parking to buffer walkways from the road and increase overall pedestrian safety;
- allow multi-family residential buildings to have limited office and retail use, cafes, limited lodging, and artisan uses;
- provide minimum and maximum lot sizes;
- provide setbacks, build-to-lines and lot coverage; and
- provide landscape and architectural controls.

#### Workplace

The Workplace elements shall:

- allow buildings for uses such as offices, artisan, custom fabrication of home furnishings, clothing and clothing accessory manufacture, assembly of small household and business equipment, repair and service of household goods and small business equipment, office/warehousing and household and business services. Such uses shall only be allowed if they are of a neighborhood scale and neighborhood character. Such uses shall create no offsite impacts with regard to noise, particulate matter, vibration, odor, fumes, glare and fire hazard. There shall be no outdoor storage, bulk storage, or storage of hazardous materials allowed;

- provide entertainment and recreational uses such as sports clubs, fitness centers, dance schools, small theaters, small taverns and similar uses, but with no outdoor broadcasting or music;
- have commercial uses supportive of the residential development;
- provide setbacks, build-to-lines and lot coverage;
- provide landscape and architectural controls; and
- where located within the Green Mountain Scenic Byway or other Scenic Corridor shall adhere to the Scenic Guidelines.

### **Civic**

#### **The Civic elements shall:**

- include community uses such as: meeting halls, libraries, post offices, schools, child care centers, clubhouses, religious buildings, recreational facilities, higher education, museums, cultural societies, visual and performance arts buildings, hospitals, and municipal buildings;
- where possible be located within or adjacent to squares and parks or on lots terminating in a street vista to allow for the civic uses to become symbols of community identity;
- have physically defined and linked squares and parks within neighborhoods which provide places for social activity and active/passive recreation. The linking of these places through the use of greenways increases accessibility to the recreational facilities; and
- located where possible to include mass transit (including land for bus stops) and accessibility to existing mass transit, where available, and provide alternative modes of transportation, such as bikeways and pedestrian paths.

### **Streets and Circulation**

#### **The Streets and Circulation elements shall:**

- provide off-street parking to the side or rear of the building where possible and encourage shared parking with other adjacent uses;
- permit shared parking as defined in the LDRs;
- promote front streets with parallel parking and sidewalks;
- allow alleys to be provided to allow access to garages and lots from behind buildings;
- include standards for parking, which acknowledge the pedestrian nature of the community;
- where possible allow pervious surface parking;
- provide internal roadway network and connections;
- permit necessary connections to public transit;
- provide adequate street widths and block sizes;
- have a hierarchy of streets to serve the needs of the pedestrian and the motorist; and
- include pedestrian-oriented design and through the development of pedestrian and bikeway circulation systems which serve to functionally and physically integrate the various land use activities.

### **Utilities**

#### **The Utilities elements shall:**

- include central water and sewer;
- provide shared stormwater systems among other elements;

- meet all adopted levels of service, as specified in the Comprehensive Plan, and all urban services shall be available concurrent with the impacts of development; and
- where feasible, encourage the use of LEED (Leadership in Energy and Environmental Design) and Energy Star building and design standards.

### **Open Space/Environmental**

The Open Space/Environmental elements shall:

- wherever feasible, connected to the larger Countywide open space system;
- permit flexibility in design of landscaping and buffers to maximize compatibility between existing and proposed land uses based on the intensity of proposed uses;
- protect and connect existing environmental upland and wetland areas; and
- respect the existing topography.

### **Old Language:**

Traditional neighborhood and mixed use development are allowed and encouraged within the proposed and adopted joint planning areas, provided they are not designated GSACSC or WRPA, except within the Mt. Plymouth-Sorrento Overlay District. The maximum residential density of a MXD/TND district shall be defined by the individual district, minimum of four (4) dwelling units per net buildable acre not to exceed twelve (12) dwelling units per net buildable acre.

All development within MXD/TND areas shall comply with the traditional neighborhood land use and design standards established in this section, and with TND standards adopted as a part of the County's LDRs. Prior to the adoption of TND standards in the LDRs, standards shall be established based on these policies and implemented through the PUD process and zoning district. MXD/TND projects must be connected to central water and sewer.

The following general regulations and requirements apply to all MXD/TND projects.

Each MXD/TND project shall have its own master plan based upon the criteria adopted for Lake County as part of the County's LDRs. The LDRs for MXD/TNDs shall address, at a minimum, the following design principles:

Internal roadway network and connections

Connections to public transit

Street widths and block sizes

Community and shared parking areas

Shared stormwater

Minimum and maximum lot sizes

Setbacks, build-to-lines and lot coverage

A mix of housing types, including single family houses, duplexes, townhomes and condominiums

Use mix for commercial and workplace, by size, location, and identification of the specific types of uses allowed

Landscape and architectural controls

In addition the MXD/TND must be based upon a mix of the following uses:

**Public Use:**

Includes streets, squares, parks, playgrounds,

Each project contains one or more centrally-located squares or knolls within the project to serve as a public "commons."

Wherever feasible, the open space and/or recreational area that is provided should be connected to the larger Countywide open space system.

**Civic Use:**

Community uses such as meeting halls, libraries, post offices, schools, child care centers, clubhouses, religious buildings, recreational facilities, higher education, museums, cultural societies, visual and performance arts buildings, municipal buildings.

Civic uses are within or adjacent to squares and parks or on a lot terminating a street vista.

Off-street parking is to the side or rear of the building and may be shared with other adjacent uses. Shared parking shall be permitted as defined in the LDRs.

**Workplace:**

Buildings for uses such as offices, artisan, custom fabrication of home furnishings, clothing and clothing accessory manufacture, assembly of small household and business equipment, repair and service of household goods and small business equipment, office/warehousing and household and business services. Such uses shall only be allowed if they are of a neighborhood scale and neighborhood character. Such uses shall create no offsite impacts with regard to noise, particulate matter, vibration, odor, fumes, glare and fire hazard. There shall be no outdoor storage, bulk storage, or storage of hazardous materials allowed.

Off-street parking is to the side or rear of the buildings.

**Commercial Center:** Buildings of a neighborhood scale or character primarily for business uses, such as retail, services, entertainment, restaurant, club, office, medical, artisan, limited lodging, and residential use.

Requires front streets with parallel parking and sidewalks a minimum of 10-foot wide.

Off-street parking is to the side or rear of the buildings and may be shared with other uses as defined in the LDRs.

Limited lodging is a bed and breakfast in a single building and that is residential in character.

Entertainment and recreational uses such as sports clubs, fitness centers, dance schools, small theaters, small taverns and similar uses, but with no outdoor broadcasting or music.

Commercial development which is located within the Green Mountain Scenic Byway or other Scenic Corridor shall adhere to the Scenic Guidelines

**Small Apartment Buildings and Townhouses:**

Buildings for residential use may have limited office and retail use, cafes, limited lodging, and artisan uses.

Outbuildings of a designated maximum size are permitted, as specified in the Mixed-Use/TND development plan.

Requires front streets with parallel parking and sidewalks a minimum of six (6) feet wide.

All off-street parking is behind the buildings except for on-street parking.

**Single-Family Houses:**

Outbuildings of a designated maximum size are permitted, as specified in the Plan.

Lots face roads with required sidewalks a minimum of 6' wide on at least one side of the road and optional parallel parking.

All off-street parking is to the side or rear of the building

Alleys may be provided to allow access to garages and lots from behind the residence.

**Design Standards**

Design Standards provided in the LDR shall apply.

**Open Space:** Open space shall be provided consistent with zoning requirements and shall be designed to enhance community aesthetics, common recreational areas, and in a manner to promote compatibility of uses by promoting community trails and pedestrian connections.

**Landscaping and Buffers:** Flexibility in design of landscaping and buffers shall be allowed in mixed use developments to maximize compatibility between existing and proposed land uses based on the intensity of proposed uses.

**OFFICE**

Office shall consist of a variety of office uses and limited commercial that supports office uses and shall allow for the conversion of existing residential structures to low-intensity (residential professional) office uses. This land use should be located along collector and arterial roadways to minimize traffic on local streets and to provide convenient access to transit facilities. This land use can serve as an effective transitional use between higher intensity HIDD, mixed use, and urban residential uses.

Zonings within the Office land use designation must be accompanied by a site/master plan as set forth in the LDR. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.

Design standards shall be provided in the LDRs that ensure that office development is compatible with adjoining land in the Low Density Residential Future Land Use. Standards shall include, but not be limited to, building style, design and scale; exterior building materials; roof design and construction; building size and placement; site furnishings; fences and entrance features; and the size and location of service areas.

**Uses:**

Conversion of existing residential structures to low intensity professional office uses;

General office development, technologically-based industry, and light manufacturing;

Nursery schools, libraries, laboratories, and day care centers;

Institutes of higher learning, colleges and universities; and Special exception uses such as hospitals, funeral homes, medical clinics, banks, and public utility and service structures;

**COMMERCIAL**

This land use provides for a variety of commercial uses including neighborhood and community shopping centers, convenience stores, retail sales, highway oriented commercial, and other commercial services. This land use should be located at the intersections of major roadways and along major roadways as infill development where this use is established.

Uses:

Neighborhood convenience store;

Community, regional and sub-regional shopping centers;

Retail sales and commercial services;

Highway oriented businesses;

Amusement and commercial recreation within an enclosed building;

Day care nurseries;

Schools;

Hotels and motels; and

Other uses such as contractor, alcoholic beverage, drive-in restaurants, flea markets, mechanical garages, paint and body shops, service stations, lumberyards, public utilities, hospitals and nursing homes.

To discourage the proliferation of urban sprawl, the County shall not designate additional strip commercial development through Plan amendments. Instead, commercial and retail uses shall be:

A. Located adjacent to collector and arterial roadway intersections to maintain road capacity and not set a precedent for further strip development; or

B. Located where commercial uses are the predominant existing use along the roadway in both directions from the site and, therefore, the proposed commercial development represents infill development; or

C. Located adjacent to residential areas only where compatibility with the residential area can be maintained in order to preserve neighborhood viability and community character.

The County shall use floor area ratios, impervious site ratios and flexible height and setback standards as a means of projecting public facility and service needs, protecting important on-site natural features and providing options for maintaining compatibility with surrounding development. Floor Area Ratios are presented in Future Land Use Designations and Allowable Zoning Classifications.

The County shall consider the creation of urban infill and redevelopment areas as a land use incentive for enhancement of urban areas.

The County shall consider development of an urban infill and redevelopment plan pursuant to Section 163.2517, Florida Statutes, for the geographic area depicted in the FLUM series for the purpose of economic development, job creation, neighborhood revitalization, and crime prevention.

Within Historic Villages, commercial development shall be restricted in scope, scale, size, intensity, lighting, parking and design in order to service and ensure compatibility within the community.

Within the Rural Land Use Series, a Conditional Use Permit which stipulates specific permitted uses, floor area ratios, and requirements to address compatibility, shall be a required companion instrument in the adoption of all future land use amendments for new commercial development.

**Commercial Use Adjacent to Rural, and Environmentally-Sensitive Areas**

Adjacent to the Rural and Conservation land uses, WRPA and GSACSC, commercial development shall be restricted in scope, scale, size, intensity, lighting, parking and design in order to service and ensure compatibility with rural lifestyles and the protection of natural resources. With the exception of commercial uses existing or vested prior to the adoption of this policy, new commercial development

adjacent to Rural and Conservation land uses the WRPA (with the exception of the Mt Plymouth-Sorrento Main Street Corridor) or GSACSC shall be required to meet the following criteria:

Located within 500 feet of arterial and collector intersections and limited in size to 5000 square feet of commercial floor space; or

Located within and satisfying specific criteria of a designated Rural Commercial Overlay District relating to scope, size, intensity, lighting, parking and design. Such criteria contained within this Comprehensive Plan and the Land Development Regulations of Lake County shall emphasize and reinforce the unique rural character and needs of the particular rural community.

With the exception of commercial property vested prior to the adoption of this policy, commercial development within the GSACSC and WRPA shall be restricted to designated activity center locations existing prior to the adoption of this policy. Where commercial property is vested adjacent to or in the vicinity of public recreation or conservation lands, the county shall retain flexibility to encourage or require the relocation of such commercial uses to areas away from public recreation or conservation lands to ensure protection of natural resources.

### **Services and Facilities:**

This land use requires a full range of urban services and facilities, where located in urban areas. In rural areas, the scale and intensity of commercial development shall be limited to uses that do not require urban services and utilities, or where neighboring urban services and facilities are available but connection will not result in additional burden on capacity.

## **INDUSTRIAL**

This land use consists of a variety of heavy commercial and industrial land uses oriented toward wholesale distribution, storage, manufacturing, and other industrial uses. This land use should be located with direct access to rail systems, collector and arterial roadways, and as infill development where this use is established.

### **Uses:**

Light manufacturing industry;

Distribution and terminals;

Automobile repair shops;

Warehousing;

Wholesale greenhouses;

Lumberyards and machinery sales;

Paint and body shops;

Trade shops and schools;

Medical clinics;

Publishing plants;

Public buildings;

Stockyards;

Schools;

Uses requiring a conditional use permit including utilities, service stations, hospitals, nursing homes, heliports, and airports; and

### **PUBLIC, QUASI-PUBLIC, INSTITUTIONAL**

This land use consists of a variety of public, quasi-public and institutional uses, transportation, communication, and utilities. Public and quasi-public uses are designated on the Exhibit FLU: FLUM in areas where public and quasi-public uses are established and in areas reserved for future public use. All uses, excluding schools and libraries, within this category require a Conditional Use Permit

#### **Uses:**

Library facilities;

Schools;

Landfills; borrow pits and

Water, sewer, telephone, electric, gas, communication, and transportation facilities.

### **RECREATION**

This land use consists of County-wide public or private recreational facilities, park lands and open space preservation areas. Active or passive uses are appropriate within the Recreation Land Use category, subject to conditions established for the particular facility.

#### **Uses:**

Public and private recreation and open space;

County parks, community parks; and

Passive and active recreational facilities.

### **CONSERVATION**

This land use consists of property managed for the permanent protection of natural resources, including but not limited to open water bodies, wildlife habitat, wetlands, and aquifer recharge. Lands within the Conservation Land Use category shall remain in a natural state.

The Conservation Land Use category includes public resource lands such as federal, state, and locally managed parks, reserves, preserves, forests and wildlife management areas. Water management areas held by the St Johns River Water Management District or South Florida Water Management District for conservation purposes may also be included within this category.

The Conservation land use may include privately-owned property only if such land is protected in perpetuity by conservation easement held by a public agency or private non-profit conservation entity. At a minimum, this conservation easement shall contain provisions for the management of natural resources and environmentally-sensitive features specific to the subject property, restrict activities that are inconsistent with the protection of said resources, preclude future development, and provide for enforcement of the easement. Wetland or upland mitigation banks subject the aforementioned conditions may be included in this category.

Permitted activities within the Conservation Land Use category shall be limited to resource-based passive recreation, including but not limited to hiking, horseback riding, wildlife observation, fishing, and hunting, subject to conditions set forth by the appropriate land management agency. Sustainable silviculture and limited grazing operations may be permitted within this category only if performed under the direction and oversight of a public land management agency such as the Florida Department of Environmental Protection or United States Forestry Service, or pursuant to a conservation easement

that requires the use of Best Management Practices and limits such operations as consistent with purposes of the Conservation Land Use category.

Uses:

Local, state and federal public lands such as passive parks, preserves, reserves, forests, and wildlife management areas;

Water management areas held by SJRWMD or SFWMD;

Private land protected in perpetuity by conservation easement held by a public agency or not-for-profit private conservation entity; and

Special exceptions including nature centers, rustic cabins and similar facilities.

**END OF LPA REVIEW, MAY 22, 2006**

## **OBJECTIVE 3.0 PROTECT RESIDENTIAL NEIGHBORHOODS**

The County shall ensure the long-term viability of residential neighborhoods by regulating future development to create compatibility with surrounding land uses.

It shall be the policy of Lake County to:

### **RETURN THE POLICY "ENFORCE REGULATORY STANDARDS TO ALL DEVELOPMENT"**

#### **ENSURE ROADWAY COMPATIBILITY**

- The County shall encourage the viability of future residential neighborhoods adjacent to collector and arterial roadways by:
- Requiring additional setbacks and buffers for residential development adjacent to future major collector and arterial roadways to minimize the impacts of future roadway improvements;
- Requiring development plans to transition residential and nonresidential land use intensities at major intersections to maximize compatibility with existing residential neighborhoods;
- Discouraging through traffic on local residential roadways; and
- Create LDR standards providing when and where pedestrian, bicycle and vehicular linkages between abutting residential areas are required to provide convenient access to recreation, schools, libraries, and shopping. Vehicular connections between subdivisions shall be designed to serve local residents and discourage through traffic.
- Designing in such a manner that calms speed on local roads, through the use of speed bumps, roundabouts, narrow streetscapes, and other appropriate features.
- LDRs shall incorporate professionally recognized practices related to transit oriented design (TODs)

#### **ALLOW FOR NEIGHBORHOOD COMMERCIAL USES**

The County may allow commercial Plan amendments in areas designated for residential uses that discourage urban sprawl as defined in 9J-5, FAC., subject to and consistent with other provisions of this Comprehensive Plan.

#### **ENSURE PROVISION OF TRANSITIONAL LAND USES**

The County shall evaluate Plan amendment and zoning requests to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, between varying intensities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas.

#### **ALLOW FOR CONVERSION OF RESIDENTIAL STRUCTURES**

The County shall allow conversion of existing residential structures to professional office and restricted neighborhood commercial uses only where:

The character of the area has undergone a significant change due to roadway improvements or development trends;

Adequate access and parking to redeveloped parcels can be maintained; and

LDR standards for buffers can be provided to effectively maintain the viability of adjacent residential uses.

#### **LIMIT LOCATION OF INDUSTRIAL USES**

The County shall ensure that future Plan amendments to industrial uses adjacent to or in close proximity to residential areas shall be limited to light industrial uses to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise and other negative externalities.

#### **REGULATE LOCATION OF COMMUNICATION TOWERS**

The County shall regulate the location/construction of communication towers to protect existing and future residential neighborhoods from potential adverse impacts resulting from these facilities. The County shall research the telecommunication needs of the County and consider those needs when reviewing proposed towers. Siting criteria and design requirements shall be defined within the Land Development Regulations.

