Ordinance Brief

The Wekiva Parkway and Protection Act, Part III of Chapter 369, F.S., became law on June 29, 2004 and Senate Bill 908 amended the Act in 2005. The Act authorizes building the Wekiva Parkway and provides protection to the Wekiva River system. The Act requires local governments in the Wekiva Study Area to adopt certain amendments to their comprehensive plans. These required amendments are included in the subsequent ordinance. Four maps related to the ordinance are also included.

Additions to existing language is shown as underline and deletions are shown as ~~strikethrough~~. The symbol "***" denotes that no changes are proposed between the preceding and subsequent text.

ORDINANCE NO. 2007 – _____

TEXT AMENDMENT
LPA #06-_____
Tracking No. #-LPTA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS RELATED TO THE WEKIVA RIVER PROTECTION AREA (WRPA) AND THE WEKIVA STUDY AREA (WSA); AMENDING FUTURE LAND USE ELEMENT, GOAL 2, REGARDING THE WRPA; AMENDING DEFINITIONS; ESTABLISHING THE WEKIVA-OCALA AREA; PROVIDING FOR MINOR AMENDMENTS TO THE POLICIES ASSOCIATED WITH THE WRPA; PROVIDING FOR LOCATIONAL CRITERIA FOR SCHOOL FACILITIES WITHIN THE WRPA; PROVIDING FOR SILVICULTURE EXEMPTIONS IN THE WRPA; DELETING THE DEFINITION OF THE MOUNT PLYMOUTH SORRENTO URBAN COMPACT NODE; DELETING OBJECTIVE 1-23; DELETING OBJECTIVE 1-24; DELETING OBJECTIVE 1-25; PROVIDING FOR WILD AND SCENIC RIVER PRESERVATION POLICY; CREATING NEW OBJECTIVE 1-25 REGARDING THE WSA AND CREATING ASSOCIATED POLICIES; CREATING THE WEKIVA TRANSITIONAL DISTRICT; CREATING THE WEKIVA TRADITIONAL RURAL DISTRICT; PROVIDING FOR A MUNICIPAL JOINT PLANNING AREAS; PROVIDING FOR OPEN SPACE IN THE WSA; PROVIDING FOR DEDICATION OF OPEN SPACE; PROVIDING FOR DEVELOPMENT DESIGN STANDARDS IN THE WSA; PROVIDING FOR PROTECTION, IDENTIFICATION AND SETBACKS FROM KARST FEATURES; PROVIDING FOR DEVELOPMENT BMPS FOR GROUNDWATER PROTECTION; CREATING OBJECTIVE 1-27 REGARDING THE WEKIVA-OCALA CORRIDOR; PROVIDING FOR POLICIES REGARDING THE WEKIVA-OCALA CORRIDOR;

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AMENDING CONSERVATION ELEMENT, OBJECTIVE 7.2; PROVIDING POLICIES FOR GROUNDWATER RECHARGE, LANDSCAPING AT COUNTY FACILITIES, AND FOR PROTECTING SINKHOLES AND KARST FEATURES; AMENDING CONSERVATION ELEMENT, OBJECTIVE 7-3; PROVIDING POLICIES FOR PROTECTION OF WATER AND WATERSHEDS, AND TO MAP OUTSTANDING FLORIDA WATERS; CREATING CONSERVATION ELEMENT, OBJECTIVE 7-4A; PROVIDING POLICIES FOR IDENTIFICATION, ACQUISITION, PROTECTION AND RESTORATION OF SPRINGSHEDS; PROVIDING POLICIES FOR GOLF COURSE DEVELOPMENT; PROVIDING FOR A CERTIFICATION PROGRAM FOR LANDSCAPE AND LAWN CARE PROFESSIONALS; AMENDING CONSERVATION ELEMENT, OBJECTIVE 7-5; ADDING POLICY ON PROTECTION OF WETLANDS; CREATING CONSERVATION ELEMENT, OBJECTIVE 7-5B, REGARDING AREAS OF ECOLOGICAL SIGNIFICANCE; AMENDING CONSERVATION ELEMENT, OBJECTIVE 7-6; REQUIRING ALL DEVELOPMENT PROPOSALS EXCEEDING 40 ACRES TO INVENTORY NATURAL UPLAND AREAS; PROVIDING POLICIES FOR PROTECTION, ACQUISITION AND MANAGEMENT OF SENSITIVE NATURAL HABITAT; AMENDING CONSERVATION ELEMENT, OBJECTIVE 7-7; PROVIDING FOR PROTECTION OF VEGETATIVE COMMUNITIES AND WILDLIFE PROTECTION; REQUIRING SURVEYS AND ON-SITE PROTECTION OF WILDLIFE WITHIN ENVIRONMENTALLY SENSITIVE AREAS; AMENDING CONSERVATION ELEMENT, OBJECTIVE 7-17; CREATING OBJECTIVE 6A-5 REGARDING CENTRAL SEWER SERVICE IN THE WSA AND ASSOCIATED POLICIES; PROVIDING FOR TREATMENT OF WASTEWATER DISCHARGE AND COORDINATION WITH WASTEWATER PROVIDERS; CREATING OBJECTIVE 6A-6 REGARDING ONSITE SEWAGE DISPOSAL SYSTEMS IN THE WSA AND ASSOCIATED POLICIES; PROVIDING FOR ONSITE TREATMENT; PROVIDING FOR SEPTIC TANK MONITORING PROGRAM; PROVIDING FOR REPLACEMENT OF SEPTIC SYSTEMS IN THE WSA; PROVIDING FOR ONSITE DISPOSAL MANAGEMENT ENTITY; CREATING OBJECTIVE 6C-5, CHAPTER VI, PUBLIC FACILITIES ELEMENT, STORMWATER SUB-ELEMENT, REGARDING PROTECTION OF SURFACE AND GROUNDWATER; PROVIDING FOR A MASTER STORMWATER MANAGEMENT PLAN FOR THE WSA; PROVIDING FOR STORMWATER MANAGEMENT WITHIN SPRINGSHEDS; PROVIDING FOR BEST MANAGEMENT PRACTICES (BMPs) FOR STORMWATER MANAGEMENT SYSTEMS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the Local Government Comprehensive Plan and Land Development Regulation Act is set forth in Chapter 163, Florida Statutes, Part II, Section 163.3161 through 163.3243; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(g), authorizes the Board of County Commissioners of Lake County to prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, the Florida Legislature adopted Senate Bill 1214er relating to the Wekiva Parkway and Protection Act, that requires Lake County to amend certain elements of its Comprehensive Plan; and

WHEREAS, on the 18th day of May, 2006, the Lake County Local Planning Agency held a public hearing to adopt the required amendment to the Lake County Comprehensive Plan; and

WHEREAS, on the 10th day of July, 2006, the Lake County Local Planning Agency held a second public hearing to adopt the required amendment to the Lake County Comprehensive Plan; and

WHEREAS, on the 25th day of July 2006, the Lake County Board of County Commissioners held a public hearing to transmit this amendment to the Lake County Comprehensive Plan; and

WHEREAS, the Department of Community Affairs (the "Department") notified Lake County that it would not conduct a formal review of the amendment, but would provide courtesy review with informal comments due to the prohibition on adoption of plan amendments; and

WHEREAS, in November 2006 the Department provided courtesy comments on the transmitted ordinance; and

WHEREAS, in February 2007 the Department informed Lake County that it would allow Lake County to adopt the amendments required to comply with the Wekiva Parkway and Protection Act; and

WHEREAS, on the 23rd day of February 2007, the Lake County Local Planning Agency held a public hearing to adopt the required amendment to the Lake County Comprehensive Plan; and

WHEREAS, on the 27th day of March 2007, the Lake County Board of County Commissioners held a public hearing to transmit this amendment to the Lake County Comprehensive Plan; and

WHEREAS, it serves the health, safety and general welfare of the residents of Lake County to adopt this amendment to the Lake County Comprehensive Plan.

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NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. **Amendment.** The Future Land Use Element, Goal 2, entitled the Wekiva River Protection Area, shall be amended to read as follows:

GOAL 2. WEKIVA RIVER PROTECTION AREA AND WEKIVA STUDY AREA. ~~THE GOAL IN ESTABLISHING THE WEKIVA RIVER PROTECTION AREA IS THE PROTECTION AND ENHANCEMENT OF THE WATER QUALITY, WATER QUANTITY, HYDROLOGY, WETLANDS, NATIVE VEGETATION AND WILDLIFE OF THE WEKIVA RIVER SYSTEM AND THE WEKIVA RIVER PROTECTION AREA IN LAKE COUNTY, THROUGH THE PROVISION OF COMPATIBLE LAND USES AND APPROPRIATE DEVELOPMENT REGULATIONS.~~

The Wekiva basin and springshed, including the Wekiva River and its tributaries, springs, aquifer recharge areas, wetland and upland habitats, sensitive natural habitats, wildlife, and wildlife corridors, are natural resources of irreplaceable value. Furthermore, the Wekiva basin and springshed are essential components of a larger ecosystem of public and private lands that extends 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, land preservation, water resource protection, and wildlife and habitat needs within the Wekiva basin, and Wekiva springshed

OBJECTIVE 1-20. ~~DEVELOPMENT~~ DESIGNATION OF THE WEKIVA RIVER PROTECTION AREA AND WEKIVA STUDY AREA~~WITHIN LAKE COUNTY, PURSUANT TO CHAPTER 369, PART III, FLORIDA STATUTES AND LAKE COUNTY ORDINANCE 1989-3. Lands designated in Chapter 369, part III, Florida Statutes, as the Wekiva River Protection Area shall be protected as a Natural System to the Greatest Extent Possible Through the Regulation of Land use Densities and Intensities.~~ Lake County shall, through the implementation of the Comprehensive Plan, preserve and protect the Wekiva River Protection Area and Wekiva Study Area as natural resources of critical state and regional importance. The Wekiva River Protection Area and Wekiva Study Area are illustrated in Figure 1.

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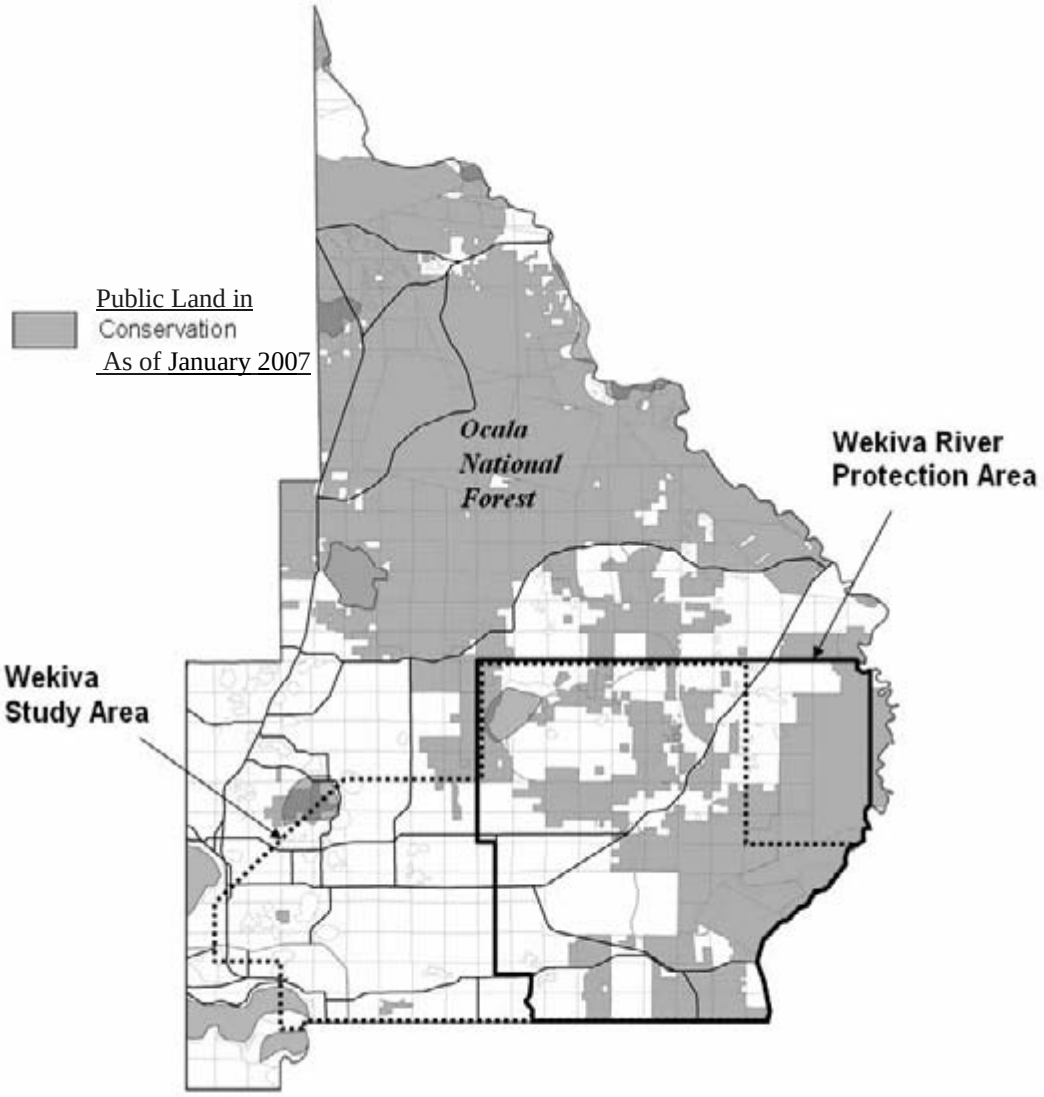

Figure 11 Wekiva Study Area & Wekiva River Protection Area

Policy 1-20.1: Definitions Applicable to Wekiva River Protection Area and Wekiva Study Area. ~~The following definitions shall apply to the Wekiva River Protection Area and Wekiva Study Area as defined in Chapter 369, Part III, Florida Statutes and the Lake County Comprehensive Plan.~~ The purpose of this Policy is to eliminate ambiguity by providing a full definition of certain words and phrases which are used within the Wekiva River Protection Area and Wekiva Study Area. Should the definitions contained under this Policy conflict with the definitions contained elsewhere in the Lake County Comprehensive Plan or in the Lake County Code or in the Land Development Regulations, the following definitions shall apply to the Wekiva River Protection Area and Wekiva Study Area, as defined in ~~Chapter 369, Part III,~~ Florida Statutes. ~~These definitions, currently codified within Appendix B, Zoning Ordinance Article IV, Section 40.0, shall be codified within the Land Development Regulations.~~

Agriculture ~~– The use of land for agricultural purposes, including farming, dairying and pasturage, apiculture, horticulture, floriculture, viticulture, forestry, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce raised thereon.~~ As defined in 570.02 F.S. means the science and art of production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. For the purposes of marketing and promotional activities, seafood shall also be included in this definition. "Bona fide agricultural purposes" means good faith commercial agricultural use of the land, as described in Section 193.461 F.S.

