

## **Comments on August 17<sup>th</sup> FLUE draft by LPA member Keith Schue**

### **1.4 Interpretation of Residential Density**

Delete last sentence of first paragraph

### **1.9 Cumulative traffic analysis**

Change “the” to “any”

### **1.13 Innovative Planning Techniques**

Spell out CDBG

### **Objective 2.0 Future Land Use Categories**

MXD/TND--Why is Mixed Use Development District (MXD) terminology is not used in the detailed description anymore? 12 DU/net acre is very high for “traditional” development. As written, there is very little distinguishing this category from the new Workplace District (WD)

Office –no longer described in Comp Plan

Commercial –no longer described in Comp Plan

Conservation –Replace “Special exceptions including” with “Uses requiring a conditional use permit include”

WRPA—(do not need to specify WSA since these are WRPA categories)

Sending Area A-1-20:

Should state “1DU/5 net acre max density with WRPA point system”

Sending Area A-1-40:

Should state “1DU/10 net acre max density with WRPA point system”

Receiving Area A-1-20:

Should state “1 DU/net acre max with WRPA point system and TDRs”

Receiving Area Mount Plymouth-Sorrento:

Should state “5.5 DU/net acre max with TDRs”

### **2.1 FLU Category – Rural Land Use Series**

This header should simply be titled “Rural Land Use Series” and Policies 2.2, 2.3, and 2.4 should be renamed sub-policies 2.1.1, 2.1.2, 2.1.3, 2.1.4 for structural accuracy.

Delete “Conservation” from second sentence of first paragraph. Conservation land may exist anywhere including within urban areas.

### **2.2 Conservation Subdivision Design**

Add “apply” after “that” in second sentence.

Delete second appearance of the word “percentages” for clarity in 10<sup>th</sup> bulleted item.

### **2.5 Rural Transition Density**

After “Uses”, add “The Rural Transition Density Future Land Use Designation Permits the following:”

Separate the phrase “Public and private parks and recreation facilities” with another bullet.

Remove bullet from “Services and Facilities” and bold.

## **2.6 Future Land Use Category**

This header should simply be titled “Urban Land Use Series”.

The named of the FLU categories in the second sentence do not match the subsequent policies. Categories should be described as TND, Medium Density Residential, Medium-High Density Residential, High Density Residential.

What happened to Low Density Residential?

### **2.6.1 Purpose and Intent of the Traditional Neighborhood Land Use Classification**

It is not completely clear whether TND is some type of overlay or a single future land use category. If it is a FLU category, then the word “classification” should be replaced with the word “category” throughout the description.

If TND is a single category, then a maximum density must be assigned on the FLU map and clearly articulated in the Comp Plan. As written, it is not known what the maximum density can be since boundaries for the internal sub-areas (center, proper, and edge) are not depicted on the map. This is a compliance problem and will result in the inability to assess population capacity. Assigning an overall maximum average density for the TND would be a way of addressing this problem. This should probably be done for each TND individually since not all TNDs are the same.

Although the text describes the TND classification as intended for master planned communities, the proposed FLU map shows it being used in some areas that are not master planned communities, but rather existing partially or nearly wholly developed communities consisting of many private small parcels (like in Astor). It is not apparent how a center, proper, and edge design can be implemented in places like this.

Why has the term “Mixed-Use” been taken away from the name?

Since this category contemplates high densities of up to 12 units per acre, it is essentially that substantive predictable standards be included to provide an employment base. This category can not be described as “smart growth” otherwise. Except in vague terms, the TND category as written does not address employment needs. The description should be revised at a minimum to contain numerical ratios of residential capacity to employment.

The previous revision (6/21/06) was better than what is suggested now because it at least contained a table describing an expected proportion of residential, workplace, and civic uses. The descriptive text on page 20, 21, and 22 of the 6/21/06 revision pertaining to residential, workplace, streets/circulation, and utilities should also be retained. The LPA had already reached consensus on that text, so why is it being deleted?

### **2.6.4 Planned Criteria for Traditional Neighborhoods**

The table contains insufficient and confusing information.

It is not clear what constitutes a distinct “land use type/housing type” in the fourth column.

Moreover, this does not address the need to define residential/service/employment ratios.

Having three areas defined under performance criteria is of little value unless the relative size of each area is known.

The open space requirement is unclear. Open space should be defined based on the net area, which excludes both wetlands and water bodies, and a consistent methodology applied.

Incidentally, a maximum overall TND density of 12 du/net acre can not be achieved according to the table unless the areas defined as proper and edge occupy zero space. Furthermore, if a TND of this size were actually implemented, it would be comparable to a major metropolitan area like Orlando, not a “neighborhood.” A maximum total density of 8 DU/net acre may be more appropriate to achieve the mix of densities and uses that can accommodate a “traditional neighborhood”.