#### **REGULATE HIGHER DENSITY RESIDENTIAL AND AGE RESTRICTED COMMUNITIES**

The County shall encourage higher density (Urban Land Use Series) and age restricted housing near commercial centers, bus transit routes and community facilities.

### **OBJECTIVE 4.0 PROTECT RURAL LIFESTYLES**

The County shall institute policies and programs designed to preserve and reinforce the positive qualities of the rural lifestyle enjoyed by those living in rural areas. The following policies pertain to the Rural Land Use Series, WRPA and GSACSC:

#### **RECOGNITION OF RURAL AREAS**

**THE COUNTY SHALL, THROUGH COMPREHENSIVE PLAN POLICIES AND LAND DEVELOPMENT REGULATIONS, RECOGNIZE THOSE PARTS OF THE COUNTY WITHIN THE RURAL LAND USE SERIES, WRPA AND GSACSC AS AREAS WITH SPECIFIC RURAL CHARACTER WHERE ESTABLISHED RURAL DEVELOPMENT PATTERNS SHALL BE RETAINED. THESE AREAS REQUIRE SPECIAL PROTECTION FROM THE INTRUSION OF URBAN USES, DENSITIES AND INTENSITIES. IT SHALL BE THE POLICY OF THE COUNTY THAT PROPERTIES WITHIN THESE AREAS REQUIRE APPROACHES TO LAND USE INTENSITIES AND DENSITIES, RURAL ROADWAY CORRIDOR PROTECTION, THE PROVISION OF SERVICES, ENVIRONMENTAL PROTECTION AND LDR ENFORCEMENT CONSISTENT WITH THE RURAL CHARACTER OF SUCH AREAS.**

#### **ANNEXATION WITHIN RURAL AREAS**

**THE COUNTY SHALL COORDINATE WITH ITS MUNICIPALITIES TO THE GREATEST EXTENT POSSIBLE TO MAINTAIN THE INTEGRITY OF RURAL AREAS THROUGH JOINT PLANNING AND TO ENSURE CONSISTENT STANDARDS FOR COMPATIBILITY OF PROPOSED DEVELOPMENT ADJACENT TO RURAL LANDS. IF A MUNICIPALITY ANNEXES PROPERTY LOCATED WITHIN THE RURAL LAND USE SERIES, WRPA OR GSACSDC, AND TAKES ACTION TO AMEND THE FUTURE LAND USE, REZONE, OR IN ANY WAY CHANGE THE ALLOWABLE USE OF THE SUBJECT PROPERTY IN A MANNER THAT IS INCONSISTENT WITH THE PROTECTION OF RURAL DENSITY AND CHARACTER, THE COUNTY SHALL RETAIN THE RIGHT TO OBJECT TO SAID ACTION.**

#### **NON-RESIDENTIAL RURAL DESIGN STANDARDS**

The County shall adopt design standards within the LDRs for non-residential development located within and adjacent to the Rural Land Use Series, WRPA and GSCACS. Such standards are intended to ensure the protection of rural character, and may include but are not limited to building size, location, architecture, parking, lighting, and landscaping.

#### **PROTECTION OF RURAL VIEWSHEDS**

Lake County shall adopt LDRs that protect forested areas, native vegetation, and natural topography within the Rural Land Use Series, WRPA and GSCACS in order to maintain and protect the integrity of

natural vistas and scenic viewsheds. The County shall enforce such regulations to the extent feasible, recognizing the rights of bonified agricultural activities established in statute.

### **RURAL ROADWAYS AND OVERLAYS**

In order to prevent urban sprawl and maintain rural character, the County shall discourage the expansion of roadways within the Rural Land Use Series, WRPA and GSACSC. As defined within the Transportation Element, certain roads shall be designated as Scenic Rural Roadways, and shall be constrained by policy to remain as two-travel lanes. The County shall adopt LDR's relating to access, land use, building setbacks, landscaping, lighting and other factors associated with protecting the rural character of these corridors.

### **PROTECTION OF NATURAL RESOURCES WITHIN RURAL AREAS**

The County shall continue to provide for low-impact development within rural areas, and as appropriate shall encourage the use of Conservation Subdivision techniques at rural densities in order to enhance the protection of common open space, rural viewsheds, and wildlife corridors. The County shall protect water resources within rural areas by permitting rural residential development that minimizes water consumption and maximizes aquifer recharge; relying a small individual residential wells that disperse the potentially adverse effects of groundwater draw-down; and relying on properly installed and periodically inspected septic systems on larger lots as the primary system of wastewater disposal.

### **RURAL LIGHTING STANDARDS**

In order to preserve the rural character and values attributed to rural lands, the County shall amend the LDR's by December 31, 2007 to include rural lighting standards that address artificial outdoor illumination and limits the emission of undesirable rays into the night sky, glare to on-coming traffic, light intrusion onto adjacent properties, and light pollution in general which may have a detrimental effect on communities, wildlife, and rural ambiance.

### **AGRICULTURAL PRIMACY**

The County shall encourage the continuation of agriculture within the Rural Land Use Series, WRPA, and GSACSC. Agricultural uses on lands that have an agricultural exemption from the Lake County Property Appraiser will be considered to have "primacy" in the area. Primacy means that conflicts between such agricultural lands and other non-agricultural uses, all other factors being equal, will be resolved in favor of the agricultural interests. Agricultural operations shall utilize best management practices to reduce conflicts to the greatest extent possible.

### **AGRICULTURAL BUFFERS**

The County shall adopt LDRs that require adequate buffering and/or setbacks between agriculture and residential uses in order to protect such agricultural uses from adverse impacts associated with encroachment of residential areas or a nuisance perception created by agricultural operations. Buffers shall be used to minimize or eliminate incompatibility between agricultural and residential uses so that the long-term continuance of both is not threatened by one or the other. Buffers shall be provided to screen each land use from intrusions relating to the application of fertilizers, pesticides, noise, glare, odor, dust, trespassing, pets, vehicles and smoke. Agricultural buffers shall be a minimum of fifty (50) feet wide and utilize natural material to the greatest extent possible.

### **COMMUNITY BASED PLANNING APPROCAH TO RURAL AREAS**

The County shall implement a community based planning approach through the Rural Areas overlays as mapped on the FLUM, to preserve rural character and economic viability of agriculture in areas. These areas shall be mapped to represent an existing rural development pattern. Community Based Planning shall be based on planning principles that incorporate incentives for landowners within the mapped areas to dedicate conservation and scenic easements. The County shall evaluate and analyze sending

and receiving areas appropriate for transfer of development rights to areas outside of the Rural Areas. The Rural Areas shall have the following principles:

Transfer of Development Rights or other flexible methods of land development transfer that would direct development towards existing urban areas. The TDR process shall include methods of transfer from County to municipality facilitated through JPAs;

Conservation easements

“Viewshed” easements;

Protection of existing topography;

Rural commercial design standards;

The continued designation of scenic roadways; and

Emphasis on protecting wildlife corridors and greenways.

## **OBJECTIVE 5.0 COORDINATE LAND USE WITH ENVIRONMENTAL PROTECTION**

The County shall ensure that natural resources are protected for the enjoyment of all citizens through provisions of this Comprehensive Plan and the LDRs.

### **CONSISTENCY WITH CONSERVATION ELEMENT**

The County shall require that proposals for a change in the use of land or development of property conform with all applicable goals, objectives, and policies of the Conservation Element before such proposal can be considered to be consistent with the Future Land Use Element. Prior to obtaining approval for a change in the use of land or development of property, the location and significance of all environmental features and constraints shall be identified, including but not limited to topography, wetlands, vegetation, wildlife, habitat, flood hazards, the 100 year floodplain, soils, springsheds, karst features and adjacent conservation lands and environmentally sensitive lands. The County shall require that all such features and constraints be included within applications and site plans submitted as part of the development review process.

### **PROTECT FLOODPLAINS**

The County shall protect floodplains through LDRs, as identified by the Federal Emergency Management Agency as amended, or as identified by Lake County, that accomplishes the following:

- Restricts uses which are dangerous to health, safety and property, and minimize public private losses due to flood conditions;
- Prohibits land filling and grade changes where such activity will cause erosion or inhibit flood waters;
- Requires development to comply with the requirements and rules of the National Flood Insurance Program and Florida Department of Health; and
- Requires all subdivisions and site plans to maintain pre-development run off characteristics, provide compensating storage, comply with wetland regulations, and dedicate post-development flood prone and wetland areas to the County or state agency as a conservation easement.

### **DESIGNATE CONSERVATION AND RECREATION LAND USE CATEGORIES**

The County shall ensure the long term preservation of environmentally sensitive areas and ecosystems and provide opportunities for passive recreation through the assignment of land to the Conservation future land use and Recreation future land use categories.

### **PROTECT WETLANDS AND IMPLEMENT WETLAND CLASSIFICATION PROGRAM**

By 2008, the County shall implement a wetlands classification program and adopt regulations within the LDRs that accomplish the following:

Regulates development activities according to wetland significance;

Requires the identification of wetland type, land use, extent, significance, development compatibility, and applicable performance standards prior to County review and approval of development activities;

Requires, at a minimum, compliance with all performance standards set forth in the LDRs of Lake County, which standards and guidelines are accepted herein verbatim by this reference;

Provides for development flexibility through mitigation/compensation measures where more beneficial environmental results may be achieved; and

The County shall required dedication to the County and/or other agency of all post-development wetlands as conservation easements. The County shall revise Conservation Element policies and LDRs as appropriate to implement this policy.

### **REQUIRE CONSERVATION EASEMENTS**

The County shall require conservation easements in accordance the Florida Statutes, or dedication of post-development flood prone and wetland areas as a limitation to any future encroachment or development of environmentally-sensitive areas. Further, the county shall require that areas designated as open space within a conservation subdivision, including but not limited to upland habitat, karst features, and aquifer recharge, be permanently protected by conservation easement or dedicated to the County, a conservation agency and/or non-profit conservation entity.

## **GOAL 2 – WEKIVA-OCALA AREA**

The Wekiva basin area, including the Wekiva River and its tributaries, springs, springshed, aquifer recharge areas, wetland and upland habitats, sensitive natural habitats, wildlife, and wildlife corridors, is a natural resource of irreplaceable value to the people of Lake County and State of Florida. Furthermore, the Wekiva basin is an essential component of a larger Wekiva-Ocala ecosystem of public and private lands that extend into the Ocala National Forest. Lake County shall maintain the long-term viability of these natural resources through a comprehensive and holistic approach to land use, water resource protection, and wildlife and habitat needs within the Wekiva basin, Wekiva springshed, and greater Wekiva-Ocala ecosystem.

## **OBJECTIVE 6.0 WEKIVA-OCALA AREA**

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Wekiva-Ocala area as a natural resource of critical state and regional importance.

### **WEKIVA RIVER PROTECTION AREA – ENSURE CONSISTENCY WITH THE GOPS THAT ARE TRANSMITTED BY THE BOARD OF COUNTY COMMISSIONERS**

The County shall regulate the use of land within the Wekiva River Protection Area (WRPA) as defined by Florida Statutes, to implement protection policies and regulations that maintain rural density and character in the aggregate, concentrate development farthest from surface waters and wetlands of the Wekiva River System, minimize impacts on water quantity and quality, protecting native vegetation, wetlands, habitat, wildlife and wildlife corridors, and restrict open space areas to conservation and passive recreational uses.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva River Protection Act and the requirements and performance standards adopted pursuant to this Plan. The following policies pertain to the Wekiva River Protection Area:

#### **RESTRICT EXPANSION OF PUBLIC FACILITIES AND SERVICES WITHIN THE WRPA**

Lake County shall restrict expansion of services and major arterial roads beyond planned urban areas, unless it can be demonstrated that such services, such as central water and sewer facilities, will have less harmful impacts upon the environment than if they were prohibited. However, such improvements or construction shall follow the path of existing rights-of-way to the greatest practical extent.

#### **VESTED DEVELOPMENT WITHIN THE WRPA**

Land within the Wekiva River Protection Area as defined in the Florida Statutes may be developed at the density permitted by the zoning classification in place immediately prior to March 12, 1990 and depicted on Map X, providing that:

A plat of the property based upon the zoning classification in place immediately prior to March 12, 1990, and depicted on Map X, has been recorded in the Public Records of Lake County, Florida. The recorded plat property may be developed based upon the zoning density classification in place immediately prior to March 12, 1990.

A complete application for site plan approval was filed prior to December 21, 1989, the effective date of Ordinance No. 1989-12, which imposed a moratorium on development permit applications within the Wekiva River Protection Area, was based upon the zoning classification in place immediately prior to March 12, 1990 and was approved by the County.

A complete application for preliminary plat approval was filed prior to December 21, 1989, the effective date of Ordinance No. 1989-12, which placed a moratorium on development applications within the Wekiva River Protection Area, and was based upon the zoning classification in place immediately prior to March 12, 1990. A final plat processed after a preliminary plat submitted prior to December 21, 1989, and subsequently approved by the Lake County Board of County Commissioners, shall be subject to the Lake County Code provisions in effect immediately prior to December 21, 1989.

Commercial zoning within the Wekiva River Protection Area existing on March 12, 1990, is vested for commercial uses and designated on the FLUM, whether or not a site plan has been previously approved and if a site plan has not been previously approved, County approval is required.

#### **LIMIT DENSITY AND INTENSITY OF LAND USE WITHIN THE WRPA**

Lake County shall set the following limitations on density within the Wekiva River Protection Area, which are deemed necessary in order to protect and enhance the natural resources contained therein. In order to implement this policy, the overlay districts provided for in this section have been created to restrict permitted density.

1. General Provisions. Land within the Wekiva River Protection Area proposed to be developed at densities higher than allowed under the "A-1-40" Wekiva River Protection Area Overlay District 1 and the "A-1-20" Wekiva River Protection Area Overlay District 2 set forth below, must comply with the Development Point Rating System also described below. Such development shall utilize the concept of clustering of units, promote protection of environmentally sensitive areas, concentrate units on those portions of a parcel of land farthest away from publicly owned conservation or preservation lands, and from the surface waters and wetlands of the Wekiva River System and the Wekiva River Protection Area; shall have less impact on natural resources than if developed at lower densities under its overlay district zoning classification; and shall otherwise meet all other requirements of the Lake County Comprehensive Plan, Lake County LDRs set forth in the Lake County Code, regulations of the St. Johns River Water Management District, regulations of the Florida Department of Environmental Protection and the Florida Statutes. Development shall provide central water and sewer facilities where such facilities are shown to be economically feasible or environmentally necessary, as determined by the County.

2. Transfer of Development Rights within the Wekiva River Protection Area. In order to permit the owners of property subject to the limitation on density established herein to utilize the development potential of that property, a system of transferability of development rights is desirable. In order to facilitate such a system, Sending Areas and Receiving Areas are hereby established and identified.

**Sending Area Number One - "A-1-40" Wekiva River Protection Area Overlay District 1.**

Land within the Wekiva River Protection Area, and within the farthest boundary of the Wekiva River Hydrologic Basin Protection Zones, established pursuant to the Florida Statutes, and not vested pursuant to Policy 1-7.2, above, shall be allowed a maximum density of one (1) dwelling unit per forty (40) net acres. This shall be known as the "A-1-40" Wekiva River Protection Area Overlay District 1. Density may be increased to a maximum of one (1) dwelling unit per ten (10) net acres through the application of the Development Point Rating System described below.

This area is hereby designated as Sending Area Number One for transferable development rights, as shown on Exhibit "A", Map I-4, the Wekiva River Protection Area Transferable Development Rights Sending and Receiving Area Map, attached hereto and incorporated herein. Transferable development rights shall be calculated on the gross density permitted under the zoning classification for the particular sending parcel in place immediately prior to March 12, 1990.

**Sending Area Number Two - "A-1-20" Wekiva River Protection Area Overlay District 2.**

Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes, outside the Mount Plymouth-Sorrento Urban Compact Node, not vested pursuant to Policy 1-7.2 above, and excluding the area described below as Receiving Area Number One, shall be allowed a maximum density of one (1) dwelling unit per twenty (20) net acres. This area is a portion of the "A-1-20" Wekiva River Protection Area Overlay District 2. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below.

This area is hereby designated as Sending Area Number Two for transferable development rights as shown on Exhibit "A", Map X. Transferable development rights shall be calculated on the gross density permitted under the zoning classification for the particular sending parcel in place immediately prior to March 12, 1990.

**Receiving Area Number One - "A-1-20", Wekiva River Protection Area Overlay District 2.**

Land within the area described below shall have a maximum density of one (1) dwelling unit per twenty (20) net acres and is a portion of the "A-1-20" Wekiva River Protection Area Overlay District 2. Density may be increased to a maximum of one (1) dwelling unit per five (5) net acres through the application of the Development Point Rating System described below. Density may be also increased to a maximum of one (1) dwelling unit per one (1) net acre utilizing the Development Point Rating System in

conjunction with the purchase and utilization of Transferable Development Rights from Sending Areas Numbers One and Two.