Aquifer Connection - a karst feature where at the surface, the feature is directly open to the limestone of the Floridan Aquifer System or, a sinkhole or closed depression, where there is no confining layer below the bottom of the sinkhole or depression thus allowing water to rapidly percolate into the FAS. Sinkholes and other karst features that are directly open to limestone of the FAS, or are located within areas more vulnerable to contamination as determined by the Wekiva Aquifer Vulnerability Assessment (WAVA) or the best available Floridan aquifer vulnerable assessment map shall be considered sensitive karst features. Should an applicant believe that a karst feature(s) on the site is not sensitive, the applicant shall provide site-specific report(s) prepared by a qualified professional to characterize the karst feature(s) is not sensitive to supplement the aquifer vulnerability assessment. The testing data used to prepare this report should consist of relevant geologic, geophysical, geotechnical and/or ground water quality data collected on site.

Aquifer Protection Zones - Those areas within "Protected Recharge Areas," "Areas More vulnerable to Contamination" or Primary or Secondary Springshed Protection Zones. In the Wekiva Study Area this term shall also include areas within or adjacent to "Most Effective Recharge Areas".

Aquifer Vulnerability - The tendency or likelihood for contaminants to reach the top of the specified aquifer system after introduction at land surface based on existing knowledge of natural hydrogeologic conditions.

Aquifer Vulnerability Map or Assessment - A modeling technique developed by the Florida Geological Survey to delineate relative degrees of vulnerability to an aquifer based on available data. An aquifer vulnerability map may be prepared for any aquifer. These techniques are documented in FGS Reports "Wekiva Aquifer Vulnerability Assessment" (RI 104) and "Florida Aquifer Vulnerability Assessment (FAVA): Contamination potential of Florida's principal aquifer systems."

Aquatic – See surface-waters.

Aquatic Dependent Wildlife Species – Any wildlife species whose life cycle depends in whole or in part on an aquatic environment.

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Area More Vulnerable to Contamination - Areas more vulnerable to contamination from land surface as determined by the best available aquifer vulnerability maps .

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Base density – maximum number of dwelling units permitted by the zoning classification of property in a receiving area computed on the net acreage of the property without the use of transferred development rights.

Board - Board of County Commissioners of Lake County, Florida.

Clustering or Cluster Development ~~– a development design technique that concentrates buildings in specific areas of a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive natural features.~~ The grouping together of structures and infrastructure on a portion of a development site. It refers to 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.

Commercial Development – C1, C2, or CP zoning as defined in the Lake County Code or Land Development Regulations, as amended from time to time.

Density – A ratio of dwelling units per unit of land.

Designated Vegetation – Those species designated pursuant to Chapter 581, Chapter 581.185(5)(a) and (5)(b), Florida Statutes.

Designated Wildlife – ~~Those species pursuant to Chapter 38, Sections 3927.004 and 39-27.005, Florida Administrative Code.~~See Listed Species.

Development – ~~The carrying out of any building activity or mining operation or the making of any material changes in the use or appearance of any structure or land, so as to adapt the land to non-agricultural purposes, and the dividing of the land into three or more parcels.~~As defined in 380.04 Florida Statutes. Generally, the carrying out of any building activity or mining operation or the making of any material changes in the use or appearance of any structure or land, so as to adapt the land to non-agricultural purposes.

Development approval – Final approval by Lake County of a development permit.

Development permit – means any zoning permit, subdivision approval, rezoning, special exception, variance, site plan approval, or other official action of local government having the effect of permitting the development of land in the Wekiva River Protection Area. A Wekiva River development permit shall not include a building permit certificate of occupancy, or other permit relating to the compliance of a development with applicable electrical, plumbing, or other building codes.

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Development rights – ~~The potential for the improvement of a parcel of real property, measured in dwelling units per gross acre, which exists because of the zoning classification of the parcel.~~ The potential for the improvement of a parcel of real property, which exists because of the combination of the future land use category and zoning classification of the parcel, and providing for consistency with provisions of the Comprehensive Plan and Land Development Regulations of Lake County.

Easement – means any strip of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

Environmentally sensitive – ~~Ecological systems which are sensitive to development impacts and provide important natural functions for maintenance of environmental quality and wildlife habitat.~~ Descriptive of lands ~~which~~ including but not limited to~~, at a minimum,~~ rivers, streams, lakes, springs, karst features with an aquifer connection, wetlands, floodplains, aquifer protection zones, sensitive natural habitats and existing or potential habitat of a designated species.

Flood Plain – Any normally dry land area that is susceptible to being inundated by waters from any source.

Gross acre – includes the entire area of a parcel of land excluding road right of way .

Gross density – For the determination of transferable development rights within the Wekiva River Protection Area gross density shall mean the total number of dwelling units permissible on a parcel of land based upon the zoning in place immediately prior to March 12, 1990, and depicted on Map I-5.

Groundwater ~~– water beneath the surface of the ground whether or not flowing through known or definite channels.~~ Water found below land surface in an aquifer (Moisture present in unsaturated soil is not considered groundwater.)

Hydrogeologic - Of or pertaining to the science that deals with subsurface waters and with related geologic aspects of surface water. The movement patterns and chemistry of ground water are heavily dependent on geology of the area.

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Karst Area - A terrain, generally underlain by limestone or dolostone, in which the topography is chiefly formed by the dissolution of rocks, and which may be characterized by karst features.

Karst Features - Features including but not limited to springs, sinkholes, sinking streams, closed depressions, subterranean drainage and caves.

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Most Effective Recharge Areas - Type "A" Hydrologic soils, defined by the NRCS Soil Survey, unless otherwise provided for by rule of the St Johns River Water Management District. This Applies only to the Wekiva Study Area.

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Net Acre - ~~derived by subtracting the following from the entire area of a parcel of land: All wetlands as defined by the St. Johns River Water Management District or the Lake County Code or Land Development Regulations; lands within the Wekiva River Hydrologic Basin Riparian Habitat Protection Zones established pursuant to Section 373.415, Florida Statutes; areas within the 100 year floodplain; road rights-of-way; and easements for ingress and egress.~~ The net buildable area of a parcel of land measured in acres.

Net Buildable Area - The total area of a parcel of land minus wetlands and water bodies; also referred to as "Net Area."

Net Density - The number of dwelling units per net acre.

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Open space ~~- Means any parcel of land essentially unimproved and set aside, dedicated, designated, or reserved for public or private use of enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Open space, does not include wetlands, man-made lakes, wet or dry retention or detention areas, natural bodies of water, impervious surfaces, or active recreation sites and facilities, such as tennis courts or golf driving ranges. The grassed areas of golf courses may be counted as open space.~~ Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Area 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. Within a development site, the County shall require that a minimum quantity of buildable area remain preserved, which shall represent the minimum open space requirement. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights of way, parking lots, impervious surfaces, and active recreation areas. Minimum required open space may include permeable stormwater management areas if enhanced as amenities utilizing native vegetation. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement. The minimum required quantity of open space within a development site 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. Non-buildable areas, including wetlands and water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement.

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Parcel – see lot.

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Protected Recharge Areas- Areas with a natural potential for an average annual recharge rate to the Floridan aquifer of 10 inches or greater.

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Receiving area – ~~The areas described in Policy 1-20.4 in the Future Land Use Element of the Lake County Comprehensive Plan, for development beyond its base density through the transfer of development rights or the Development Point Rating System, or both as appropriate. The Mount Plymouth Sorrento Urban Compact Node Receiving Area is limited to a maximum density of five and one half (5.5) dwelling units per net acre. The portion of the Plymouth Sorrento Urban Compact Node which is not within the Wekiva River Protection Area boundary is not a receiving area for TDR's and the allowable maximum density for these lands is five and one half (5.5) dwelling units per net acre.~~ An area designated for potential development beyond its base density through the transfer of development rights from a designated sending area. Receiving Area Number One and Receiving Area Number Two located within the Wekiva River Protection Area are defined and described in the Future Land Use Element of the Lake County Comprehensive Plan.

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Rural Density ~~Residential Development~~ - Less than or equal to one dwelling unit per net ~~gross~~ buildable acre.

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Sending Area – ~~The area designated "A-1-40" and "A-1-20" Wekiva River Protection Area Overlay Districts on Exhibit "A" and described in Policy 1-20.4 the Land Use Element of the Comprehensive Plan, Section 699.31, Lake County Code, and designated on the Wekiva River Protection Area Transferable Development Rights sending and Receiving Map on file in the Lake County Planning Department and Building Department.~~ An area designated as environmentally sensitive and therefore suitable for the reduction of development potential through the transfer of development rights to a designated receiving area. Sending Area Number One and Sending Area Number Two located within the Wekiva River Protection Area are defined and described in the Future Land Use Element of the Lake County Comprehensive Plan.

Sensitive Natural Habitats – Include longleaf pine, sandhill, sand pine, and xeric oak scrub habitats.

Silviculture ~~– a process, following accepted forest management principles, whereby the crops constituting forests are tended, harvested, and reforested either by natural or artificial reforestation, or both.~~ A process of or pertaining to commercial forestry following accepted forest management principles, whereby the crops constituting forests are tended and harvested.

Sinkhole - A naturally occurring, karst feature on the land surface typically measured in meters or tens of meters, typically circular and/or conical in nature, characterized by closed depressional contours, internal drainage and side slopes that are notably steeper than the natural slope of the

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surrounding land surface. A sinkhole may or may not exhibit an open connection into the Floridan aquifer. It also may or may not contain water. To be characterized a sinkhole, the settlement that caused the depression must have resulted from subsidence or raveling of soils, sediments, or rock materials into subterranean voids created by the effect of water on a limestone or similar rock formation.

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Spring - A point where underground water emerges onto the Earth's surface (including at the bottom of a stream, lake or the ocean).

Springshed - Those areas within ground and surface water basins that contribute to the discharge of the spring, also known as a spring recharge basin.

Springshed Protection Zones – The Primary Springshed Protection Zone shall include~~s~~ the springshed features that are protected recharge areas, areas more vulnerable to contamination, sensitive karst~~s~~ features and stream-to-sink basin features, the buffer area immediately adjacent to the spring and the spring run. The Secondary Springshed Protection Zone~~s~~ shall include ~~land~~areas within the springshed but outside the primary springshed protection zone that ~~but is~~are also- vulnerable to contamination.

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Stream-to-Sink Basins - A drainage basin typified by surface streams or runoff discharging into a karst area with an aquifer connection.

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Type A soils – A soil group defined by the NRCS as having high infiltration rates.

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Uplands ~~– as defined in Appendix B, Zoning Regulations, Section 40.1010, Lake County Code, and a~~All land that is not wetlands or water bodies.

Urban density – More than one (1) dwelling unit per ~~gross~~net buildable acre.

~~Usable land area – See net acre.~~

Viable population – any species population that is of sufficient quantity to self-propagate and continue in existence without outside intervention.

Water bodies – ~~Wekiva River, the Little Wekiva River, Black Water Creek, Rock Springs Run, Sulphur Run, Seminole Creek and Lake Norris.~~ A stream, river, lake, pond, submerged marsh or swamp, spring, or seep, as identified by the United States Geological Survey, Florida Geological

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Survey, or Florida Department of Environmental Protection. The boundary of a water body shall be the mean annual flood line.

Waterfront – any lot or parcel bordering on a water body.

