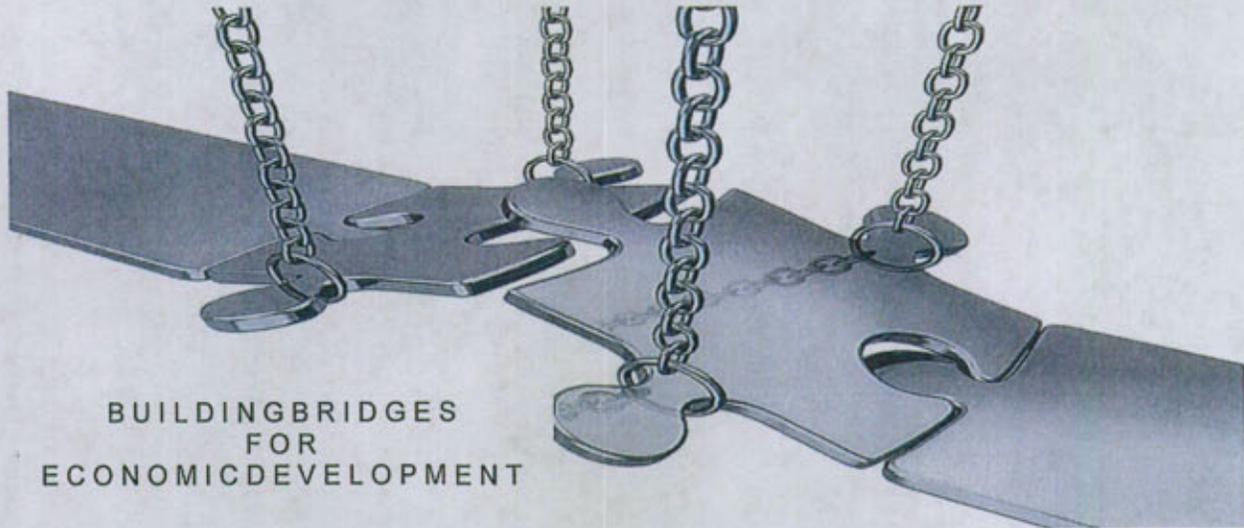


**Lake County
Economic Development Advisory Council**



**BUILDING BRIDGES
FOR
ECONOMIC DEVELOPMENT**

**Lake County
Planning Horizon 2030 Comprehensive Plan
&
Future Land Use Map
Recommendations**

Prepared by: Lake County EDAC – Economic Development Infrastructure Committee

Prepared for: Lake County Board of County Commissioners,
through the Metro Orlando Economic Development Commission

October 2009



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Economic Development Advisory Council Infrastructure Committee

Executive Summary

Lake County Planning Horizon 2030 Comprehensive Plan & Future Land Use Map

INTRODUCTION:

The 2008 Lake County Economic Development Strategic Plan entitled, "Building Bridges for Economic Development in Lake County," was adopted by the Lake County Board of County Commissioners in February 2008. The plan was developed to provide guidance regarding the commitment of countywide and regional resources to enhance the economic vitality and tax base of Lake County. The first goal set forth in the strategic plan recommends coordination of efforts with allies and leaders, creating a countywide partnership to support economic development. The result was the establishment of the Lake County Economic Development Advisory Council.

The Lake County Economic Development Advisory Council (EDAC) structure was established by the Metro Orlando Economic Development Commission (EDC) in collaboration with Lake County (Tab 2). The EDAC first met in January 2009 and is supported by four (4) subcommittees, Economic Development Infrastructure, Industry Cluster Development, Marketing and Communications and Workforce Development.

The Economic Development Infrastructure Committee (EDIC) is comprised of business people, economic development and planning professionals (Tab 3). The EDIC is tasked with advising on land use and permitting, development site potential and financing sources for economic development.

Since the inception of the EDAC, the EDIC has met bi-weekly, on average, and has discussed a number of issues related to the development of infrastructure to support economic development in Lake County. One of the issues on which the Committee has spent a considerable amount of time is the Lake County 2030 Planning Horizon Comprehensive Plan and Future Land Use Map, as it relates to economic development and as it compares to the adopted Economic Development Strategic Plan. The consensus of the committee is that additional language is needed to provide incentives encouraging development in areas where the County is desirous of future growth, language clarifications are required to provide for assurances and predictability in the

development process and additional areas for employment centers need to be identified on the Future Land Use Map

This Executive Summary details the recommendations of the Economic Development Infrastructure Committee, as approved by the Lake County Economic Development Advisory Council and the Metro Orlando Economic Development Commission. The EDAC respectfully requests that the Lake County Board of County Commissioners adopt the recommendations herein to ensure that the Lake County 2030 Planning Horizon Comprehensive Plan is consistent with the adopted Economic Development Strategic Plan, encourages collaborative planning; incentivizes infill, redevelopment and mixed uses, offers clear language not subject to differing interpretations, and provides adequate land for economic development.

RECOMMENDATIONS:

Interlocal Service Boundary Agreements (ISBAs)

The EDIC has reviewed the Florida Statutes on Interlocal Service Boundary Agreements (Tab 4) and the Sumter County/Wildwood ISBA. In conjunction with this review, the Lake Sumter Metropolitan Planning Organization prepared a White Paper advocating the use of ISBAs in Lake County (Tab 5). The EDIC supports Lake-Sumter MPO's position and therefore recommends pursuing agreements with all municipalities, and adding language to Comprehensive Plan Policy I-7.10.2 indicating that the county shall do so.

Municipal Annexations

During the June 9, 2009 Comprehensive Plan Workshop, the Lake County Board of County Commissioners revised the policy regarding municipal annexations. The EDIC recommends the following change to provide consistency with the recommendation on ISBAs:

Policy I-7.10.3 Municipal Annexations

Unless a municipality has entered into an Interlocal Service Boundary Agreement with Lake County, the County shall monitor municipal annexations. If a municipality initiates action to annex property that is not reasonably compact, contiguous to the present municipal corporate limits, or creates an enclave as described per Florida Statute, the County shall object to the annexation and may, when appropriate, legally challenge the annexation.

Infill and Redevelopment

The consensus of the EDIC is that the 2030 Planning Horizon Comprehensive Plan requires stronger language regarding the importance of incentivizing infill and redevelopment in already developed areas, thereby supporting the adopted Economic Development Strategic Plan recommendation to protect green spaces. The EDIC is especially impressed with the Florida Brownfield Program, and therefore recommends that Lake County include language in the Comprehensive Plan that directs the identification of areas ripe for redevelopment and encourages the use of Brownfield designation, and other appropriate programs to layer incentives as liberally as possible

The EDIC recommends the following implementation policy:

Lake County shall encourage infill development and redevelopment in established areas by identifying potential infill and redevelopment sites, and by developing implementation strategies and incentives to spur activity in these neighborhoods. To foster private investment in these areas, the County shall utilize the Florida Brownfield designation and other programs, including regulatory and financial incentives

Mixed Use

The EDIC has reviewed the Staff Report associated with the 2030 Planning Horizon Comprehensive Plan and finds that to be consistent with the above recommended policy, it is essential to incentivize mixed use development in the proposed plan. Thus, the EDIC recommends adoption of the Growth Management staff recommendation (Option A) addressed in Comment 14 of the staff report.

Comment 14: Mixed use development

(Page 7) Policy I-1 2.5 provides no incentives for mixed use. (Growth Management)

Discussion: Future Land Use policy I-1 2.5 addresses mixed use development. As the Future Land Use Categories are proposed currently, mixed use development would be allowed in the Urban Future Land Use Series and in Mt. Plymouth-Sorrento, which have both residential density and non-residential intensity standards. The policy, as written however, provides no incentive for a development to be mixed use. Most likely, it will be residential or commercial, whichever seems to be more profitable according to the market. In order for the policy to generate real mixed use development, the total amount of development on the site must exceed 100%. For example, a development could develop 60% of the allowed residential units and then 40% of the allowed commercial development, thus equaling 100%. Any such combination adding up to 100% would be allowed. In order for there to be incentives, the total should be greater than 100%. In

order to maximize the use of Urban lands, encourage densification of use that supports transit and direct uses away from Rural lands, it is recommended to make urban core areas as dense and intense as possible.

OPTIONS:

A Allow 100% of the allowed density (residential) and 100% of the allowed intensity (commercial/industrial) to be developed on the parcel

Commercial Intensity in Urban Land Uses

The 2030 Planning Horizon Comprehensive Plan provides for higher intensities for institutional uses in the Urban Future Land use series. The EDIC recommends that higher intensities for commercial uses also be allowed in this series.

Industrial Future Land Use

The EDIC finds that the use of two (2) distinct industrial future land use categories will limit the flexibility needed to react quickly to economic development opportunities, serve to lengthen the development approval process and will impact competitiveness with neighboring counties for industrial economic development projects. Two separate categories will also limit opportunities to cluster industries and their supply chains within close proximity. For these reasons, the EDIC recommends providing for one industrial land use, with light/heavy industrial zoning districts and design standards to address impacts on adjacent uses, to be provided for in the Land Development Regulations.

Commercial Corridors & Commercial Centers Criteria

EDIC representatives met with Lake County Planning and Community Design Department staff to discuss interpretation of policies contained within the Commercial Corridor and Commercial Center criteria. Due to unclear or differing interpretations, the EDIC recommends adoption of clarifying language to minimize confusion likely to result from differing interpretations (Tab 6). This will provide assurances related to development potential and predictability in the development process as recommended in the adopted Economic Development Strategic Plan.

All Land Use Categories – Listing of Specific Uses Allowed

The EDIC reviewed adjacent counties' comprehensive plans and allowable uses (permitted/conditional use) in their plans. These plans provided broad categories or linked zoning districts to land use categories as the controlling factor for permitted uses. The EDIC found that the Lake County 2030 Planning Horizon Comprehensive Plan contains specific permitted and conditional uses that are typically addressed in land development/zoning regulations.

The EDIC believes the use of such specificity at the comprehensive plan level will likely prohibit new technology companies and impact competitiveness with neighboring counties for economic development projects. Based on this evaluation, the EDIC recommends the Lake County 2030 Planning Horizon Comprehensive Plan only address general uses with details to be provided in the Lake County Land Development Regulations.

Future Land Use Map

The EDIC finds that the ratio of workplace related land uses is too low for an area of Lake County's size. Adoption of the above recommendations and the following modifications to the Future Land Use Map would equalize the ratio of commercial/industrial/office vs. residential and allow Lake County to become competitive for economic development in the region.

- A The EDIC believes that the Future Land Use Map should provide for centers, corridors and conservation. The EDIC has reviewed LUCIS model being investigated for use by the Lake-Sumter Metropolitan Planning Organization for transportation planning, and trusts this is a model for the future that should be embraced and adopted. At a minimum, the EDIC recommends that future amendments to the Comprehensive Plan/Future Land Use Map follow the LUCIS model (Tab 7).
- B The proposed Regional Office land use shown on CR-44 (Lisbon Area) is inappropriate for the area, the EDIC recommends a change to an Urban land use series classification.
- C The initial draft 2030 FLUM created a Workplace District category. This category was later removed from the draft FLUM. The EDIC believes the Workplace District is a vital tool for economic development and must be implemented to ensure compliance with the TIP Plan and the precepts of good planning.

- D. The EDAC finds that the South Lake Rural Protection Area erects a barrier to economic development in an area most suited for this purpose. Due to the proximity to the metro Orlando area and the proposed "medical city" and major transportation nodes, South Lake County was specifically identified in the Economic Development Strategic Plan as being ideal for promoting target industry sectors. Consequently, the EDIC recommends elimination of this rural protection area overlay, identification of areas appropriate for mixed use/employment centers in the Clermont and Minneola areas, and the use of the Workplace District land use classification to control development in these areas (Tab 8).

Lake County Economic Development Advisory Council Members

Advisory Council Chairman.