This area is hereby designated as Receiving Area Number One for transferable development rights as shown on Exhibit "A", Map X, and is described as follows:

Beginning at the Southwest corner of Township 18 South, Range 28 East, thence north along the west line of Twp 18 South, Range 28 East to the northwest corner of the South 1/2 of Section 30, Twp 18 S, R 28E; thence east along the north line of the south 1/2 of Section 30 to the northeast corner thereof; thence south along the east line of Section 30 to the southeast corner thereof; thence east along the north line of Section 32, Twp 18 S, Range 28E. to the centerline of Ranch Road (4--6588); thence south along the centerline of Ranch Road to a point on the north line of the south 1/2 of Section 32; thence east along the north line of the south 1/2 of Section 32, and continuing east along the north line of the south 1/2 of Sections 33 and 34 to the northeast corner of the west 1/2 of the southwest 1/4 of Section 34, Twp 18 S, R 28 E., which point is on a line with the northerly extension of the centerline of Huff Road (4-5991); thence south along the east line of the west 1/2 of the southwest 1/4 of Section 34 to SR 44A and its intersection with the centerline of Huff Road; thence continuing south and southwest along the centerline of Huff Road (4-5991) and west along the centerline of West Huff Road (4-5789) to the west line of Section 4, Twp 19 S, R 28 E; thence south along the west line of Section 4 to the southwest corner thereof; thence west along the north line of Section 8, Twp 19 S, R 28 E to the northwest corner of the east 1/2 of said Section 8; thence south along the west line of the east 1/2 of Section 8 to the south line of said Section 8; thence continuing south along the west line of the northeast 1/4 of Section 17, Twp 19 S, R 28 E to the southwest corner of the northeast 1/4 of Section 17; thence east along the south line of the northeast 1/4 of Section 17 to the east line of Section 17; thence south along the east line of Section 17 to the southeast corner thereof; thence continuing south along the west line of Section 21, Twp 19 S, R 28 E to the northwest corner of the south 1/2 of Section 21; thence east along the north line of the south 1/2 of Section 21 to the east line of Section 21; thence continuing east along the north line of the south 1/2 of Section 22, Twp 19 S, R 28 E to the east line of Section 22; thence south along the east line of Section 22 to the centerline of SR 46; thence southwest and west along the centerline of SR 46 to the east line of Section 28, Twp 19 S, R 28 E; thence north along the east line of Section 28 to the northeast corner thereof; thence west along the north line of Section 28 and along the north line of Section 29, Twp 19 S, R 28E to the northwest corner of Section 29; thence north along the west line of Section 20, Twp 19 S, R 28 E to the northwest corner thereof; thence east along the south line of Section 17, Twp 19 S, Range 28 E to the southeast corner of the southwest 1/4 of the southwest 1/4 of Section 17; thence north along the east line of the southwest 1/4 of the southwest 1/4 of Section 17 to the northeast corner of the southwest 1/4 of the southwest 1/4 of Section 17; thence west along the north line of the southwest 1/4 of the Southwest 1/4 of Section 17 to the west line of Section 17; thence north along the west line of Section 17 to the northeast corner of the south 1/2 of Section 18, Twp 19 S, R 28 E; thence west along the north line of the south 1/2 of Section 18 to the centerline of CR 437; thence north along the centerline of CR 437 to the south line of Twp 18 S, R 28 E; thence west along the south line of Twp 18 S, R 28 E to the point of beginning.

#### Receiving Area Number Two.

Lands which are within the Mount Plymouth-Sorrento Urban Compact Node and also within the Wekiva River Protection Area Boundary may be developed to a maximum density of five and one-half (5.5) dwelling units per one (1) net acre through the purchase and use of Transferable Development Rights (TDRs) from Sending Areas Numbers One and Two. These lands must utilize the "R-6" Residential district, the "RP" Residential Professional district, or the PUD district, as provided in the Lake County LDRs, Lake County Code. Any increase in density above that permitted by the zoning classification in place immediately prior to March 12, 1990, shall require the purchase and use of TDRs development rights.

Lands within the Mount Plymouth-Sorrento Urban Compact Node and outside of the Wekiva River Protection Area Boundary may be developed to a maximum density of five and one-half (5.5) dwelling

units per one (1) net acre and shall utilize the development regulations of Lake County which pertain to the Urban Series land use categories. TDRs will not apply to these lands.

This area is hereby designated as Receiving Area Number Two for Transferable Development Rights as shown on Exhibit "A", Map X.

e. Definition of the Mount Plymouth - Sorrento Urban Compact Node. The Mount Plymouth-Sorrento Urban Compact Node is defined as follows:

Sections 24, 25, and 36, Township 19 South, Range 27 East; the Southwest 1/4 of the Southwest 1/4 of Section 17, Township 19 South, Range 28 East; the South 1/2 of Section 18, Township 19 South, Range 28 East; all of Sections 19, 28, 29, 30, 31, 32, and 33, Township 19 South, Range 28 East.

**DEVELOP A POINT RATING SYSTEM AND SUBMITTAL REQUIREMENTS FOR DEVELOPMENT PERMITS WITHIN THE WRPA**

Where applicable, lands proposed to be developed within the Wekiva River Protection Area shall be evaluated according to the following Development Point Rating System in order to be considered for an increase in density. The objectives of these criteria are:

to ensure environmental protection;

control urban sprawl;

maximize land use efficiency;

promote the efficient use of public facilities;

ensure that services required by development are in place or are programmed concurrent with development impacts; and

to direct appropriate growth patterns within the Wekiva River Protection Area.

The achievement of density points shall not bind the Lake County Board of County Commissioners to grant an increase in density. The application of the Development Point Rating System criteria and the achievement of points are based upon the location of land within the Wekiva River Protection Area. Not all criteria will be specifically applicable to a parcel of land proposed for development.

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
Submission of Project as a Planned Unit Development (5 points possible)	5
Project is contained wholly within TDR receiving zone outside the Mt. Plymouth-Sorrento Urban Compact Node (5 points possible)	5
Purchase of TDRs sufficient to reach density of one (1) dwelling unit per net acre (5 points possible)	5
Innovation in Site Design by Providing More Open Space and Protecting Environmentally Sensitive Land than would be protected under existing regulations. (80 points possible)	80
a. Incorporation of Pervious Pavement or Grassed Parking	1

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
b. Preservation of Native Vegetation within the 100 year Floodplain	2
c. Zero Disturbance or Encroachment within the 100 year Floodplain	5
d. Restriction of Intensity of Development Adjacent to Publicly Owned Lands. If property is not adjacent to publicly owned lands, 5 points can be granted. (5 points possible)	5
1. 150 foot buffer	5
2. 100 foot buffer	4
3. 50 foot buffer	3
e. Preservation of existing Native Vegetation (upland and wetland species)	10
f. Use of Native Vegetation in Landscaping	2
g. Buffers on Wetlands (10 points possible)	10
1. 35 feet	10
2. 25 feet	5
3. 10 feet	3
h. Dedication of Natural Areas for Preservation (uplands only - wetlands are already required to be dedicated). (20 points possible)	20
1. 25 percent of each natural upland habitat type	20
2. 10 percent of each natural upland habitat type	15
3. 5 percent of each natural upland habitat type	10
i. Preservation of Existing Hydrological Patterns (surface and groundwater). Must demonstrate minimum interruption of surface and groundwater flow regime (minimize groundwater withdrawals and maximize recharge). (5 points possible)	5
j. Clustering of units to promote common open space, passive recreation, and preservation of environmentally sensitive areas.	10
k. If 70 points are attained, an additional 10 points may be granted.	10
<b>If it can be demonstrated that the development tract or parcel does not have any pre-existing environmental constraints and therefore not afforded the ability to achieve points, the proposed development can receive 67 points. An example of this type of property would be one that has historically (greater than 10 years) been used for citrus production, has no wetlands and no natural upland communities remaining on-site. An additional ten (10) points shall be available for clustering of units. An additional one (1) point shall be available for incorporation of pervious pavement or grassed parking and an additional two (2) points shall be available for the use of native vegetation in landscaping.</b>	<b>67</b>
<b>Contributes to the Expansion of an Existing or Proposed Wildlife Corridor (on or off-site). (10 points possible)</b>	<b>10</b>

Table 2: Point System Rating Criteria

POINT SYSTEM RATING CRITERIA	POINTS
<b>Provides Sufficient Habitat for Feeding, Nesting, Roosting, and Resting so as to Maintain Viable Populations of Species Designated As Endangered, Threatened, or Species of Special Concern Pursuant to the Florida Administrative Code (on or off-site). (5 points possible)</b>	<b>5</b>
<b>Provision of Affordable Housing. (5 points possible)</b>	<b>5</b>
a. 15 percent of units for moderate, low, or very low income housing.	5
b. 5 percent of units for moderate, low, or very low income housing.	2
<b>Vehicular Access to an Arterial Road with Level of Service (LOS) "C" Average Daily Trips (ADT) or better. Ten points can be granted for making improvements to bring up the LOS to "C." (10 points possible)</b>	<b>10</b>
a. Directly Adjacent (existing or proposed)	10
b. Within 1 mile via collector (existing or proposed)	7
c. Greater than 1 mile via collector (existing or proposed)	5
d. Less than 2 miles via local roads	2
<b>Potable Water Supply. (10 points possible)</b>	<b>10</b>
a. Within an Existing Public Supply System Franchise Area with excess capacity or the creation of a franchise.	10
b. Central system	7
c. Private well	0
<b>Sanitary Sewer Service. (10 points possible)</b>	<b>10</b>
a. Within an Existing Wastewater Treatment Franchise Area with excess capacity or the creation of a franchise.	10
b. Central system	7
c. Innovative septic system	5
d. Septic tank	0
<b>Irrigation Water Supply. (10 points possible)</b>	<b>10</b>
a. Grey water reuse (dual water system)	10
b. Surface water	5
c. Surficial aquifer	2
d. Potable Water	0
<b>Fire Protection. (5 points possible)</b>	<b>5</b>
a. Dedication of land and/or facilities sufficient to meet the requirements of the project.	5
b. Within a fire district having a rating of 7 or better and within 3 miles from a fire station.	3

Table 2: Point System Rating Criteria

<b>POINT SYSTEM RATING CRITERIA</b>	<b>POINTS</b>
c. Within a fire district having a rating of 7 or better and more than 3 miles from a fire station.	2
d. Within a fire district having a rating of 8 to 9 and within 3 miles from a fire station.	2
e. Within a fire district having a rating of 8 to 9.	1
<b>Proximity to Public Schools. (5 points possible)</b>	<b>5</b>
a. Dedication of sufficient acreage to satisfy the requirements of the Lake County School District (on or off-site).	5
b. Within 1/2 mile radius of an existing school and linked by sidewalks and/or bicycle paths.	5
c. Within 1/2 mile radius of an existing school.	4
d. Within one mile radius of an existing school and linked by sidewalks and/or bicycle paths.	4
e. Within one mile radius of an existing school.	1
<b>Neighborhood Parks. (5 points)</b>	<b>5</b>
a. Within 1/2 mile radius of a developed park and linked by sidewalks and/or bicycle paths.	5
b. Dedication of parkland and provision of facilities that meet the County's Level of Service. Facility must be open to the general public.	5
c. Dedication of environmentally sensitive land that is suited for passive recreation.	5
d. Within 1/2 mile radius of a developed park.	2
e. Within one mile radius of a developed park and linked by sidewalks and/or bicycle paths.	3
f. Within one mile radius of a developed park.	1
<b>Other. (5 points possible)</b>	<b>5</b>
The Board of County Commissioners may within its discretion, grant additional points up to a maximum of five (5) points, to developers who opt to provide facilities, land or funds for facilities not specifically identified in the criteria set out above. This provision may also include voluntary impact fees over and above those required by the Lake County Code.	

Table 3: Density Evaluation, A-1-40

<b>MAXIMUM NUMBER OF UNITS *</b>	
<b>POINTS SCORED</b>	<b>PER NET DEVELOPABLE ACRE</b>

120 – 160	1 per 10 acres
100 – 119	1 per 20 acres
70 – 99	1 per 30 acres
<70	1 per 40 acres
* The One (1) unit per forty (40) net developable acres category contains a maximum of 160 possible points.	

Table 4: Density Evaluation, A-1-20

MAXIMUM NUMBER OF UNITS *	
POINTS SCORED	PER NET DEVELOPABLE ACRE
140 – 175	1 per 1 acre
130- 139	1 per 1.5 acres
110 – 129	1 per 2 acres
100 – 109	1 per 3 acres
80 – 99	1 per 4 acres
60 – 79	1 per 5 acres
50 – 59	1 per 10 acres
<49	1 per 20 acres
* The One (1) unit per twenty (20) net developable acres category contains a maximum of 175 possible points.	

In addition to the above review of a proposed development, the performance incentives will be used as a guide to evaluate all residential project densities during:

The review of an application for a development permit initiated by a property owner or an authorized agent.

The review of a DRI, pursuant to Florida Statutes.

The preparation of any future sector or small area plans.

**SUBMITTAL REQUIREMENTS FOR DEVELOPMENT PERMITS WITHIN THE WRPA**

The following information shall be submitted in narrative or graphic form, or both, as appropriate, as part of the application for a development permit within the Wekiva River Protection Area. The information is supplemental to any other submittal requirements contained in the Lake County Code.

{The numbering and grouping of items below are not correct...}

**0. General Information:**

**A. Legal Description and Location Map.**

- B. Property survey showing the location of Wekiva River Hydrologic Basin Protection Zones.
- C. Soil Classifications.
- D. Surface and groundwater hydrology.
- 1. Wetlands and Uplands:
  - E. Type and percent of biological communities existing on site and described using the Florida Land Use and Cover Classification System (FLUCCS).
  - F. A typical vegetative inventory of the following:
    - i. Overstory or canopy (trees).
    - ii. Understory or sub-canopy (shrubs, small trees).
- 2. A typical animal/wildlife inventory using methodology of the Florida Fish and Wildlife Conservation Commission.
  - G. A. Mammals
  - H. B. Birds
  - I. Reptiles
  - J. Fish
- 3. Pre and post-development acreage/percent of wetlands and uplands.
- 4. Monitoring programs (ongoing) for wetland and upland systems.
- 5. Borrow and fill requirements.
- 6. Wildlife Corridors (U.S. Fish and Wildlife Criteria):
  - K. A. Pre and post-development acreage of corridors.
  - L. B. Impact of development on corridors.
  - M. C. Proposed management, monitoring and maintenance measures for protection of corridors.
- 7. Designated Wildlife and Vegetation:
  - N. A. List designated species as specified in the Florida Administrative Code as Endangered, Threatened, or Species of Special Concern.
  - O. B. List vegetation specified in the Florida Statutes.
  - P. C. Pre and post-development acreage of designated vegetation and wildlife.
  - Q. D. Plan for protection of designated plant and animal species.
- 8. 5. Buffers:
  - R. A. Building setbacks from:
    - i. Wetlands
    - ii. Uplands
    - iii. Wildlife corridor
    - iv. Publicly owned conservation/preservation lands
    - v. Wekiva River or other surface water bodies
  - S. B. Acreage of Buffers

T. C. Types of buffers, i.e.; vegetative (trees, shrub, or combination), masonry, fence, berms, etc.

U.D. Use within buffers (i.e.; parks, recreational boardwalks, nature trails, bike paths, non-use, etc.)

V. Percent/Acreage of property dedicated to County for conservation easements or deeded to County for public purpose.

9. Water Resource Management:

Complete statement and calculations of the following:

Water quality and quantity for both pre and post-development.

hydrological evaluation of development

plans for conservation of potable water such as reuse of waste water (treated effluent and/or grey water including use of natural vegetation to reduce irrigation needs)

recharge and discharge areas/recharge mechanisms

potential contamination and abatement procedures

use of underdrains/side drains

degree of salt water encroachment in the Floridian Aquifer

10. Air Quality:

W. A. Residential Emission Sources (fireplaces, type of heat-oil, gas, heat pump)

X. Monitoring Plans/Mechanisms

11. Storm and Waste Water Management:

Y. Stormwater

Calculations

Retention/detention design

a. Type of system (wet, dry, on-line, off-line, etc.)

b. Pond/Swale

(1) volume

(2) elevations

(3) overflow mechanisms flood elevations discharge point (internal, to tributary, to Wekiva River)

c. Culvert, pipe, channel hydraulics

d. Soil borings

e. Energy dissipation/erosion and sediment control measures.

(1) Grading/drainage plan

(a) Materials Used: pervious/impervious

(b) Percent pervious/impervious surface

(2) Monitoring plans/mechanisms

Z. Wastewater

1. Collection

a. Pump stations

(1) wet well water level control elevations

(2) emergency pump connection

(3) backup pump (at least two pumps total in pump station)

(4) elevation above 100-year flood elevation

b. Gravity lines

(1) slopes

(2) clearance from water lines

2. Treatment System

a. Type (septic-conventional/ no conventional, on-site-low pressure, etc., package plant on-site/off-site, regional plant-on-site/off-site)

b. Siting

(1) relation to 100-year flood elevation

(2) adjacent property

c. Plant

(1) general process

(2) bypass

(3) Hydraulic profile

(4) Flow diagram

3. Effluent disposal method

a. sprayfield

b. perc pond

c. reuse

d. wetland

(1) Location of disposal area

(2) Analysis

(a) soil report

(i) soil type

(ii) groundwater depth

(iii) K factor

(iv) confining layers

(b) impact on groundwater quality/quantity

4. Design

a. application

b. load/rest schedule

c. pond on steep slope

(1) dam design for berms; seepage prevention

(2) rip rap for influent flow

d. pond bottom compared to soil profile

e. overflow

f. elevations

g. buffers

h. nearby potable wells

5. Monitoring wells

a. background - upstream

b. compliance - downstream

#### 12. Potable Water System:

A. Type (individual wells, package plant, regional plant)

B. Location (on-site, off-site)

C. Withdrawal rate/consumptive use

D. Treatment Methods

E. Impact on aquifer

#### NON-EXEMPT PARCELS

Parcels of lands within the Wekiva River Protection Area, not exempted due to a determination of vested rights, under single ownership and twenty (20) or forty (40) acres or less in total area, depending upon the land's location within the Wekiva River Protection Area, as of March 12, 1990, shall be allowed a maximum of one (1) dwelling unit provided that a minimum of 12,500 square feet is not classified as open waterbodies and wetlands under the jurisdiction of Lake County or St. Johns River Water Management District, or within the Wekiva River Basin Riparian Habitat Protection Zone established pursuant to the Florida Statutes, or designated flood prone areas by the Federal Emergency Management Administration. Any easement existing on a parcel of land under this policy may be utilized in the calculation of the required minimum area of 12,500 square feet.

#### WEKIVA SYSTEM SETBACKS

The following minimum setback requirements from wetlands and water bodies shall apply to all development activity proposed within the Wekiva River Protection Area, as appropriate:

Land proposed to be developed under Policy 1.2-2, Vested Development within the Wekiva River Protection Area, or Policy 1.2-5, Non-Exempt Parcels, on the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek, and Lake Norris:

Those lands subject to the setback requirements of the St. Johns River Water Management District, established pursuant to the Florida Statutes, shall conform to said setbacks.

Where setbacks for such development activity are not regulated by the St. Johns River Water Management District, the following minimum setbacks shall be established: 200 feet from the ordinary high water mark, 50 feet from associated wetlands, or as provided in the Lake County Code or LDRs, whichever is farther.

Land proposed to be developed under Policy 1.2-3, Density and Intensity of Land Use Within the Wekiva River Protection Area, on the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek, and Lake Norris:

a. Minimum setbacks shall conform to those required by the St. Johns River Water Management District, established pursuant to the Florida Statutes.

b. Where setbacks for such development activity are not regulated by the St. Johns River Water Management District, the following minimum setbacks shall be established: 200 feet from the ordinary high water mark, 50 feet from associated wetlands, or as provided in the Lake County Code, whichever is farther.