Wekiva Study Area - The Wekiva Study Area is defined by 369.316 F.S. to include the following land: Begin at the northwest corner of Section 6, Township 18 South, Range 28 East, Lake County, Florida, said corner lying on the north line of Township 18 South; thence Easterly along said north line of Township 18 South to the northeast corner of Section 5, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 5 to the northeast corner of Section 8, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 8 to the northeast corner of Section 17, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 17 to the northeast corner of Section 20, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 20 to the northeast corner of Section 29, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 29 to the northeast corner of Section 32, Township 18 South, Range 29 East; thence Southerly along the east line of said Section 32 to the southeast corner thereof, said corner lying on the south line of Township 18 South; thence Easterly along the south line of said Township 18 South to an intersection with the east line of Range 29 East; thence Southerly along the east line of said Range 29 East to the southeast corner of Section 24, Township 21 South, Range 29 East; thence Westerly along the south line of said Section 24 to the southeast corner of Section 23, Township 21 South, Range 29 East; thence Westerly along the south line of said Section 23, to an intersection with the centerline of Interstate Highway No. 4; thence generally Southerly along the centerline of Interstate Highway No. 4 to an intersection with the south line of Section 13, Township 22 South, Range 29 East; thence Westerly along the south line of said Section 13 to the southeast corner of Section 14, Township 22 South, Range 29 East; thence Westerly along the south line of said Section 14 to the southeast corner of Section 15, Township 22 South, Range 29 East; thence Westerly along the south line of said Section 15 to the northeast corner of Section 21, Township 22 South, Range 29 East; thence Southerly along the east line of said Section 21 to an intersection with the centerline of State Road No. 50; thence Westerly along the centerline of said State Road No. 50 to the northeast corner of Section 30, Township 22 South, Range 28 East; thence Southerly along the east line of said Section 30 to the northeast corner of Section 31, Township 22 South, Range 28 East; thence Southerly along the east line of said Section 31 to the southeast corner thereof, said corner lying on the south line of Township 22 South; thence Westerly along said south line of Township 22 South to the northeast corner of Section 2, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 2 to the northeast corner of Section 11, Township 23 South, Range 27 East; thence Southerly along the east line of said Section 11 to the southeast corner thereof; thence Westerly along the south line of said Section 11 to the southeast corner of Section 10, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 10 to the southeast corner of Section 9, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 9 to the southeast corner of Section 8, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 8 to the southeast corner of Section 7, Township 23 South, Range 27 East; thence Westerly along the south line of said Section 7 to the southwest corner thereof, said corner lying on the line of demarcation between Orange County and Lake County; thence generally Northerly and along said county line to the northeast corner of Section 12, Township 20 South, Range 26 East, said corner lying on the east line of Range 26 East;

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thence generally Northerly and along said east line of Range 26 East to the southeast corner of Section 24, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 24 to the southeast corner of Section 23, Township 19 South, Range 26 East; thence Westerly along the south line of said Section 23 to the southwest corner thereof; thence Northerly along the west line of said Section 23 to the southwest corner of Section 14, Township 19 South, Range 26 East; thence Northerly along the west line of said Section 14 to the southwest corner of Section 11, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 1, Township 19 South, Range 26 East; thence generally Northeasterly to the southwest corner of Section 31, Township 18 South, Range 27 East; thence generally Northeasterly to the southwest corner of Section 29, Township 18 South, Range 27 East; thence generally Northeasterly to the northwest corner of Section 28, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 28 to the northwest corner of Section 27, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 27 to the northwest corner of Section 26, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 26 to the northwest corner of Section 25, Township 18 South, Range 27 East; thence Easterly along the north line of said Section 25 to an intersection with the west line of Range 28 East; thence Northerly along the west line of said Range 28 East, to the northwest corner of Section 6, Township 18 South, Range 28 East, and the Point of Beginning.

Wekiva River Protection Area – means the lands within Township 18 South, Range 28 East; Township 18 South, Range 29 East; Township 19 South, Range 28 East, less those lands lying west of a line bounded by County Road 437, State Road 46 and County Road 435; township 19 South, Range 29 East; Township 20 South, Range 28 East, less all lands lying west of County Road 435; and Township 20 South, Range 29 East, less all those lands east of Markham Woods road. means those lands defined by 369.303 F.S. lands within: Township 18 south Range 28 east; Township 18 south Range 29 east; Township 19 south Range 28 east, less those lands lying west of a line formed by County Road 437, State Road 46, and County Road 435; Township 19 south range 29 east; Township 20 south range 28 east, less all lands lying west of County Road 435; and Township 20 south range 29 east, less all those lands east of Markham Woods Road.

Wekiva River System – means the Wekiva River, the Little Wekiva River, Black Water Creek, Rock Springs Run, Sulphur Run, Lake Norris and Seminole Creek.

Wetland Dependent Wildlife Species – any wildlife species whose life cycle depends in whole or in part on a wetland environment.

Wetlands ~~– hydrologically sensitive areas identified by the St. Johns River Water Management District regulations and Appendix B, Zoning Regulations, Section 41.58, Lake County Code or the Land Development Regulations as amended from time to time.~~ Lands which are transitional between terrestrial (upland) and aquatic (open water) systems where the water table is usually at or near the surface, or where the land is covered by shallow water. Such lands are predominantly characterized by hydrophytic vegetation identified in Section 17-4.022, F.A.C. The presence of hydric soils determined by the U.S. Soil Conservation Service, and other indicators of regular or periodic inundation, shall be used as presumptive evidence of the presence of a wetland area.

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The existence and extent of these shall be determined by the jurisdictional limits defined by Chapter 17-4, F.A.C. and implemented by the Florida Department of Environmental Regulation, or as defined within Chapter 40D-4 and implemented by the Southwest Florida District or within Chapter 40C-4 and implemented by the St. Johns River Water Management District.

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~~Policy~~ Objective 1-21~~0~~.1~~A~~: Wekiva River Protection Area (WRPA). The County shall regulate the use of land within the 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:

Policy 1-21~~20~~.~~2~~1: Restrict Expansion of Public Facilities and Services within the Wekiva River Protection Area.

~~Expansion of Public Facilities and Services within the Wekiva River Protection Area. 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.~~ 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.

Policy 1-21~~20~~.~~3~~2: Vested Development within the Wekiva River Protection Area. Land within the Wekiva River Protection Area as defined in ~~Chapter 369,~~ the Florida Statutes~~, Part III,~~ may be developed at the density permitted by the zoning classification in place immediately prior to March 12, 1990, and depicted on Map I-5, providing that:

1. A plat of the property based upon the zoning classification in place immediately prior to March 12, 1990, and depicted on Map I-5, 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.

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2. 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.

3. 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.

4. Commercial zoning within the Wekiva River Protection Area existing on March 12, 1990, is vested for commercial uses and designated on Map I-3, "Future Land Use Map" Series, whether or not a site plan has been previously approved and if a site plan has not been previously approved, County approval is required.

5. Application is made to the County for a determination of vested rights.

Policy 1-21~~20~~.4~~3~~: Limit Density and Intensity of Land Use within the Wekiva River Protection Area. 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 the base density 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 Land Development Regulations 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 ~~Chapter 369,~~ the Florida Statutes~~, the Wekiva River Protection Act~~. Development shall provide central water and sewer facilities where such facilities are shown to be economically feasible and ~~or~~ environmentally necessary, as determined by the County.

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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.

a. Sending Area Number One – "A-1-40" Wekiva River Protection Area ~~Overlay District 1~~.

~~Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to Chapter 473, Florida Statutes, Section 473.415 and not vested pursuant to Policy 1-20.3, 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.~~ Land within the Wekiva River Protection Area, inside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes, not vested pursuant to the policies above, and excluding the Receiving Areas described below, shall be allowed a maximum base density of one (1) dwelling unit per forty (40) net acres. This shall be known as the "A-1-40" Wekiva River Protection Area. 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 show 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.~~ This area is hereby designated as Sending Area Number One for transferable development rights, as shown on the Map I-4 of the Comprehensive Plan, 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.

b. Sending Area Number Two – "A-1-20", Wekiva River Protection Area ~~Overlay District 2~~.

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~~Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to Chapter 473, Section 473.415, Florida Statutes, outside the Mount Plymouth-Sorrento Urban Compact Node, not vested pursuant to Policy 1-20.3 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.~~ Land within the Wekiva River Protection Area, outside the Wekiva River Hydrologic Basin Protection Zones established pursuant to the Florida Statutes, not vested pursuant to the Policies above, and excluding the Receiving Areas described below, 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. 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 I-4 of the Comprehensive Plan. 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.

c. 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.~~ Land within the Wekiva River Protection Area and contained in the area described below shall have a base 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. 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

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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 I-4 of the Comprehensive Plan, 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 ½ of Section 30, Twp 18 S, R 28E; thence east along the north line of the south ½ 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 ½ of Section 32; thence east along the north line of the south ½ of Section 32, and continuing east along the north line of the south ½ of Sections 33 and 34 to the northeast corner of the west ½ of the southwest ¼ of Section 34, Twp 18 S, R 28E., 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 ½ of the southwest ¼ 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 28E; 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 28E to the northwest corner of the east ½ of said Section 8; thence south along the west line of the east ½ of Section 8 to the south line of said Section 8; thence continuing south along the west line of the northeast ¼ of Section 17, Twp 19 S, R 28 E to the southwest corner of the northeast ¼ of Section 17; thence east along the south line of the northeast ¼ 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 19S, R 28 E to the northwest corner of the south ½ of Section 21; thence east along the north line of the south ½ of Section 21 to the east line of Section 21; thence continuing east along the north line of the south ½ 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 center line 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 ¼ of the southwest ¼ of Section 17; thence north along the east line of the~~

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~~southwest ¼ of the southwest ¼ Section 17 to the northeast corner of the southwest ¼ of the southwest ¼ of Section 17; thence west along the north line of the southwest ¼ of the Southwest ¼ 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 ½ of Section 18, Twp 19 S, R 28 E; thence west along the north line of the south ½ 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.~~ 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 ½ of Section 30, Twp 18 S, R 28E; thence east along the north line of the south ½ 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 ½ of Section 32; thence east along the north line of the south ½ of Section 32, and continuing east along the north line of the south ½ of Sections 33 and 34 to the northeast corner of the west ½ of the southwest ¼ of Section 34, Twp 18 S, R 28E., 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 ½ of the southwest ¼ 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 28E; 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 28E to the northwest corner of the east ½ of said Section 8; thence south along the west line of the east ½ of Section 8 to the south line of said Section 8; thence continuing south along the west line of the northeast ¼ of Section 17, Twp 19 S, R 28 E to the southwest corner of the northeast ¼ of Section 17; thence east along the south line of the northeast ¼ 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 19S, R 28 E to the northwest corner of the south ½ of Section 21; thence east along the north line of the south ½ of Section 21 to the east line of Section 21; thence continuing east along the north line of the south ½ 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 center line 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

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the south line of Section 17, Twp 19 S, Range 28 E to the southeast corner of the southwest ¼ of the southwest ¼ of Section 17; thence north along the east line of the southwest ¼ of the southwest ¼ Section 17 to the northeast corner of the southwest ¼ of the southwest ¼ of Section 17; thence west along the north line of the southwest ¼ of the Southwest ¼ 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 ½ of Section 18, Twp 19 S, R 28 E; thence west along the north line of the south ½ 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.

d. Receiving Area Number Two – Mount Plymouth-Sorrento Urban Compact Node within Wekiva River Protection Area.

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-5"~~ "R-6" Residential district, the "RP" Residential Professional district, or the "PUD" Planned Unit Development district, as provided in the Lake County Land Development Regulations, 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 land use categories. TDRs will not apply to these lands.~~

This area is hereby designed as Receiving Area Number Two for Transferable Development Rights as shown on Map I-4 of the Comprehensive Plan~~.~~ and is described as follows:

The Southwest ¼ of the Southwest ¼ of Section 17, Township 19 South, Range 28 East; the South ½ of Section 18, Township 19 South, Range 28 East; Sections 19, 28, 29, 30, 32, and 33, Township 19 South, Range 28 East; less all lands outside of the Wekiva River Protection Area.

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

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which pertain to the Urban land use categories. TDRs will not apply to these lands.

Policy 1-21~~20.5~~4: Development Point Rating System and Submittal Requirements for Development Permits within the Wekiva River Protection Area. ~~Where applicable, lands proposed to be developed within the Wekiva River Protection Area shall be evaluated according to the Development Point Rating System in order to be considered for an increase in density. The objectives of these criteria are to:~~ Where applicable, lands proposed to be developed within the Wekiva River Protection Area shall be evaluated according to the Development Point Rating System embodied in Tables 1 through 3, 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
- 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. In addition, the Development Point Rating System will be used as a guide to evaluate all residential project densities during:

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

2. The review of a DRI, pursuant to Florida Statutes.

3. The preparation of any future sector or small area plans.

Table 1: 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 Mount Plymouth-Sorrento Urban Compact Node~~ Receiving Area One (5 points possible)	5
Purchase of TDRs sufficient to reach density of one (1) dwelling unit per net acre (5 points possible)	5
	80

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Innovation in Site Design by Providing More Open Space and Protecting Environmentally Sensitive Land than would be protected under existing regulations. (80 points possible)	
a. Incorporation of pervious Pavement or Grassed Parking	1
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 ground water). Must demonstrate minimum interruption of surface and ground water flow regime (minimize ground water 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
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 one 91) 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.~~	
Contributes to the Expansion of an Existing or Proposed Wildlife Corridor (on or off-site). (10 points possible)	10
~~Provides Sufficient Habitat for Feeding, Nesting, Roosting, and Resting so as to Maintain Viable Populations of Species Designated Pursuant to Rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code (on or off-site). (5 points possible)~~ 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	5

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Code (on or off-site). (5 points possible)	
Provision of Affordable Housing. (5 points possible)	5
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
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 ~~Level of Service to LOS "C"~~ LOS to "C." (10 points possible)	**10**
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 road	2
Potable Water Supply. (10 points possible)	**10**
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
Sanitary Sewer Service. (10 points possible)	**10**
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
Irrigation Water Supply. (10 points possible)	**10**
a. Grey water reuse (dual water system)	10
b. Surface water	5
c. Surficial aquifer	2
d. Potable Water	0
Fire Protection. (5 points possible)	**5**
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
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
Proximity to Public Schools (5 points possible)	**5**
a. Dedication of sufficient acreage to satisfy the requirements of the Lake County School District (on or off-site).	5
b. Within ½ mile radius of an existing school and linked by sidewalks and/or bicycle paths.	5
c. Within ½-mile radius of an existing school.	4
d. Within one mile radius of an existing school and linked by sidewalks	4

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and/or bicycle paths.	
e. Within one-mile radius of an existing school.	1
Neighborhood Parks (5 points)	**5**
a. Within ½ 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 lands that is suited for passive recreation.	5
d. Within ½-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
Other (5 points possible)	**5**
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.	