A better way of setting parameters that would be more portable to different sizes and intensities of TNDs is to define the total average residential density for the particular TND and then establish a percentage value for each internal area type. The Comp Plan table would then include a range of permissible percentages relating to the size and density of each area.

For example:

<i>Neighborhood Type</i>	<i>Size (% of total TND area)</i>	<i>Residential Density (% of TND average density)</i>
<i>Center</i>	<i>10% - 25%</i>	<i>200% - 400%</i>
<i>Proper</i>	<i>25% - 75%</i>	<i>50% - 200%</i>
<i>Edge</i>	<i>25% - 50%</i>	<i>10% - 50%</i>

This would create the flexibility of providing for a TND with an overall density of 2 units per acre or a TND of 8 units per acre, because the internal densities of each area type would be scaled accordingly. Of course the TND/SAP would also have to demonstrate that the total average density does not exceed the specific TND future land use assignment.

Floor area ratios can still be specified relative to the actual density of the neighborhood type.

For example:

<i>Residential Density of Neighborhood Type</i>	<i>Intensity of Non-Residential</i>
<i>8 - 12 DU/net acre</i>	<i>FAR 1.5 max</i>
<i>4 - 8 DU/net acre</i>	<i>FAR 0.35 max</i>
<i>0 - 4 DU/net acre</i>	<i>FAR 0.20 max</i>

### **2.6.5 Traditional Neighborhoods (TN) Area Types**

See previous comments regarding the need to define residential density and residential/service/employment ratios. Revise to address these items. Also delete “or Village” from the third bullet.

### **2.6.6 Relationship of TN Classification and Special Area Plan Overlay**

The approach described here seems to recognize zoning as a defacto “future land use” until the TND/SAP has been defined. What this means however is that existing non-conforming zoning not valid under a future land use today would immediately become conforming and create entitlements prior to important planning criteria that should be part of the TND/SAP. Changing these entitlements after the fact during development of the SAP may be difficult. As suggested

before, the TND category should contain an overall density assignment, specific to the particular TND and clearly marked on the FLU map. That way, antiquated zoning could still be reigned in.

**2.6.7 Site Placement, Scale, and Programming or Commercial and Workplace Uses**

This policy should be revised to include actual numerical standards for commercial/employment uses within the TND based on residential capacity. Most new TND’s will likely be proposed as Developments of Regional Impact that attempt to specify the internal mix of uses separate from the LDR process. Since the LPA reviews Future Land Use requests for consistency with the Comp Plan, it is important that the Comp Plan contain minimum requirements for the relative allocation of these uses.

Add the following to the end of this policy:

*At a minimum, the following mix of uses shall be required to address the need for employment and services:*

<i>TND Size (dwelling units)</i>	<i>Office/Industrial *</i> <i>(sq ft)</i>	<i>Commercial *</i> <i>(sq ft)</i>
<i>less than 500</i>		
<i>500 - 999</i>		
<i>1000 – 1999</i>		
<i>2000 or more</i>		

*\* Office, industrial, and commercial space may be reduced if it can be demonstrated that an equivalent quantity of these uses exist within less than one (1) mile of the TND boundary.*

**2.6.8 Open Space within the TN Classification**

Correct category/classification terminology.

Open space should be based on the NET buildable area which excludes wetlands and water bodies. A common countywide definition for passive common open space should be used, identical to the definition written for the WRPA/WSA and within the Recreation and Open space Element.

Add the following to the end of this policy:

*At a minimum, the following open space requirement shall apply:*

<i>Neighborhood Type</i>	<i>Passive Open Space *</i> <i>(minimum over net area)</i>	<i>Active Open Space</i> <i>(minimum over net area)</i>
<i>Center</i>	<i>10%</i>	<i>5%</i>
<i>Proper</i>	<i>25%</i>	<i>1%</i>
<i>Edge</i>	<i>25%</i>	<i>1%</i>

*\* Within the WSA, WRPA, GSACSC, and identified special planning areas, minimum open space requirements shall comply with policies described elsewhere in the Comprehensive Plan.*

**2.6.12 Civic and Public Uses**

The percentage of civic/public uses should be based on the net area since this is where development will be located. Alternative it could be based on total number of dwelling units, and included as another column in the table for policy 2.6.7 above.

**NOTE:** What happened to the Low Density Residential Category (2.5 DU/net acre) ? This should be restored.

### **2.10 Workplace District (WD)**

This Workplace District category (renamed from HIDD) is not distinctively different from the TND category. They both contemplate the same high intensities (12 per acre) and both contain similar language describing the benefits of mixed use. But neither include substantive provisions to ensure that adequate office/industry will be provided to accommodate the residential component. Since WD seems to be intended for the highest intensity around the Turnpike, it may make sense to simply make this a special turnpike district geared toward city-size projects, and then let the TND district be use to represent medium-size “neighborhoods” as the name suggests.