#### **RESTRICTIONS ON LAND ADJACENT TO CONSERVATION OR PRESERVATION AREA**

No land adjacent to publicly owned conservation or preservation areas within the Wekiva River Protection Area shall be developed for commercial or industrial uses.

#### **GENERAL PROHIBITIONS**

Parcels of land adjacent to the surface waters and watercourses of the Wekiva River System, including the Wekiva River, Black Water Creek, Sulphur Run, Lake Norris, and Seminole Creek, shall not be subdivided so as to interfere with the implementation of protection zones as established pursuant to Section 373.415, FS; any applicable setbacks from the surface waters and wetlands in the Wekiva River System and in the Wekiva River Protection Area which are established by Lake County; or the policy requiring the concentration of development in the Wekiva River Protection Area as far from the surface waters and wetlands of the Wekiva River System as practicable.

#### **LAKESHORE AND WATERFRONT DEVELOPMENT**

Lakeshore and waterfront development shall occur in a manner which will enhance its natural character, avoid damage to indigenous environmental factors and assure an adequate amount of public access to waterfront and lakeshore areas within the limits defined by the environmental requirements of Lake County LDRs, the St. Johns River Water Management District and other state, regional and local agencies having jurisdiction over such areas.

A. Industrial or commercial uses shall not be permitted adjacent to water bodies.

B. Purchase waterfront areas and islands for public use when identified as an environmentally sensitive resource.

C. Require environmental surveys to be conducted in accordance with a County approved methodology to assess the impacts of waterfront development on ground and surface water quality, quantity, and hydrology; native and endangered vegetation and wildlife species; wetlands and associated uplands before granting approval of the proposed development. This policy shall apply to proposed developments requiring approval by Lake County pursuant to Appendix C, Subdivision Ordinance, or the "PUD" Planned Unit Development District regulations, Section 696, Lake County Code.

D. Utilize the Planned Unit Development approach to waterfront development wherever appropriate in order to maintain the best possible controls over such developments.

E. Require setbacks in conformance with Chapter 40C-41, F.A.C. and those of the Lake County Comprehensive Plan and LDRs to ensure safety, protect environmental factors and conserve public shores as established by local, State and Federal agencies to protect environmental factors and conserve public and private waterfront areas.

#### **LOCATION OF COMMERCIAL DEVELOPMENT**

Commercial areas shall be developed in clearly defined complexes, harmoniously related to surrounding land use, traffic flow and the Lake County Comprehensive Plan.

A. Expressway interchanges within the Wekiva River Protection Area shall be developed as Planned Unit Developments under the Community Facilities District (CFD) classification as contained in the Lake County Code.

B. Commercial Zoning District within the Wekiva River Protection Area existing on March 12, 1990, is vested for commercial use whether or not a site plan has been previously approved, and if a site plan has not been previously approved, County approval is required.

C. Commercial and Industrial uses permitted in the WRPA are depicted on the FLUM. Commercial and Residential uses are permitted in the Industrial Land Use category when the alternate use shall result in a reduction in density or intensity.

D. Commercial development within the WRPA, except as provided in subsection B above, shall be discouraged. Such development shall be restricted to the following intersections:

SR 44 and CR 437;

CR 44A and CR 437;

SR 46 and CR 437;

SR 44 in the vicinity of the Royal Trails subdivision;

SR 46 and CR 435.

Commercial development shall not exceed two (2) acres in the aggregate at each intersection, and shall be developed under the "CP" Planned Commercial zoning classification as contained in the Lake County Code. Limited commercial development will also be considered in the Pine Lakes and Cassia areas when densities increase and a small area study conducted by the Lake County Growth Management Department determines the need for such development. A land use plan amendment shall be processed pursuant to Chapter 163, FS, to permit any commercial uses in the Pine Lakes and Cassia areas. Commercial development will also be allowed as a part of a "PUD" Planned Unit Development, which shall be located interior to the PUD, in increments of one (1) acre per 500 dwelling units. No commercial uses shall be considered in the vicinity of the proposed interchange of the proposed northwest beltway until the completion of the beltway interchange, and after a small area study to determine appropriate uses and locations has been conducted by the Lake County Planning Department.

A land use plan amendment shall be processed pursuant to Chapter 163, FS, to permit any commercial uses in the vicinity of the proposed interchange.

E. Commercial facilities may be permitted, operated or leased by local, State or Federal agencies or established non-profit entities on conservation or preservation lands which are owned by the public or such non-profit entity. Such uses shall be related solely to the use and enjoyment of such lands by the public.

#### **LOCATION OF SCHOOL FACILITIES WITHIN THE WRPA**

Notwithstanding any other provision of this Comprehensive Plan, in order to limit the intensity of structures and facilities, high schools and middle schools within the WRPA shall be restricted to "Receiving Area Number 1" and "Receiving Area Number 2".

### **INDUSTRIAL DEVELOPMENT**

Industrial development shall be prohibited within the Wekiva River Protection Area.

### **MAINTENANCE OF OPEN SPACE SYSTEM**

An open space system shall be maintained to serve the needs of people and shall range from neighborhood to regional scale. Such system shall also include recreation and conservational elements and shall conform with open space requirements of residential (50%) and commercial (25%).

A. Establish flood zones along streams or rivers. Such flood zones shall qualify for open space requirements. Regulate the use of flood prone areas for purposes compatible with the hydrological character of the area. Recreation and water storage are beneficial uses of flood prone areas.

B. Prohibit building within swamps and marshes, except in accordance with the Comprehensive Plan Policy 1-2.1 and policies found within the Conservation Element, the Lake County Code, or in accordance with a wetland alteration/mitigation plan approved by Lake County.

C. Require all structures to have floor elevations at least eighteen (18) inches above the 100-year flood plain, and also require all public improvements such as roads, sewer and water lines, etc. to be designed to meet the criteria of the Flood Disaster Act of 1973, Public Law 93-234 and other applicable Federal, State and local requirements.

D. Native vegetation within the 100-year flood plain in the Wekiva River Protection Area shall be preserved to the greatest extent possible. Therefore, clearing of native vegetation shall be limited to only those areas approved in accordance with a vegetation survey and protection plan submitted to and approved by Lake County, with the exception of those areas devoted to agricultural uses as specified under Policy 5.1.20 and 5.1.21 of this FLUE and those activities necessary for normal yard maintenance.

### **CONSIDERATION OF ENVIRONMENTAL FACTORS**

Full consideration shall be given to environmental factors within Lake County as they pertain to land use. The County shall work towards establishing and maintaining the natural state of the Wekiva River System and the Wekiva River Protection Area.

### **AGRICULTURAL USES**

Recognizing agriculture as an important and necessary economic activity within Florida and Lake County, adequate and appropriate land and water shall be reserved for its continuance. Agriculture is also recognized as a legitimate and productive use of lands within the Wekiva River Protection Area.

A. All lands within the Wekiva River Protection Area presently in use for a particular form of agriculture, such as grazing, row crops, fruit production or other agricultural uses of comparable agronomic or cultural intensity, may continue to be used in the same manner.

B. The clearing of land for commercial agricultural use within the Wekiva River Protection Area will be permitted, provided that the following conditions are met and approved by the Board of County Commissioners.

1. A notice of intent shall be provided to Lake County prior to any clearing for agricultural uses. This notice of intent shall include as a minimum: a description of the land to be converted including the area, location, vegetation; the surface hydrological conditions; the crop or livestock enterprise intended; and a time schedule for the proposed activity.

2. An agricultural plan shall be presented demonstrating the suitability of the land for the proposed use. Such a plan may be prepared directly by the applicant, a consultant, or the U.S. Department of Agriculture, Soil Conservation Service. The plan shall conform to best management practices recommended by the U.S. Department of Agriculture, Soil Conservation Service.

3. Approval shall have been received by any regulatory agencies having jurisdiction.

### **SILVICULTURE IN WEKIVA RIVER PROTECTION AREA**

Silviculture is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area.

A. All areas currently in use for the production of pine trees, or other trees not found in wetlands, may continue to be used in the same manner.

B. Before harvesting cypress, or other species of trees found in wetland areas, for all parcels of land one (1) acre or more, cumulative over a one (1) year period from date of initial harvesting, a notice of intent must be approved by the Board of County Commissioners. At a minimum, the notice of intent shall include a description of the land to be harvested, including the area, location, vegetation, surface hydrological condition and a time schedule for the harvesting activity.

C. A harvesting plan shall be presented demonstrating the suitability of the timber for harvesting. Such a plan may be prepared directly by the applicant, the Florida Division of Forestry, or a consultant.

D. The harvesting plan shall conform to the most current Best Management Practices recommended by the Florida Division of Forestry.

### **SURFACE AND SUBSURFACE HYDROLOGY**

The hydrology of a site should be utilized in determining land use as opposed to land use determining hydrology. This would entail discouraging any land use that would significantly alter surface and subsurface water levels and have an adverse effect on the environment.

### **REDUCTION OF DENSITY OF WATERFRONT DEVELOPMENT**

Lake County shall implement policies aimed at controlling the density of waterfront development.

### **PROTECTION OF THE WATER QUANTITY, WATER QUALITY AND HYDROLOGY OF THE WEKIVA RIVER SYSTEM**

Special consideration shall be given to the protection of the water quantity, water quality and hydrology of the Wekiva River System as defined in Chapter 369, Part III, FS.

### **RESTRICTION OF DEVELOPMENT WITHIN THE FLOODPLAIN**

Floodplain maps prepared by FEMA shall be used in the development of the theory of the people water principle: in existing urbanized areas, keep the water from interfering with the people. In all other areas, keep the people from interfering with the water.

### **PROTECTION AND CONSERVATION OF WETLAND AREAS**

Lake County shall implement policies, which are aimed at protecting and conserving wetland areas.

### **PROTECTION OF WETLANDS AND WETLANDS SYSTEMS**

It is the intent of the Lake County Board of County Commissioners to protect wetlands and wetlands systems to the maximum extent possible, within the limitations contained in the Lake County Code and LDRs. In furtherance of this intent, it shall be the policy of Lake County that regulations governing the alteration of wetlands, or the mitigation of such alteration, within the Wekiva River Protection Area shall

apply to all development as defined in the Lake County Code and LDRs, and to agricultural and silvicultural activities, as well.

#### **PRESERVATION OF NATURAL HABITATS WITHIN THE WRPA**

Preserve natural habitats essential to any animals or plants designated as endangered, threatened, or species of special concern pursuant to the Florida Administrative Code and the Florida Statutes, particularly as they apply to the Wekiva River Protection Area. The preservation of such habitat shall ensure sufficient habitat exists for feeding, nesting, roosting, resting, traveling and migration, so as to maintain viable populations of those species listed.

#### **PRESERVATION OF NATIVE VEGETATION WITHIN THE WRPA**

Native vegetation within the Wekiva River Protection Area shall be preserved to the greatest extent possible. Therefore, clearing of native vegetation shall be limited to only those areas approved in accordance with a vegetation survey and protection plan submitted to, and approved by, Lake County, with the exception of those areas devoted to agricultural uses as specified under Policy 5.1.20 Agricultural Uses and Policy 5.1.21: Silviculture in Wekiva River Protection Area and those activities necessary for normal yard maintenance.

#### **PROTECTION OF AQUATIC AND WETLAND-DEPENDENT WILDLIFE SPECIES ASSOCIATED WITH THE WEKIVA RIVER SYSTEM**

Aquatic and wetland-dependent wildlife species associated with the Wekiva River System shall be protected through the protection of wetlands, associated habitat and aquatic systems.

#### **MINING ACTIVITIES WITHIN THE WRPA**

New mining activities shall be prohibited within the Wekiva River Protection Area. Expansion of existing mining activities within the Wekiva River Protection Area shall be subject to the provisions of the Lake County Code and the approval of the Board of County Commissioners.

The excavation of borrow pits within the Wekiva River Protection Area may be permitted only after approval by the Board of County Commissioners. It is the intent herein to limit the excavation of borrow pits to those necessary for the construction of or improvement to highways or other public works projects within the Wekiva River Protection Area.

#### **ENCOURAGE ACQUISITION OF ENVIRONMENTALLY SENSITIVE AREAS**

Lake County shall support and actively encourage acquisition of Environmentally Sensitive Areas by donation or purchase by Federal, State or units of local government and non-profit groups that would preserve them in their natural state.

#### **PROVISION OF CENTRAL WATER SYSTEMS WITHIN THE WRPA**

Central Water Systems shall be required within the Wekiva River Protection Area where provision of such a system is shown to be economically feasible and environmentally necessary, as determined by the County. The development of a regional water supply system is encouraged in order to augment the feasibility and desirability of providing central water supply facilities consistent with policies in the Potable Water Sub-element for service to occur within the Mt. Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.

#### **PROTECTION OF GROUND AND SURFACE WATERS**

Lake County shall protect the normal quantity, quality, and flow of ground and surface water, which are necessary for the protection of resources of State and regional concern including designated areas such as the Wekiva River Protection Area and Wekiva Study Area.

#### **PROTECTION OF THE WATER SUPPLY**

Lake County shall protect the normal supply of ground and surface waters.

#### **PROVISION OF SEWER WATER SYSTEMS WITHIN THE WRPA**

Central sewer systems shall be required within the Wekiva River Protection Area where provision of such system is shown to be economically feasible and environmentally necessary, as determined by the County. The development of a regional sewage treatment system is encouraged in order to augment the feasibility and desirability of providing central sewage treatment facilities consistent with policies in the Potable Water Sub-element for service to occur within the Mt. Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.

#### **ACQUISITION OF OPEN SPACE AREAS**

Open space areas shall be acquired, if economically feasible, in advance of urban encroachment in order to ensure their continued value as open space. These open space areas include environmentally sensitive areas identified in the Conservation Element of the Lake County Comprehensive Plan; and within the Wekiva River Protection Area.

#### **WEKIVA STUDY AREA**

The County shall regulate the use of land within the Wekiva Study Area, as defined by Florida Statutes, through land use strategies that protect and preserve the function of natural resources within the Wekiva Study Area, including but not limited to springs, springsheds, karst features, most effective recharge areas, sensitive natural habitats, wetlands, wildlife, and wildlife corridors. It is the intent of this section to supplement the provisions contained in this Comprehensive Plan relative to portions of the Wekiva Study Area that include the Wekiva River Protection Area.

Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva Study Area, no development may be approved upon parcels so located unless the proposed development conforms to the provisions of the Wekiva Parkway and Protection Act and the requirements and performance standards adopted pursuant to this Plan. The following policies pertain to the Wekiva Study Area:

#### **SURVEYS AND STUDIES**

New development within the Wekiva Study Area shall be required to conduct surveys and studies as part of the site plan or subdivision review process for the purpose of identifying and locating Most Effective Recharge Areas, karst features, and sensitive natural habitats. The following surveys and studies are required to be submitted with the site plan or subdivision, and conducted by a licensed professional geologist to evaluate the location and presence of certain features:

An analysis of soils, and other geotechnical information such as the Wekiva Aquifer Vulnerability Assessment (WAVA), to determine the location of Most Effective Recharge Areas, as the term is defined in Rule 40C-41.063(3), F.A.C., or soils determined by the U.S. Soil Conservation Service to be Type "A" Hydrologic Soils Group which are considered to be the most effective recharge areas.

An analysis of the site to determine the location and nature of sinkholes and other karst features on the property, such as stream-to-sink and other direct connections to the aquifer including an analysis to determine the depth to water table, the location of the Floridan aquifer relative to ground surface, and the thickness and extent of protective clay layers over the aquifer. This analysis may include the use of geophysical surveys, such as microgravity, ground penetrating radar surveys and soil borings. This analysis may be supplemented with documented locations of sinkholes, light detection and ranging surveys (LIDAR) and aerial photographs.

An analysis of the site by a qualified biologist to determine the location of sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub. This analysis shall be coordinated with the Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection.

A comparative nitrogen loading analysis for the proposed development shall be prepared using professionally acceptable methodology based on the existing land use activity versus the proposed land use activity at buildout. The analysis may take into account specific on-site best management practices and compensatory treatment for nitrogen reduction both on and off-site. The analysis must demonstrate, with all factors taken into account, that there shall be no increase in nitrogen loading to groundwater or surface water.

#### **LAND USE STRATEGY WITHIN THE WSA AND OUTSIDE OF THE WRPA**

The Wekiva Parkway and Protection Act recognizes both clustering and low density rural development as strategies applicable to the protection of natural resources within the Wekiva Study Area (WSA). Consistent with this, and in order to provide for responsible growth management boundaries that respect the integrity of urban and rural areas, the county shall adopt the following overlay districts and provisions within that portion of the WSA located outside of the Wekiva River Protection Area (WRPA). Notwithstanding this, no provision contained herein shall be construed as a right to develop at the maximum density or intensity described or a guarantee that a requested zoning or land use shall be granted. Additional conditions to ensure the protection of natural resources and community character as determined by the County may be required consistent with this Comprehensive Plan.

##### **1. Wekiva Transitional District**

The Wekiva Transitional Overlay District is hereby established and identified in Exhibit X. It is the intent of this district to promote the use of clustering while providing for transitional densities and intensities between designated rural lands and the urban areas associated with Mt Dora, Eustis and Mt Plymouth-Sorrento. Land within the Wekiva Transitional District, and not otherwise vested pursuant to Policy \_\_\_\_\_, may be allowed to develop at a maximum residential density of one (1) dwelling unit per one (1) net acre. Proposed development exceeding ten (10) acres in size and having a density greater than one (1) dwelling unit per five (5) net acres shall be required to utilize PUD zoning and protect a minimum ~~50%~~ 60% of the net area as open space. Residential development consistent with the Wekiva Traditional Rural District may also be permitted within this district. Non-residential uses shall be consistent with the rural high density future land use category.

##### **2. Wekiva Traditional Rural District**

The Wekiva Traditional Rural Overlay District is hereby established and identified in Exhibit X. It is the intent of this district to promote the viability of rural communities and protect natural resources of the WSA through the continued pursuit of low-impact rural activity. Land within the Wekiva Traditional Rural District, and not otherwise vested pursuant to Policy \_\_\_\_\_, may be allowed to develop at a maximum residential density of one (1) dwelling unit per five (5) net acres, or alternatively at a maximum residential density of one (1) dwelling unit per three (3) net acres with PUD zoning and provided that a minimum ~~25%~~ 35% of the net area is protected as open space. Non-residential uses within this district shall be consistent with the rural medium density future land use category.