Dr Charles Mojock, Lake Sumter Community College

League of Cities Designees

Mayor Mel DeMarco, Mount Dora
Councilwoman Lori Pfister, Tavares
Mayor David Yeager, Minneola

Chamber Alliance Designees

Jim Miller, Lady Lake/Leesburg/Tavares
Meredith Nagel, South Lake
Carl Vossberg, East Lake/Mount Dora/Umatilla

Education Representatives

Dr Charles Mojock, President, Lake Sumter Community College
Dr Susan Moxley, Superintendent, Lake County Public Schools

EDC Representative.

Ray Gilley, President & CEO, Metro Orlando Economic Development Commission

Target Sector Representatives

Health & Wellness. Leslie Longacre, South Lake Hospital
Agn-Technology Timothee Sallin, Cherry Lake Tree Farms
Arts. Johnny Smith, 441 Center Initiative
Recreation/Leisure Scott Blankenship, Lake County Sports Commission.
Business Services: Rick Joyce, Dispute Resolution Services
Clean Technology. Rich Dunkel, Basin Water, Inc

**Lake County Economic Development Advisory Council
Economic Development Infrastructure Committee**

David Pape (Chair)

Mr. Pape is an entrepreneur and business consultant, with four successful startups, extensive turnaround experience and numerous successful contracted projects. Past and present clients include Goldman Sachs, Kimberly Clark, MCI, Pacific Bell, Disney Studios / Nick at Night, MCI, Yum Brands, Wente Wineries, US Navy, and Westwood One. Mr. Pape, a 15 year resident of Clermont, has served on the Clermont Planning and Zoning Commission for 8 years, the last 5 as Chair. Other community service includes the Eastern Florida Regional Planning Council Comprehensive Economic Development Strategy and Steering Committee as a participant in the Central Florida Post Disaster Economic Development Plan. Mr. Pape also served on the Lake County Industrial Development Authority.

Greg Beliveau, AICP

Mr. Beliveau is the CEO of LPG Urban & Regional Planners, Inc. and Principal Planner. He is a registered member of the American Institute of Certified Planners and has over 34 years experience providing land planning services to the public and private sector. Mr. Beliveau has supervised comprehensive plan formulation, comprehensive plan amendments, land development regulations and local government support assistance to over fourteen (14) local governments at both city and county levels.

Jimmy Crawford

Mr. Crawford is General Counsel for Schmid Construction, Inc., and has been a leading land use attorney in Lake County since 1994. He has served on the Board of the South Lake Chamber of Commerce and as Board Attorney for the Lake County Water Authority and Lake-Sumter Community College, among other community activities.

Richard Dunkel

Mr. Dunkel is a businessman who has resided in Lake County for nine (9) years, and has served on the Lake County Local Planning Agency, and the Lake County Bicycle

and Pedestrian Advisory Board. In the past, he consulted with Builder's Unlimited to develop the Mount Dora Commerce Park, the Lake Town Center and the Leesburg Commerce Park. Mr. Dunkel holds a Political Science degree from Syracuse University. His present business includes acting as President of Environmental and Technical Services, Inc. and handling business development for the industrial division of Basin Water. Mr. Dunkel is currently serving on the Lake-Sumter Metropolitan Planning Agency's Bicycle and Pedestrian Committee.

T J Fish, AICP

Mr. Fish is the Executive Director of the Lake-Sumter Metropolitan Planning Organization (MPO), a federally-funded regional transportation planning agency covering all public modes of moving people and goods. An urban and regional planner certified by the American Institute of Certified Planners (AICP), his current duties include the coordination of regional transportation planning for two counties and 19 municipalities in the Lake-Sumter region. Mr. Fish has fifteen (15) years of experiences in both private and public sector planning with seven (7) years practicing in Lake County.

Chuck Hiott, P E

Mr. Hiott is one of four Principals of Booth, Ern, Straughan & Hiott, Inc. BESH is a mid-sized consulting firm employing professionals with specialized backgrounds in Civil and Environmental Engineering, Land Surveying and Land Planning. BESH provides a comprehensive range of Engineering, Land Surveying and Land Planning Services to Public Agencies and Private Land Developers. Mr. Hiott graduated with a Bachelors of Civil Engineering from the University of Clemson in 1993, and holds a Professional Engineering license in three states, Florida, North Carolina, and South Carolina. Mr. Hiott participated in, and graduated from the Lake Leadership Class of 2009. He is also a member of Rotary International.

Dianne Kramer

Ms. Kramer is a professional planner with over 35 years public and private sector experience in Central Florida, including acting as consultant for Sweetwater Oaks in Seminole County, a large DRI in Osceola County, acting as Community Services Director for Oviedo, and Deputy Superintendent of Seminole County Public Schools.

Ms. Kramer holds a master's degree in Urban and Regional Planning as is currently the Director of Development Services for City of Eustis

Aaron Mercer, AICP

Mr. Mercer is a registered member of the American Institute of Certified Planners and is currently the Director of Planning Services for Booth, Ern, Straughan and Hiott.

Jim Miller, CCIM.

Mr Miller is a longtime Lake County resident who has served on the Lake County Planning & Zoning Board, Chair of the Citizen's Advisory Committee (today's LPA) for Lake County's Original Comprehensive Plan, Lake County's Impact Fee Committee, and Lake County's Public Land Acquisition Advisory Committee. He holds post graduate level degrees in Commercial Real Estate - CCIM (Certified Commercial Investment Member) & ALC (Accredited Land Consultant) - selling commercial real estate in Leesburg since 1981 Mr Miller has a history as a great community and civic activist and has been a member of every chamber of commerce in Lake County for over 14 years

Meredith Nagel.

Ms Nagel, owner of Merideth Nagel, P A , is a practicing attorney and licensed realtor experienced in residential and commercial real estate as well as county land development and zoning issues Ms. Nagel is a former law clerk to Florida Supreme Court Justice Barbara Pariente Her community affiliations include past president South Lake Chamber of Commerce, current president The Community Foundation of South Lake County and board member Cornerstone Hospice. Ms Nagel is a fourth generation resident of Clemont, Florida

Bill Neron

Mr Neron is an economic development professional who brings forty (40) years of experience to his current position as the City of Tavares Economic Development Director Mr. Neron has been a practicing professional in Lake County for nine (9) years

Sean Parks, AICP, QEP

Mr. Parks, who is a registered member of the American Institute of Certified Planners, a Qualified Environmental Professional, and a Certified Horticultural Specialist, is a Senior Project Manager for Weaver Boos Consultants. He holds a master's degree in Engineering Management and a bachelor's degree in Environmental Science. Mr. Parks' public sector experience includes employment with The St. Johns Water Management District for almost three (3) years. Mr. Parks has served on the Lake County Land Planning Agency and Lake County Water Authority Board of Trustees and ran for the Lake County Board of County Commissioners in 2008.

Cecilia Smith

Ms. Smith joined the City of Tavares in January 2008. She is the coordinator for the Tavares Economic Development Agency for the City. In this capacity, Ms. Smith implements ED programs, works with businesses, public relations, marketing, writes grants, and manages projects, budget, and events that bring prosperous economic development to the region. Prior to joining the City, Ms. Smith held the position of Grants Manager for five departments under the Facilities and Safety Unit at the University of Central Florida. She has a Masters Degree in Public Administration and is working to complete her IEDC certification in Economic development.

Peter Tarby

Mr. Tarby is a sitting Umatilla City Councilman who has lived in Umatilla for twenty-five (25) years. He also served on the Umatilla Planning & Zoning Board for two (2) years. Mr. Tarby holds an undergraduate degree in Business and has been a Real Estate and Mortgage Broker for twenty-six (26) years.

Lake County Staff Support

Lori Barnes, AICP

Ms. Barnes is a registered member of the American Institute of Certified Planners and has over fifteen (15) years private and public sector experience in zoning and land use planning. She holds a bachelor's degree in Public Administration and an associate's degree in Drafting and Design. Ms. Barnes has been a Senior Planner in Lake County's Department of Economic Growth and Redevelopment for over a year.

Linda Green

Ms. Green is Lake County's Department of Economic Growth and Redevelopment Office Associate IV. She has been a Lake County Employee for twenty-three (23) years.

Dottie Keedy, AICP

Ms. Keedy is a registered member of the American Institute of Certified Planners and has twenty-five (25) years private and public sector planning experience in Lake County, including acting as the Tavares City Administrator. She holds a master's degree in Public Administration. Ms. Keedy has been Lake County's Director of Economic Growth and Redevelopment since 2006.

CHAPTER 171

LOCAL GOVERNMENT BOUNDARIES

PART II

INTERLOCAL SERVICE BOUNDARY AGREEMENTS

171.20 Short title

171 201 Legislative intent

171.202 Definitions

171.203 Interlocal service boundary agreement

171 204 Prerequisites to annexation under this part.

171 205 Consent requirements for annexation of land under this part.

171 206 Effect of interlocal service boundary area agreement on annexations

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171 208 Municipal extraterritorial power

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171 21 Effect of part on interlocal agreement and county charter

171 211 Interlocal service boundary agreement presumed valid and binding.

171 212 Disputes regarding construction and effect of an interlocal service boundary agreement

171.20 Short title.--This part may be cited as the "Interlocal Service Boundary Agreement Act "

History.--s 1, ch 2006-218.

171.201 Legislative intent.--The Legislature intends to provide an alternative to part I of this chapter for local governments regarding the annexation of territory into a municipality and the subtraction of territory from the unincorporated area of the county. The principal goal of this part is to encourage local governments to jointly determine

how to provide services to residents and property in the most efficient and effective manner while balancing the needs and desires of the community. This part is intended to establish a more flexible process for adjusting municipal boundaries and to address a wider range of the effects of annexation. This part is intended to encourage intergovernmental coordination in planning, service delivery, and boundary adjustments and to reduce intergovernmental conflicts and litigation between local governments. It is the intent of this part to promote sensible boundaries that reduce the costs of local governments, avoid duplicating local services, and increase political transparency and accountability. This part is intended to prevent inefficient service delivery and an insufficient tax base to support the delivery of those services.

History.—s. 1, ch. 2006-218

171.202 Definitions.—As used in this part, the term:

(1) "Chief administrative officer" means the municipal administrator, municipal manager, county manager, county administrator, or other officer of the municipality, county, or independent special district who reports directly to the governing body of the local government.

(2) "Enclave" has the same meaning as provided in s. 171.031.

(3) "Independent special district" means an independent special district, as defined in s. 189.403, which provides fire, emergency medical, water, wastewater, or stormwater services.

(4) "Initiating county" means a county that commences the process for negotiating an interlocal service boundary agreement through the adoption of an initiating resolution.

(5) "Initiating local government" means a county, municipality, or independent special district that commences the process for negotiating an interlocal service boundary agreement through the adoption of an initiating resolution.

(6) "Initiating municipality" means a municipality that commences the process for negotiating an interlocal service boundary agreement through the adoption of an initiating resolution.

(7) "Initiating resolution" means a resolution adopted by a county, municipality, or independent special district which commences the process for negotiating an interlocal service boundary agreement and which identifies the unincorporated area and other issues for discussion.

(8) "Interlocal service boundary agreement" means an agreement adopted under this part, between a county and one or more municipalities, which may include one or more independent special districts as parties to the agreement.

(9) "Invited local government" means an invited county, municipality, or special district and any other local government designated as such in an initiating resolution or a responding resolution that invites the local government to participate in negotiating an interlocal service boundary agreement

(10) "Invited municipality" means an initiating municipality and any other municipality designated as such in an initiating resolution or a responding resolution that invites the municipality to participate in negotiating an interlocal service boundary agreement

(11) "Municipal service area" means one or more of the following as designated in an interlocal service boundary agreement

(a) An unincorporated area that has been identified in an interlocal service boundary agreement for municipal annexation by a municipality that is a party to the agreement.