### **NOTE:**

What happened to the Office Category? This should be restored.

What happened to the Commercial Category? This should be restored.

### **2.14 Conservation**

In the last bullet under uses, replace the first part of the sentence with “Uses requiring a conditional use permit include...”

### **2.15 Protect Residential Neighborhoods**

This should actually be Objective 3.0

### **Objective 3.0 Enforce Regulatory Standards for All Development**

This should be policy 3.1 under Objective 3.0, with the remaining policies renumbered according.

### **3.2 Ensure Roadway Compatibility**

Move the word “and” from the third to the fourth bullet.

### **4.10 Community Based Planning Approach to Rural Areas**

Add “and away from rural areas” to the end of the first sentence. Change “shall” to “may” since this requires consent of the municipalities.

### **Objective 6.0 Designate Conservation and Recreation Land Use Categories**

This should be policy 5.3 under Objective 5.0.

Renumber policy 6.1 as 5.4 and policy 6.2 as 5.5.

## **GOAL FLU 2 – WEKIVA-OCALA AREA**

At the end of the second sentence, replace “the Wekiva ecosystem” with “a larger ecosystem of public and private lands that extend into the Ocala National Forest.”

In the third sentence, replace “Wekiva Area” with “Wekiva-Ocala Area”.

In the last sentence, replace “greater Wekiva ecosystem” with “greater Wekiva-Ocala ecosystem”.

### **Figure 1. Wekiva Study Area and Wekiva River Protection Area**

It would be much better to also include the Wekiva-Ocala Protection Area on this map for clarity of purpose.

Objective 8.0

To be concise, simplify the title of this objective as “Land Use Issues Related to Natural Resources”.

Objective 9.0

To be concise, simplify the title of this objective as “Preserve Environmentally Sensitive Area”

Objective 10.0

To be concise, simplify the title of objective as “Potable Water Supplies and Water Conservation”

Include the new Wekiva-Ocala Protection Area as an additional objective under the Wekiva-Ocala Area goal.

## **GOAL FLUE 3 – GREEN SWAMP**

Restructure all numbering under a single objective as follows:

Policies 13.3 through 13.7 should be structured under 13.2 as sub-policies 13.2.1 through 13.2.5.

Policy 13.8 should become policy 13.3.

Objective 14.0 should become policy 13.3.1.

Policies 14.1 through 14.8 should be structured under 13.3 as sub-policies 13.3.2 through 13.3.9.

Policy 14.9 should become policy 13.4.

Policies 14.10 through 14.13 should be structured under 13.4 as sub-policies 13.4.1 through 13.4.4.

Objective 15.0 should become policy 13.5.

Policy 15.1 through 15.7 should be structured under 13.5 as sub-policies 13.5.1 through 13.5.7.

Policy 15.8 should become policy 13.6.

Policies 15.8.1 through 15.8.6 should be structured under 13.6 as sub-policies 13.6.1 through 13.6.6.

Policies 15.9 through 15.14 should become policies 13.6.7 through policies 13.6.12.

### **Development within the GSACSC Relative to Public Facilities**

Replace “Protection” with “protect”.

### **Ensure the Safety of the Public by Controlling Surface Water Runoff and Flow:**

Update incorrect references.

## **GOAL FLU 4 – EMERALDA MARSH**

The EMPA as depicted does not include most of the Emeraldalda Marsh. It is located mostly north of the marsh. The protection area boundary formerly submitted by K.Schue included the marsh and an appropriate buffer area to the south. Policies were also submitted that provide for transitional densities and clustering between the southern boundary of the marsh and CR44. Some version of that land use strategy should be included for EMPA to be effective. The new boundary extends to the western edge of Umatilla’s current JPA although this appears to go beyond the Emeraldalda Marsh area. Wekiva-Ocala lands east of Umatilla are arguably more important.

As modified, it is no longer clear what form of development is appropriate or permissible in the EMPA. The present text states under policy 16.1 that the low density rural land use shall be required; however it also stated the all new development will be clustered in policy 16.8, which typically would involve a density bonus since current regulations do not require clustering. Although policy 16.8 requires that 50% of open space be configured as a contiguous tract, an actual requirement for the quantity of required open space is no longer specified. Will five acre lots be permitted or not? The absence of any protection over most of the marsh itself or abutting lands to the south makes the EMPA as now defined weak.

In policy 16.9, the text related to Homeowners Associations should be revised similar to the revised WSA text.

## **GOAL FLU 5 – WEKIVA-OCALA PROTECTION AREA**

### **OBJECTIVE 17.0 WEKIVA-OCALA PROTECTION AREA**

This section should be included as an objective under the Wekiva-Ocala Goal for clarity of purpose.