##### **3. Municipal Joint Planning Areas and Mount Plymouth-Sorrento**

The County shall coordinate with the municipalities of Mount Dora and Eustis regarding the distribution of density and intensity and the protection of open space within their respective Joint Planning Areas (JPAs), consistent with adopted Joint Planning Agreements as they may be amended from time to time. Development of property within the Mount Plymouth-Sorrento Planning Area outside of the WRPA shall comply with policies established within this Comprehensive Plan and the LDRs for the Mount Plymouth-Sorrento Historic Village Overlay District.

### **OPEN SPACE REQUIREMENTS WITHIN THE WSA**

In order to protect natural resources, including but not limited to aquifer recharge, karst features, native vegetation, habitat, and wildlife, the County shall require that new development within the WSA using PUD zoning preserve and dedicated open space in perpetuity subject to the following requirements:

Clustering of units shall be required, where the term clustering means that the built area of the development site is well defined and compact, thereby enabling the creation of contiguous expanses of common open space and the protection of environmentally sensitive areas. Development shall be clustered away from environmentally sensitive areas on site and away from adjacent public conservation land. Open space created through clustering shall be connected to the greatest extent possible to adjacent open space areas and public conservation lands to create contiguous networks and corridors of larger open space.

Within the WSA and outside of the WRPA, minimum open space requirements shall be consistent with FLUE Policy 6.2.2. Within the WSA and inside of the WRPA, if a proposed development seeks to increase density through the WRPA points system, PUD zoning shall be required and a minimum 50% 60% of the net area shall be protected as open space.

At least 50% of the required open space shall be in a single contiguous tract. Open space shall be contiguous with protected open space on adjacent parcels and public conservation lands to the maximum extent feasible.

### **OPEN SPACE DEFINITION WITHIN THE WSA**

For the purpose of calculating minimum open space requirements within a development site, open space within the WSA shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Open space ~~excludes waterbodies, wetlands,~~ private lots, street rights of way, parking lots, impervious surfaces, and active recreation areas. Open space may include permeable stormwater management areas if enhanced as amenities utilizing native vegetation and a maximum of 25% of a site's wetland acreage. Open space shall be calculated over the net buildable area of a parcel, ~~which is defined as the total area of a parcel less wetlands and water bodies.~~

It is the intent of this policy to ensure an adequate and predictable quantity of upland open space, protective of aquifer recharge. Golf courses shall be generally excluded as open space with the exception that areas of a golf course that are naturally vegetated, do not require irrigation, and are not subject to chemical application may be credited towards open space, and provided that the golf course is certified as being in compliance with BMP's described in "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices" (DCA/DEP).

### **PRIORITY FOR OPEN SPACE WITHIN THE WSA**

Priority for preservation and dedication of open space shall be given to the following resources: Most Effective Recharge Areas, wetlands, springs, spring runs, sinkholes, surface and subsurface caves, and karst features, as well as sensitive natural habitats including long leaf pine, sand hill, xeric oak scrub, and sand pine scrub vegetative communities.

### **DEDICATION OF OPEN SPACE WITHIN THE WSA**

Open space required within the WSA shall be protected as follows:

Open space shall be designated to remain undeveloped and protected in perpetuity through the use of conservation easements, plat restrictions, or similar legally recorded and bindings instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

Dedication and responsibility for maintenance of open space shall be to one or a combination of the following, which shall be designated prior to development:

Conservation Agency such as FDEP or SJRWMD

Non-profit conservation organization or land trust

Lake County, subject to county approval

Homeowners Association providing for binding legal commitments regarding preservation and management

The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field to distinguish these areas from areas suitable for development.

### **DEVELOPMENT DESIGN STANDARDS**

All new residential development ~~utilizing PUD zoning~~ within the WSA as required pursuant to FLUE Policy 6.2.2 or 6.2.3 shall implement conservation subdivision design standards including:

Clustering of dwelling units on smaller lots to create contiguous tracts of common open space for the protection of wildlife, natural habitat, karst features, most effective recharge, and aquifer recharge.

Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties.

Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument.

Minimal site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping.

Use of Florida Friendly landscaping, and limiting lawn and landscaped areas requiring irrigation to no more than 50% of all pervious areas, including residential lots.

Central water and sewer facilities that can be connected to a regional system when available for all new development within the WSA with a density in excess of one unit per net buildable acre, as described in the public facilities element.

Installation of reclaimed water lines within service areas in order to ensure the present or future capability to receive treated reuse water.

### **PROTECTION OF KARST FEATURES**

The County shall require that new development be designed to avoid and protect karst features with the intent of maintaining their natural function, integrity and structure. Karst features shall be considered for potential acquisition by the County with priority given to those areas where protection would render a property undevelopable.

### **IDENTIFICATION OF KARST FEATURES**

The County shall require that karst features are accurately identified on development proposals, and protected during construction and after development by the following:

Inclusion of karst features into pervious open space areas.

Incorporation of karst features as aesthetic elements.

Prevention of stormwater discharge to karst features with direct connection to the aquifer.

Pretreatment of stormwater prior to discharge to karst features that are verified to have no direct connection to the aquifer.

Avoidance of all karst features in the discharge of wastewater effluent.

Protection zone buffering around karst features to maintain natural context, edge vegetation, and structural protection.

**SETBACK FROM KARST FEATURES**

Development shall be setback from springs, spring runs, sinkholes, and other karst features as specified below. The setback shall consist of a buffer that retains all natural vegetation within the setback area. Karst features including sinkholes with a direct connection to the aquifer and stream-to-sink features, shall not be utilized as stormwater management facilities.

Feature	Minimum setback
Springs	300 feet
Spring runs	100 feet
Sinkholes and other karst features with direct connection to the aquifer	200 feet
Sinkholes and other karst features without direct connection to the aquifer	100 feet

If a lot of record is too small to comply with the setback requirements above, structures and pervious surfaces shall be located at the maximum distance possible from the karst feature(s), and a swale and berm shall be built between the developed area and karst feature to direct drainage away from the feature.

**DEVELOPMENT BMPS FOR GROUNDWATER PROTECTION**

In order to minimize the contribution of nitrates to groundwater and to foster stewardship of Wekiva springshed, special design and best management practices shall be instituted for development within the WSA:

Development shall use joint or shared access to the maximum extent feasible in order to minimize impervious surfaces.

Nonresidential development shall minimize the size of contiguous impervious areas and shall use shared parking to the maximum extent feasible in order to minimize impervious surfaces. All parking lots with 100 or more spaces shall be designed with a minimum of 20% of the parking spaces as pervious area.

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through techniques that shall be depicted on the development site plan, such as:

Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse

Directing flows from paved areas to vegetated areas

Locating impervious surfaces to drain to vegetated buffers or natural areas

Breaking up flow directions from large paved surfaces

Porous pavement materials, pervious concrete, and pervious asphalt should be used to minimize the amount of impervious surface.

Drainage for streets and roads within new development shall be through roadside swales and berms. Curb and gutter design should not be approved, except where safety issues exist. Infill and redevelopment within existing urban areas with existing curb and gutter are exempt from these requirements. Where curb and gutter is approved and to the extent feasible, the curb and gutter shall be designed to provide adequate curb cuts to allow run-off to be directed to roadside landscaped swales for infiltration and treatment prior to discharge.

Development shall be designed to minimize site disturbance using techniques including but not limited to:

Limiting clearing to the minimum area necessary for development

Avoid or minimize the removal of existing trees and vegetation

Minimize soil compaction to the footprint of development

Minimize connected impervious surfaces to reduce water runoff flows and increase opportunities for infiltration

#### **PROTECTION OF SENSITIVE NATURAL HABITAT WITHIN THE WSA**

The County shall protect sensitive natural habitat within the WSA, including Longleaf Pine/Sandhill, Sand Pine, and Xeric Oak Scrub communities, through land acquisition and regulation. For new development within the WSA, a site analysis shall be performed during the development review process to identify sensitive natural habitats. If any such habitat is determined to exist on site, proposed development shall be required to avoid and protect such areas where they exist as follows:

Design shall be accomplished to maintain sensitive natural habitat in functional, clustered and contiguous configurations that maximizes use by wildlife and maintains the long-term viability of natural communities. This includes linkages to habitat corridors and greenways where possible.

If the sensitive natural habitat identified on site is determined to be of minimal ecological value, the County may accept alternatives to onsite conservation that provide for the long-term protection and management of sensitive natural habitat of equal or greater value elsewhere within the WSA that is not otherwise protected. Such alternatives may include the off-site preservation of sensitive natural upland habitat through fee-simple purchase or conservation easement.

The LDRs shall establish criteria for determining which projects warrant the use of alternatives to onsite conservation. Criteria may include but are not limited to size, quality, connectivity, management opportunities, and adjacent uses.

Sensitive natural habitats protected on-site shall require a permanent conservation easement and be incorporated as open space within the subject property.

The County shall require the development and implementation of a management plan for any sensitive natural habitat occupying more than two (2) acres that is to be protected on or off-site as a result of a development project. This management plan shall be prepared at the expense of the applicant by a qualified professional biologist and provide for the following:

Removal of invasive vegetation, and replanting with native vegetation as necessary

Maintenance of biodiversity, with special emphasis on protection of listed plant and animal species

Removal of debris, articles, and structures not permitted by the management plan

Any additional measures determined necessary to protect and maintain the functions and values of the habitat area while ensuring protection from wildlife.

### **WEKIVA-OCALA CORRIDOR**

The County shall regulate the use of land within the Wekiva-Ocala Corridor, generally described as the portion of the northeast Lake County that includes the Wekiva River Protection Area and its northern extension into and including the Ocala National Forest, with an emphasis on sustaining rural land use patterns and the preservation of natural habitat, wildlife populations, and opportunities for passive recreation.

### **DEVELOPMENT WITHIN THE WEKIVA-OCALA CORRIDOR**

Lake County shall protect the Wekiva-Ocala Corridor by regulating the density and intensity of development within the WRPA, consistent with the Future Land Use Element, and through application of the Rural Future Land Use series within the Wekiva-Ocala Corridor outside of the WRPA. In addition to those areas that utilize PUD zoning to protect open space pursuant to FLUE Policy 5.2.2 and 5.2.3, the County may require PUD zoning and clustering for any proposed development within the Wekiva-Ocala Corridor, if necessary as determined by the County, to ensure the protection of natural resources, including but not limited to habitat, wildlife, wildlife corridors, or to provide for resource management such as prescribed fire. Future Land Use Element Objective 6.2 and associated policies for the Wekiva Study Area shall apply within the Wekiva-Ocala Corridor.

### **DEVELOPMENT WITHIN THE OCALA NATIONAL FOREST**

In order to protect natural resources of the Ocala National Forest, it shall be the policy of Lake County to limit future development on private land within boundaries of the forest to the Rural Low Density future land use category, with the exception of the Astor and Astor Park communities as depicted on the Future Land Use Map. Lake County shall review all proposals for the development of private land within the boundaries of the Ocala National Forest, including within Astor and Astor Park, for potential impact to forest resources.

### **COORDINATION OF LAND USE WITH OBJECTIVES OF THE WEKIVA-OCALA GREENWAY PROJECT**

By December 2006, Lake County in cooperation with the Department of Environmental Protection shall identify essential ecological corridors within northeast Lake County and the Florida Division of State Lands Wekiva-Ocala Greenway project area that are necessary to establish a viable and permanent landscape linkage between the Wekiva basin and Ocala National Forest. This evaluation shall consider habitat connectivity, corridors for wildlife movement and the relationship between public and private lands within the project area with the intent of developing a comprehensive land use and conservation strategy for ensuring long-term protection of the greater Wekiva-Ocala ecosystem.

### **AGRICULTURE WITHIN THE WEKIVA-OCALA CORRIDOR**

The County shall support the use of land within the Wekiva-Ocala Corridor for low-impact sustainable agriculture, such as silviculture, that is compatible with natural resource protection. The County shall require compliance with the most current revision of "Silviculture Best Management Practices" developed by the Florida Department of Agriculture and Consumer Services, Division of Forestry.

### **ROADWAY CORRIDOR OVERLAYS**

By December 31, 2006, the County shall enact LDRs establishing an overlay district for arterial roads within the Wekiva-Ocala corridor, WRPA, and WSA of Lake County to maintain visual quality, provide a sense of place, protect the viability of wildlife corridors and improve/protect rural character. These roads include, but are not limited to SR46, SR44, SR44A, SR42, SR40, SR19, SR445, and SR445A. The

development standards set forth in the overlay zoning classification shall establish, at a minimum, standards for:

Preservation, removal/replanting of canopy trees;

Black Bear and other wildlife corridors;

Florida Friendly landscaping and buffer requirements;

Clearing of native vegetation;

Signage and lighting, including adoption of a Dark Sky Ordinance;

Building setbacks and height restrictions;

Walls, fences, entrance features and similar structures;

Access management;

Location of parking;

Location of equipment storage;

Location and design of retention ponds; and

#### **STRUCTURAL MODIFICATION FOR WILDLIFE**

The County shall support structural modifications to roads within the Wekiva River Protection Area and generally within the Wekiva-Ocala ecological corridor that provide permeability and allow for wildlife movement within appropriate road segments.

#### **ENSURE CONSISTENCY WITH THE WEKIVA GOPS AS TRANSMITTED BY THE BOARD OF COUNTY COMMISSIONERS**

**GOAL 3 - GREEN SWAMP** The Green Swamp Area of Critical State Concern, including its wetlands, forests, prairie, and wildlife, is a natural resource of irreplaceable value to the people of Lake County and State of Florida. Furthermore, due to its high groundwater elevation, the Green Swamp serves as a recharge area for the Floridan Aquifer and therefore plays a critical role in protecting Central Florida's water supply. Lake County shall maintain the long-term viability of these natural resources through a comprehensive and holistic approach to land use, water resource protection, and wildlife and habitat needs within the Green Swamp.

### **OBJECTIVE 7.0 GREEN SWAMP**

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Green Swamp as a natural resource of critical state and regional importance.

#### **GREEN SWAMP BOUNDARY**

The GSACSC was designated in 1979 by the Florida Legislature pursuant to the Florida Statutes. This legislation set forth the requirements of the designation that are also found within the Florida Administrative Code. The boundary of the GSACSC is depicted in **Exhibit X** and is legally described within Rule Chapter 28-28, FAC.

#### **DEVELOPMENT WITHIN THE GSACSC**

Development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development for the GSACSC.

#### **USES OF LAND DETERMINED TO BE OF ECOLOGICAL OR ENVIRONMENTAL VALUE**

Land determined to be of ecological or environmental value is set aside to be conserved. The GSACSC is one such area that has been determined to be of environmental value. For the purpose of this Land Use Plan, "conserve" shall imply uses such as parks, agriculture, very low density residential which will not overly damage natural conditions, as well as, "no development" use. It is intended that the Conservation Element will eventually determine actual preservation areas as specific inventories and information becomes available. Within the Land Use Plan, criteria such as drainage patterns, soil types, flood types, flood zones and indigenous vegetation are utilized.

#### **CONFORMANCE WITH THE PRINCIPALS FOR GUIDING DEVELOPMENT FOR THE GSACSC**

Residential development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development for the GSACSC.

#### **TRANSPORTATION RELATED CONSTRUCTION ACTIVITIES WITHIN THE GSACSC**

Construction of new roads in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development for the GSACSC.

#### **REVIEW OF DEVELOPMENT PROPOSALS WITHIN THE GSACSC FOR ENVIRONMENTAL CONSIDERATIONS**

Development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development for the GSACSC.

#### **PRINCIPLES FOR GUIDING DEVELOPMENT WITHIN THE GSACSC**

The following shall apply to the GSACSC, in order to effectively and equitably conserve and protect its environmental and economic resources, provide a land and water management system to protect resources, provide a land and water management system to protect such resources, and facilitate orderly and well planned growth:

Protection Objectives:

1. Minimize the adverse impacts of development on resources of the Floridian Aquifer, wetlands, and flood detention areas.
2. Protect the normal quantity, quality, and flow of groundwater and surface water, which are necessary for the protection of resources of State and regional concern.
3. Protect the water available for aquifer recharge.
4. Protect the functions of the Green Swamp Potentiometric High of the Floridian Aquifer.
5. Protect the normal supply of ground and surface waters.
6. Prevent further salt-water intrusion into the Floridian Aquifer.
7. Protect or improve existing ground and surface water quality.
8. Protect the water-retention, and biological filtering capabilities of wetlands.
9. Protect the natural flow regime of drainage basins.
10. Protect the design capacity of flood detention areas, and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

Regulatory Guidelines:

1. Site Planning - The platting of land shall be permitted only when such platting commits development to a pattern which will not result in the alteration of the natural surface water flow regime, and which will not reduce the natural recharge rate of the platted site.

2. Site Alteration - Site Alteration shall be permitted only when such alteration will not adversely affect the natural surface water flow regime, or natural recharge capabilities of the site; and when it will not cause siltation of wetlands, or reduce the natural retention and filtering capabilities of wetlands.

All site alteration activities shall provide for water retention and settling facilities, maintain an overall site runoff equivalent to the natural flow regime prior to alteration, and maintain a runoff rate which does not cause erosion. No site work shall be initiated prior to the issuance of drainage/stormwater permits by concerned agencies.

3. Soils - All exposed soils as a result of site alteration or development activities shall be located and stabilized in a manner to prevent the alteration of the natural flow regime. All soil exposed as a result of site alteration or development activities shall be restored with suitable vegetation.

4. Groundwater - Ground water withdrawal shall not exceed the safe yield per acre as determined by the St. John's River or the Southwest Florida Water Management Districts, or its successor agency.

5. Stormwater - Pre-treated Stormwater runoff shall be released into the wetlands in a manner approximating the natural flow regime if consistent with the stormwater management ordinance.

Any industrial waste, sewage, or other man-induced wastes shall be effectively treated by the latest technological advances, and shall not be allowed to discharge into these waters unless in conformance with FDEP rules and regulations.

6. Solid Waste - There shall be no solid waste facilities located in the Green Swamp.

7. Structures - Structures shall be placed in a manner that will not adversely affect the natural flow regime, and which will not reduce the recharge capabilities. Placement of structures shall be consistent

with sound floodplain management practices such as compliance with the Flood Disaster Protection Act of 1973.

#### **DEVELOPMENT WITHIN THE GSACSC RELATIVE TO THE PROTECTION OF NATURAL RESOURCES**

Lake County shall protect its water resources in view of the benefits that can be derived by present and future residents of Lake County. Protection of water resources in the GSACSC is required by the Principles for Guiding Development for the GSACSC.