<u>Table 2:</u> Density Evaluation, <u>A-1-40</u>

Maximum Number of Units *	
Points Scored	Per Net Developable Acre
≥ 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. ("A-1-40")~~	

<u>Table 3:</u> Density Evaluation, <u>A-1-20</u>

Maximum Number of Units *	
Points Scored	Per Net Developable Acre
≥ 140 ~~– 175~~	1 per 1 acres
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~~ <u>50</u>	1 per 20 acres
~~* The one (1) unit per twenty (20) net developable acres category contains a~~	

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~~maximum of 175 possible points. ("A-1-20")~~ * Note 1: The maximum density for Sending Area Two is 1 dwelling unit per 5 net acres.

~~18. 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:~~

~~1. The review of an application for a development permit initiated by a property owner or an authorized agent.~~

~~2. The review of a Development of Regional Impact (DRI), pursuant to Chapter 380, Florida Statutes.~~

~~3. The preparation of any future or small area plans.~~

SUBMITTAL REQUIREMENTS FOR DEVELOPMENT PERMITS WITHIN THE WEKIVA RIVER PROTECTION AREA.

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.

~~**1. 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 ground water hydrology.~~

~~**2. Wetlands and Uplands:**~~

~~A. Type and percent of biological communities existing on site and described using the Florida Land Use and Cover Classification System (FLUCCS).~~
~~B. A typical vegetative inventory of the following:~~
~~1. Overstay or canopy (trees)~~
~~2. Under story or sub-canopy (shrubs, small tress)~~
~~C. A typical animal/wildlife inventory using methodology of the Florida Fish and Wildlife Conservation Commission.~~
~~1. Mammals~~
~~2. Birds~~
~~3. Reptiles~~
~~4. Fish~~
~~D. Pre and post-development acreage/percent of wetlands and uplands.~~
~~E. Monitoring programs (ongoing) for wetland and upland systems.~~

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~~F. Borrow and fill requirements.~~

~~**3. Wildlife Corridors (U.S. Fish and Wildlife Criteria):**~~

~~A. Pre and post-development acreage of corridors.~~
~~B. Impact of development on corridors.~~
~~C. Proposed management, monitoring and maintenance measures for protection of corridors.~~

~~**4. Designated Wildlife and Vegetation:**~~

~~A. List designated wildlife as specified in Chapter 39, Sections 39-27003, 39-27.004, and 39-27.005, the Florida Administrative Code.~~
~~B. List vegetation specified in Section 581.185(5)(a), (b), Florida Statutes.~~
~~C. Pre and post-development acreage of designated vegetation and wildlife.~~
~~D. Plan for protection of designated plant and animal species.~~

~~**5. Buffers:**~~

~~A. Building setbacks from:~~
~~1. Wetlands~~
~~2. Uplands~~
~~3. Wildlife corridor~~
~~4. Publicly owned conservation/preservation lands~~
~~5. Wekiva River or other surface water bodies~~
~~B. Acreage of Buffers~~
~~C. Types of buffers, i.e.; vegetative (trees, shrub, or combination), masonry, fence, berms, etc.~~
~~D. Use within buffers (i.e.; parks, recreational boardwalks, nature trails, bike paths, non-use, etc.)~~
~~E. Percent/Acreage of property dedicated to County for conservation easements or deeded to County for public purpose.~~

~~**6. Water Resource Management:**~~

~~Complete statement and calculations of the following:~~
~~A. Water quality and quantity for both pre and post-development.~~
~~1. hydrological evaluation of development~~
~~2. 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)~~
~~3. recharge and discharge areas/recharge mechanisms~~
~~4. potential contamination and abatement procedures~~
~~5. use of underdrains/side drains~~
~~6. degree of salt water encroachment in the Floridan Aquifer~~

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~~**7. Air Quality:**~~

~~A. Emission Sources~~
~~1. Residential (fireplaces, type of heat-oil, gas, heat pump)~~
~~B. Monitoring Plans/Mechanisms~~

~~**8. Storm and Waste Water Management:**~~

~~A. Stormwater~~
~~1. Calculations~~
~~2. Retention/detention design~~
~~a. Type of system (wet, dry, on-line, off-line, etc.)~~
~~b. Pond/Swale~~
~~(1) Volume~~
~~(2) Elevations~~
~~(3) Overflow mechanisms~~
~~(4) flood elevations~~
~~(5) 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~~

~~B. 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/non-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~~

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~~(1) general process~~
~~(2) bypass~~
~~(3) Hydraulic profile~~
~~(4) Flow diagram~~

~~3. Effluent disposal method~~

~~a. Spray field~~
~~b. Perc pond~~
~~c. Reuse~~
~~d. Wetland~~

~~(1) Location of disposal area~~
~~(2) Analysis~~

~~(a) soil report~~

~~(i) soil type~~
~~(ii) ground water depth~~
~~(iii) K factor~~
~~(iv) Confining layers~~

~~(b) impact on ground water 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~~

~~**9. 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 aquifers~~

1. General Information:
   A. Legal Description and Location Map.
   B. Property survey showing the location of Wekiva River Hydrologic Basin Protection Zones.

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C. Soil Classifications.

D. Surface and ground water hydrology and hydrogeology.

2. Wetlands and Uplands:

A. Type and percent of biological communities existing on site and described using the Florida Land Use and Cover Classification System (FLUCCS).

B. A typical vegetative inventory of the following:

1) Overstay or canopy (trees)

2) Under story or sub-canopy (shrubs, small trees)

C. A typical animal/wildlife inventory using methodology of the Florida Fish and Wildlife Conservation Commission.

1) Mammals

2) Birds

3) Reptiles and Amphibians

4) Fish

5) Invertebrates

D. Pre and post-development acreage/percent of wetlands and uplands.

E. Monitoring programs (ongoing) for wetland and upland systems.

F. Borrow and fill requirements.

3. Wildlife Corridors (U.S. Fish and Wildlife Criteria):

A. Pre and post-development acreage of corridors.

B. Impact of development on corridors.

C. Proposed management, monitoring and maintenance measures for protection of corridors.

4. Designated Wildlife and Vegetation:

A. List designated species as specified in the Florida Administrative Code as Endangered, Threatened, or Species of Special Concern.

B. List vegetation specified in the Florida Statutes.

C. Pre and post-development acreage of designated vegetation and wildlife.

D. Plan for protection of designated plant and animal species.

5. Buffers:

A. Building setbacks from:

1) Wetlands

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2) Uplands
3) Wildlife corridor
4) Publicly owned conservation/preservation lands
5) Wekiva River or other surface water bodies

B. Acreage of Buffers

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

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

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

6. Water Resource Management:

A. Complete statement and calculations of the following:

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

1) hydrological and hydrogeologic evaluation of development including karst features and aquifer vulnerability
2) 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)
3) recharge and discharge areas/recharge mechanisms
4) potential contamination and abatement procedures
5) use of under drains/side drains
6) degree of saline water in the Floridan Aquifer

7. Air Quality:

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

B. Monitoring Plans/Mechanisms

8. Storm and Waste Water Management:

A. Stormwater

1) Calculations
2) Retention/detention design
a) Type of system (wet, dry, on-line, off-line, etc.)
b) Pond/Swale

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(1) Volume

(2) Elevations

(3) Overflow mechanisms

(4) flood elevations

(5) discharge point (internal, to tributary of the Wekiva River, or to the Wekiva River)

c) Culvert, pipe, channel hydraulics

d) Soil borings

(1) Energy dissipation/erosion and sediment control measures.

(2) Grading/drainage plan

(a) Materials Used (pervious/impervious)

(b) Percent pervious/impervious surface

(3) Monitoring plans/mechanisms

B. 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/non-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

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(2) bypass

(3) Hydraulic profile

(4) Flow diagram

3) Effluent disposal method

a) Spray field

b) Percolation pond

c) Reuse

d) Wetland

(1) Location of disposal area

(2) Analysis

(a) soil report

1. soil type

2. ground water depth

3. K factor

4. Confining layers

(b) impact on ground water 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

9. Potable Water System:

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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 aquifers

Policy 1-21~~20.6~~5: 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 water bodies 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 ~~Chapter 373,~~ the Florida Statutes~~, Section 373.415~~ 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.

Policy 1-21~~20.7~~6: ~~Setbacks~~ Wekiva System Buffers and Riparian Protection Zones.

~~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:~~ The following shall apply to all development activity associated with or adjacent to wetlands and water bodies of the Wekiva River System, including the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek and Lake Norris:

~~1. Land proposed to be developed under Policy 1-20.3, Vested Development within the Wekiva River Protection Area, or Policy 1-20.6, Non-Exempt Parcels, on the Wekiva River, Blackwater Creek, Sulphur Run, Seminole Creek and Lake Norris:~~

~~a. Those lands subject to the setback requirements of the St. Johns River Water Management District, established pursuant to Section 373.415 Florida Statutes, shall conform to said setbacks.~~

~~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 or Land Development Regulations, whichever is farther.~~

~~2. Land proposed to be developed under Policy 1-20.4, 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:~~

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~~a. Minimum setbacks shall conform to those required by the St. Johns River Water Management District, established pursuant to Section 373.415, 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.~~

1. Any proposal for development shall be required to demonstrate that said activity will not adversely affect the abundance, food sources, or habitat of aquatic or wetland dependant species within Riparian Habitat Protection Zones consistent with rules of the St. Johns Water Management District; and

2. Any proposal for development at a minimum shall be required to maintain a vegetated natural buffer extending 50 feet landward from associated wetlands of the Wekiva River System or a minimum 200 feet from the ordinary high water mark, whichever is farther landward.

Policy 1-21~~20.8~~7: 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.

Policy 1-21~~20.9~~8: 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, Florida Statutes; 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.

Policy 1-21~~20.10~~9: Lakeshore and Waterfront Development. Lake County shall limit the density and intensity of lakeshore and waterfront development within the Wekiva River Protection Area. 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 Land Development Regulations, 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 through listing as a C.A.R.L. project.~~

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~~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 Land Development Regulations 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.~~

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

B. Lake County shall purchase, when possible, waterfront areas and islands for public use when identified as an environmentally sensitive resource.

C. Lake County shall 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.

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

E. Lake County shall require setbacks in conformance with Chapter 40C-41, F.A.C. and those of the Lake County Comprehensive Plan, and Land Development Regulations 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.

Policy 1-21~~20.11~~10: 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.

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~~A. Expressway interchanges within the Wekiva River Protection Area shall be developed as Planned Units under the Public Facilities District (PFD) classification as contained in the Lake County Code.~~

A. Commercial Zoning Districts within the Wekiva River Protection Area existing on March 12, 1990 unless acquired for conservation by a public agency, ~~is~~ are 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.

~~B. Commercial and Industrial uses permitted in the Wekiva River Protection Area, are depicted on the "Future Land Use Map" Series (Map I-3). 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.~~

~~C.~~B. Commercial development within the Wekiva River Protection Area, except as provided in subsection ~~B~~ A above, shall be discouraged. Such development shall be restricted to the following intersections:

SR 44 and CR ~~473~~ 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 Department determines the need for such development. A land use plan amendment shall be processed pursuant to Chapter 163, Florida Statutes, 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 Department. A land use plan amendment shall be processed pursuant to Chapter, 163, Florida Statutes, to permit any commercial uses in the vicinity of the proposed interchange.~~ 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 a small area study conducted by the Lake County Growth Management Department determines the need for such development.

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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 Growth Management Department.

~~D.~~C. 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 passive use and enjoyment of such lands by the public.

Policy 1-21.10A: Location of School Facilities within the Wekiva River Protection Area. Notwithstanding any other provision of this Comprehensive Plan, in order to limit the intensity of structures and facilities, new primary and secondary school sites shall only be allowed within the Receiving Area Number Two.

Policy 1-21~~20.12~~11: Industrial Development. Industrial development shall be prohibited within the Wekiva River Protection Area.

Policy 1-21~~20.13~~12: 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 to open space requirements of residential (25%) and commercial (20%).~~

~~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. Forbid 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~~

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~~under Policy 1-20.15 and 1-20.16 of this Future Land Use Element and those activities necessary for normal yard maintenance.~~

Lake County shall maintain an open space system to serve the needs of people and shall range from neighborhood to regional scale. Such system shall also include passive recreation and conservational elements and shall conform to open space requirements pursuant to clustering provisions of this Comprehensive Plan. This system shall include the following:

A. Flood zones along streams or rivers, excluding wetlands, shall qualify for open space requirements. The use of flood prone areas for purposes compatible with the hydrological character of the area shall be regulated. Passive recreation is recognized as a beneficial use~~s~~ of flood prone areas.

B. Building within swamps and marshes is prohibited, except in accordance with the policies of this Comprehensive Plan, the Lake County Code, and in accordance with a wetland alteration/mitigation plan approved by Lake County.

C. All structures shall have floor elevations at least 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. Clearing of native vegetation shall be limited to only those areas approved through a vegetation survey and protection plan approved by Lake County, with the exception of those areas devoted to bona fide agricultural uses as specified in this element and those activities necessary for normal yard maintenance.

