

MEMORANDUM

GROWTH MANAGEMENT DEPARTMENT
PLANNING & COMMUNITY DESIGN DIVISION

315 West Main Street
Tavares, FL 32778



LAKE COUNTY
FLORIDA

TO: Board of County Commissioners

THROUGH: Sandy Minkoff, Interim County Manager 
Amye King, AICP, Department of Growth Management Director 

FROM: Brian T. Sheahan, AICP, Planning & Community Design Director 
Anita Greiner, Chief Planner, Planning & Community Design Division 

DATE: January 5, 2010

SUBJECT: January 19, 2010 Comprehensive Plan Transmittal Hearing

Attached you will find the Transmittal Ordinance for the Comprehensive Plan for Planning Horizon 2030 (the "Plan") - including the Future Land Use Map and all other required maps. A large-format Future Land Use Map has been provided for easier review; all other maps are in letter size, but may be provided in large format upon request. Also included is the Five Year Capital Improvements Plan (CIP) which is referenced in the Capital Improvement Element.

A summary of all the Board Comprehensive Plan Workshops is enclosed. This summary describes the direction given on specific items and options presented to the Board. All changes directed by the Board have been made as reflected in the attached document. The changes directed at the November 17th, 2009 workshop including the permitted and conditional uses and 10-lot threshold for the common open space requirement have been completed.

While preparing the Comprehensive Plan for the hearing some edits were made to correct grammar and other editorial issues. Additional items that need Board direction are included below for your consideration and will require your direction prior to final approval. Staff from each department will be available at the transmittal hearing to address any other items that the Board would like to discuss.

If you have any questions, please do not hesitate to contact Amye King, AICP, Department of Growth Management Director, Anita Greiner, Chief Planner or myself.

JENNIFER HILL
District 1

ELAINE RENICK
District 2

JIMMY CONNER
District 3

LINDA STEWART
District 4

WELTON G. CADWELL
District 5

ITEMS FOR DISCUSSION

ITEM 1. Survey of natural upland plant community's threshold is unnecessary.

In the first paragraph of Policy III-3.3.2 Survey and Protection of Natural Upland Plant Communities, the original wording would require an inventory of the type and extent of natural upland vegetative communities on parcels that are forty (40) acres in size, or greater. The suggested language would require the inventory on parcels with vegetative communities present, regardless of the size of the parcel as is required under the existing regulations.

The current regulations and policies require compliance with the US Fish & Wildlife Service and Florida Fish & Wildlife Conservation Commission Rules when listed species are present regardless of parcel size. Therefore, it is suggested to remove the size threshold. This change would ensure that a site without sensitive habitat is not burdened with the expense of an unnecessary survey - such as an already developed site. It would also provide the flexibility to allow the County Biologist to perform the survey on small sites using maps and aeriels from the office or by a brief site visit.

Option A. Policy III-3.3.2 Survey and Protection of Natural Upland Plant Vegetative Communities

Within 24 months of the effective date of this Comprehensive Plan, the County shall adopt Land Development Regulations that require all development proposals of forty (40) acres, or greater, to provide an inventory of the type and extent of natural upland-vegetative communities if they occur occurring on the development site. Criteria shall be developed that provide thresholds for the level of survey that will be required. Development proposals of 40-acres or more shall require the most intensive survey. 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. . . .

Option B. Leave Policy As-Is.

ITEM 2. Mining in the Green Swamp. The Board has discussed options to limit mining, specifically sand mining, in the Green Swamp as proposed in the original draft. All mining, except sand mining, is generally prohibited in the Green Swamp. At the November workshop a policy was requested to allow Sand Mines to expand but only if they could demonstrate a future intent to do so on a particular parcel (hereafter called vested). Sand Mining has been added as a conditional use in the Green Swamp Future Land Use Categories, except Ridge, consistent with this discussion.

Option A. Recognition of existing mines and future contractual expansions. The following policy changes were made based on discussion at the November workshop:

Policy I-4.4.10 Prohibition of New Mines in the Green Swamp Area of Critical State Concern

New mines and expansion of existing mines in the Green Swamp Area of Critical State Concern shall be prohibited. Parcels meeting the requirements of Policy III-3.5.2 (Recognized Mines) are excluded from this prohibition.

Policy III-3.5.2 Recognized Mines

Within 12 months of the effective date of this Comprehensive Plan, Lake County shall adopt Land Development Regulation that require all parcels within Lake County that are currently being mined and parcels that are vested to obtain or have in force a mining site plan or letter of vesting. Any mine without mining site plan approval or vesting letter within 12 months of the effective date of the regulations shall be considered a new mine.