(b) An unincorporated area that has been identified in an interlocal service boundary agreement to receive municipal services from a municipality that is a party to the agreement or from the municipality's designee

(12) "Notified local government" means the county or a municipality, other than an invited municipality, that receives an initiating resolution

(13) "Participating resolution" means the resolution adopted by the initiating local government and the invited local government

(14) "Requesting resolution" means the resolution adopted by a municipality seeking to participate in the negotiation of an interlocal service boundary agreement

(15) "Responding resolution" means the resolution adopted by the county or an invited municipality which responds to the initiating resolution and which may identify an additional unincorporated area or another issue for discussion, or both, and may designate an additional invited municipality or independent special district

(16) "Unincorporated service area" means one or more of the following as designated in an interlocal service boundary agreement

(a) An unincorporated area that has been identified in an interlocal service boundary agreement and that may not be annexed without the consent of the county

(b) An unincorporated area or incorporated area, or both, which have been identified in an interlocal service boundary agreement to receive municipal services from a county or its designee or an independent special district

History.--s. 1, ch. 2006-218

171.203 Interlocal service boundary agreement.--The governing body of a county and one or more municipalities or independent special districts within the county may enter into an interlocal service boundary agreement under this part. The governing bodies of a county, a municipality, or an independent special district may develop a process for reaching an interlocal service boundary agreement which provides for public participation in a manner that meets or exceeds the requirements of subsection (13), or the governing bodies may use the process established in this section.

(1) A county, a municipality, or an independent special district desiring to enter into an interlocal service boundary agreement shall commence the negotiation process by adopting an initiating resolution. The initiating resolution must identify an unincorporated area or incorporated area, or both, to be discussed and the issues to be negotiated. The identified area must be specified in the initiating resolution by a descriptive exhibit that includes, but need not be limited to, a map or legal description of the designated area. The issues for negotiation must be listed in the initiating resolution and may include, but need not be limited to, the issues listed in subsection (6). An independent special district may initiate the interlocal service boundary agreement for the purposes of dissolving an independent special district or in response to a proposed annexation that would remove more than 10 percent of the taxable or assessable value of an independent special district.

(a) The initiating resolution of an initiating county must designate one or more invited municipalities. The initiating resolution of an initiating municipality may designate an invited municipality. The initiating resolution of an independent special district must designate one or more invited municipalities and invite the county.

(b) An initiating county shall send the initiating resolution by United States certified mail to the chief administrative officer of every invited municipality and each other municipality within the county. An initiating municipality shall send the initiating resolution by United States certified mail to the chief administrative officer of the county, the invited municipality, if any, and each other municipality within the county.

(c) The initiating local government shall also send the initiating resolution to the chief administrative officer of each independent special district in the unincorporated area designated in the initiating resolution.

(2) Within 60 days after the receipt of an initiating resolution, the county or the invited municipality, as appropriate, shall adopt a responding resolution. The responding resolution may identify an additional unincorporated area or incorporated area, or both, for discussion and may designate additional issues for negotiation. The additional identified area, if any, must be specified in the responding resolution by a descriptive exhibit that includes, but need not be limited to, a map or legal description of the designated area. The additional issues designated for negotiation, if any, must be listed in the responding resolution and may include, but need not be limited to, the issues listed in subsection (6). The responding resolution may also invite an additional

municipality or independent special district to negotiate the interlocal service boundary agreement.

(a) Within 7 days after the adoption of a responding resolution, the responding county shall send the responding resolution by United States certified mail to the chief administrative officer of the initiating municipality, each invited municipality, if any, and the independent special district that received an initiating resolution

(b) Within 7 days after the adoption of a responding resolution, an invited municipality shall send the responding resolution by United States certified mail to the chief administrative officer of the initiating county, each invited municipality, if any, and each independent special district that received an initiating resolution.

(c) An invited municipality that was invited by a responding resolution shall adopt a responding resolution in accordance with paragraph (b)

(d) Within 60 days after receipt of the initiating resolution, any independent special district that received an initiating resolution and that desires to participate in the negotiations shall adopt a resolution indicating that it intends to participate in the negotiation process for the interlocal service boundary agreement. Within 7 days after the adoption of the resolution, the independent special district shall send the resolution by United States certified mail to the chief administrative officer of the county, the initiating municipality, each invited municipality, if any, and each notified local government.

(3) A municipality within the county which is not an invited municipality may request participation in the negotiations for the interlocal service boundary agreement. Such a request must be accomplished by adopting a requesting resolution within 60 days after receipt of the initiating resolution or within 10 days after receipt of the responding resolution. Within 7 days after adoption of the requesting resolution, the requesting municipality shall send the resolution by United States certified mail to the chief administrative officer of the initiating local government and each invited municipality. The county and the invited municipality shall consider whether to allow a requesting municipality to participate in the negotiations, and, if they agree, the county and the municipality shall adopt a participating resolution allowing the requesting municipality to participate in the negotiations.

(4) The county, the invited municipalities, the participating municipalities, if any, and the independent special districts, if any have adopted a resolution to participate, shall begin negotiations within 60 days after receipt of the responding resolution or a participating resolution, whichever occurs later

(5) An invited municipality that fails to adopt a responding resolution shall be deemed to waive its right to participate in the negotiation process and shall be bound by an interlocal agreement resulting from such negotiation process, if any is reached.

(6) An interlocal service boundary agreement may address any issue concerning service delivery, fiscal responsibilities, or boundary adjustment. The agreement may include, but need not be limited to, provisions that:

(a) Identify a municipal service area.

(b) Identify an unincorporated service area

(c) Identify the local government responsible for the delivery or funding of the following services within the municipal service area or the unincorporated service area:

1. Public safety.
2. Fire, emergency rescue, and medical.
3. Water and wastewater
4. Road ownership, construction, and maintenance.
5. Conservation, parks, and recreation
6. Stormwater management and drainage

(d) Address other services and infrastructure not currently provided by an electric utility as defined by s. 366.02(2) or a natural gas transmission company as defined by s. 368.103(4). However, this paragraph does not affect any territorial agreement between electrical utilities or public utilities under chapter 366 or affect the determination of a territorial dispute by the Public Service Commission under s. 366.04

(e) Establish a process and schedule for annexation of an area within the designated municipal service area consistent with s. 171.205

(f) Establish a process for land use decisions consistent with part II of chapter 163, including those made jointly by the governing bodies of the county and the municipality, or allow a municipality to adopt land use changes consistent with part II of chapter 163 for areas that are scheduled to be annexed within the term of the interlocal agreement, however, the county comprehensive plan and land development regulations shall control until the municipality annexes the property and amends its comprehensive plan accordingly. Comprehensive plan amendments to incorporate the process established by this paragraph are exempt from the twice-per-year limitation under s. 163.3187.

(g) Address other issues concerning service delivery, including the transfer of services and infrastructure and the fiscal compensation to one county, municipality, or independent special district from another county, municipality, or independent special district.

(h) Provide for the joint use of facilities and the collocation of services

(i) Include a requirement for a report to the county of the municipality's planned service delivery, as provided in s 171 042, or as otherwise determined by agreement

(j) Establish a procedure by which the local government that is responsible for water and wastewater services shall, within 30 days after the annexation or subtraction of territory, apply for any modifications to permits of the water management district or the Department of Environmental Protection which are necessary to reflect changes in the entity that is responsible for managing surface water under such permits

(7) If the interlocal service boundary agreement addresses responsibilities for land use planning under chapter 163, the agreement must also establish the procedures for preparing and adopting comprehensive plan amendments, administering land development regulations, and issuing development orders.

(8) In order to ensure that the health and welfare of the residents affected by annexation will be protected, all fire and emergency medical services shall be provided by the existing provider of fire and emergency medical services to the annexed area and remain part of the existing municipal service taxing unit or special district unless.

(a) *The county and annexing municipality reach an agreement, through interlocal agreement or other legally sufficient means, as to who shall provide these emergency services, or*

(b) A fire rescue services element exists for the respective county's comprehensive plan filed with the state and the annexing municipality meets the criteria set forth

(9) Each local government that is a party to the interlocal service boundary agreement shall amend the intergovernmental coordination element of its comprehensive plan, as described in s 163.3177(6)(h)1 , no later than 6 months following entry of the interlocal service boundary agreement consistent with s. 163.3177(6)(h)1 Plan amendments required by this subsection are exempt from the twice-per-year limitation under s. 163.3187

(10) An affected person for the purpose of challenging a comprehensive plan amendment required by paragraph (6)(f) includes a person who owns real property, resides, or owns or operates a business within the boundaries of the municipal service area, and a person who owns real property abutting real property within the municipal service area that is the subject of the comprehensive plan amendment, in addition to those other affected persons who would have standing under s 163.3184

(11)(a) A municipality that is a party to an interlocal service boundary agreement that identifies an unincorporated area for municipal annexation under s. 171 202(11)(a) shall adopt a municipal service area as an amendment to its comprehensive plan to address future possible municipal annexation. The state land planning agency shall review the

amendment for compliance with part II of chapter 163. The proposed plan amendment must contain

1. A boundary map of the municipal service area
2. Population projections for the area
3. Data and analysis supporting the provision of public facilities for the area.

(b) This part does not authorize the state land planning agency to review, evaluate, determine, approve, or disapprove a municipal ordinance relating to municipal annexation or contraction

(c) Any amendment required by paragraph (a) is exempt from the twice-per-year limitation under s 163 3187

(12) An interlocal service boundary agreement may be for a term of 20 years or less. The interlocal service boundary agreement must include a provision requiring periodic review. The interlocal service boundary agreement must require renegotiations to begin at least 18 months before its termination date.

(13) No earlier than 6 months after the commencement of negotiations, either of the initiating local governments or both, the county, or the invited municipality may declare an impasse in the negotiations and seek a resolution of the issues under ss 164 1053-164 1057. If the local governments fail to agree at the conclusion of the process under chapter 164, the local governments shall hold a joint public hearing on the issues raised in the negotiations.

(14) When the local governments have reached an interlocal service boundary agreement, the county and the municipality shall adopt the agreement by ordinance under s 166 041 or s 125 66, respectively. An independent special district, if it consents to the agreement, shall adopt the agreement by final order, resolution, or other method consistent with its charter. The interlocal service boundary agreement shall take effect on the day specified in the agreement or, if there is no date, upon adoption by the county or the invited municipality, whichever occurs later. This part does not prohibit a county or municipality from adopting an interlocal service boundary agreement without the consent of an independent special district, unless the agreement provides for the dissolution of an independent special district or the removal of more than 10 percent of the taxable or assessable value of an independent special district.

(15) For a period of 6 months following the failure of the local governments to consent to an interlocal service boundary agreement, the initiating local government may not initiate the negotiation process established in this section to require the responding local government to negotiate an agreement concerning the same identified unincorporated area and the same issues that were specified in the failed initiating resolution.

(16) This part does not authorize one local government to require another local government to enter into an interlocal service boundary agreement. However, when the process for negotiating an interlocal service boundary agreement is initiated, the local governments shall negotiate in good faith to the conclusion of the process established in this section.

(17) This section authorizes local governments to simultaneously engage in negotiating more than one interlocal service boundary agreement, notwithstanding that separate negotiations concern similar or identical unincorporated areas and issues.

(18) Elected local government officials are encouraged to participate actively and directly in the negotiation process for developing an interlocal service boundary agreement.

(19) This part does not impair any existing franchise agreement without the consent of the franchisee, any existing territorial agreement between electric utilities or public utilities under chapter 366, or the jurisdiction of the Public Service Commission to resolve a territorial dispute involving electric utilities or public utilities in accordance with s. 366.04. In addition, an interlocal agreement entered into under this section has no effect in a proceeding before the Public Service Commission involving a territorial dispute. A municipality or county shall retain all existing authority, if any, to negotiate a franchise agreement with any private service provider for use of public rights-of-way or the privilege of providing a service.

(20) This part does not impair any existing contract without the consent of the parties.