Policy 1-21~~20.14~~13: Consideration of Environmental Factors. Full consideration shall be given to environmental factors within Lake County as they pertain to land use. ~~A.~~ The County shall work towards establishing and maintaining the natural state of the Wekiva River System and the Wekiva River Protection Area.

Policy 1-21~~20.15~~14: 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.~~ 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, as defined by Section 570.02 F.S. and more specifically Section 193.461 F.S. conducted in compliance with appropriate BMPs, is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area. All agricultural activities within the Wekiva River Protection Area shall comply with Best Management Practices (BMPs) developed by the U.S. Department of Agriculture Natural Resources Conservation Service and BMPs contained in the publication "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices" (DCA/DEP).

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~~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 uses 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.~~

Policy 1-21~~20.16~~15: Silviculture in Wekiva River Protection Area. ~~Silviculture is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area.~~ Silviculture, conducted as an agricultural operation as defined by Section 570.02 F.S. and more specifically in 193.461 F.S. as a bona fide agricultural operation, is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area. All silviculture activities, including harvesting plans, within the Wekiva River Protection Area shall comply with Best Management Practices (BMPs) developed by the U.S. Department of Agriculture Natural Resources Conservation Service and BMPs contained in the publication "Protecting Florida's Springs-Land Use Planning Strategies and Best Management Practices" (DCA/DEP). Long crop rotation shall be encouraged when land within Primary Springshed Zones is used for silviculture.

~~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.~~

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~~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.~~

~~Policy 1-20.17: 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 ¼ of the Southwest ¼ of Section 17, Township 19 South, Range 28 East; the South ½ 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.~~

~~Policy 1-20.18: Review of the Lake County Comprehensive Plan and Land Development Regulations in the Wekiva River Protection Area. By 1996, the County shall review the Comprehensive Plan and the Land Development Regulations which effect the Wekiva River Protection Area in Lake County for their effectiveness in meeting the requirements of Section 369.301, Florida Statutes and shall, if necessary, and the Comprehensive Plan and Land Development Regulations.~~

~~**OBJECTIVE 1-21: LAND USE ISSUES RELATED TO CONSERVATION OF WATER RESOURCES, WETLANDS, FLOODPLAINS, NATURAL HABITATS, NATURAL VEGETATION, ENVIRONMENTALLY SENSITIVE AREAS, AND MINING ACTIVITIES.** Within the Wekiva River Protection Area, Lake County shall protect the features of the natural environment through the following Policies.~~

Policy 1-21.~~1~~16: Surface and Subsurface Hydrology. The hydrology of a site ~~should~~ shall 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.~~, unless such impacts can be successfully mitigated in accordance with accepted mitigation policies and practices. Such~~ Any mitigation shall be subject to approval by Lake County.

~~**Policy 1-21.2: Reduction of Density of Waterfront Development.** Lake County shall implement policies aimed at controlling the density of waterfront development.~~

Policy 1-21.~~3~~17: 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 the ~~Chapter 369, Part III,~~ Florida Statutes.

Policy 1-21.~~4~~18: 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.

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~~**Policy 1-21.5: Protection and Conservation of Wetland Areas.** Lake County shall implement policies, which are aimed at protecting and conserving wetland areas.~~

Policy 1-21.~~6~~19: Protection and Conservation 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 Land Development Regulations. In furtherance of this intent, it shall be the policy of Lake County BCC 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 BCC Code and Land Development Regulations, and to agricultural and silvicultural activities, as well.~~ It is the intent of Lake County to protect and conserve wetlands and wetlands systems to the maximum extent possible. This shall be accomplished through policies and provisions of this Comprehensive Plan and Land Development Regulations.

Policy 1-21.~~7~~20: Preservation of Natural Habitats within the Wekiva River Protection Area. Preserve natural habitats essential to any animals or plants designated as endangered, threatened, or species of special concern pursuant to ~~Chapter 39, Sections 39-27.003, 39-27.004, and 39-27.005,~~ the Florida Administrative Code and ~~Section 581.185(5)(a) and (b),~~ 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.

Policy 1-21.~~8~~21: Preservation of Native Vegetation within the Wekiva River Protection Area. 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 1-20.15 Agricultural Uses and 1-20.16: Silviculture in Wekiva River Protection Area and those activities necessary for normal yard maintenance.

Policy 1-21.~~9~~22: 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 wetlands, associated habitat and aquatic systems.~~ The County shall protect aquatic and wetland-dependent wildlife species associated with the Wekiva River System by requiring that existing wetlands, associated habitat and aquatic systems are maintained in a natural state to the maximum extent possible.

Policy 1-21.~~10~~23: Mining and Borrow Activities within the Wekiva River Protection Area. ~~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~~

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~~or other public works projects within the Wekiva River Protection Area.~~ 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.

Borrow activities 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 borrow activities to those necessary for the construction of or improvement to highways or other public works projects within the Wekiva River Protection Area.

~~OBJECTIVE 1-22~~POLICY 1-21.24: Preserve ~~Those~~ Environmentally Sensitive Areas ~~Identified In Environmental Studies And Reports~~ Within The Wekiva River Protection Area. ~~Lake County shall preserve those environmentally sensitive areas identified in environmental studies and reports sponsored or approved by the Board of County Commissioners in order to safeguard Lake County's resources for present and future residents and particularly those areas within the Wekiva River Protection Area.~~ Lake County shall seek to preserve those environmentally sensitive areas identified in environmental studies prepared by government agencies, or approved by the Board of County Commissioners, in order to safeguard Lake County's resources for present and future residents and particularly those areas within the Wekiva River Protection Area.

Policy 1-21.25~~1-22.1~~: 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. The County shall utilize revenue bonds from the Lake County Land Acquisition program and partner to the greatest extent possible with the aforementioned entities to acquire, or assist in the acquisition of, environmentally sensitive land for permanent preservation.

~~Policy 1-22.2: Funding Mechanism to Acquire Environmentally Valuable Lands. In support of the preservation of the natural systems of the Wekiva River Protection Area, by 1993, the Board of County Commissioners shall establish a funding mechanism to acquire or to assist in the acquisition of, environmentally valuable lands. Such mechanism shall be established with the approval of the electorate of Lake County BCC through a referendum consistent with the policies in the Conservation and Recreation Element.~~

Policy 1-21.26: Wild and Scenic River Designation: Lake County shall participate in functions of the federal Wekiva River System Advisory Management Committee, established pursuant to designation of the Wekiva River System as a Wild and Scenic River. The County shall support purposes of the committee, including development of a management plan for the Wekiva River System and advising the United States Department of the Interior with respect to management responsibilities for the Wekiva River System consistent with the Federal Wild and Scenic Rivers Act.

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Policy 1-21.27: Provision of Active Recreation Facilities. Within the Wekiva River Protection Area, Lake County shall provide recreational areas in such a manner that active recreation facilities will be located only in urban areas.

~~OBJECTIVE 1-23~~Policy 1-21.28: ~~DISCOURAGEMENT OF PRACTICES THAT DEPLETE POTABLE~~ WATER ~~SUPPLIES AND THE PROMOTION OF~~ CONSERVATION PRACTICES. Lake County shall discourage wasteful practices that would deplete supplies of potable water and shall promote water conservation practices.

Policy 1-21.29~~1-23.1~~: Provision of Central Water Systems within the Wekiva River Protection Area. ~~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 Mount Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.~~ Central Water Systems shall be required within the Wekiva River Protection Area where provision of such a system is shown to be 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 Mount Plymouth-Sorrento Community (Urban Compact Node) when densities are such that centralized services are feasible.

~~Policy 1-23.2: Central Water System within the Wekiva River Hydrologic Basin Protection Zones. The provision of a Central Water System within the Wekiva River Hydrologic Basic Protection Zones shall be required by the year 2000 or earlier if economically feasible. Such provision shall be through public or private sources, or a combination thereof and shall be utilized where sufficient density can be attained (making centralized facilities cost effective) through application of the density point rating system (in a cluster development).~~

Policy 1-21.30: Protection of Ground and Surface Waters. Lake County shall protect the quantity, quality, and flow of ground and surface waters, associated with resources of federal, state and regional concern including designated areas such as the Wekiva River Protection Area and Wekiva Study Area.

~~OBJECTIVE 1-24~~Policy 1-21.31: Sewage Treatment And Disposal Facilities. Lake County shall encourage the development of sewage ~~handling~~ treatment and disposal facilities that utilize the best available technology in order to minimize any detrimental effect to the environment.

Policy 1-21.32~~1-24.1~~: Provision of Central Sewer ~~Water~~ Systems within the Wekiva River Protection Area. ~~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~~

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~~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 Mount Plymouth-Sorrento Urban Compact Node when densities are such that centralized services are feasible.~~ Central sewer systems shall be required within the Wekiva River Protection Area where provision of such system is shown to be 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 Sanitary Sewer Sub-element for service to occur within the Mount Plymouth-Sorrento Community (Urban Compact Node) when densities are such that centralized services are feasible.

~~Policy 1-24.2: Central Sewer System within the Wekiva River Hydrologic Basin Protection Zones. The provision of a central sewer system within the Wekiva River Hydrologic Basin Protection Zones shall be required by the year 2000 or earlier if feasible. Such provision shall be through public or private sources, or a combination thereof and shall be utilized where sufficient density can be attained (making centralized facilities cost effective) through application of he density point rating system (in a clustered development).~~

> ~~OBJECTIVE 1-25: PROVISION OF ACTIVITY BASED RECREATION FACILITIES. Lake County shall provide recreational areas in such a manner that activity based facilities will be located in urban areas and urban compact nodes.~~

~~Policy 1-25.1: 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 those "buffers" as identified in the Conservation Element of the Lake County Comprehensive Plan; and the environmentally sensitive lands of the Wekiva River Protection Area.~~

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OBJECTIVE 1-25: WEKIVA STUDY AREA (WSA). 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.

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Policy 1-25.1: Surveys and Studies. The County shall require the following surveys and studies to be submitted with applications for rezonings, site plans, plats or development proposals, subject to verification and approval by Lake County.

1. An analysis of soils shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps.

2. A Site specific hydrogeologic and geotechnical report shall be submitted to determine the hydrogeologic character of a site. At a minimum this report shall be prepared by a qualified Professional Geologist or Engineer qualified in the field of hydrogeology and shall identify all surface and sub-surface features that could be potential pathways for contamination to enter the Floridan aquifer. At a minimum, this report shall address wastewater disposal, recharge, water supply, and potential locations of stormwater management facilities. Borings shall be performed at potential locations of wastewater disposal areas and stormwater management facilities sufficiently deep enough to characterize the subsurface and confining unit. The overburden material shall be characterized (grain size, percent organic matter, etc.) to determine its permeability, filtering capacity and ability to bind pollutants. Specific requirements for the report shall be established in the LDRs based on the size and intensity of the project. The report analysis may take into account specific on-site best management practices and compensatory treatment for nutrient and pollutant reduction both on and off-site.

   The information contained in the report shall be used to establish the location of karst features and establish setbacks consistent with those listed in Policy 1-25.9 from the delineated karst feature, in addition to the use of karst features, buffers, open space and other best management practices to minimize development impacts. Site stormwater and effluent disposal systems will only be allowed in locations with the least potential for nutrients and pollutants entering the aquifer.

3. An analysis of the site shall be performed by a qualified biologist, to identify flora and fauna, state and federal listed species, and vegetative habitat types including but not limited to wetlands and sensitive nature habitat defined as Longleaf Pine, Sand Hill, Sand Pine and Xeric Oak Scrub. This analysis shall include field surveys and use of best available information from federal, state, regional and local agencies. This site analysis shall also consider ecosystem connectivity in relationship to adjacent properties and surrounding areas in coordination with the Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection. Size threshold and location requirements for the biology survey shall be established in the LDRs.

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4. The county shall maintain maps identifying natural resources within the WSA including but not limited to Most Effective Recharge, areas of aquifer vulnerability, karst features, wetlands, floodplains, sensitive natural habitats, and listed species. These maps are for reference purposes and not intended to substitute for professional site surveys and studies required pursuant to this Comprehensive Plan and the Land Development Regulations.

Policy 1-25.2: Land Use Strategy within the Wekiva Study Area (WSA) and Outside the Wekiva River Protection Area (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 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 the WRPA. 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 may be incorporated into the Land Development Regulations.

1) Wekiva Traditional Rural District

The Wekiva Traditional Rural Overlay District is hereby established and as identified in Figure 2. 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~~ 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 35% or more of the net buildable area of the site is dedicated as open space in perpetuity through a conservation easement or similar recorded and legally binding instrument. Non-residential uses within this district shall protect a minimum of 35% of the net buildable area of the site as open space.

2) Wekiva Transitional District

The Wekiva Transitional Overlay District is hereby established and identified in Figure 2. 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 Mount Dora, Eustis and Mount Plymouth-Sorrento. Residential development consistent with the Wekiva Traditional Rural District may be permitted within this district. Alternatively, within the Wekiva Transitional District the County may consider a Future Land Use Map Amendment submitted for the development of land utilizing PUD zoning and not to exceed a residential density of one (1) dwelling unit per one (1) net buildable acre, provided that any such development exceeding ten acres in size dedicates 50% or more of the net buildable area of the site as open space in perpetuity through a conservation easement or other similar recorded and legally binding instrument, and further provided that all other requirements of the Comprehensive Plan

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and Land Development Regulations are satisfied. Non-residential uses within this district shall protect a minimum of 35% of the net buildable area of the site as open space.