Option B. Status Quo. The following changes would be necessary to maintain the same level of review allowed by the current Comprehensive Plan:

Policy I-4.1.5 Principles for Guiding Development within the Green Swamp Area of Critical State Concern

[Portions of Policy Not Shown for Brevity]

Regulatory Guidelines:

4. Resource extraction within the GSACSC shall be limited to sand deposits only. Land Development Regulations to limit the impacts of mining activities shall be adopted by the County within 24 months of the effective date of the Comprehensive Plan.

* * *

Policy I-4.1.6 Development Requirement within the Green Swamp Area of Critical State Concern- identifies specific development requirements within the GSACSC:

[Portions of Policy Not Shown for Brevity]

The following requirements shall apply for all development within the Green Swamp Area of Critical State Concern:

- Land Development Regulations to limit the impacts of resource extraction (mining) activities shall be adopted by the County within 24 months of the effective date of the Comprehensive Plan.

* * *

Policy I-4.4.10 Prohibition of New Mines in the Green Swamp Area of Critical State Concern

With the exception of sand mining, new mines and expansion of existing mines in the Green Swamp Area of Critical State Concern shall be prohibited. ~~Parcels meeting the requirements of Policy III-3.5.2 (Recognized Mines) are excluded from this prohibition.~~

* * *

Policy 1-5.1.3 Rural Protection Area Principles.

Rural Protection Areas shall adhere to the following principles:

- Protection of environmentally sensitive land by land acquisition and purchase of development rights ensured through perpetual conservation easement or similar legally binding instrument;
- Protection of equestrian and agrarian lifestyles and economies;
- Promotion of passive recreation and ecotourism;
- Protection of existing topography, wetlands, environmentally sensitive uplands, floodplains, and aquifer recharge and water bodies;
- Protection of native vegetation, wildlife and habitat, wildlife corridors and greenways;
- Establishment of design standards to protect rural character; and
- Designation of scenic rural roadways and trails.
- Establishment of standards that require the reclamation of lands used for Resource extraction.

* * *

Policy 1-5.1.4 Development Design Standards-identifies development design standards in designated rural protection areas-*Recommended Change as Follows:*

Within 12 months of the effective date of this plan, the County shall update Land Development Regulations to implement conservation design standards for Rural Protection Areas, which shall at a minimum include the following:

[Portions of Policy Not Shown for Brevity]

- Require the reclamation of lands used for resource extraction.

* * *

Policy III-3.5.2 Recognized Mines

~~Within 12 months of the effective date of this Comprehensive Plan, Lake County shall adopt Land Development Regulation that require all parcels within Lake County that are currently being mined and parcels that are vested to obtain or have in force a mining site plan or letter of vesting. Any mine without mining site plan approval or vesting letter within 12 months of the effective date of the regulations shall be considered a new mine.~~

* * *

Policy III-3.5.3 Prohibitions on Mining in Environmentally Sensitive Areas

Mining in the environmentally sensitive areas of the County which cannot be reclaimed shall be prohibited. Areas which fall into this category include the limestone deposits within the Green Swamp Wildlife Management Area and the Okahumpka Swamp and the phosphate deposits on the west side of Lake George. All new mines are prohibited within the Wekiva River Protection Area, Wekiva Study Area, and Wekiva-Ocala Rural Protection Area ~~and Green Swamp Area of Critical State Concern~~. New phosphate and peat mining operations shall be prohibited in most effective recharge areas and protected recharge areas.

Option C. Require a Hydrologic Study. To limit new sand mining and expansions that demonstrate that they do not pose a threat to regional hydrology the following policies would be require amendment:

Policy I-4.4.10 Prohibition of New Mines in the Green Swamp Area of Critical State Concern

All new mines in the Green Swamp Area of Critical State Concern (GSACSC) shall be prohibited, with the exception of sand mines. A regional hydrological study evaluating the cumulative effects of mining on the hydrology of the Green Swamp shall be submitted and approved by the Board of County Commissioners prior to the approval of any new sand mine or expansion of an existing sand mine. If the study indicates significant impacts to hydraulic flow or habitat occur from mining within the Green Swamp, such new sand mine or expansion of the sand mine shall not be approved ~~all new mines or expansion of existing mines in the GSACSC shall be prohibited.~~

Excluded from this prohibition are parcels that have been approved by Lake County to allow mining activities, and parcels for which vesting has granted.