History.—s. 1, ch. 2006-218

171.204 Prerequisites to annexation under this part.—The interlocal service boundary agreement may describe the character of land that may be annexed under this part and may provide that the restrictions on the character of land that may be annexed pursuant to part I are not restrictions on land that may be annexed pursuant to this part. As determined in the interlocal service boundary agreement, any character of land may be annexed, including, but not limited to, an annexation of land not contiguous to the boundaries of the annexing municipality, an annexation that creates an enclave, or an annexation where the annexed area is not reasonably compact, however, such area must be "urban in character" as defined in s. 171.031(8). The interlocal service boundary agreement may not allow for annexation of land within a municipality that is not a party to the agreement or of land that is within another county. Before annexation of land that is not contiguous to the boundaries of the annexing municipality, an annexation that creates an enclave, or an annexation of land that is not currently served by water or sewer utilities, one of the following options must be followed:

(1) The municipality shall transmit a comprehensive plan amendment that proposes specific amendments relating to the property anticipated for annexation to the Department of Community Affairs for review under chapter 163. After considering the

department's review, the municipality may approve the annexation and comprehensive plan amendment concurrently. The local government must adopt the annexation and the comprehensive plan amendment as separate and distinct actions but may take such actions at a single public hearing, or

(2) A municipality and county shall enter into a joint planning agreement under s 163.3171, which is adopted into the municipal comprehensive plan. The joint planning agreement must identify the geographic areas anticipated for annexation, the future land uses that the municipality would seek to establish, necessary public facilities and services, including transportation and school facilities and how they will be provided, and natural resources, including surface water and groundwater resources, and how they will be protected. An amendment to the future land use map of a comprehensive plan which is consistent with the joint planning agreement must be considered a small scale amendment.

History.—s 1, ch. 2006-218

171.205 Consent requirements for annexation of land under this part.—Notwithstanding part I, an interlocal service boundary agreement may provide a process for annexation consistent with this section or with part I.

(1) For all or a portion of the area within a designated municipal service area, the interlocal service boundary agreement may provide a flexible process for securing the consent of persons who are registered voters or own property in the area proposed for annexation, or of both such voters and owners, for the annexation of property within a municipal service area, with notice to such voters or owners as required in the interlocal service boundary agreement. The interlocal service boundary agreement may not authorize annexation unless the consent requirements of part I are met or the annexation is consented to by one or more of the following.

(a) The municipality has received a petition for annexation from more than 50 percent of the registered voters who reside in the area proposed to be annexed.

(b) The annexation is approved by a majority of the registered voters who reside in the area proposed to be annexed voting in a referendum on the annexation.

(c) The municipality has received a petition for annexation from more than 50 percent of the persons who own property within the area proposed to be annexed.

(2) If the area to be annexed includes a privately owned solid waste disposal facility as defined in s 403.703(33) which receives municipal solid waste collected within the jurisdiction of multiple local governments, the annexing municipality must set forth in its plan the effects that the annexation of the solid waste disposal facility will have on the other local governments. The plan must also indicate that the owner of the affected solid waste disposal facility has been contacted in writing concerning the annexation, that an agreement between the annexing municipality and the solid waste disposal facility to

govern the operations of the solid waste disposal facility if the annexation occurs has been approved, and that the owner of the solid waste disposal facility does not object to the proposed annexation

(3) For all or a portion of an enclave consisting of more than 20 acres within a designated municipal service area, the interlocal service boundary agreement may provide a flexible process for securing the consent of persons who are registered voters or own property in the area proposed for annexation, or of both such voters and owners, for the annexation of property within such an enclave, with notice to such voters or owners as required in the interlocal service boundary agreement. The interlocal service boundary agreement may not authorize annexation of enclaves under this subsection unless the consent requirements of part I are met, the annexation process includes one or more of the procedures in subsection (1), or the municipality has received a petition for annexation from one or more persons who own real property in excess of 50 percent of the total real property within the area to be annexed

(4) For all or a portion of an enclave consisting of 20 acres or fewer within a designated municipal service area, within which enclave not more than 100 registered voters reside, the interlocal service boundary agreement may provide a flexible process for securing the consent of persons who are registered voters or own property in the area proposed for annexation, or of both such voters and owners, for the annexation of property within such an enclave, with notice to such voters or owners as required in the interlocal service boundary agreement. Such an annexation process may include one or more of the procedures in subsection (1) and may allow annexation according to the terms and conditions provided in the interlocal service boundary agreement, which may include a referendum of the registered voters who reside in the area proposed to be annexed.

History.--s 1, ch 2006-218, s. 11, ch 2007-5, s 32, ch. 2008-4.

171.206 Effect of Interlocal service boundary area agreement on annexations.--

(1) An interlocal service boundary agreement is binding on the parties to the agreement, and a party may not take any action that violates the interlocal service boundary agreement

(2) Notwithstanding part I, without consent of the county and the affected municipality by resolution, a county or an invited municipality may not take any action that violates the interlocal service boundary agreement

(3) If the independent special district that participated in the negotiation process pursuant to s 171.203(2)(d) does not consent to the interlocal service boundary agreement and a municipality annexes an area within the independent special district, the independent special district may seek compensation using the process in s. 171.093

History.--s 1, ch 2006-218

171.207 Transfer of powers.--This part is an alternative provision otherwise provided by law, as authorized in s 4, Art. VIII of the State Constitution, for any transfer of power resulting from an interlocal service boundary agreement for the provision of services or the acquisition of public facilities entered into by a county, municipality, independent special district, or other entity created pursuant to law

History.--s 1, ch. 2006-218

171.208 Municipal extraterritorial power.--This part authorizes a municipality to exercise extraterritorial powers that include, but are not limited to, the authority to provide services and facilities within the unincorporated area or within the territory of another municipality as provided within an interlocal service boundary agreement. These powers are in addition to other municipal powers that otherwise exist. However, this power is subject to the jurisdiction of the Public Service Commission to resolve territorial disputes under s 366.04. An interlocal agreement has no effect on the resolution of a territorial dispute to be determined by the Public Service Commission.

History.--s 1, ch 2006-218.

171.209 County incorporated area power.--As provided in an interlocal service boundary agreement, this part authorizes a county to exercise powers within a municipality that include, but are not limited to, the authority to provide services and facilities within the territory of a municipality. These powers are in addition to other county powers that otherwise exist.

History.--s 1, ch 2006-218

171.21 Effect of part on interlocal agreement and county charter.--A joint planning agreement, a charter provision adopted under s. 171.044(4), or any other interlocal agreement between local governments including a county, municipality, or independent special district is not affected by this part, however, a county, municipality or independent special district may avail itself of this part, which may result in the repeal or modification of a joint planning agreement or other interlocal agreement. A local government within a county that has adopted a charter provision pursuant to s. 171.044(4) may avail itself of the provisions of this part which authorize an interlocal service boundary agreement if such interlocal agreement is consistent with the charter of that county, as the charter was approved, revised, or amended pursuant to s. 125.64.

History.--s 1, ch 2006-218

171.211 Interlocal service boundary agreement presumed valid and binding.--

(1) If there is litigation over the terms, conditions, construction, or enforcement of an interlocal service boundary agreement, the agreement shall be presumed valid, and the challenger has the burden of proving its invalidity

(2) Notwithstanding part 1, it is the intent of this part to authorize a municipality to enter into an interlocal service boundary agreement that enhances, restricts, or precludes annexations during the term of the agreement.

History.--s 1, ch. 2006-218

171.212 Disputes regarding construction and effect of an interlocal service boundary agreement.--If there is a question or dispute about the construction or effect of an interlocal service boundary agreement, a local government shall initiate and proceed through the conflict resolution procedures established in chapter 164. If there is a failure to resolve the conflict, no later than 30 days following the conclusion of the procedures established in chapter 164, the local government may file an action in circuit court. For purposes of this section, the term "local government" means a party to the interlocal service boundary agreement

History.--s. 1, ch 2006-218

Lake~Sumter Metropolitan Planning Organization
WHITE PAPER: A position piece on Interlocal Service Boundary Agreements
Updated Sept. 16, 2009, for MPO Governing Board presentation Sept. 24, 2009
DRAFT

Position

The Lake~Sumter Metropolitan Planning Organization is an appropriate entity to endorse and to advocate in the two-county region the negotiation of, execution of and implementation of Interlocal Service Boundary Agreements (171.20-171.212, F.S.). An opportunity exists for the Lake~Sumter MPO to assist in the accomplishment of two primary organizational goals of the MPO Area: (1) the enhancement of planning activities and (2) the coordination of transportation issues among multiple jurisdictions. The proposed endorsement and advocacy of ISBAs would be in addition to existing support of Joint Planning Area Agreements. In the cases of JPAs and ISBAs, the proposal is to utilize these tools as a "best practices" approach to implementing local and regional plans.

However, the opportunities are well beyond transportation and planning in terms of the benefits to member local government of the Lake~Sumter MPO. Myriad governmental coordination issues could be resolved through a thoughtful and thorough inventory and analysis of collective governmental services. Boundaries could be established regarding urban growth areas, annexations, utility extensions, planning policies and public service responsibility. The coordinated approach could empower a predictable process that encourages responsible private investment.

The major public benefit is the savings to the taxpayer as agreements could address better efficiencies and the removal of redundant public services and facilities perhaps through an economy-of-scale approach. In light of the recent actions involving statewide voter-based property tax reform and the downward fluctuation of property values in the region, present economic realities demand a fresh approach to local government. A comprehensive, coordinated and continuous approach may be the Lake~Sumter Region's answer to the 21st-century challenges facing local government.

For the Lake~Sumter MPO, in terms of its transportation focus, Interlocal Service Boundary Agreements provide an avenue for local governments to address roadway jurisdictional issues. Some county-jurisdictional roadways may be more appropriately or more feasibly maintained by municipalities. Regionally-significant county roadways affecting multiple jurisdictions may be deemed to be best planned and maintained under county government. Roadway maintenance and roadway capacity can be addressed through agreements. Mass transit services and funding and regional trail planning and maintenance could also be included within Interlocal Service Boundary Agreements.

Apart from direct transportation issues are the issues that indirectly affect the mission of the Lake~Sumter MPO. The establishment of service and growth boundaries and the coordination of land use planning would yield benefits to the MPO planning process. Plans

would be more integrated and cost-feasibility would be more realistic through a comprehensive, coordinated and continuing planning process that integrates the implementation of local comprehensive plans and MPO plans.

Background

In 2006, the Florida Legislature passed annexation law that created a new means through which local governments can address intergovernmental coordination issues. The legislation enabled local governments to create Interlocal Service Boundary Agreements (ISBAs), which provide an option for cities, counties and specific special districts to engage in a proactive process to address the common concerns.

At a minimum, an ISBA could address a common service issue between a municipality and a county or special district. For example, a city and county could utilize the ISBA process to address the roles and responsibilities of each party in the provision of a public service like parks and recreation or public safety. However, the law allows ISBAs to address far more. Under ISBA statute, local governments can agree to mutual boundaries that could address issues such as utilities and annexation. ISBAs could also be utilized to provide boundaries for the application of planning policies and could lead to the development of sincere urban growth boundaries. In addition, the state statute provides for some Special Districts to be included in the process, which could lead to agreements on Special District boundaries and services just as with other forms of local government.

One preferred outcome that sparked support for the legislation is the potential increase in efficiencies and the possible elimination of redundancies as a result of executed agreements. The legislature anticipated that local governments engaging in the ISBA process would find ways to improve the collective provision of public services. By coordinating public service provision among multiple local governments, the taxpayer would be the direct beneficiary of cost-savings provided through the agreements.

The Lake~Sumter Region is comprised of two counties and 19 municipalities, as well as several qualifying Special Districts. The region is populated with nearly 400,000 residents and growth has been significant during the last generation. The large number of local governments and the near doubling of regional population since 1990 are supporting points for the widespread execution of ISBAs.

The Lake~Sumter Metropolitan Planning Organization is a governmental agency responsible for regional planning in the two-county area. Federal funding is provided to the Lake~Sumter MPO for the purposes of multi-modal transportation planning. However, the scope of MPOs across the nation is determined based upon individual needs of the region. Local governments within respective regions set MPO agendas.