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 Land Development Regulations for the Mount Plymouth-Sorrento Community. A Main Street district not to exceed 1.5 square miles in size shall be defined, which shall be considered the urban core of the Mount Plymouth-Sorrento community most appropriate for in-fill and providing for a mix of uses including retail, office, civic, and residential. Outside of the Main Street district, new residential urban development shall be required to protect a minimum 50% of the net buildable area of the site as open space, and new non-residential development shall be required to protect a minimum of 35% of the net buildable area of the site as open space.

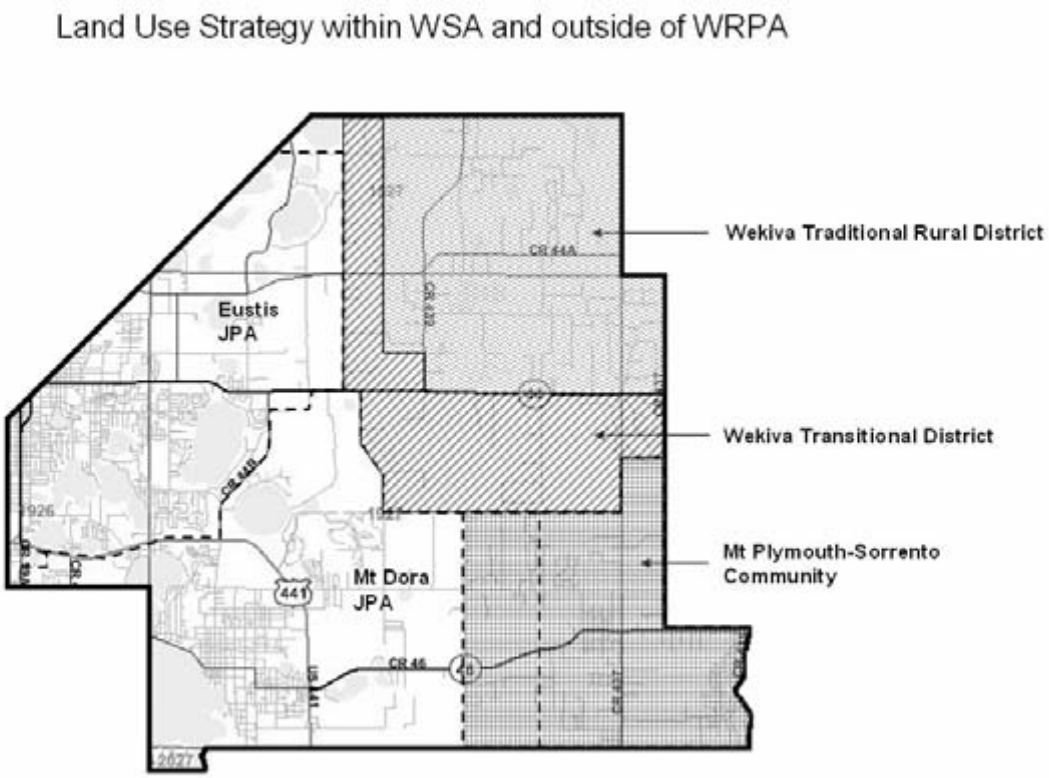

Figure 22 Wekiva Study Area Districts Outside of the WRPA.

Policy 1-25.3: Open Space Requirements within the Wekiva Study Area (WSA). In order to protect sensitive 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 preserve and dedicate open space in perpetuity subject to the following requirements:

1. Clustering of units shall be required, where the term clustering means that the built areas of the development site are 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 the most environmentally sensitive areas on site and away from contiguous conservation land. Providing for environmental clustering, development shall also be clustered away from contiguous rural residential property of five (5) acres or greater. 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. Clustering shall be implemented through the use of PUD zoning, subject to all other policies and Land Development Regulations.

2. Within the WSA and outside of the WRPA, minimum open space requirements shall be consistent with Policy 1-25.2. 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% of the net area shall be protected as open space; and

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

Policy 1-25.4: Priority for Preservation within the Wekiva Study Area (WSA). Priority for preservation and dedication shall be given to the following natural resources: Most Effective Recharge Areas, wetlands, wetland buffers, springs, spring runs, sinkholes and karst features with an aquifer connection, as well as sensitive natural habitats including long leaf pine, sand hill, xeric oak scrub, and sand pine scrub vegetative communities.

Policy 1-25.5: Dedication of Open Space within the Wekiva Study Area (WSA). Open space required within the WSA shall be protected as follows:

1. 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 binding instruments that run with the land and establish the conditions and restrictions on the use of the open space area.

2. In order to ensure its permanent protection, open space shall be dedicated by easement to one or a combination of the following, which shall be designated prior to development:

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- Conservation Agency such as FDEP or SJRWMD;
- Non-profit conservation organization or land trust; and/or
- Lake County, subject to county approval.

3. The boundaries of the designated open space shall be clearly delineated on project site plans, including recorded plats, and marked in the field using posts or similar devices acceptable to Lake County at a maximum interval of 50 feet to distinguish these areas from areas suitable for development. The 50-foot marking requirement will apply to open space areas greater than one (1) acre in size.

4. The cost and responsibility of maintaining open space shall be borne by the owner of the open space, typically a Home Owners Association (HOA). An open space management plan shall be required to accompany the development, subject to County approval. The management plan shall establish conservation objectives, outline procedures, and define the roles and responsibilities for managing open space, including establishment of a Qualified Management Entity (QME) as appropriate. If not properly maintained, the County may enforce maintenance.

Policy 1-25.6: Development Design Standards. In order to protect natural resources, including but not limited to~~:~~ aquifer recharge, karst features, native vegetation, habitat, and wildlife, new development within the Wekiva Study Area (WSA) shall implement conservation design standards including:

- Clustering of dwelling units on smaller lots and concentration of accessory and non-residential development on site to create contiguous tracts of common open space to preserve and protect wildlife, natural habitat, karst features, and aquifer recharge, pursuant to Policy 1-25.2 and Policy 1-25.3; and
- Preservation of wildlife, natural habitat, and karst features on site; and
- Maintain, enhance, and protect corridors for wildlife movement in coordination with adjacent properties; and
- Protection of open space in perpetuity by easement, plat, or similar recorded binding instrument; and
- 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; and
- Use of native plants and “right plant-right place” landscaping techniques that provide compatibility with the natural environment shall be encouraged, and limiting lawn and landscaped areas requiring irrigation or regular chemical applications to no more than 50% of all pervious areas, including residential lots; and

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- 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; and

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

- Best management practices according to the principles and practices of the Florida Yard and Neighbors Program.

Policy 1-25.7: 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 with an aquifer connection shall be considered for potential acquisition by the County with priority given to those areas where protection would render a property undevelopable.

Policy 1-25.8: 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;

- Use of natural landscape design principles to incorporate karst features as aesthetic elements;

- Pretreatment of stormwater runoff in accordance with applicable federal, state, regional, and local regulations, prior to discharge to karst features; prohibition of stormwater discharge, directly or indirectly, to karst features with an aquifer connection;~~;~~

- Prohibition of discharge of wastewater effluent directly or indirectly to any karst features; and

- Perimeter buffering around karst features having an aquifer connection to maintain natural function, edge vegetation, and structural protection.

Policy 1-25.9: Setbacks from Karst Features. Development shall be setback from karst features and spring runs as specified below. The setback shall consist of a buffer that retains all natural vegetation within the setback area.

Feature	Minimum setback
Springs	300 feet
Spring runs	100 feet

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Karst features 100 feet

If a lot of record, existing on the effective date of this policy, 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.

Policy 1-25.10: Development BMPS for Ground-water Protection. In order to minimize the contribution of nutrients and pollutants to ground water and to foster stewardship of the Wekiva springshed, special design and best management practices shall be instituted for development within the Wekiva Study Area (WSA):

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

2. 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.

3. 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; and

   - Breaking up flow directions from large paved surfaces.

4. The use of porous pavement materials, pervious concrete, and pervious asphalt shall be encouraged to minimize the amount of impervious surface.

5. 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.

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

   - Limiting clearing to the minimum area necessary for development;

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- Avoid or minimize the removal of existing noninvasive trees and vegetation;
- Minimize soil compaction to the footprint of development; and
- Minimize connected impervious surfaces to reduce water runoff flows and increase opportunities for infiltration.

Section 3. Amendment. The Conservation Element, Objective 7-2, shall be amended to read as follows:

Policy 7-2.2A: Groundwater Recharge. The County shall protect groundwater recharge areas through land use strategies including but not limited to reduction of land use densities in critical areas, mandatory open space, protection of pervious surface areas, drought-tolerant landscaping, and the use of reclaimed water for irrigation. An aquifer recharge overlay shall be developed that sets standards to protect the infiltration functions of protected and most effective aquifer recharge areas.

Policy 7-2.2B: Areas More Vulnerable to Contamination/Conservation Measures. Through the LDRs and land use strategies including but not limited to a reduction of land use density and intensity and restrictions on land use the County shall protect areas where the Floridan aquifer is more vulnerable to contamination.

Policy 7-2.2C: Restrict Landscape Irrigation. In order to conserve supplies of potable water, the County shall discourage the use of potable water for landscape irrigation and require the use of Florida-Friendly Landscaping to the greatest extent practicable. Native or drought-resistant plants include, but are not limited to, those in *A Guide to Florida-Friendly Landscaping - Florida Yards and Neighborhoods Handbook*, the Florida Native Plant Society's *Native Plants for Landscaping in Florida*, or comparable guidelines prepared by FloridaYards.org, FDAC, FFWCC, FDEP, RPC, or the water management districts. These planting guidelines shall be incorporated within the County LDRs.

Policy 7-2.2D: Landscaping at County Facilities: By January 1, 2009, the County shall establish guidelines for managing existing and future land and landscapes at county facilities using the educational guidelines contained in the *A Guide to Florida-Friendly Landscaping - Florida Yards and Neighborhoods Handbook*, University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and BMPs. Such guidelines shall include practices that are designed to reduce nitrate infiltration into ground and surface waters.

Policy 7-2.2E: Protect Aquifers from Saline Ground Water. The County through restrictions on density, intensity and the future land use map shall protect areas and aquifers identified by the USGS and Water Management Districts where the movement of saline ground water into a fresh water aquifer has occurred or is likely to occur. The County shall cooperate with the federal, state, regional and local agencies in determining the safety of siting of wells especially in areas which are along the Wekiva and St. Johns Rivers where saline ground water may be present.

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Lake County shall prohibit placement of wells or wellfields in locations that have the potential to degrade or contaminate water supplies from saline ground water and shall cooperate with the Water Management Districts in determining the safety of the siting of any wells requiring a consumptive use permit within areas known to be experiencing or vulnerable to saline ground water.

{All other Policies within Objective 7-2 shall remain unchanged.}

Section 4. **Amendment.** The Conservation Element, Objective 7-3, shall be amended to read as follows:

Policy 7-3.1A: Protect Waters and Watersheds. The County shall participate in programs at the local, regional, state, and federal levels to afford protection and management of land in watersheds and in water areas given special protection status by law, rule or ordinance. These areas shall include but not be limited to the GSACSC, the Wekiva River and its tributaries, the Wekiva-Ocala Greenway, OFWs, and OLWs. All proposed development activities within the 100-year floodplain shall be required, prior to approval, to demonstrate that water quality and floodplain functions and values shall not be adversely affected.

Policy 7-3.2A: Map Outstanding Waters. The Wekiva River, its tributaries, and waters designated as "Outstanding Florida Waters" or "Outstanding Lake Waters" shall be included on maps and GIS coverages prepared for use in regulatory decisions by the County.

{All other Policies within Objective 7-3 shall remain unchanged.}

Section 5. **Creation.** The Conservation Element, Objective 7-4A, shall be created to read as follows.

OBJECTIVE 7-4A: SPRINGSHEDS. The County shall protect and restore, to the maximum extent possible, sensitive areas within and adjacent to all springsheds, including springs, seeps, recharge areas, sinkholes, caves, and other karst features. The following policies shall apply within springsheds, including but not limited to those in the Wekiva Study Area.

Policy 7-4A.1: Identification and Protection of Sensitive Springshed Resources. The County, in cooperation with federal, state, regional and local agencies, shall use the Floridan Aquifer Vulnerability Assessment, the Wekiva Aquifer Vulnerability Assessment, ground water models and other tools as appropriate, to identify and map springs and springsheds, and to designate springshed protection zones (SPZs) to protect the springshed and spring systems resources and designate appropriate land uses in these zones.

In and around critical springshed resources and sensitive springshed area, low density and intensity land uses will be designated, including conservation lands, silviculture, parks and recreation areas, and pastures.

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Primary Springshed Protection Zones: To protect these sensitive areas, preferred land uses will be rural low density or low intensity uses including preservation, conservation, recreation, and open space. In addition, long-crop rotation silviculture and unimproved rangeland uses are appropriate within the primary zone.

Secondary Springshed Protection Zones preferred land uses will be rural transitional density or low intensity uses including: cConservation, recreation and open space, silviculture, rangeland.

Policy 7-4A.2: Acquire Land in Springshed Protection Zones. The County shall seek to protect primary springshed protection zones through the acquisition of land for conservation or through the purchase of easements in these areas. Karst features with the potential to impact ground and surface water quality shall be given priority consideration for acquisition by the County.

Policy 7-4A.3 Development Practices in Springsheds. In addition to providing for consistency with all provisions of the Future Land Use Element, new development and the expansion of existing development within springsheds shall be required to employ Low Impact Development (LID) and Best Management Practices identified in the DEP/DCA Publication "Protecting Florida's Springs—Land Use Planning Strategies and Best Management Practices." Existing development shall be required to employ Low Impact Development practices and BMPs, to the greatest extent possible. Land Development Regulations shall be adopted to specify the required practices.