#### **MINIMIZATION OF ADVERSE IMPACT TO THE FLORIDAN AQUIFER**

Lake County shall minimize the adverse impacts of development on resources of the Floridan Aquifer.

#### **PROTECTION OF GROUND AND SURFACE WATERS**

Lake County shall protect the normal quantity, quality, and flow of ground and surface water, which are necessary for the protection of resources of State and regional concern such as the GSACSC.

#### **PROTECTION OF THE AMOUNT OF WATER AVAILABLE FOR AQUIFER RECHARGE**

Lake County shall protect the water available for aquifer recharge.

#### **PROTECTION OF THE WATER SUPPLY**

Lake County shall protect the normal supply of ground and surface waters.

#### **PREVENTION OF SALT-WATER INTRUSION INTO THE FLORIDAN AQUIFER**

Lake County shall prevent further salt-water intrusion into the Floridan Aquifer.

#### **MAINTENANCE OF THE POTENTIOMETRIC HIGH OF THE FLORIDIAN AQUIFER**

Lake County shall protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

#### **MINIMIZATION OF ADVERSE IMPACTS TO WETLANDS CAUSED BY DEVELOPMENT ACTIVITIES**

Lake County shall minimize the adverse impacts of development on wetlands.

#### **PROTECTION OF THE FUNCTIONS OF WETLANDS**

Lake County shall protect the water-retention, and biological filtering capabilities of wetlands.

#### **PROTECTION OF WATER QUALITY AND QUANTITY**

Water quality and a quantity in the GSACSC shall be protected in accordance with the Principles for Guiding Development for the GWACSC.

#### **DEVELOPMENT WITHIN THE GSACSC RELATIVE TO PUBLIC FACILITIES**

Lake County shall Protection of surface and groundwater resources relative to the provision of public facilities. Protection of water resources in the GSACSC is required by the Principles for Guiding Development for the GSACSC.

#### **PROTECTION OF GROUNDWATER RESOURCES**

Lake County shall protect its groundwater recharge areas from development, which would substantially reduce the amount of potential recharge. Protection of aquifer recharge areas in the GSACSC is required by the Principles for Guiding Development for the GSACSC.

#### **ENSURE THE SAFETY OF THE PUBLIC BY CONTROLLING SURFACE WATER RUNOFF AND FLOW**

Lake County shall, in the GSACSC, conserve and protect the environmental resources consistent with the Principles for Guiding Development for the GSACSC as it relates to stormwater runoff. Lake County

shall prepare and adopt a comprehensive stormwater management ordinance, which meets or exceeds the site alteration criteria for the GSACSC as found within the Florida Administrative Code. Wetland alteration shall be consistent with Policy 3-11 (wetlands) and policies in the Conservation Element. Stormwater shall be treated to the level for quality and quantity (Levels of Service) as established within the Stormwater Sub-element Goals, Objectives, and Policies and in conformance with Policies 1-2.2 and 1-2.11 as well as policies within the Conservation Element.

The Stormwater Ordinance shall contain at minimum, definitions, permit requirements, exemptions, performance criteria, system design criteria, dedication of drainage easements and rights-of-way, application requirements, payment of fees, maintenance of systems, inspections, enforcement, emergency exemptions, variance provisions, provisions for appeals, and provide for penalties and violations.

The County shall prohibit construction with wetland and floodplain areas inside the Green Swamp, except where necessary to provide legal ingress or egress to a legal lot of record for which no other access exists.

#### **MINIMIZATION OF THREATS TO LIFE AND PROPERTY**

Lake County shall enforce the County's Floodplain Ordinance, which shall be included within the LDRs, so as to minimize the threat of life and property from flooding. In the GSACSC, the County shall enforce regulation consistent with the Principles for Guiding Development for the GSACSC.

#### **STORMWATER MANAGEMENT CONSIDERATIONS WITHIN THE GSACSC**

Lake County shall minimize the adverse impacts of development on flood detention areas, protect the natural flow regime of natural drainage basins, protect the design capacity of flood detention areas, and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

#### **FUTURE LAND USE WITHIN THE GSACSC**

Lake County shall continue to protect natural resources of the GSACSC through application of four future land use categories specific to the GSACSC: Ridge, Transition, Rural/Conservation, and Core/Conservation. These limitations on density and intensity are deemed necessary in order to protect and enhance the natural resources contained therein.

#### **DENSITIES AND INTENSITIES APPLICABLE TO THE GSACSC**

The densities and intensities established in these policies are the only densities and intensities that apply in the GSACSC. Proposed development shall be required to follow the policies set out below which are additional requirements to the other requirements of the Comprehensive Plan.

#### **LIMITATIONS OF DEVELOPMENT WITHIN THE GSACSC**

Lake County shall limit the amount of development that can occur in the GSACSC to the uses allowed in each of the land use categories identified in the policies below and which are located on the County's FLUM.

#### **CONSISTENCY WITH OTHER MANAGEMENT PLANS**

Lake County shall coordinate with other local, regional, and state agencies to ensure that policies as established in this Comprehensive Plan are consistent with other management plans.

#### **RIDGE LAND USE CATEGORY**

The Ridge land use category shall allow residential densities up to 4 units per acre provided central sewer service is provided. The following restrictions apply:

1. All developments shall use water conservation devices;

2. All developments must provide assurances that all of the services needed to support that development are in place concurrent with the impacts of the development (this includes fire, police, schools). Development orders shall be issued with a condition that specifies the regional wastewater service provider and that requires the development to connect to the regional provider when sewer services are available;
3. Clustering of development on the least environmentally sensitive areas;
4. Residential planned unit developments require 40 percent of the project site be retained as open space;
5. Impervious surfaces ratio shall be limited to 45 percent of the site;
6. All developments shall contain facilities for the retention of all stormwater on site or at regional facilities located in the same area of recharge;
7. A residential density of one (1) unit per twenty (20) acres of wetlands is transferable to the uplands; and
8. Mixed use PUDs in the Ridge area shall be limited to a maximum of 20 percent of the development site utilized as commercial.

Uses:

All land uses are allowed within the Ridge Land Use category except the following land uses:

Residential development over 4 DU/AC of uplands

Commercial development greater than 5000 square feet

Corridor commercial

Industrial developments, excluding manufacturing uses allowed in commercial designations

Mining

Golf courses may be permitted on a case by case basis, consistent with the Green Swamp Principles for Guiding Development

Power plants

Incinerators

Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.

Airports as defined in Chapter 9J-5.003(3) F.A.C.

**TRANSITIONAL LAND USE CATEGORY.**

The Transitional land use category shall allow development to occur at one unit per five acres. In addition, density may be transferred to the upland portions of the site at a ratio of 1 unit per 20 acres of wetlands. The following restrictions apply:

1. Water conserving devices are mandatory for all development;
2. Impervious surface ratio is limited to 30 percent of the site;
3. Sixty percent of the project site be retained as open space;
4. A qualitative wetland study is required for all developments in excess of 100 acres. The purpose of said wetland study is to maintain the integrity of wetland systems;

5. Development shall be clustered on uplands away from environmentally sensitive lands as identified in the Plan;
6. All developments shall contain facilities for the retention of all stormwater on site or at regional facilities located in the same area of recharge;
7. A study for threatened and endangered species and species of special concern is required for all proposed developments exceeding 50 acres. If it is determined that listed species are located on the site, a habitat management plan must be prepared using guidelines and protocols of the FFWCC. This plan must be reviewed by FFWCC prior to the issuance of a development order by the County; and
8. No exotic or nuisance plant species shall be used in landscaping.

Uses:

All land uses are allowed within the Transitional Land Use category except the following land uses:

Residential development over 1 DU/5 AC of uplands

Commercial development greater than 5000 square feet

Corridor commercial

Industrial developments, excluding manufacturing uses allowed in commercial designations

Mining

Golf courses may be permitted on a case by case basis, consistent with the Green Swamp Principles for Guiding Development

Power plants

Incinerators

Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.

Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and lot approval limits within the Transitional Land Use Category:

Within the Transitional land use category, the County shall not approve more than 120 lots per year for platting and shall not issue more than 100 building permits per year. The foregoing maximums are presumed to be valid and legally binding. In the event these maximums are stricken by a court of competent jurisdiction, the County shall suspend the review or issuance of any new development orders within this land use category for the purpose of adoption of amendments to the Comprehensive Plan. This suspension shall remain in full force and effect until such time as the County has amended its Comprehensive Plan to establish appropriate densities in accordance with the requirements of Chapter 163, FS and Chapter 9J-5, FAC.

#### **RURAL/CONSERVATION LAND USE CATEGORY**

The Rural/Conservation land use category shall allow development to occur at 1 unit per 10 acres of uplands. Density may be transferred to the upland portions of the site at a ratio of 1 unit to 20 acres. The following restrictions also apply:

1. Residential development shall be serviced by private wells;
2. Septic tanks shall be regulated in accordance with the specific policies for the GSACSC set forth below;

3. A qualitative wetland study for all developments in excess of 100 acres shall be required. The purpose of said wetland study is to maintain the integrity of wetland systems;
4. Residential developments require 80 percent of the project site be retained as open space;
5. Development shall be clustered on uplands away from environmentally sensitive lands as identified in this Plan;
6. All developments shall contain facilities for the retention of all stormwater on site or at regional facilities located in the same area of recharge;
7. A study for threatened and endangered species and species of special concern is required for all proposed developments exceeding 100 acres. If it is determined that listed species are located on the site, a habitat management plan must be prepared using guidelines and protocols of the Florida Fish and Wildlife Conservation Commission (FFWCC). The plan must be reviewed by FFWCC prior to the issuance of a development order by the County; and
8. No exotic or nuisance plant species shall be used in landscaping.

Uses:

All land uses are allowed within the Rural/Conservation Land Use category except the following land uses:

Residential development over 1 DU/10 AC of uplands

Commercial development

Industrial developments, excluding manufacturing uses allowed in commercial designations

**Mining**

Active Tourist Attraction Based Recreation facilities which include such uses as water slide parks, RV parks, stadiums, racetracks, Jai-Alai frontons, arenas, amusement parks, zoological/botanical gardens and parks, and aquariums

Other active facility based recreation unless provided solely for the purposes of serving the residents within the GSACSC

Golf courses

Power plants

Incinerators

Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.

Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and lot approval limits within the Rural/Conservation Land Use Category:

Within the Rural/Conservation land use category, the County shall not approve more than 60 lots per year for platting and shall not issue more than 50 building permits per year.

**CORE/CONSERVATION LAND USE CATEGORY**

Within the Core/Conservation land use category, development may occur at one unit per twenty acres. In addition, the following criteria shall be met:

1. Developments of more than six (6) parcels shall be processed as residential planned unit developments (PUD). Developments shall require a minimum of 90% of the project site to be retained as open space;
2. Development shall be clustered on the uplands away from environmentally sensitive land as defined in this Plan; and
3. All other criteria for development in the Rural/Conservation area shall apply.

Uses:

All land uses are allowed within the Core/Conservation Land Use category except the following land uses:

Residential development over 1 DU/20 acres of uplands

Commercial development

Industrial developments, excluding manufacturing uses allowed in commercial designations

Mining

Roadway construction utilizing public funds except paving which may be provided to assure access for emergency vehicles necessary for the protection of the resident's health, safety and welfare

Active Tourist Attraction Based Recreation facilities which include such uses as water slide parks, RV parks, stadiums, racetracks, Jai-Alai frontons, arenas, amusement parks, zoological/botanical gardens and parks, and aquariums

Other active facility based recreation unless provided solely for the purposes of serving the residents within the GSACSC

Golf courses

Power plants

Incinerators

Class I, Class II, and Class III sanitary landfills as identified in Chapter 17-701 F.A.C.

Airports as defined in Chapter 9J-5.003(3) F.A.C.

Permit and lot approval limits within the Core/Conservation Land Use Category:

Within the Core/Conservation land use category, the County shall not approve more than 35 lots per year for platting and shall not issue more than 50 building permits per year.

### **REGULATED ACTIVITIES AND USES WITHIN THE GSACSC**

Lake County shall regulate the following activities and uses within the GSACSC:

### **MANUFACTURING USES ALLOWED WITHIN COMMERCIAL DESIGNATIONS**

Within commercial uses, manufacturing uses shall be limited to those primarily involved with the assembly of goods and products processed without the use of excessive chemicals, heat or machinery. Activities which might be obnoxious or offensive by reason of emission of odor, dust, smoke, gas or noise beyond the buildings are prohibited.

1. Unacceptable Manufacturing Products

Products and goods not allowed to be manufactured within commercial areas include: any chemical or mineral listed on the Florida Substance List, gas of any kind, ammonia, asphalt, cement, fertilizer, brass,

brick, tile, metal, dyes, paper, pulp, glue, gunpowder, paint and/or its constituents, explosives, emery cloth, sandpaper, candles, disinfectant, dyestuffs, insect extermination, ice and ice cream.

## 2. Unacceptable Uses

Manufacturing uses prohibited in commercial areas include: abattoir and meat packing plants, bakeries (other than those whose products are made and sold only on the premises), bottling works, boiler works, brass and copper works, canning plants, coke ovens, cleaning and dyeing establishments, distillery, fish smoking and curing, incinerators, metal or woodworking shop, milk depot (other than a retail business conducted on the premises), and rendering or reduction plant of any kind.

## **LOCATION OF SCHOOLS WITHIN THE GSACSC**

Notwithstanding any other provision of this Comprehensive Plan, in order to appropriately locate schools in the vicinity of population centers and limit the intensity of structures and facilities, school facilities within the GSACSC shall only be permitted within the Ridge land use category.

## **WATER QUALITY AND QUANTITY WITHIN THE GSACSC**

Within the GSACSC, development shall not alter the quantity or quality of surface water runoff from the project area or alter the quantity or quality of groundwater recharge from the project area.

## **SEPTAGE DISPOSAL**

Within the GSACSC it will be unlawful for any person to dispose of any type of sludge from a wastewater treatment plant or land spreading of septage from septic tanks.

## **RIVER AND STREAM CROSSINGS**

New river and stream crossings will be prohibited unless required for site access.

## **SILVICULTURAL AND AGRICULTURAL ACTIVITIES**

Silvicultural and agricultural activities shall follow Best Management Practices as identified in other policies of the Plan.

## **SEPTIC TANK PROVISIONS**

For all developments in the GSACSC that propose the use of septic tanks, the following criteria shall apply:

1. All septic tanks and all the drainfields shall be required to have a 75 feet setback from the furthest upland extent of any wetland using the most extensive determination of the wetland area by the DEP, the appropriate WMD, the Army Corps of Engineers, or Lake County, if applicable. In the event of a disagreement regarding the jurisdictional line, the Natural Resources and Conservation Service shall make the final determination.

2. Where septic tanks are permitted in the GSACSC, the minimum lot size shall be one (1) acre. However, development in the Transitional land use category shall be allowed to cluster on lots no less than one-half (1/2) acre in size provided there is sufficient upland to contain the structure, contain the septic tank and drainfield, and meet the 75 feet wetland setback requirement. Additionally, development in the Transitional land use category shall only be allowed to cluster on lots no less than one-half (1/2) acre in size provided the soils are rated slight to moderately restricted for septic tank percolation by the Natural Resources and Conservation Service prior to fill being added to the site, and all other requirements of the Transitional land use category can be met.

For development on lots legally created on or before March 2, 1993, as well as lots located in a subdivision listed below, which cannot meet the seventy-five (75) feet setback requirement and would otherwise be deemed unbuildable, an administrative adjustment may be granted by the County

Manager or designee to allow the placement of the septic tank and drainfield; whereby, the location of the septic tank and drainfield would least impact surface waters and wetlands. In those instances where a wetland is considered by the Department of Health to also be the same as the ordinary high water line of a surface water, the Department of Health variance process established pursuant to the Florida Statutes shall substitute for the County administrative adjustment process.

SUBDIVISION NAME	DATE RECORDED
Beula Heights	April 24, 1925
Bowman Realty Co.	November 22, 1913
Cypress Walk	April 21, 1982
Edges Subdivision	November 10, 1922
Empire Acres	May 15, 1986
Graceland	May 6, 1987
Greater Groves Phase 1	September 25, 1991
Greater Groves Phase 2	July 29, 1992
Greater Groves Phase 3	January 11, 1994
Groveland Farms	September 26, 1911
Grovella Park	January 18, 1926
Lake Nellie Oaks	July 9, 1991
Lake Glona Shores	February 21, 1989
Lake Kirkland Shores	August 11, 1987
Lake Louisa Park	June 14, 1974
Lake Monte Vista	June 12, 1988
Lake Susan Homesites	January 30, 1959
Lake Susan Outlook	June 21, 1989
Lancaster Beach	January 10, 1952
Little Acres	April 5, 1926
Monte Vista Park Farms	February 13, 1914
Murcott Hill	April 12, 1978
Pine Island/Watson's Sub.	December 18, 1924
Pine Island Estates	January 8, 1992
Postal Colony	February 15, 1926
Postal Groves	March 29, 1927
Postal Groves Replat	December 2, 1929
Quail Lake	July 22, 1988

Skiing Paradise Phase 1	December 2, 1988
Skiing Paradise Phase 2	July 30, 1991
Tropical Winds	March 23, 1976
Trustee's Subdivision	October 10, 1983
Westchester Phase 1	August 9, 1994

The County shall establish a review and approval mechanism in its LDRs for the purpose of granting adjustments to the 75 feet standard for lots legally created on or before March 2, 1993, as well as lots located in a subdivision listed above. If the application of the 75 feet wetland setback would result in the inability to develop a lot with a typical single family residence, the lot shall be eligible for an administrative adjustment. Any adjustment to the wetland setback shall be applied on a case by case basis only to the particular lot which could otherwise be developed with a single family residence and then only to the maximum extent necessary to provide a reasonable beneficial use of the lot. Any review and approval mechanism shall not become effective, amended or modified, and no action taken under such mechanism shall be effective, until first reviewed and approved by the Department of Community Affairs, pursuant to Chapter 380, FS.

3. At least once every five (5) years, or except as otherwise provided herein, the lot owner shall have all septic tanks cleaned and inspected in accordance with the requirements of the Lake County Public Health Unit. The Lake County Public Health Unit shall require that the septic tank be cleaned, that the mound, drainfield and septic tank system be in good working order and in compliance with the standards of Chapter 10D-6, FAC, and the standards described herein. The Lake County Public Health Unit shall assess a fee to be paid by the lot owner to cover the costs of administering this program. The lot owner shall make all repairs that are necessary to bring the septic tank system in compliance with all the requirements hereof.