In the Lake~Sumter Region, two county governments, 19 municipal governments, several qualifying special districts and two school districts present a unique challenge for the prospect of intergovernmental coordination. Fortunately, the creation of the Lake~Sumter MPO has provided a positive precedent for the ability of the two-county region to work in harmony to achieve regional goals. Meanwhile, local and regional visioning efforts within the Lake~Sumter Region are already bearing fruit. The endorsement of and advocacy of ISBAs may be the best means to implement the plans of Lake~Sumter communities.

Around the Lake~Sumter Region

The following are brief overviews of what benefits the ISBA process could bring to the Lake~Sumter Region.

Sumter County

The Sumter County Board of County Commissioners has already executed the first ISBA in the two-county region in partnership with the City of Wildwood. The city-county agreement addresses service provision, land planning, annexation boundaries and funding responsibility. The agreement is comprehensive and it has established a blueprint which is now being followed as Sumter County engages in negotiations with the city of Bushnell.

Wildwood

The City of Wildwood has annexed a large number of acres in northern Sumter County through the last four years. As annexations occurred, questions arose as to the future of public services in these newly-annexed territories. The City of Wildwood, which is a regional utility provider, has effectively planned for its future through the execution with Sumter County of the first ISBA in the two-county area. The city is now implementing the provisions of the agreement and has found the ISBA process to have enhanced city-county communications.

Bushnell

The City of Bushnell is currently in negotiations with Sumter County on the creation of an ISBA. The pending boundary would also establish annexation and service boundaries with neighboring municipalities. Like Wildwood's ISBA, Bushnell's proposed ISBA includes significant areas of central Sumter County under the city's regional utility system.

Center Hill, Coleman and Webster

Sumter County continues to work with the three small municipalities to address planning issues. As the ISBA process continues with Bushnell, Sumter County and the three municipalities will explore the best options in terms of intergovernmental coordination. It may be determined that ISBAs are in fact the best means to address cross-jurisdictional concerns.

Lake County

The new draft of the Lake County Comprehensive Plan is nearing transmittal. In the draft plan, policies call for the utilization of ISBAs to implement many of the goals of the comprehensive plan, including the allocation of new growth predominately into municipalities rather than into unincorporated rural areas. With 14 municipalities established within Lake County, earnest implementation of the new plan is more likely through the intergovernmental coordination supported by the ISBA process.

Montverde

The Town of Montverde is the first Lake County municipality to adopt the required resolution to begin the ISBA negotiation process with Lake County. The town seeks to utilize the process to establish additional mechanisms to protect the character of the rural municipality. Opportunities exist for additional coordination with Minneola and Clermont and meaningful growth boundaries may be an outcome of this pending first ISBA in Lake County.

Clermont

The City of Clermont and Lake County have a Joint Planning Area Agreement between city and county. The agreement currently in place is oriented toward land development regulation issues. A missing component in the intergovernmental coordination process may be the comprehensive plan level of planning afforded through the ISBA process. Several gaps occur outside the corporate limits of Clermont in which the county government must address planning and service issues. Efficiencies could be achieved through the city and county engaging in the ISBA process.

Mount Dora

The City of Mount Dora is one of three municipalities with a Joint Planning Area Agreement with Lake County. With the pending Wekiva Parkway project and with concerns of the Wekiva Springs Protection Area just to the east of Mount Dora, the city could bolster its planning efforts by creating an ISBA with Lake County. Such an initiative would lend itself to the needed coordination of the planned employment center at SR 46 and Round Lake Road and would lead to enhanced planning efforts with the Mount Plymouth-Sorrento community. A Mount Dora ISBA could also lead to agreements with Eustis and Tavares.

Lady Lake

The Town of Lady Lake is the third municipality to execute a Joint Planning Effort with Lake County. The town has spent much effort in establishing a plan for responsible growth. The community is planning to intensify development into a center planned in the CR 466 and Rolling Acres Road area. Opportunities exists for the town and county to coordinate planning efforts by focusing development pressures to the town's designated area for growth while preserving appropriate areas. Of critical importance in preservation efforts is the Ocklawaha Basin. An ISBA could be utilized to address planning and preservation issues for the basin and could possibly lead to a discussion of development rights transfers.

Astatula

The rural Town of Astatula currently provides no utility services. The municipality provides police protection to its residents. But its modest tax base is limiting to the types of services that are likely to be provided. An ISBA between the town and county could address planning issues. Utility service issues may be best addressed through an ISBA with the City of Tavares.

Eustis

The City of Eustis has undergone an extensive community visioning process through which the community has committed to focus more toward the city's center and away from a sprawling development pattern. Eustis has several areas to the periphery of the city that are of concern to the community due to jurisdictional issues. An ISBA could address those concerns and could lead to agreements with Tavares, Mount Dora and Umatilla.

Fruitland Park

The City of Fruitland Park is wedged between several jurisdictions and could benefit greatly from an ISBA that provides a predictable future for the community. With Lady Lake to the north, Leesburg to the south, Sumter County to the west and Lake Griffin to the east, the city sees itself as an infill community that already has a traditional center. The city wants to address what will occur around its edges and the ISBA process may be the best means for Fruitland Park to reach that goal.

Groveland

The City of Groveland's footprint has changed much over the last decade. The city's corporate boundaries have been expanded to touch several neighbors including Clermont, Minneola, Howey-in-the-Hills, Mascotte and Leesburg. For Groveland, the ISBA process is likely to involve much more than city-county negotiations. An ISBA for Groveland would likely lead to negotiations with the city's many neighbors on long-term boundaries and service provision. The process would also provide an opportunity for the city and county to strengthen their partnership approach to protecting the Green Swamp Area of Critical State Concern.

Howey-in-the-Hills

The Town of Howey-in-the-Hills has only a couple of neighboring municipalities. An ISBA with Lake County would likely reinforce the small-scale growth plan that the town is currently implementing. The town-county issue most likely to be resolved through the ISBA process is roadway jurisdiction, although greater efficiencies for town and county are also likely to be gained through the process.

Leesburg

The City of Leesburg has a regional utility service area much greater than the area within the corporate limits of the city. Leesburg has annexed large land holdings southwest to Sumter County and centering around the Turnpike interchange at CR 470. To address what occurs regarding city and county service provision as those vacant but annexed square miles are developed, an ISBA may prove to be the most effective vehicle for addressing the effects of urbanization in that area. Meanwhile the city and county continue to address enclaves and unincorporated areas and gaps around the city's periphery. The ISBA process could help in solidifying service plans for those areas.

Mascotte

With the Green Swamp to the south, Leesburg to the north and Groveland to the east, Mascotte views its growth boundaries as well determined. The city has annexed along the CR 33 corridor and now opportunity exists for greater city-county coordination to address the fact that vacant annexed properties sit alongside vacant unincorporated properties, leaving one with the sense of being in a rural area. The ISBA process may afford the City of Mascotte an opportunity to enhance planning efforts in conjunction with the county and in partnership with its neighbors.

Minneola

The City of Minneola is focused on growing the local economy through maximizing use and development of existing properties and annexations. The centerpiece of the future growth will be the within the Hills of Minneola DRI, primarily around the new Florida Turnpike Interchange at mile marker 279. Effective coordination with surrounding municipalities in the areas of transportation and utility delivery continues as the ISBA process is embraced in the South Lake region.

Tavares

The City of Tavares has adopted a community vision that focuses on redeveloping the downtown and minimizing peripheral development that does not enhance the local economy. An ISBA between the city and county could establish growth boundaries for the unincorporated Lake Jem area and could address the unincorporated area in the center of the "Golden Triangle." Opportunities may exist for the county seat and the county government to partner on facilities or service provision and for Tavares, Eustis and Mount Dora to address common issues.

Umatilla

As the gateway to the Ocala National Forest, the ISBA process may provide a means to address appropriate growth controls in an area of Lake County rich with lands appropriate for conservation. Meanwhile the city has growth plans that include the extension of utilities and the expansion of tax base. An ISBA may lead to an orderly growth plan that is supported by the county government. Also, the ISBA process could lead to an agreement with Eustis on jurisdictional issues.

Qualifying Special Districts

The ISBA legislation affords qualified special districts the opportunity to engage in the ISBA process. Special Districts can work with municipal or county governments to address provisions of services and the ownership and operations of facilities.

1 3 11.5 Criteria for Commercial Centers

~~Commercial Centers may be permitted as an allowable use within the Urban Low Density, Urban Medium Density, and Urban High Density Future Land Use Categories, provided that the criteria below relating to location, size, and function are satisfied, and conformance with other applicable policies of this Comprehensive Plan is demonstrated. The intensity of Commercial Centers shall be limited to the maximum Floor Area Ratio of the underlying Future Land Use Category.~~

~~The following are minimum required criteria, however no provision contained herein shall be construed as a guarantee that a requested commercial use or zoning shall be granted. Other relevant factors that may also be considered by the County include but are not limited to principles of sound planning and input from the public and municipalities. Where a Commercial Center is designated within a Commercial Corridor, the more intensive criteria shall apply.~~

1 Community Commercial Centers

~~Community Commercial Centers are intended to provide a mix of uses that serve a larger population and service area. Community Commercial Centers shall only be located at the intersection of two arterial roads. At a minimum, community centers shall contain at least two distinctive types of use, such as retail and office as further defined in the Land Development Regulations. Where located, a Community Commercial Center shall be no larger than 60 acres and no greater than 1,320 feet in depth defined to exist within a distance of 660 feet measured perpendicular to the road from the edge of the right of way extending a distance of 660 feet along the right of way from the nearest corner of the intersection. Community Commercial Centers shall not use local streets for principle traffic access.~~

2 Neighborhood Commercial Centers

~~Neighborhood Commercial Centers are intended to accommodate the retail, office, and service needs of residents within the surrounding area. A Neighborhood Commercial Center shall only be located at the intersection of two arterial roads or at the intersection of an arterial and collector road. Neighborhood Commercial Centers shall allow for an individual building floor area allocation not to exceed 15,000 square feet. Where located, a Neighborhood Commercial Center shall be no larger than 40 acres and no greater than 1,320 feet in depth defined to exist within a distance of 330 feet measured perpendicular to the road from the edge of the right of way extending a distance of 330 feet along the right of way from the nearest corner of the intersection.~~

3 Neighborhood Convenience Commercial Centers.

~~Neighborhood Convenience Commercial Centers are intended to accommodate the convenient shopping needs of nearby residents living within the immediate area. A Neighborhood Convenience Commercial Center shall be located at an intersection of arterial or collector roads. Neighborhood Convenience Commercial Centers shall allow for an individual building floor area allocation not to exceed 5,000 square feet. Where~~

located, a Neighborhood Convenience Commercial Center shall be no larger than 20 acres and no greater than 660 feet in depth ~~defined to exist within a distance of 220 feet measured perpendicular to the road from the edge of the right of way extending a distance of 220 feet along the right of way from the nearest corner of the intersection.~~

1 3.11.6 Criteria for Commercial Corridors

It shall be the express intent of Lake County to discourage strip commercial uses along roadways. However, it is recognized that certain roadway corridors within the County have become established over time as significant corridors for commercial development. In order to prevent the further proliferation of this development pattern, the County shall designate these established Commercial Corridors on the Future Land Use Map and restrict strip commercial to these areas. Encourage redevelopment and revitalization of strip style development. Infill development shall be encouraged within Commercial Corridors.

Commercial Corridors may be permitted as ~~an allowable use~~ within the Urban Low Density, Urban Medium Density, and Urban High-Density Future Land Use Categories, provided that the criteria below relating to location, size, and function are satisfied, and conformance with other applicable policies of this Comprehensive Plan is demonstrated.

The intensity of commercial corridors shall be limited to a maximum Floor Area Ratio of the underlying Future Land Use Category.

~~The following are minimum required criteria, however no provision contained herein shall be construed as a guarantee that a requested commercial use or zoning shall be granted. Other relevant factors that may also be considered by the County include but are not limited to principles of sound planning and input from the public and municipalities. The County may adopt Land Development Regulations that further limit the location, intensity, size, and function of Commercial Corridors.~~

1 Major Commercial Corridors Major Commercial Corridors are intended for designated roadways with typically four or more travel lanes, where an existing development pattern of comparable intensity has been established and is consistent with community character. Major Commercial Corridors may extend up to ¼ mile (1320 feet) from the center line of the right of way and terminus of the identified roadway and shall be developed to avoid the creation of large distances between developed properties. The following Major Commercial Corridors are hereby identified and depicted on the Future Land Use Map.