Policy 7-4A.4: Environmental Education. The County shall establish environmental programs to educate the public and community leaders about the relevance to their community and region of the springs, springsheds, springshed protection, ground water, aquifers, water pollution and karst features, and the vital hydrological system of which they are a part. The County shall formulate a media campaign to enhance the environmental literacy of the public and community leaders with respect to water resources, natural values and threats facing local springs and springsheds.

The County shall coordinate with local colleges, the school board and individual schools to develop environmental education programs for school-aged children regarding springsheds, water bodies, watersheds and ground water. The educational tools of the Lake County Water Resource Atlas shall be included in these programs.

Policy 7-4A.5: Coordinate with Local Communities. Lake County shall coordinate with local communities to develop environmental education programs regarding springsheds, water bodies, watersheds and ground water. The educational tools of the Lake County Water Resource Atlas shall be included in these programs.

Policy 7-4A.6: Require the Use of BMPs in Agricultural and Silvicultural Practices. Within springshed, the County shall require silviculture activities to use best management practices that are compatible with the need to protect springsheds and conserve the water resources. The County shall require compliance with best management practices outlined in "Silviculture and

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Agriculture Best Management Practices Manuals" (Florida Department of Agriculture and Consumer Services), and "Protecting Florida's Springs—Land Use Planning Strategies and Best Management Practices (DEP/DCA)". The County shall encourage long-crop rotation silviculture and unimproved pasture within the primary zone and minimum tillage farming elsewhere within the springshed.

The County shall work with federal, state, regional, and local agencies, and existing agricultural extension programs to educate, encourage and assist farmers and the agricultural industry within springsheds to use best management practices that minimize use of water, fertilizers, herbicides and pesticides, and that reduce erosion.

Policy 7-4A.7: Encourage Residential and Commercial use of BMPs. The County shall encourage residential and commercial land owners within springsheds to use BMPs, including Florida-Friendly landscaping practices and guidelines provided by the Florida Yard and Neighbors program to reduce the use of water, fertilizer, herbicides, and pesticides.

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Policy 7-4A.8: Encourage Use of Florida-Friendly Landscaping. The County shall encourage the use and application of Florida-Friendly Landscaping and Florida-Friendly Yard practices to improve water quality and reduce the consumptive use of water. The County shall evaluate and adopt Florida-Friendly Landscaping regulations which, at a minimum, set standards for the use of native and drought tolerant species, removal of exotic plants, vegetative clearing and efficient irrigation to maximize conservation of water resources. The evaluation process shall consider the existing arbor and landscaping requirements of the LDRs requirements.

Policy 7-4A.9: Incorporate Best ~~M~~management Practices. Within 12 months of the effective date of the Comprehensive Plan, the County shall adopt LDRs for springshed protection and incorporate BMPs contained in the document "Protecting Florida's Springs Manual-Land Use Planning Strategies and BMPs" (FDCA and FDEP). These LDRs shall include but not be limited to standards for the use of native and drought tolerant species, clearing of vegetation, landscaping and arbor requirements, agriculture and silviculture practices, aquifer recharge, use of septic systems, creation of open space and efficient irrigation to maximize conservation of water.

Policy 7-4A.10: Regulate Land Use Activities. Within 12 months of the effective date of the Comprehensive Plan~~,~~ the County shall adopt Land Development Regulations that regulate land use activities that have potential to adversely impact springsheds. The County shall direct inappropriate land uses away from karst areas with an aquifer connection, springshed protection zones, protected recharge areas and most effective recharge areas. Inappropriate land uses, include intense animal operations, mining, landfills, industrial uses with potential to contaminate the aquifer, heavy commercial, golf courses, ~~and~~ uses with extensive impervious surfaces, and uses involving hazardous chemicals or materials. The County shall require the use of best management practices and performance standards to maximize open space, limit impervious surfaces and turf grass areas, promote protection of natural vegetation, promote the use of pervious parking areas, and treat stormwater to protect water quality.

Policy 7-4A.11: ~~–~~Require Appropriate Stormwater Management Systems. Require the construction of site-appropriate stormwater management systems to minimize leaching or discharge of nutrients and to ensure that post-development recharge rates equal pre-development recharge rates within protected recharge areas and most effective recharge areas. Impervious surface ratios shall be calculated based upon a recommendation of the site-specific hydrogeological report. Net retention and infiltration of pre-development recharge to the aquifer system must be maintained as determined from calculations presented in the site-specific hydrogeological and geotechnical reports. The County shall require compliance with all evaluation and design requirements specified within the Public Facilities element and LDRs for the Wekiva Study Area.

Policy 7-4A.12: Require Open Space and Buffers within Springsheds. The County shall require a minimum percentage of dedicated open space for new development within identified springsheds, including the Wekiva Study Area (WSA) consistent with the Future Land Use Element. Clustering techniques shall be used to create open space for aquifer recharge and protection of karst features. Development will be clustered on the least sensitive portion of the development site and will establish undisturbed buffer areas of at least 100 feet from karst

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features with an aquifer connection. Setback and buffer standards established within the Future Land Use Element shall apply within the Wekiva Study Area.

Policy 7-4A.13: Guide Development Away from Areas of Aquifer Vulnerability and Springshed Protection Zones. The County shall guide development away from areas of aquifer vulnerability and springshed protection zones identified by FAVA, WAVA or other acceptable methodology approved by the county. A variety of approaches may be used including designation of land use type and density restrictions, buffer requirements, land acquisitions and conservation easements.

Policy 7-4A.14: Identify Karst Features within Proposals for New Development. Karst features shall be accurately identified within development proposal and protected during construction and after development, which promote the following:

A. Inclusion of karst features into pervious open space areas;
B. Use of landscape design principles to incorporate karst features as aesthetic elements;
C. Pretreatment of stormwater runoff, in accordance with applicable federal, state, regional and local regulations, prior to discharge to karst features, and prohibition of stormwater discharge to karst features determined to have an aquifer connection.
D. Prohibition of discharge of wastewater effluent to karst features.
E. Perimeter buffering around karst features to maintain natural function, edge vegetation, and structural protection.

Policy 7-4A.15: Golf Courses within Springsheds: The County shall require that all golf course siting, design, construction, management, and monitoring practices within springsheds, including within the WSA, implement golf course practices described in the "Protecting Florida's Springs Manual-Land Use Planning Strategies and BMPs" (FDCA and FDEP). In addition, the County shall implement Land Development Regulations to further govern the development and management of golf courses within springsheds and aquifer protection zones.

Policy 7-4A.16: Landscaping within the Wekiva Study Area (WSA). Within the Wekiva Study Area, the County shall require that all development implement BMPs described by the principles and practices of the Florida Yards and Neighborhoods Program established by the University of Florida. New development within the WSA shall be designed to limit turf grasses and landscaping requiring regular irrigation to no more than 50% of all pervious surface areas, including residential lots. Drought tolerant vegetation shall be required and appropriate native vegetation encouraged. The County shall adopt LDRs as required to implement these provisions, utilizing "Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes" (FDEP).

Policy 7-4A.17: Landscape and Lawn Care Education. The County shall establish an education program for homeowners and landscape and lawn-care professionals regarding

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responsible practices that limit water use, fertilizers and pesticides such as those produced by the Water Management Districts. This program shall be applicable county-wide and specifically for the WSA.

Policy 7-4A.18: Wastewater Treatment Systems within Environmentally Sensitive Areas. The County shall support and require compliance with all federal, state, regional and local agency regulations relating to the location and operation of central wastewater treatment facilities, including standards for Advanced Wastewater Treatment (AWT) facilities within springsheds and the WSA adopted pursuant to FDEP rules. The County shall coordinate with the Florida Department of Health, and other regulatory agencies having jurisdiction, regarding the development and implementation of rules and regulations relating to onsite sewage treatment and disposal systems that may be required within environmentally-sensitive areas, such as springsheds and the WSA. The County shall cooperate and work with the DOH toward the establishment of a mandatory pump-out program for septic systems within the WSA, similar to the five-year pump out program utilized within the GSACSC.

Section 6. **Amendment**: The Conservation Element, Objective 7-5, shall be amended to read as follows:

Policy 7-5.1A: Protection of Wetlands. The County shall implement policies and LDRs to protect and preserve wetlands and other environmentally sensitive areas for natural water management and hydrologic functions; for use by aquatic and wetland dependent wildlife; as habitat for endangered, threatened or species of special concern; and for passive recreation. Within the WRPA, WSA and GSACSC, wetland impacts, including the placing or depositing of fill within wetlands, shall be prohibited except as necessary to provide for legal ingress or egress to developable upland areas. In such circumstances, enhancements shall be required to maintain wetland connectivity and natural flow regimes.

{All other policies contained within Objective 7-5 shall remain unchanged.}

Section 7. **Creation**. The Conversation Element, Objective 7-5B, shall be created to read as follows:

OBJECTIVE 7-5B: AREAS OF ECOLOGICAL SIGNIFICANCE

Policy 7-5B.1: Wekiva-Ocala Greenway. The County shall preserve the integrity of the Wekiva-Ocala Greenway which links the Ocala National Forest and state-owned lands within the Wekiva Basin as an intact ecosystem of statewide significance by protecting its natural resources including but not limited to its springs, springsheds, river system, karst features, wetland and upland communities, floodplain, ecological connectivity, and wildlife.

Section 8. **Amendment.** The Conservation Element, Objective 7-6, shall be amended to read as follows:

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Policy 7-6.2: Conservation of Natural Upland Plant Communities ~~9J-5.013(2)(c)(3), (9). Lake County shall regulate the conservation of its natural upland communities through the policies of this plan. These policies shall be incorporated into the Land Development Regulations. The following upland plant communities, as generally identified on Maps 7-23, 7-24, 7-25 and 7-25A (attached), shall be protected from the impacts of development as provided for in these policies:~~

~~1. Pine Flatwoods~~
~~2. Longleaf Pine/Xeric Oak~~
~~3. Sand Pine~~
~~4. Upland Mixed Coniferous Hardwood~~
~~5. Mesic Flatwoods/Dry Prairie~~

The County shall regulate the conservation and require restoration of natural upland communities through provisions of the LDRs. The following upland plant communities shall be protected from the impacts of development: pine flatwoods, longleaf pine/xeric oak, sand hill, sand pine, upland mixed coniferous hardwood, mesic flatwoods/dry prairie. This list includes rare upland habitats specifically identified by the Wekiva Parkway and Protection Act (longleaf pine, sand hill, sand pine, and xeric oak scrub.)

Policy 7-6.7: Site Survey and Protection of Natural Upland Plant Communities. The County shall require all development proposals of forty (40) acres, or greater, to inventory the type and extent of natural upland vegetative communities occurring on the development site. The survey shall be completed by a qualified biologist and also include a survey of plant and wildlife populations, and indicate the presence of any designated species. The species survey shall utilize a professionally accepted methodology approved by the County in consultation with the FFWCC or appropriate agency having jurisdiction.

In addition, the survey shall inventory corridors important for wildlife movement. If a protected upland plant community identified in the previous policy is identified on site, then those communities shall be preserved for up to 50% of the subject site. Connectivity shall be maintained among protected upland areas to the greatest extent possible. The County shall have the authority to accept alternatives to onsite conservation that provide for the long-term protection and management of upland communities of equal or greater value elsewhere. Within the Wekiva Study Area, Wekiva River Protection Area and GSACSC development proposals greater than two (2) acres shall require an upland vegetative community inventory. The County shall maintain maps identifying natural resources within the WSA, including but not limited to natural upland communities. These maps are for reference purposes and not intended to substitute for professional site surveys and studies required pursuant to this Comprehensive Plan or the Land Development Regulations.

Policy 7-6.8: Protection of Sensitive Natural Habitat within the Wekiva Study Area (WSA). The County shall protect sensitive natural habitat identified by the Wekiva Parkway and Protection Act within the WSA, including Longleaf Pine/Sandhill, Sand Pine, and Xeric Oak Scrub communities, through land acquisition and regulation.

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Policy 7-6.9: Acquisition of Sensitive Natural Habitat. The County shall strive to protect sensitive natural habitat within the Wekiva Study Area (WSA) through land acquisition and the establishment of conservation easements. The County shall utilize funds from the Lake County Land Acquisition Program and partner with federal, state and local governments and agencies, and with non-profit conservation organizations, to the greatest extent possible.

Policy 7-6.10: Protection of Sensitive Natural Habitat with Development. For new development within the Wekiva Study Area (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:

1. 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.

2. 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 of conservation easement.

3. 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.

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

Policy 7-6.11: Management Plan for Sensitive Natural Habitat. Within the Wekiva Study Area (WSA), 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:

1. Removal of invasive vegetation, and replanting with native vegetation as necessary.
2. Maintenance of biodiversity, with special emphasis on protection of listed plant and animal species.
3. Removal of debris, articles, and structures not permitted by the management plan.

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4. Conditions for use that are limited to passive recreation.
5. Any additional measures determined necessary to protect and maintain the functions and values of the habitat area while ensuring protection from wildfire.