#### **17.1 Development within the Wekiva-Ocala Protection Area**

Add “wildlife corridors” to the list of natural resources in the last sentence of first paragraph.

#### **17.2 Development within the Ocala National Forest**

Rural Settlement is not defined. The only appropriate place to have non-rural development within the boundary of the Ocala National Forest is in historic pre-existing platted developemtns,

such as Astor. New additional urban densities should not be permitted through any mechanism within the boundaries of the ONF.

#### **18.4 Existing Lot Exception for Density**

The first paragraph is confusing. Please clarify.

The last sentence of the second paragraph is not clear. Does this mean that variances are not allowed in the GSACSC and WRPA, or that the specific rules contained in the policy regarding how the variance process work do not apply?

#### **OBJECTIVE 19.0 Plan for Public and Institutional Facilities**

The text “It shall be the policy of Lake County to:” is not necessary.

#### **OBJECTIVE 20.0 OVERLAY DISTRICTS**

The description of Historic Villages Overlay Districts should be a policy under the objective or includes as a separate objective apart from the other overlays. The second sentence under Historic Village Overlay Districts would make more sense as follows:

*“The county shall develop Comprehensive Plan policies and Land Development Regulations through a community based process that protect the unique character of historic villages.”*

Add January 1 before 2007 in the second paragraph.

#### **20.1 Mt Plymouth-Sorrento Overlay District**

All policies should be shown at the same structural level under 20.1 as policies 20.1.1 through 20.1.26

##### **Main Street District**

Each item should be bulleted. Include the following text to the last bullet item “with varied roof lines, unless such look is provided by adjacent buildings.” (from MPSAC)

##### **Mount Plymouth and Sorrento Finance District**

In the title, replace “District” with Mechanism” (from MPSAC)

##### **Objective 21.0 Rural Area Overlay District**

This should not be an objective. It should be a policy under the preceding objective “Overlays”. Renumber subsequent policies accordingly.

##### **21.5 Community Enhancement Areas Designation Process**

“Remove second “as” in second sentence.

##### **22.1 Location of DRI**

Title should be “Location of DRIs”

In second sentence, the word “presumed” had appeared before “inconsistent”. If the word is deleted, then the next sentence should be deleted too which provides a means of overcoming the presumption.

## **22.2 Integration of the DRI Process with Local Comp Planning**

replace the statement in parenthesis with “including but not limited to the pre-application checklist”. More is needed here to integrated the LPA into the process in a way that it can provide meaningful input as a body early in the DRI process.

## **Objective 24.0 Intergovernmental Coordination**

The text “It shall be the policy of Lake County to:” is not necessary.

## **24.1 Adopt Joint Planning Areas**

The individual JPA policies should be structured as sub-policies 24.1.1 through 24.1.3 under 24.1. Also policies for the Groveland and Montverde JPA’s should be added.

## **24.6 Intergovernmental Agreements with Adjacent Counties**

Items should be bulleted.

## **24.9 Develop and Implement Resource Management Plans**

In second bullet item, add “and Federal” following “State” in both places.

## **24.10 Coordinate with Private Utilities**

Change the title to “Coordinate with Utility Providers”

In the policy replace “private” with “public and private”

## **Objective 25.0 Municipal Utilities or Private Utilities**

In the title, change the “or” to “and”, or simply rename the objective “Utilities”

The second paragraph should be its own policy as 25.1 titled “Electric Utilities”.

Renumber other policies accordingly.

## **Provision of Central Services**

Add “in Rural Areas” to the title of this policy for clarity.

## **26.1 Affordable Housing Incentives**

The third policy that allows for reduced open space requirements may become a compliance problem in the WSA.

## **Objective 28.0 Comprehensive Plan Amendment Standards of Review**

Subsequent objective 29.0 through 33.0 should all be policies under this objective.

## **Framework for Review**

Delete second single-sentence paragraph, which is a remnant of other text that has been removed. The last four sentences should be individual bulleted items.

In the second tem to be bulleted, add the phrase “and demonstrate compliance with all policies of the Comprehensive Plan.”

## **Alternative Land Use Designation**

This should become a policy title.

## **Standards for Amending the Comprehensive Plan**

The items should be bulleted.

The second item listed is not clear. The phrase “if available” changes the meaning from an actual standard for review into only optional information that the developer may choose to provide or not provide.

The fifth item is poorly worded and not clear. Replace with the following:

*“Demonstration that the amendment would not negatively impact natural resources including but not limited to wetlands, uplands, habitat, wildlife, wildlife corridors, groundwater and surface water, recharge, and karst features, and further demonstration that the integrity of interconnected ecosystems of local, state, regional, or federal significance would be preserved.”*

In the seventh item, delete “consistent to”.