<i>Major Commercial Corridors</i>	<i>Location</i>
<i>US 441</i>	<i>Entire corridor</i>
<i>Old Highway 441</i>	<i>From State Road 19 to the junction with Eudora Road and State Road 19A</i>
<i>State Road 19</i>	<i>From US Highway 441 north to State Road 44</i>
<i>US 27</i>	<i>Within the following segments:</i>

From Sumter County line south to County Road 48,

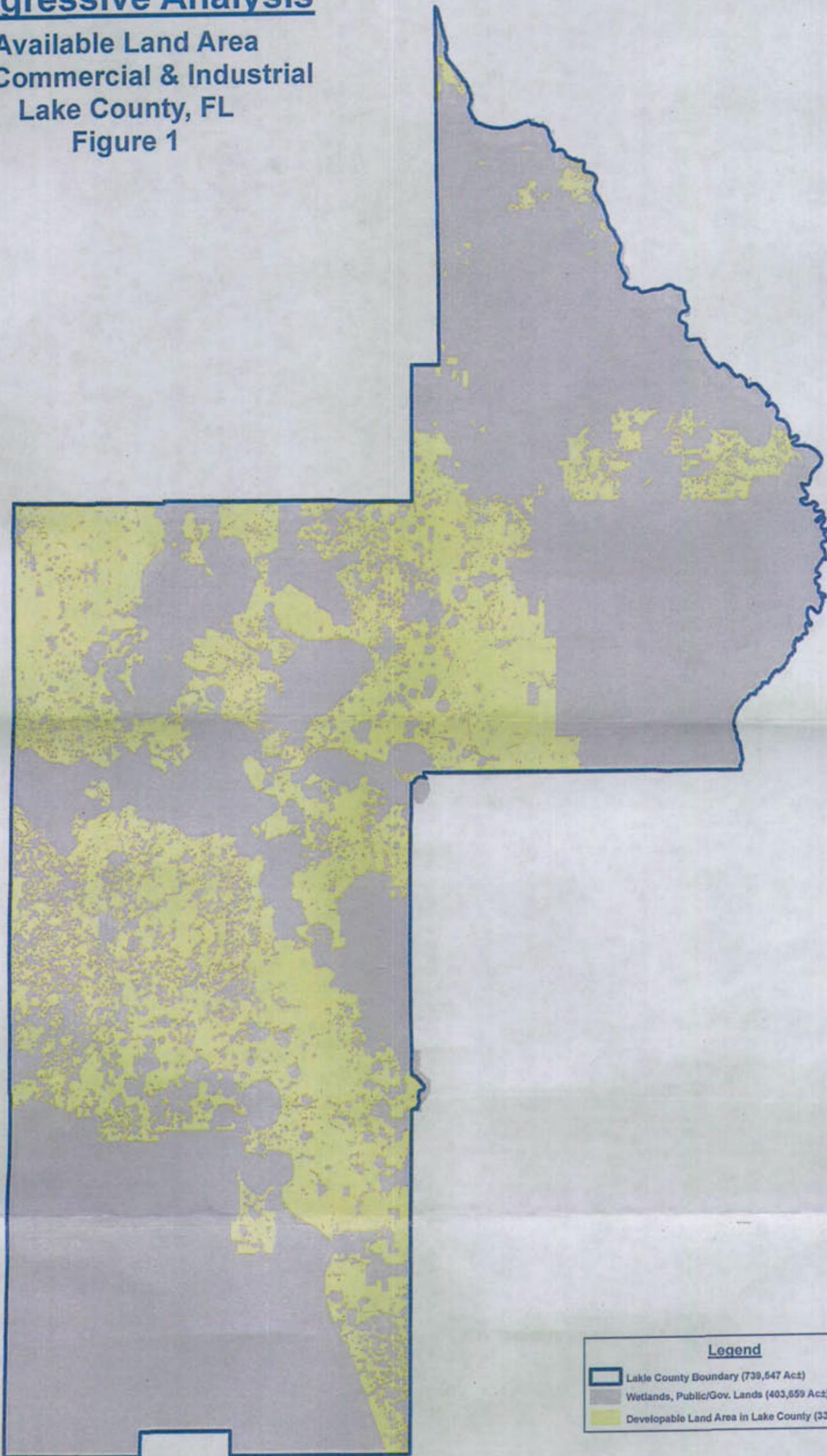
<i>Major Commercial Corridors</i>	<i>Location</i>
<i>From Independence Boulevard south to Wilson Lake Parkway, From Libby No 3 Road (south of State Road 19) south to Hartwood Marsh Road, and Outside of the GSACSC from County Road 474 south to the Polk County Line</i>	
<i>State Road 50</i>	<i>From US 27 east to the Orange County line</i>
<i>US 192</i>	<i>Entire comdor</i>

2 Minor Commercial Corridors Minor Commercial Corridors are intended for designated roadway corridors with two or more travel lanes, where an existing development pattern of comparable intensity has been established and is consistent with community character. Minor Commercial Corridors may extend up to 1/8 mile (660 feet) from the center line and terminus of the identified roadway. ~~Commercial Buildings over 8,000 square feet shall only be permitted through a conditional use approval process that considers such factors as compatibility, adjoining land uses, size of the development site and traffic impacts. The maximum individual commercial building size shall be 30,000 square feet.~~ The following Minor Commercial Corridors are hereby identified and depicted on the Future Land Use Map:

<i>Minor Commercial Corridors</i>	<i>Location</i>
<i>State Road 19</i>	<i>From Baker Road (Altoona) south to US Highway 441</i>
<i>State Road 19A</i>	<i>From US Highway 441 south to Old Highway 441</i>
<i>State Road 40 (Astor)</i>	<i>From River Road east to the Volusia County line</i>

Progressive Analysis

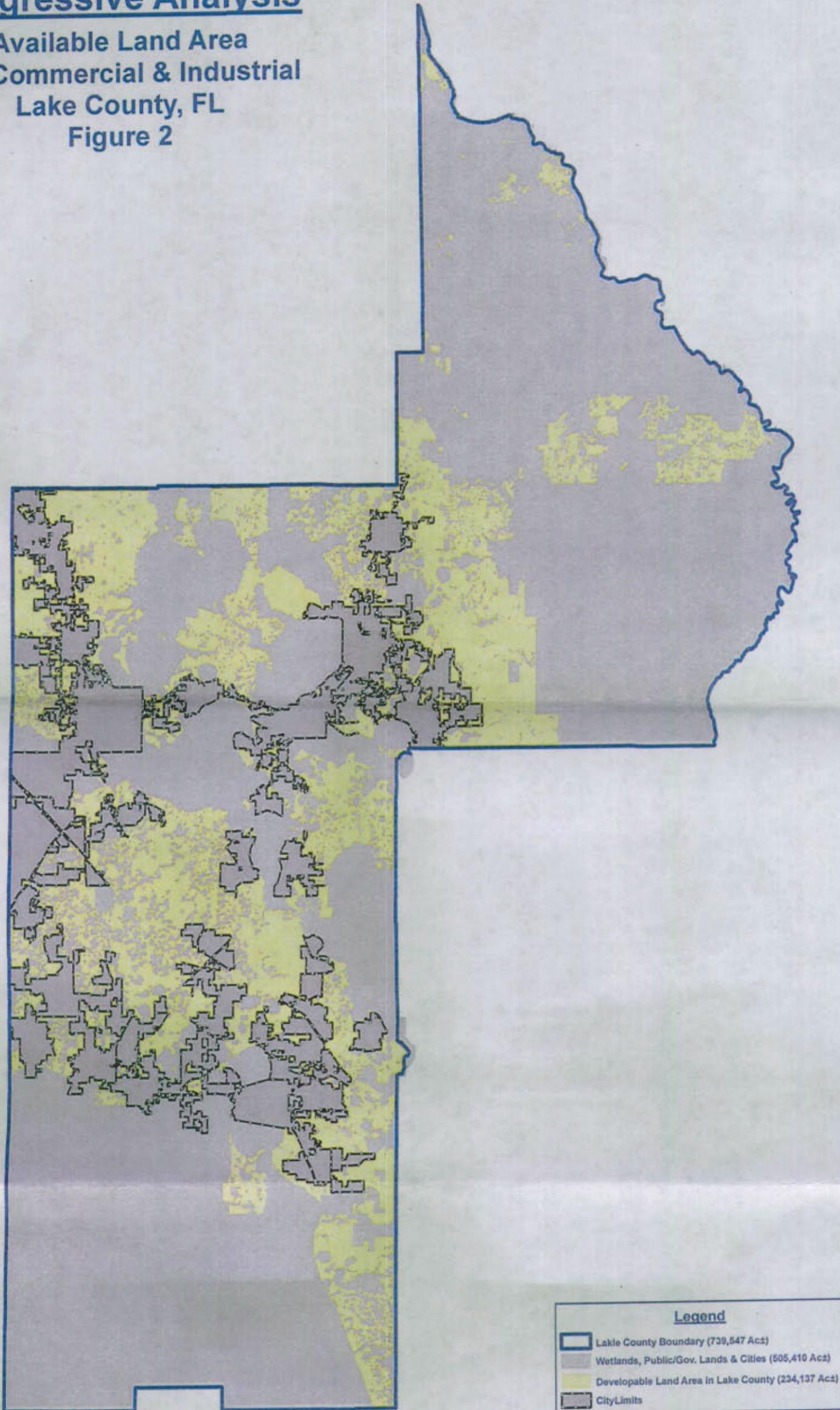
Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 1



Legend	
	Lake County Boundary (739,547 Ac±)
	Wetlands, Public/Gov. Lands (403,659 Ac±)
	Developable Land Area in Lake County (335,888 Ac±)