{All other policies within Objective 7-6 shall remain unchanged.}

Section 9. **Amendment.** The Conservation Element, Objective 7-7, shall be amended to read as follows:

Policy 7-7.11: Native Vegetation, Habitat, and Wildlife within Development Projects. The County shall require that vegetative communities and wildlife habitats be protected from adverse effects associated with development. The Land Development Regulations shall include provisions to require that development preserve wetlands and portions of developable uplands containing designated species or rare upland habitats. The County shall evaluate its LDRs and code of ordinances (including arbor ordinance), and revise said ordinances and regulations as appropriate to ensure the protection of trees and native vegetation with a target of protecting 50% of trees on-site. As appropriate, a tree replacement ratio may be implemented based on type and caliper. Special consideration shall be given to rare upland habitats and designated species within environmentally-sensitive areas such as the Wekiva-Ocala Area and GSACSC. Pursuant to this Comprehensive Plan and LDRs, the development review process shall determine the extent to which preservation of vegetative communities and wildlife habitats shall be protected and incorporated into protected open space on a development site.

Policy 7-7.12: Wildlife Consideration within Environmentally-Sensitive Areas. The County shall require the following methodology regarding the development of property containing species designated as endangered, threatened, or species of special concern within the Wekiva-Ocala corridor, WSA, and GSACSC:

1. As a condition for development approval, the developer/applicant shall be required to complete a site survey of plants and animals including designated species pursuant to Florida States, utilizing the most current wildlife methodology guidelines published by FFWCC and current information from FNAI.

2. Protection of listed species shall be accomplished either through on-site preservation or relocation within the designated area in accordance with a plan acceptable to, and permitted by FFWCC, USFWS, or other agency having jurisdiction. Incidental taking of listed species shall be prohibited unless the jurisdictional agency determines that a particular group of animals on the site can not benefit from either on-site preservation or relocation. Should such a determination be made, any incidental taking must be expressly and specifically approved by the County. To the extent possible, commensal species shall be relocated with the designated species.

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3. If a listed species is determined to exist on a site, the following shall apply in the given order of priority:

a. The developer/applicant must accomplish development in such a fashion as to avoid the habitat of the listed species; or

b. The developer/applicant must demonstrate to the County that it is not possible to avoid the habitat of said species with the approved use, and then relocate the species on site to an equally suitable area consistent with guidelines published by FFWCC; or

c. The developer/applicant must demonstrate to the County via site analysis that development with the approved use can not be accomplished through on-site relocation and that a conservation benefit can be achieved for the species and natural community through off-site relocation. Relocation must take place within the designated area (Wekiva-Ocala corridor, WSA, or GSACSC) with preference given to properties adjacent or close to the donor site. To the extent possible, commensal species shall be relocated with the designated species.

4. Whether the designated species is protected in place or relocated on or off site, the developer/applicant must assure that the habitat to be occupied by the species will continue to be compatible with survival of that species. The developer/applicant shall be required to dedicate associated habitat to the County, a conservation agency or conservation entity, or shall ensure that a conservation easement or similar legally binding instrument is established over the associated habitat on or off site. A site-specific management plan shall be required for the designated species and associated funding provided as necessary by the developer/applicant.

Section 10. Amendment. The Conservation Element, Objective 7-17, shall be amended to read as follows:

Policy 7-17.4: Natural Areas Networks. The County shall partner with federal, state and local agencies, and with private conservation entities as appropriate, to identify and protect environmentally-sensitive land, through acquisition or the purchase of conservation easements, in order to establish natural area networks or greenways. These networks or greenways are intended to link public and private conservation areas, preserve and restore habitat and wildlife corridors, maintain viable populations of listed species, maintain aquifer recharge capacity, protect air quality, and provide opportunities for passive recreation. In addition, the County shall adopt Land Development Regulations that establish criteria for creating functional networks of preserved lands and open space within and joining development projects that can be integrated into the county-wide network.

Policy 7-17.5: Special Protection Areas. The County shall participate in programs at the local, regional, state, and federal levels to afford protection and management through acquisition and conservation easements within areas given special protection status. These land areas shall include but not be limited to the Green Swamp Area of Critical State Concern, the Lake Wales

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Ridge, the Emeralda Marsh, the Lake Apopka Restoration Area, the Wekiva-Ocala Greenway, Wekiva River Protection Area and the Wekiva Study Area.

{All other policies within Objective 7-17 shall remain unchanged.}

Section 11. Creation. Objective 6A-5, Public Facilities Element, Sanitary Sewer Sub-Element, is hereby created to read as follows:

OBJECTIVE 6A-5: ~~ADVANCED~~ WASTEWATER TREATMENT ~~IN~~ AND DISPOSAL WITHIN ENVIRONMENTALLY SENSITIVE AREAS. Lake County shall coordinate with the Federal and State agencies regarding wastewater treatment and disposal within environmental sensitive areas.

Policy 6A-5.1 Advanced Wastewater Treatment. The County shall require the implementation of Advanced Wastewater Treatment (AWT) technology for central sewer services within environmentally sensitive areas, including but not limited to the Wekiva Study Area, consistent with Florida Department of Environmental Protection rules.

Policy 6A-5.2: Coordination of Wastewater Treatment within the Wekiva Study Area. The County shall coordinate with agencies and providers of central sewer services and onsite wastewater treatment systems to jointly address ground and surface water nutrient loading from wastewater within the Wekiva Study Area. Such efforts should aim to leverage limited resources and take advantage of economies of scale. The County shall cooperate with the Department of Health regarding compliance with rules requiring on-site performance based treatment systems to minimize ground and surface water contamination.

Policy 6A-5.3: Replacement of High Density Septic Systems. Areas with existing high septic tank density inside the Wekiva Springshed or other environmentally-sensitive areas more vulnerable to surface or groundwater contamination shall receive priority for central sewer.

Policy 6A-5.4: Disposal of Sludge and Residual Wastewater. The County shall prohibit land application of sludge or wastewater residuals within the WSA.

Policy 6A-5.5: Advanced and Enhanced Onsite Wastewater Treatment. The County will coordinate with federal and state agencies including the Department of Health to minimize the impact of onsite wastewater disposal systems within springsheds, areas of aquifer vulnerability and surface waters and wetlands. The County shall require new development outside of wastewater utility service areas, not on central sewer, to comply with on-site performance based treatment systems within environmentally sensitive areas, including but not limited to the Wekiva Study Area (WSA), consistent with the state requirements. The Florida Department of Health rule making will establish the treatment standards for on-site performance based treatment systems. The County will work with agencies to evaluate various onsite wastewater treatment and disposal systems to maximize nutrient removal and provide appropriate, cost effective solutions for new and retrofitted onsite systems. As appropriate, the County shall adopt Land Development Regulations that require advanced or enhanced onsite wastewater treatment and disposal systems within the WSA and other environmentally-sensitive areas to achieve

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discharge limits established by DOH. The County shall consider incentives to encourage the use of more efficient nutrient-removing technologies for onsite systems as they become available.

Policy 6A-5.6: Onsite Sewage Disposal Maintenance. –At the time an existing onsite wastewater disposal system~~s~~ fails or requires repair~~s~~ based on a determination by the Department of Health (DOH) that a permit or permit modification is required, it shall be replaced with a performance based system pursuant to DOH rules provided that central sewer facilities are not available. The County shall seek to enter into an Interlocal Agreement with the DOH to establish and implement an inspection, maintenance, and pump-out program for on-site individual wastewater disposal systems within areas vulnerable to surface water or groundwater contamination, including but not limited to the WSA and Green Swamp.

Policy 6A-5.7: Wastewater Sludge and Septage. Lake County shall prohibit the surface spreading or depositing of wastewater sludge or septage within environmentally sensitive areas, including but not limited to the Wekiva River Protection Area, Wekiva Study Area and Green Swamp Area of Critical State Concern.

Section 12. Amendment. The Stormwater Sub-Element, Chapter VI, Lake County Comprehensive Plan, shall be amended to read as follows:

{Objective 6C-1, Objective 6C-2, Objective 6C-3, Objective 6C-4, and all associated policies shall remain unchanged.}

Objective 6C-5: ~~**Stormwater Management in the Wekiva Study Area.** The County will revise its Land Development Regulations to protect the functions of ground water recharge areas, springs, and springsheds within the Wekiva Study Area.~~ **PROTECTION OF SURFACE AND GROUNDWATER RESOURCES.** Lake County shall regulate the design and operation of stormwater management systems to protect the quantity and quality of surface waters, groundwater, recharge areas, springs, and springsheds.

Policy 6C-5.1: Master Stormwater Management Plan for the Wekiva Study Area. Lake County shall cooperate and consult with the St Johns River Water Management District, the Florida Department of Environmental Protection and adjoining local governments and municipalities in the implementation of the Wekiva Study Area regional master stormwater management plan. The County will incorporate findings, methods and recommendations of the WSA Master Stormwater Management Plan into the Comprehensive plan and LDRs as appropriate. Utilizing the WSA Master Stormwater Management Plan as a guide, the county will revise project priorities within its 5-year Stormwater Improvement Plan and the Capital Improvement Element of the Comprehensive Plan. Priority projects that have been identified within the WSA include but are not limited to: Royal Trails Drainage Inventory, Wolfbranch Sink water quality improvement, Lake Dora drainage basin evaluation, Lake Eustis drainage basin evaluation and the Lake Gertrude basin study.

Policy 6C-5.2: Stormwater Management within Springsheds. Within 12 months of the effective date of this Comprehensive Plan Policy, Lake County shall adopt LDRs that protect the

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quality and quantity of stormwater entering the aquifer within springsheds and springshed protection zones. These regulations shall assure adequate treatment of stormwater before it enters the aquifer, prevent the formation of solution pipe sinkholes, reduce erosion and sedimentation, and optimize stormwater retention to facilitate recharge. The county shall utilize as appropriate information contained within the publication "Protecting Florida Springs: Land Use Planning Strategies and Best Management Practices" by the Department of Community Affairs and Department of Environmental Protection.

Policy 6C-5.3: Best Management Practices. All new development and redevelopment, except non-substantial redevelopment projects, shall utilize best management practices in combination as part of a BMP treatment train to protect water quality and quantity, and minimize flooding. BMPs shall be used in the design of stormwater management facilities and systems, with particular attention to systems located in areas of "protected recharge" and "most effective recharge" as defined herein, and within karst areas. Such BMPs may include design standards for stormwater ponds, use of biological treatment trains for nutrient and contaminant removal, incorporation of stormwater management systems into landscaping and irrigation, and minimizing directly connected impervious surface areas. These BMPs shall be incorporated into the Land Development Regulations of Lake County.

Policy 6C-5.4: Additional Best Management Practices within the WSA. In addition to Best Management Practices identified in Policy 6C-5.3, the following BMPs shall be established within the Wekiva Study Area and incorporated into the Land Development Regulations of Lake County:

1. All residential development shall use roadside swales with swale blocks or raised driveway culverts whenever possible, except when soil, topography, or seasonal high water conditions are inappropriate for infiltration as determined by a professional engineer licensed in the State of Florida.

2. Vegetated infiltration areas shall be used to provide stormwater treatment and management on all sites except when soil, topography, or seasonal high water conditions are inappropriate for infiltration as determined by a professional engineer licensed in the State of Florida. Design of the stormwater systems for residential and commercial uses shall use bio-retention areas (below grade vegetated areas) to increase stormwater treatment and reduce stormwater volume. Downspouts for both residential and commercial development shall be directed from the roof to vegetated areas for uptake.

3. Where infiltration systems are not feasible as determined by a professional geologist licensed in Florida, wet detention systems may be used for stormwater treatment and management.

4. Karst features having an indication of an aquifer connection and stream-to-sink features, shall not be utilized as stormwater management facilities. Prior to subdivision approval, all depressions will be investigated by a licensed professional geologist using a professionally acceptable methodology for suitability of water

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retention area using generally accepted geo-technical practices with an emphasis on identification of potential connections to the aquifer. If connections are determined to exist, the depression shall not be used for stormwater retention and the area draining to this feature under pre-development conditions shall be preserved through a conservation easement.

5. All development approval by the County shall require the applicant to submit to the City a copy of the SJRWMD or DEP stormwater permit and the NPDES notice of intent to be covered by the construction generic permit prior to any land clearing.

6. Karst features with a connection to the aquifer will be identified and placed in a conservation easement so that they will be thereafter limited to passive recreational use subject to permitted activities in this policy.

7. All components of the stormwater treatment and management system shall be owned and maintained by the responsible legal entity identified in the SJRWMD or DEP stormwater permit, typically a homeowner or property owners association.

8. Industrial uses that generate soluble pollutants shall be discouraged within the WSA. Projects within the WSA that are zoned for industrial activity shall be required to ensure that industrial pollutants do not enter the stormwater system or come into contact with groundwater.

Policy 6C-5.5: Protection of Recharge Volume. In addition to requiring minimum level of service standards established by the Comprehensive Plan Stormwater Sub-Element, the County shall ensure that post-development recharge volume conditions approximate pre-development recharge volume conditions within "protected recharge" and "most effective recharge" areas. This shall be accomplished in the Land Development Regulations by requiring that the first three inches of stormwater be retained on site within "protected recharge" and "most effective recharge" areas. As an alternative, an applicant may conduct a hydrological survey and site analysis to demonstrate that post-development recharge is equal to or greater than pre-development recharge.

Section 13. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 14. Effective Date. This Ordinance shall become effective as prescribed by law.

ENACTED this _____ day of _____, 2007.

FILED with the Secretary of State _____, 2007.

EFFECTIVE _____, 2007.

BOARD OF COUNT COMMISSIONERS

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LAKE COUNTY, FLORIDA

_____
Welton Cadwell, Chairman

This _____ day of _____, 2007.

ATTEST:

_____
James C. Watkins, Clerk of the
Board of County Commissioners,
Lake County, Florida

Approved as to form and legality:

_____
Sanford A. Minkoff
County Attorney

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