4. The developer shall disclose the above conditions to the purchaser of the lot by including them on the sales contract or deed, as appropriate.

#### **TREATMENT OF WETLANDS FOR DEVELOPMENT APPROVAL**

Wetlands within a project shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the County, other governmental agency or a qualified non-profit conservation organization. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. The entity accepting said conservation easement shall enforce its provisions. In addition, wetlands shall not be included as part of any platted lot, but the wetland shall be shown on the plat as a common area, which shall be dedicated to the homeowners' association or the County, at its option, for ownership and maintenance. Wetlands may be included in the platted lots for subdivisions which have no homeowners' association and which contain 10 lots or less. Any isolated wetland of less than one acre shall be exempt from these requirements.

#### **FLOOD INSURANCE STUDY REQUIREMENTS**

A detailed flood insurance study shall be performed for all subdivision proposals and other proposed development (including proposals for manufactured home parks) which have 5 acres or more in the 100-year floodplain or which contain 50 lots or more in the 100-year floodplain. The construction of a single family residence on a parcel of land containing 5 or more acres which is not part of a subdivision or which is part of a subdivision in existence on the effective date of this Plan, such as Groveland Farms Subdivision, is exempt from this requirement. Phases of a larger development, if the larger development meets the 5-acre or 50 lot criteria, are not exempt from this requirement. If existing subdivisions are proposed for replatting, the replatted portion shall be required to comply with this requirement if the replatted portion meets the 5-acre or 50 lot criteria. Subdivisions which contain 10 lots or less shall be exempt from these requirements.

The study shall be performed in accordance with the Flood Insurance Study Guidelines and Specifications for Flood Contractors (FEMA Publication 37). The purpose of this study shall be to map more precisely the extent of the 100-year floodplain. Subdivisions with septic tanks shall be designed so that each lot has at least one acre of upland not contained within the floodplain. The one-acre upland area must be of sufficient size and shape to accommodate the proposed structures, including septic tank and drainfield, without any part infringing into the floodplain or any required septic tank setback.

#### **NEW ROAD CONSTRUCTION IN THE CORE/CONSERVATION AREA**

In the Core/Conservation land use category, the County shall not construct nor use public funds for the construction of new roads. The County may maintain roads in the Core/Conservation area. In addition, the County may improve or upgrade roads within this area provided the improvement or upgrading is necessary for the public safety, health or welfare.

#### **PROHIBITION OF NEW MINES IN THE GSACSC**

All new peat or phosphate mines in the GSACSC shall be prohibited.

#### **PROHIBITION OF INDUSTRIAL USES IN THE GSACSC**

All new industrial businesses and land uses in the GSACSC shall be prohibited.

### **GOAL 4 –EMERALDA MARSH**

The Emerald Marsh area, including its waters, wetlands, floodplain, and pasture, is a natural resource of unique value to the people of Lake County and has been federally designated as a National Natural Landmark. Comprised of public and private lands nested between Lake Yale and Lake Griffin, the Emerald Marsh area supports a unique mosaic of wildlife habitat, functions as an important bird rookery, and provides regional ecosystem connectivity to the Oklawaha River system and Ocala National Forest.

### **OBJECTIVE 8.0 EMERALDA MARSH**

Lake County shall, through the implementation of this Comprehensive Plan, preserve and protect the Emerald Marsh area as a natural resource of regional significance.

#### **RECOGNITION OF EMERALDA MARSH PROTECTION AREA**

The County hereby establishes the Emerald Marsh Protection Area (EMPA) depicted in **Figure X**, and described as follows. It is the intent of this designation to ensure long-term ecological integrity of the Emerald Marsh area through the promotion of land conservation efforts, responsible agriculture practices, and the protection of rural land use.

##### Legal Description:

Township 18S, Range 25E: All of sections 1-4, 9-17, 20-23, 27-29, and 32-34; sections 5, 6, 8, and 17 less lands W of the Oklawaha River; the N ½ of section 24; the W ½ of the SW ¼ of section 24; the NE ¼ of the SW ¼ of section 24; the W ¼ of section 25 less lands S of Goose Prairie Road; section 26 less lands SE of Goose Prairie Road; the W ½ of section 35; and

Township 19S, Range 25E: All of section 4 and 5; section 3, less lands S of CR44; the N ¾ of section 9, less lands S of CR44; section 10 less lands S of CR44; and

Township 18S, Range 26E: All of sections 4-9, 14, and 15; section 16 less SE ¼ of SE ¼.

## **COORDINATE WITH STATE AND LOCAL CONSERVATION AGENCIES**

The County shall coordinate with state and local conservation agencies, including but not limited to the SJRWMD and Lake County Water Authority, regarding natural resource issues that affect the health of the Emeralda Marsh ecosystem. These efforts shall include coordination on water quality, water supply, flood control measures, and the relationship between such activities and the sustainability of wildlife and waterfowl habitat, as well as public access and management of preserve lands including Sawgrass Island Preserve and conservation lands held by the SJRWMD.

## **SUPPORT OF AGRICULTURE**

The County shall support low impact agriculture within the EMPA and coordinate with existing landowners regarding the implementation of best management practices to reduce fertilizer and pesticide use. The County shall explore protective conservation easements that support sustainable agriculture consistent with natural resource protection.

## **SUPPORT LAND ACQUISITION WITHIN THE EMPA**

The County, through its bonded natural lands acquisition program and in coordination with state programs such as the Florida Communities Trust, shall support ongoing efforts to protect environmentally-sensitive lands within the EMPA for permanent preservation through fee-simple purchase or less-than-fee conservation easements.

## **PROTECTION OF WETLANDS**

Wetland impacts, including the depositing of fill in wetlands, shall be prohibited within the EMPA except as necessary to provide for legal ingress or egress to upland areas. In such circumstances, structural enhancements shall be required to maintain wetland connectivity and natural flow regimes.

## **INFRASTRUCTURE PLANNING**

In order to protect rural character, the County shall limit the capacity of roads within the EMPA to no more than two-travel lanes.

## **LAND USE STRATEGY WITHIN THE EMPA**

By June 2007, the county shall adopt overlay districts and provisions for the EMPA. Notwithstanding this, no provision contained herein shall be construed as a right to develop at the maximum density or intensity described or a guarantee that a requested zoning or land use shall be granted. Additional conditions to ensure the protection of natural resources and community character as determined by the County may be required consistent with this Comprehensive Plan.

In order to limit the impacts of surface and groundwater pollution, provisions for central water and sewer connection in the transition areas to be defined by June 2007.

## **OPEN SPACE AND CLUSTERING**

The County shall require clustering for all new development requiring PUD zoning within the EMPA, where the term clustering means that the built area of a development site is well defined and compact to enable the creation of contiguous expanses of common open space and the protection of environmentally sensitive areas. Within the EMPA, clustering shall be used to provide upland connectivity between wetlands, to protect corridors for wildlife movement, and to maximize buffers and open space adjacent to public conservation land. Open space created through clustering shall connect to the greatest extent possible with adjacent open space areas and public conservation land. At least 50% of the required open space on a development site shall be configured as a single contiguous tract.

## **DEDICATION OF OPEN SPACE**

Open space required with PUD zoning within the EMPA shall be protected in perpetuity by fee-simple dedication, conservation easement, plat restriction, or similar legally recorded and binding instrument that runs with the land and establishes the conditions and restrictions on the use of the open space area.

Dedication and responsibility for maintenance of open space shall be to one or a combination of the following, which shall be designated prior to development:

Conservation Agency such as FDEP or SJRWMD

Non-profit conservation organization or land trust

Lake County, subject to county approval

Homeowners Association providing for binding legal commitments regarding preservation and management

The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field to distinguish these areas from areas suitable for development.

#### **DEVELOPMENT DESIGN STANDARDS**

New residential development utilizing PUD zoning within the EMPA shall implement conservation subdivision design standards including:

Clustering of dwelling units on smaller lots to create contiguous tracts of common open space for the protection of wildlife, natural habitat

Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties.

Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument.

Minimal site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced pavement widths, stem-wall construction, swales, and native landscaping.

Use of Florida Friendly landscaping, and limiting lawn and landscaped areas requiring irrigation to no more than 50% of all pervious areas, including residential lots.

## **OBJECTIVE 9.0 REDUCE NONCONFORMING USES AND ANTIQUATED PLATS**

The County shall reduce the number of uses that are inconsistent with community character, FLUs and service and facility plans through a systematic program to reduce non-conforming uses, eliminate nonconforming zonings, and resolve issues related to antiquated plats.

It shall be the policy of Lake County to:

### **INVENTORY ANTIQUATED PLATS, PARCELS OF RECORD**

The County shall resolve land use compatibility, environmental concerns and infrastructure issues related to antiquated plats. By January 1, 2008, the County will inventory specific antiquated plats for identifying unique solutions regarding parcels of record.

### **Vested Rights Provisions.**

By July, 1993, Lake County shall enact a vested rights ordinance to ensure that existing rights of property owners are preserved in accord with the Constitutions of the State of Florida and the United States. Property ownership patterns as of the adoption date of the Plan shall be the basis for all determinations of vesting. The details of this ordinance shall be guided by principles of statutory vesting and common law vesting.

1. Statutory vesting is defined in Subsection 163.3167(8), Florida Statutes, and gives the property owner the right to complete any development that has been authorized as a Development of Regional Impact pursuant to Chapter 380, or has been issued a final local development order and development has commenced and is continuing in good faith.

2. Common law vesting is generally found to exist when an applicant proves, that the owner of a project or parcel of land, acting in good faith upon some act or omission of the County, has made a substantial change in position or has incurred such extensive obligations or expenses that it would be inequitable and unjust to destroy the right to develop or to continue development of the property.

Policy 1-12A.2: Vested Rights Ordinance. The vested rights ordinance shall provide more specific definitions of the above tests and shall provide an administrative procedure by which a property owner may demonstrate that private property rights are vested against the provisions of the Comprehensive Plan.

Policy 1-12A.3: Existing Lot Exception for Density. The following exception to the densities established by this Plan shall apply to single lots of record which were established on or before March 2, 1993, and which are not contiguous to other lots or parcels under the same ownership. An exception for density shall be made for any such lot described above so that one single family dwelling unit may be built. On lots which are contiguous to other lots or parcels under the same ownership, the owner is entitled to build only one single family dwelling unit on such contiguous lots, up to the density allowed by the Future Land Use Plan for the immediate area in question. Therefore, these exceptions relate to density only. Development undertaken pursuant to this policy shall be consistent with, and is subject to, the other provisions of the Plan, including, but not limited to, concurrency and protection of natural resources.

Additionally, the County shall establish a variance process in its Vested Rights Ordinance, established pursuant to Policy 1-12A.1, that provides for a variance, for good cause and based on hardship, from the aggregation of lots based on property ownership. There shall be one variance policy based on ownership patterns as of March 2, 1993, and it shall not apply to unrecorded subdivisions that have not been recognized by the Lake County Board of County Commissioners, as are listed below. The County shall not allow a variance if fifteen percent or more of a platted subdivision, or phase of a platted subdivision, whichever is more appropriate, is under common ownership as of March 2, 1993. This policy shall not apply in the Core/Conservation or Rural/Conservation portion of the Green Swamp Area of Critical State Concern or within the Wekiva River Protection Area boundaries.

#### List of Recognized Unrecorded Subdivisions

1. H.O. Peters and Associates
2. Villa City Shores
3. Sunnyside Shores
4. Western Shores
5. Banning Beach
6. Belmont Heights Unit 2
7. Robbins Heights
8. Astor Forest Campsites
9. Blue Creek Point
10. Ravenswood
11. Pittman
12. St. Johns Waterfront Est. 1st Add.
13. Deerhaven
14. Grovewood
15. Villa City
16. Forest Acres
17. River Road Acres
18. Oak Ridge
19. Forest Ridge
20. Forest Park

Good cause shall include, at a minimum: 1) demonstration that historic patterns of development have occurred in a given area of the County, and because two (2) or more lots in this area were under common ownership as of the date of adoption of the Comprehensive Plan, historic development patterns could not continue and inconsistent development patterns would be created; 2) demonstration that adequate infrastructure is available and that such development would be consistent with existing surrounding residential land uses; or 3) demonstration that property ownership patterns for lots under single ownership in a given area of the County, as of March 2, 1993, are consistent with the non-aggregated lots, and because two (2) or more lots in this area were under common ownership as of the date of adoption of the Comprehensive Plan, inconsistent development patterns would be created.

For lots located in a platted subdivision or a phase of a platted subdivision, whichever is more appropriate, for which building permits have been issued, the median buildable lot size of the platted subdivision or phase of the platted subdivision shall be used as minimum criteria for granting a variance. For the purpose of this policy, a buildable lot shall include lots for which a building permit could be issued by the County without granting a variance from the aggregation requirement established in this policy. In the event a variance is requested from the aggregation requirement of this policy for a lot located in a platted subdivision or a phase of a platted subdivision, the following minimum criteria shall apply to the lot for which a variance is being requested:

1. the lot shall not have received an agricultural classification, pursuant to Section 193.461, Florida Statutes, in 1993, based on the 1993 tax role;
2. the lot shall be required to front on a publicly maintained road;
3. the lot shall not be wholly contained within the 100-Year Flood Plain; and
4. the lot shall contain a minimum of 10,890 square feet of upland area, excluding wetlands and open water bodies, when the use of a septic tank is proposed and a minimum of 21,780 square feet of upland area, excluding wetlands and open water bodies, when the use of a private water system, pursuant to Chapter 10D-4, Florida Administrative Code, is proposed.

For lots not located in a platted subdivision, the average lot size within a one-quarter mile radius shall be used as minimum criteria for granting a variance. In the event a variance is requested from the aggregation requirement of this policy for a lot not located within a platted subdivision, the following minimum criteria shall apply to the lot for which a variance is being requested:

1. the lot shall be required to front on a publicly maintained road;
2. the lot shall not be wholly contained within the 100-Year Flood Plain; and
3. the lot shall contain a minimum of 21,780 square feet of upland area, excluding wetlands and open water bodies.

## **OBJECTIVE 10.0 PLAN FOR PUBLIC AND INSTITUTIONAL FACILITIES**

Lake County shall ensure that public services and facilities are developed concurrent with new development. Sufficient land shall be available to accommodate public facility improvements proposed within the Comprehensive Plan and programmed in the Capital Improvement Program.

It shall be the policy of Lake County to:

### **COORDINATE WITH LOCAL GOVERNMENTS AND AGENCIES**

Lake County shall coordinate with the school board and cities and the state of Florida for the adequate provision of existing and planned capacity of public educational facilities.

### **DEVELOPMENT REVIEW PROCESS**

Lake County, through its development review process, shall consider the comments received by the school district regarding the school enrollment impacts anticipated to result from any proposed land use application or development proposal and whether sufficient capacity exists or is planned.

### **COMPREHENSIVE PLAN AMENDMENTS, REZONINGS AND DEVELOPMENT PROPOSALS**

In reviewing and approving comprehensive plan amendments, rezonings and development proposals for residential developments, the County will consider the available school capacity or planned improvements to increase school capacity. If it is found that there is not sufficient public school capacity or planned improvements to serve the proposed residential development, the County shall deny the comprehensive plan amendment, rezoning and/or development proposal.

### **LOCATION CRITERIA**

Lake County shall require the following location criteria for public schools:

1. The proposed location shall be compatible with the present and protected uses of adjacent properties;
2. Adequate public facilities and services, as well as police and fire protection, shall be available concurrent to support the proposed public school site.
3. The proposed location shall not be located within a velocity flood zone/flood way
4. The proposed site should be located so as to encourage co-location with parks, libraries and community centers
5. The County shall encourage schools to locate so they are in walking or biking distance (within one mile) of surrounding neighborhoods. Land development regulations relating to provisions for sidewalks, trails, and other appropriate design features within one mile of public schools shall support a pedestrian-friendly and bicycle-friendly environment.

## **OBJECTIVE 11.0 OVERLAY DISTRICTS**

It shall be the policy of Lake County to develop Comprehensive Plan policies and LDRs for areas or corridors that have special planning needs through use of overlay districts.

### **HISTORIC VILLAGE OVERLAY DISTRICTS**

Historic Village Overlay Districts are specifically intended to recognize and protect the unique character of existing, historic communities within Lake County. Historic Villages are encouraged to design Goals, Objectives and Policies within the Comprehensive Plan that protect the unique character of existing, historic communities.

The density and intensity of land use within a Historic Village shall reflect existing development patterns and ensure consistency with surrounding communities and neighborhoods. In order to discourage urban sprawl, Historic villages that are located within rural parts of the county shall not be expanded in scale or geographic extent. By 2007, the LDRs shall reflect a process for establishing Historic Village Overlay Districts and associated design, development and subdivision standards.

### **MT. PLYMOUTH-SORRENTO OVERLAY DISTRICT**

**Insert Mt. Plymouth-Sorrento Goals, Objectives and Policies as recommended by the MTPSAC**

### **RURAL AREAS OVERLAY DISTRICTS**

The intent of the Rural Areas Planned District is to utilize a community based planning approach to preserve rural lifestyles in at least four key areas of the County. These areas are currently allotted one unit per five acres and are characterized as agricultural or have unique environmental features. By January 1, 2008, the County shall develop incentives to allow for compensating land owners for the decrease in densities and intensities within the Rural Areas Overlay District. These overlay districts shall be depicted on the Future Land Use Map.

### **ESTABLISH THE GREEN MOUNTAIN SCENIC BYWAY OVERLAY DISTRICT**

By January 1, 2008, the County shall develop LDR provisions relating to the Green Mountain Scenic Byway Corridor Overlay District for County Road 455, consistent with the Green Mountain Scenic Byway Corridor Management Committee's Goals Objectives, and Strategies, to improve or protect the rural character of the area. The overlay corridor classification shall extend 320 feet on each side of the right-of-way center, which will generally correspond to the building, parking, and clearing setbacks unless specifically determined that a particular structure or activity that is located upon property assigned the classification uniquely reinforces the rural character of the area. The overlay district shall regulate land development along County Road 455 by, at a minimum, establishing standards for:

Land use types and frequencies;

Preservation of existing canopy trees;

Planting of new canopy trees;

Landscaping requirements;

Clearing setbacks and restrictions;

Building character, setbacks and locations;

Location of parking;

Location of equipment storage;

Walls, fences, entrance features and similar structures;

Location and design of retention ponds;

Access management;

Number of travel lanes;

Number and location of traffic signals;

Absence or presence of overhead power lines or their presence on only one side of the street with lateral crossings underground;

Location and design of signage;

Location and design of street lights; and

Easements, deed restrictions and other instruments required to perpetually preserve the undeveloped portion of the roadway corridor.