Progressive Analysis

Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 2

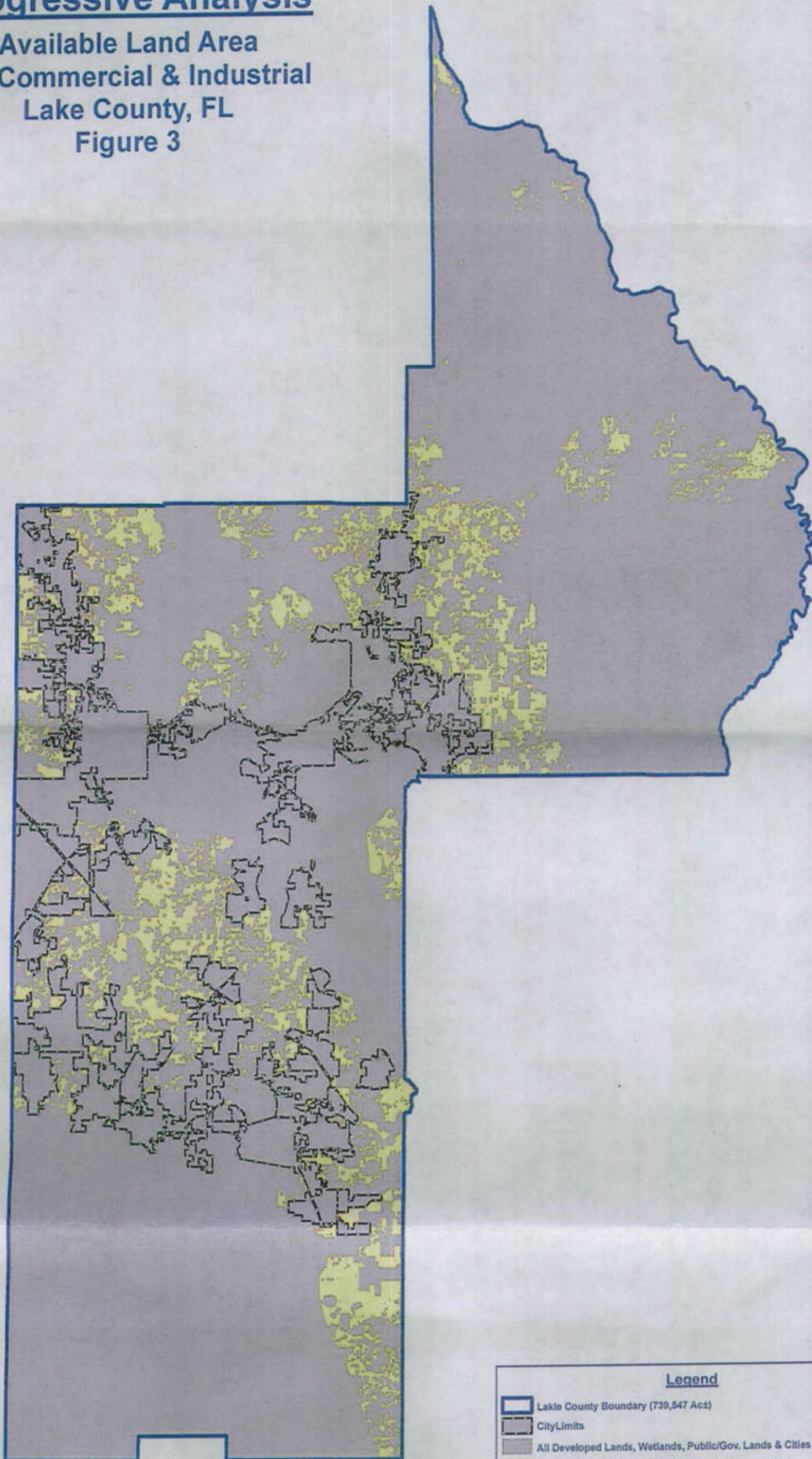


Legend

- Lake County Boundary (739,647 Ac±)
- Wetlands, Public/Gov. Lands & Cities (505,410 Ac±)
- Developable Land Area in Lake County (234,137 Ac±)
- City Limits

Progressive Analysis

Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 3

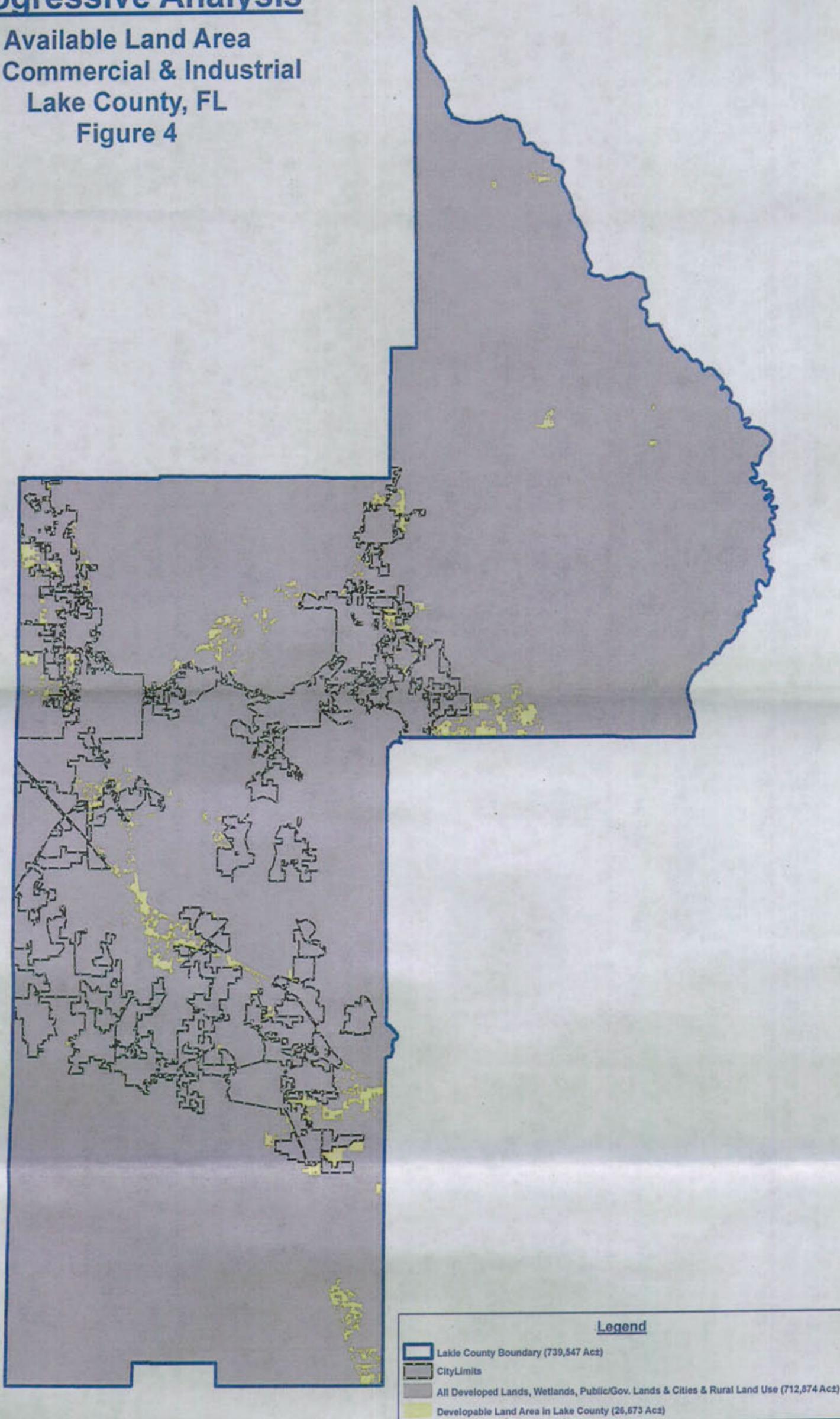


Legend

	Lake County Boundary (739,547 Ac±)
	City Limits
	All Developed Lands, Wetlands, Public/Gov. Lands & Cities (631,669 Ac±)
	Developable Land Area in Lake County (107,878 Ac±)