### **ESTABLISH THE GATEWAY STATE ROAD OVERLAY DISTRICT**

By January 1, 2008, the County shall enact LDRs establishing an overlay zoning classifications for State Roads that extend into adjacent counties to maintain visual quality and to provide a sense of place. The overlay corridor classification shall extend 320 feet on each side of the right-of-way center. The development standards set forth in the overlay zoning classification shall establish, at a minimum, standards for:

Preservation, removal/replanting of canopy trees;

Florida Friendly landscaping and buffer requirements;

Clearing of native vegetation;

Signage and lighting, including adoption of a Dark Sky Ordinance;

Building setbacks and height restrictions;

Walls, fences, entrance features and similar structures;

Access management;

Location of parking;

Location of equipment storage; and

Location and design of retention ponds.

### **COMMUNITY ENHANCEMENT AREA (CEA) OVERLAYS: IMPLEMENT PLANS FOR UNINCORPORATED COMMUNITIES**

The County shall guide and assist unincorporated communities to develop action plans to improve their quality of life through the CEA Partnership Program.

County resources shall be combined with federal and state funds and neighborhood resources to implement Community Enhancement Area Plans. Implementation will be jointly overseen by the County and the subject CEA governing body. All agencies committing resources during the strategic planning phase will be expected to fully cooperate during the implementation phase. Plan implementation shall occur consistent with the LDRs.

### **ACTION PLAN GUIDING PRINCIPLES**

The County shall assist each designated CEA to develop a partnership-based improvement strategy built upon identified assets within the community. These plans shall provide improvement options including, but not limited to, land use, zoning, infrastructure, housing, community appearance and amenities, human services, and financing mechanisms.

CEA Plans shall reflect the following guiding principles:

A holistic, neighborhood-based approach that addresses the socioeconomic environment as well as the physical environment including the protection of natural resources,

Identified assets within the community to build improvement strategies,

Partnerships with groups that could include neighborhood groups and associations, the business community, outside organizations and County government.

Geographic coordination of delivery of services when there is community involvement and need.

### **COMMUNITY ENHANCEMENT AREA DESIGNATION PROCESS**

Community Enhancement Areas shall be designated through a competitive process explained in the "Community Enhancement Area Partnership Program Application" from a list of potential Community Enhancement Areas.

The list of potential CEAs shall be updated periodically as information becomes available by a committee as appointed by the BCC.

### **COMMUNITY ENHANCEMENT AREA OVERLAY DISTRICT**

Necessary changes to the FLUM and the Zoning Map shall be implemented through a Community Enhancement Area Overlay District, in combination with changes as required to the assigned future land use and zoning within the Community Enhance Area. The Board of County Commissioners shall incorporate development standards into the LDRs on a case-by-case basis after adoption of each Community Enhancement Area Plan.

### **NEIGHBORHOOD REVITALIZATION STRATEGY AREA OVERLAYS**

When appropriate, the County shall apply for Neighborhood Revitalization Strategy Area (NRSA) designation from HUD for CEAs. In order to be designated a NRSA, the planning area must meet location and demographic requirements outlined in Appendix 1 of the HUD publication "HOME and Neighborhoods: A Guide to Comprehensive Revitalization Techniques" and must demonstrate a potential for economic development.

## **OBJECTIVE 12.0 DEVELOPMENTS OF REGIONAL IMPACT**

The County recognizes that, by definition, Developments of Regional Impact (DRI) constitute a size and intensity of land use that require special attention to growth management, the protection of natural resources, and the provision of infrastructure and services necessary in order to preserve the quality of life within Lake County. The following policies shall apply to DRI.

### **LOCATION OF DRI**

In order to prevent urban sprawl, provide for growth in proximity to existing infrastructure and services, and ensure the long-term protection of rural areas, the county shall guide new DRIs to municipalities and to the Urban Land Use Series as designated within the Future Land Use Element. Due to the inherent scale and intensity of DRI, a proposal for a DRI within an area assigned to the Rural Land Use Series shall be inconsistent with the goals, objectives, and policies of this Comprehensive Plan relative to the protection of rural areas and the prevention of urban sprawl. The burden of proof shall rest upon the

applicant to overcome said presumptions and demonstrate a compelling need for the proposed DRI and any associated future land use change.

**INTEGRATION OF THE DRI PROCESS WITH LOCAL COMPREHENSIVE PLANNING**

In order to better integrate the DRI process with county planning activities and ensure consistency with growth management objectives of this Comprehensive Plan, the Local Planning Agency shall be notified of any Development of Regional Impact under consideration within or affecting Lake County when said DRI comes to the attention of the County.

The Local Planning Agency as a body shall be updated on activities involving county staff with respect to anticipated future land use map amendments (pre-application checklist) associated with Developments of Regional Impact.

UNDER REVIEW BY THE COUNTY ATTORNEYS OFFICE

## **OBJECTIVE 13.0 PUBLIC FACILITIES AND SERVICES**

The County shall require that all development be consistent with the approved Capital Improvements Element or facility and service plans in order to discourage urban sprawl, meet adopted level of service standards, and thereby minimize associated public costs.

### **ENSURE CONSISTENCY OF DEVELOPMENT ORDERS, PERMITS AND AGREEMENTS**

The County shall ensure that all development orders, permits, and agreements are consistent with the adopted level of service standards and provisions of the Capital Improvements Element and the appropriate facility element, as well as all other provisions of this Plan.

### **CONCURRENCY REQUIREMENTS**

The County shall ensure that all development orders, permits, and agreements are subject to the adopted Concurrency Management System standards and provisions to ensure that facilities and services needed to serve the development are available at the adopted level of service consistent with the Implementation Element of this Plan.

### **PROVIDE FACILITIES AND INFRASTRUCTURE AS A CONDITION OF APPROVAL (COA)**

The County shall require that all development provide services and facilities or phase the development as a COA if development needs precede adopted service and facility plans and CIP and if adopted levels of service can be maintained.

### **REQUIRE PRIVATE INVESTMENT**

The County shall require private investment in infrastructure improvements (e.g., schools, feeder roads, aerial fire apparatus, right-of-way, signalization, access improvements, transit facilities, stormwater, etc.) where a rational nexus demonstrates that the improvements are needed to accommodate the development and to minimize attendant public costs associated with growth.

## **OBJECTIVE 14.0 INTERGOVERNMENTAL COORDINATION**

The County shall coordinate with other local governments and agencies to facilitate consistent facility and land use plans, to provide cost-effective services, to maintain compatible land uses, and to ensure coordination of resource planning and management plans. The County shall coordinate with responsible local, regional and state authorities and private utility companies, as applicable, in the establishment of level of service standards for public facilities. Upon adoption of, the County shall initiate further coordination efforts, if necessary, to ensure compliance with adopted level of service standards.

It shall be the policy of Lake County to:

### **ADOPT JOINT PLANNING AREAS**

The County shall pursue JPAs with each of the municipalities in Lake County and with adjacent counties to address, at minimum, future annexations, provision of services and facilities and land use compatibility, included but not limited to:

### **JPA WITH THE CITY OF CLERMONT**

The County shall enforce the adopted joint planning agreement with the City of Clermont to address, at minimum, future annexations, provision of services and facilities, land use compatibility, and protection of the GSACSC. The JPA shall also include agreement on future densities and intensities of properties that it may annex and a procedure for resolution of any future conflicts and/or disputes. It shall also include criteria for when and/or how to amend the joint planning area boundary.

### **JPA WITH THE CITY OF MOUNT DORA**

The County shall enforce the adopted joint planning agreement with the City of Mount Dora to address, at minimum, future annexations, provision of services and facilities, land use compatibility and protection of the Wekiva Study Area. The JPA shall also include agreement on future densities and intensities of properties that it may annex and a procedure for resolution of any future conflicts and/or disputes. It shall also include criteria for when and/or how to amend the joint planning area boundary.

### **JPA WITH THE CITY OF LADY LAKE**

The County shall enforce the adopted joint planning agreement with the City of Lady Lake to address, at minimum, future annexations, provision of services and facilities and land use compatibility. The JPA shall also include agreement on future densities and intensities of properties that it may annex and a procedure for resolution of any future conflicts and/or disputes. It shall also include criteria for when and/or how to amend the joint planning area boundary.

### **JPA with the Town of Montverde**

### **JPA with the City of Groveland**

### **EVALUATE JPA EFFECTIVENESS**

The County shall evaluate annually the effectiveness and update, as necessary, the joint planning and intergovernmental agreements with the cities and School Board relating to notification of land use actions when such actions may affect adjacent jurisdictions.

### **INTERGOVERNMENTAL AGREEMENTS WITH ADJACENT COUNTIES**

The County shall endeavor to develop and maintain intergovernmental agreements and/or joint planning agreements with adjacent counties to provide for the following:

Coordination of land use density and intensity and transportation facilities along the County boundary

Improved opportunities to review and comment on proposed Developments of Regional Impacts, Comprehensive Plan amendments, Planned Developments, preliminary site plans and capital projects in proximity to its border

Sharing of planning, development and capital improvement data

Exchange of plans, studies, ordinances and land development regulations that may affect either government

Distribution of information concerning the level of service standards for public facilities/services.

### **ESTABLISH FUTURE SERVICE AREAS**

The County shall provide the most cost-effective services to future development by establishing future service area boundaries and with interlocal agreements for drainage, fire protection, and other public facilities.

### **ACQUIRE SCHOOL SITES**

The County shall coordinate and interact with the School District with regard to locating future school sites, in the acquisition of sites during the development approval process and as to all related matters. The County shall encourage the location of public schools proximate to urban residential areas, proximate to approved development and with concurrent public facilities. Public facilities are considered concurrent if currently available, paid for or budgeted for in the appropriate Capital Improvements Plan. At a minimum, public school sites shall be located based on the following criteria:

Public school sites shall be located within municipal joint planning areas or be compatible with compact urban growth patterns; provided, however, that elementary schools, by nature of their service characteristics, are compatible in rural areas only when located proximate to existing established residential communities;

Public school sites shall be served by public facilities;

Public school sites shall be compatible with environmental protection, based on the soils, topography, and other natural resources on site; and

An assessment of critical transportation issues, including provision of adequate roadway capacity, transit, and bikeways, shall be made for proposed school sites prior to any development to ensure the safe and efficient transport of students.

### **DEVELOP AND IMPLEMENT RESOURCE MANAGEMENT PLANS**

The County shall coordinate with the Florida Department of Environmental Protection, the the Water Management Districts, the East Central Florida Regional Planning Council and other resources in the development and implementation of resource management plans through the following:

Continued participation on the Wekiva River Commission and other Working Groups;

Forwarding development proposals to State agencies for review and comment on projects located within the Wekiva River Protection Area, Wekiva Study Area, and GSACSC or adjacent to State owned lands prior to final action;

Continuing to review the East Central Florida Regional Planning Council work programs and providing assistance in the development of regional resource plans;

Continuing to coordinate with the Water Management Districts, the Department of Environmental Protection and other agencies in identifying high priority acquisition areas and providing staff and financial resources; and

Participating in and supporting the implementation of efforts associated with the Wekiva River system as a Wild and Scenic River.

### **WATER SUPPLY PLANNING (ADD LANGUAGE)**

#### **COORDINATE WITH PRIVATE UTILITY**

The County shall require applicants to submit site plans and plats to the electrical, potable water, sanitary sewer, reclaimed water and all other private utilities at the same time plans are submitted to the County for review to assist in the planning and programming of utility service.

#### **COORDINATE LEVELS OF SERVICE**

The County will, to the best of its ability, ensure that its levels of service for public facilities are compatible with adopted levels of service of neighboring jurisdictions in and adjacent to Lake County and appropriate state and regional authorities through active intergovernmental coordination.

## **OBJECTIVE 15.0 UTILITIES**

### **MUNICIPAL UTILITIES OR PRIVATE UTILITIES**

Utilities needed to support adopted Future Land Use and zoning in the unincorporated area should be provided and protected from encroachment of incompatible uses.

Private or public electric utilities needed to support adopted Future Land Use and zoning may be permitted in all land use designations. All substations adjacent to neighborhoods or visible from a public roadway shall be reviewed by the County and required to provide landscaping and buffering to minimize visual and noise impacts.

### **PERMIT POTABLE WATER, SANITARY SEWER AND RECLAIMED WATER UTILITIES**

Potable water, sanitary sewer and reclaimed water public utilities needed to support adopted Future Land Use and zoning may be permitted in all urban land use categories.

### **PROVISION OF CENTRAL SERVICES**

Consistent with the reduced need for services and facilities within the Rural Land Use Series, the County shall:

Rely primarily upon individual on-site waste water treatment and disposal systems and wells as the method of disposal of wastewater and providing potable water within the Rural Land Use Series;

Encourage private central systems that exist as of the effective date of this Plan to provide an adequate level of service to users in their respective service areas;

Require that new development outside of the Urban Land Use Series shall not be designed nor constructed with public central water and/or sewer systems. Public and private central systems may be permitted in the future in clustered developments and if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health or environmental problem exists in a built but underserved area for which there is no other feasible solution. The provision of central utilities shall not be used as sole justification for a future land use amendment.

### **METHODS OF COLLECTING AND DISPOSING OF SOLID WASTES**

Consistent with the provision of services and facilities, the County shall use the solid and hazardous waste collection and disposal systems provided throughout the County.

### **METHODS OF MANAGING STORMWATER**

Consistent with the provision of services and facilities, the County shall:

Regulate stormwater management consistent with Countywide regulations with the objective of maximizing aquifer recharge, minimizing flooding and protecting wetland systems; and

Utilize Municipal Service Benefit Units and other mechanisms to fund drainage improvements when appropriate.

## **OBJECTIVE 16.0 AFFORDABLE HOUSING**

The County shall implement and enforce innovative land development techniques and programs to promote safe and decent affordable housing for existing and future residents to support growing affordable housing needs and ensure the continued viability of low income housing by encouraging de-concentration of low income neighborhoods.

### **AFFORDABLE HOUSING INCENTIVES**

By January 1, 2008, the County shall establish policies and provisions relating to affordable housing opportunities within the Urban Land Use Series that includes provisions for:

Permitting development up to twelve (12) dwelling units per net buildable acre under both conventional and PUD zoning classifications;

Providing density bonus on a sliding scale based on the percent of low and very low-income units provided on the development site;

Permitting reduced lot sizes and open space requirements, duplex, zero-lot line, triplex structures, and cluster developments;

Providing standards to ensure the integration of conventional and lower income units to prevent the undue concentration of lower income units within the development site;

Requiring a binding affordability agreement to ensure units are priced for low and very low income owners and renters; and

Requiring conditions under which day care and group homes should be permitted when designed to serve the needs of the development site.

## **OBJECTIVE 17.0 PROTECTION OF PRIVATE PROPERTY RIGHTS**

The County shall not intentionally enact or impose any LDR in an unreasonable manner such that the taking without compensation of private property rights would result.

## **OBJECTIVE 18.0 FLU PLAN AMENDMENT STANDARDS OF REVIEW**

The Lake County Comprehensive Plan is designed to preserve and enhance the public health, safety, and welfare through the management of growth, the provision of adequate public services, and the protection of natural resources. These purposes are accomplished by the legislative establishment of goals, objectives, and policies that are designed to guide the future growth and development of lands within the unincorporated portions of Lake County. The following policies pertain to amendments to the Future Land Use Map:

### **FRAMEWORK FOR REVIEW**

All applications for a Comprehensive Plan amendment relating to the development patterns described and supported within the Plan, including but not limited to site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the County and shall, therefore, be evaluated based upon the numerous generally acceptable planning, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the *Exhibit FLUM* by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any Countywide impacts or any significant area-wide impacts of the proposed amendment including, but not limited to, the affect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

The Land Development Regulations shall contain provisions that establish an amendment application process which shall, at a minimum, require:

- An applicat to address any comprehensive plan policies that will be affected by the amendment;
- The evaluation of the application to be governed by the general regulatory guidelines and development policies of the Comprehensive Plan; and
- Provisions for intergovernmental coordination.

### **SERVICES AND FACILITIES/CONCURRENCY**

Minimum facilities needed to support a land use designation amendment shall be those defined in Exhibit FLU: Services and Facilities by Classification and shall be subject to the Concurrency Management Standards and provisions contained in the Implementation Element of this Plan. FLUM amendments that impact facilities shall require associated Comprehensive Plan amendments to the appropriate Element, including the Capital Improvements Element.

### **ALTERNATIVE LAND USE DESIGNATIONS**

The Board of County Commissioners may determine that a FLUM designation other than the designation requested by the applicant is appropriate, provided that the approved FLUM designation and/or use does not exceed the density or intensity of the FLU designation and/or use that was publicly advertised for consideration.

### **STATE/FEDERAL AGENCY REVIEW**

Proposed amendments shall be forwarded to appropriate State agencies (and Federal agencies when appropriate) for review and comment on projects located adjacent to State or Federally owned lands and easements, within any area subject to special provisions of law or upon request of the State or Federal agency.

### **STANDARDS FOR AMENDING THE URBAN/RURAL SERIES BOUNDARY**

Amendments to the County's Future Land Use Map to change land within the rural land use series to an urban series category, shall be subject to the following standards:

#### **The LDRs shall address at a minimum:**

- Demonstration of Need
- Locational Analysis of Amendments Provision Of Facilities And Services
- Analysis of Environmental And Natural Resources
- Contiguity to Existing Urban Development Patterns
- Compatibility

### **MANDATORY CONSISTENCY WITH THE COMPREHENSIVE PLAN**

Any proposed amendment to the Future Land Use Map or Comprehensive Plan must undergo an assessment of consistency with all applicable goals, objectives and policies of this Plan. The above standards shall be evaluated by means of the preparation of needs analysis statement, economic impact statements, environmental impact statements and land use compatibility analyses. If an amendment to the Future Land Use Map or Comprehensive Plan is adopted, the above referenced documentation shall be submitted as supporting information for compliance review.