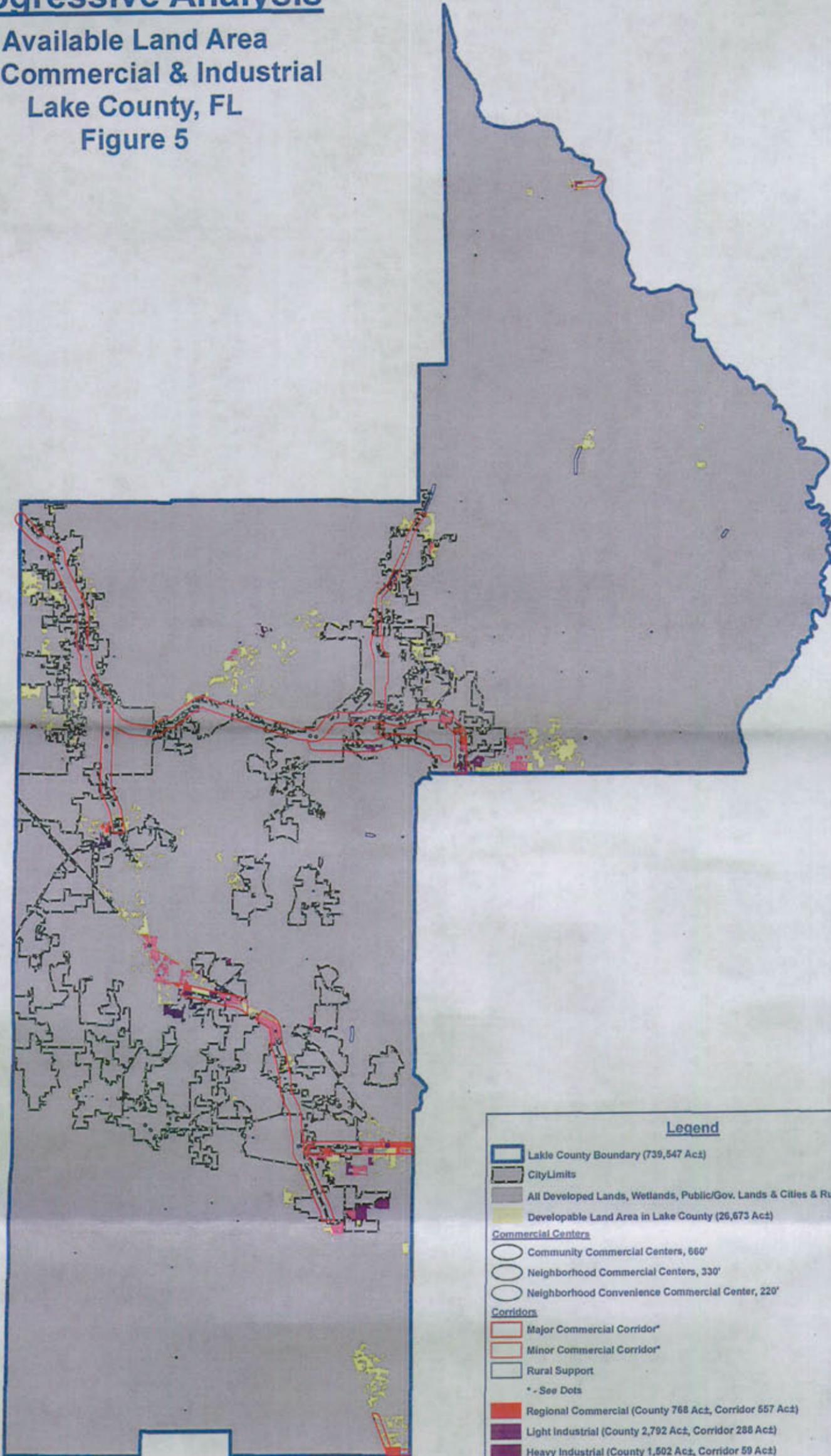
Progressive Analysis

Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 4



Progressive Analysis

Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 5

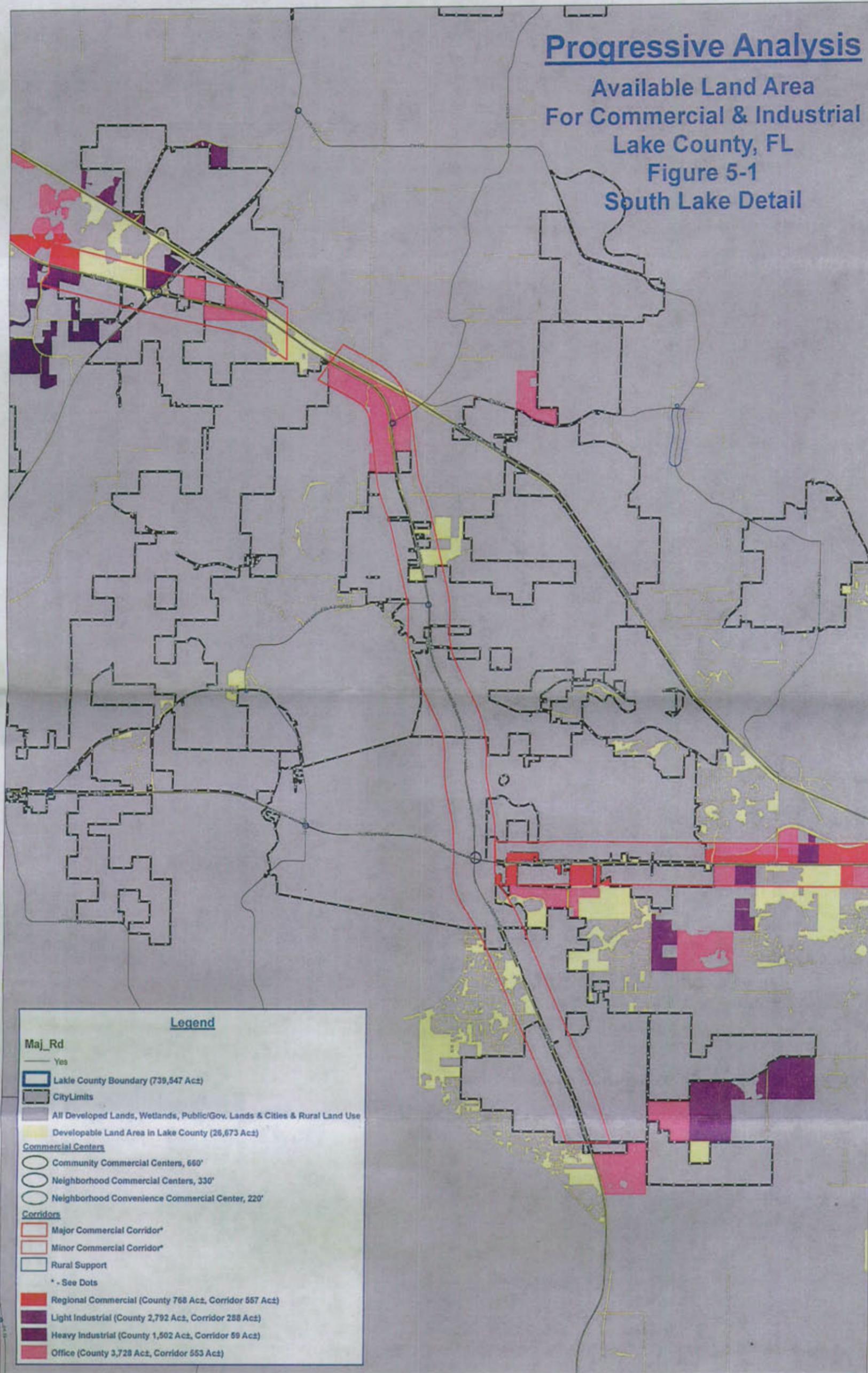


Legend

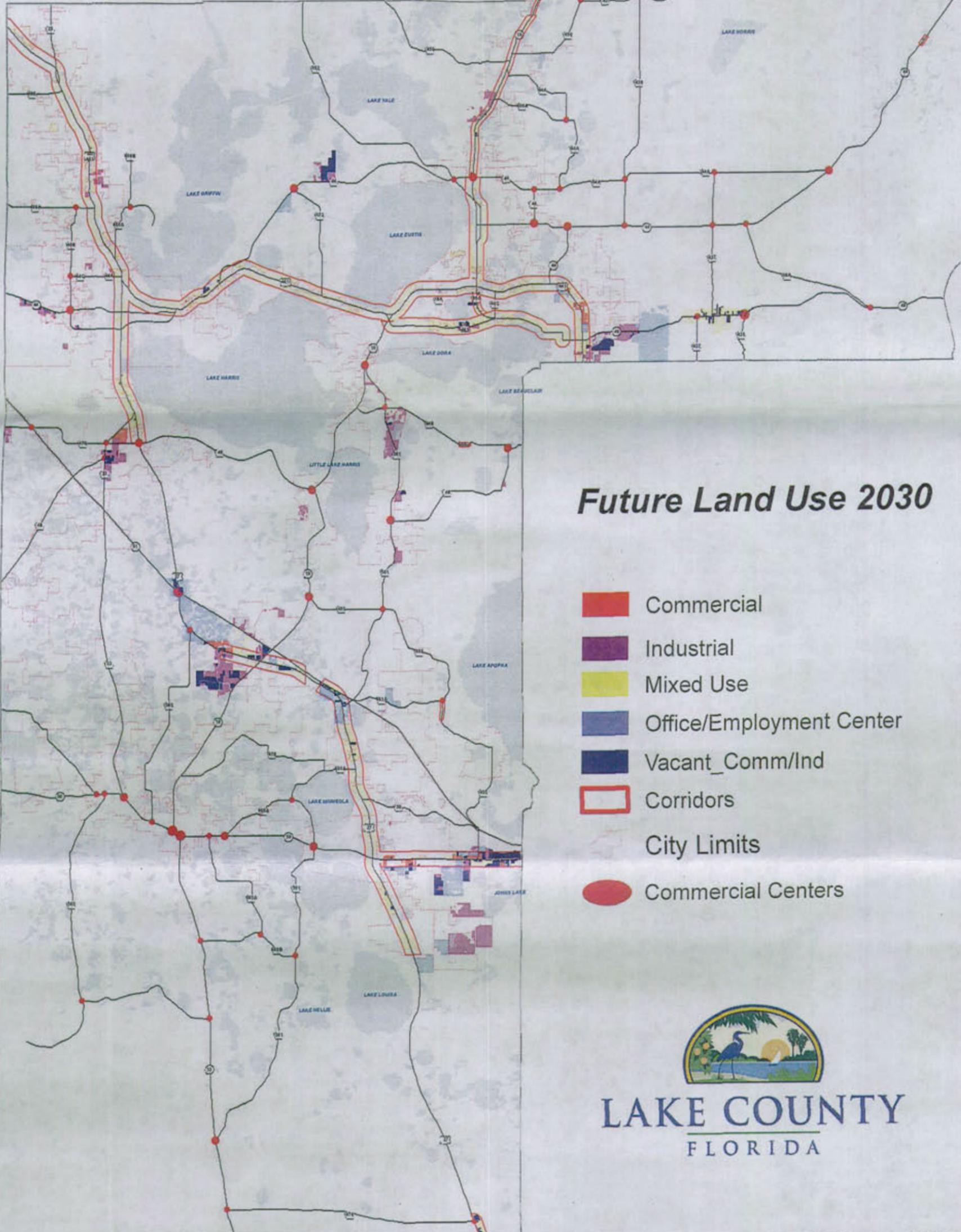
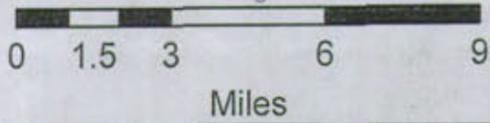
- Lake County Boundary (739,547 Ac±)
- City Limits
- All Developed Lands, Wetlands, Public/Gov. Lands & Cities & Rural Land Use
- Developable Land Area in Lake County (26,673 Ac±)
- Commercial Centers**
- Community Commercial Centers, 660'
- Neighborhood Commercial Centers, 330'
- Neighborhood Convenience Commercial Center, 220'
- Corridors**
- Major Commercial Corridor*
- Minor Commercial Corridor*
- Rural Support
- * - See Dots
- Regional Commercial (County 768 Ac±, Corridor 557 Ac±)
- Light Industrial (County 2,792 Ac±, Corridor 288 Ac±)
- Heavy Industrial (County 1,502 Ac±, Corridor 59 Ac±)
- Office (County 3,728 Ac±, Corridor 553 Ac±)

Progressive Analysis

Available Land Area
For Commercial & Industrial
Lake County, FL
Figure 5-1
South Lake Detail



EDAC Infrastructure Committee Working Map County



Future Land Use 2030

-  Commercial
-  Industrial
-  Mixed Use
-  Office/Employment Center
-  Vacant_Comm/Ind
-  Corridors
-  City Limits
-  Commercial Centers

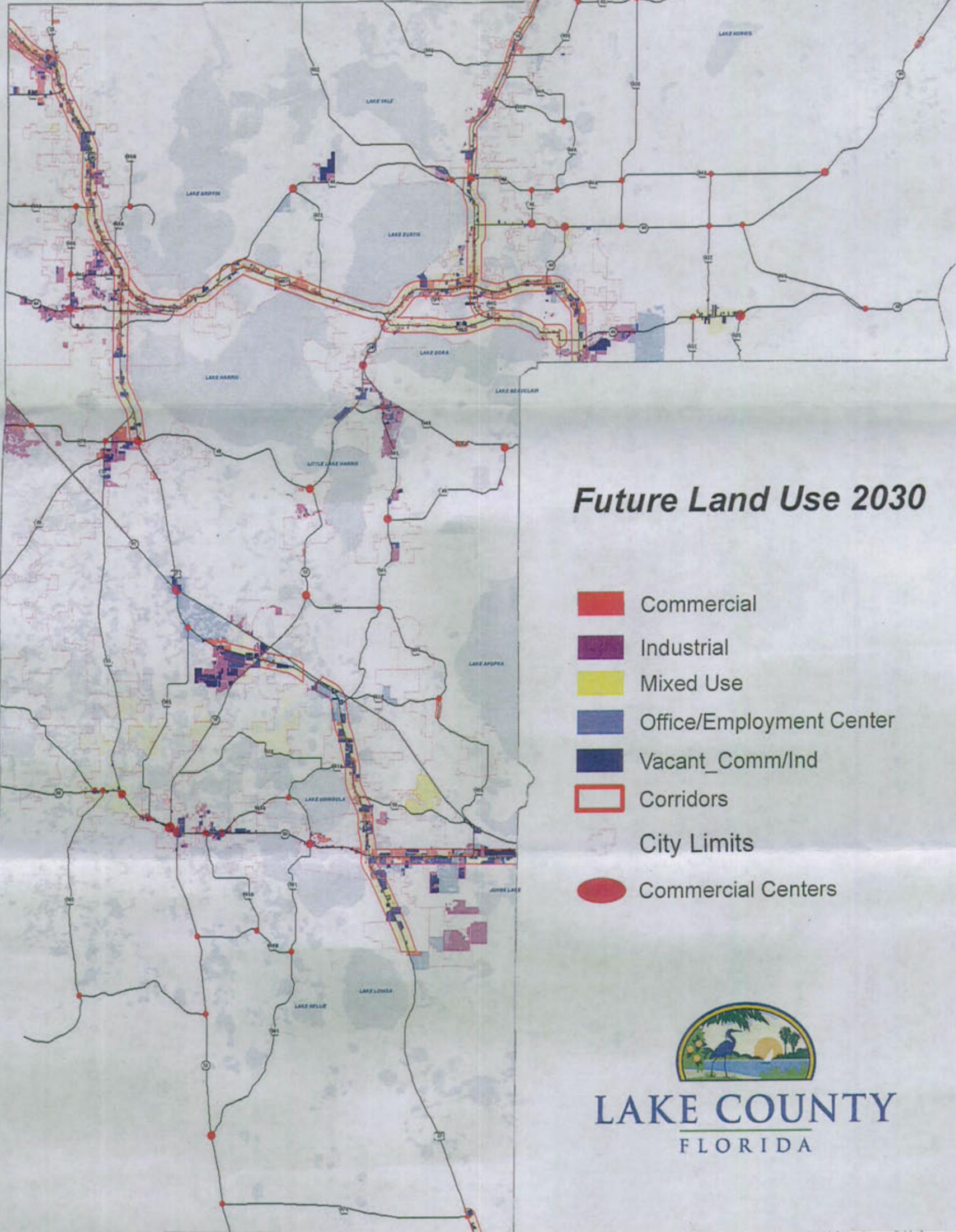


LAKE COUNTY
FLORIDA

EDAC Infrastructure Committee Working Map City and County



0 1.5 3 6 9
Miles



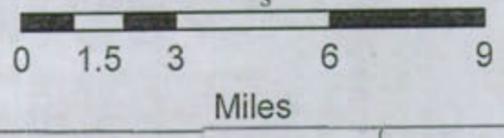
Future Land Use 2030

-  Commercial
-  Industrial
-  Mixed Use
-  Office/Employment Center
-  Vacant_Comm/Ind
-  Corridors
-  City Limits
-  Commercial Centers

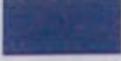
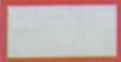
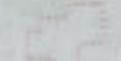


LAKE COUNTY
FLORIDA

EDAC Infrastructure Committee Working Map County



Future Land Use 2030

-  Vacant_Comm/Ind
-  Corridors
-  City Limits
-  Commercial Centers



LAKE COUNTY
FLORIDA

EDAC Infrastructure Committee Working Map City and County

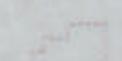


0 1.5 3 6 9

Miles



Future Land Use 2030

-  Vacant_Comm/Ind
-  Corridors
-  City Limits
-  Commercial Centers



LAKE COUNTY
FLORIDA

Why LUCIS ?

Land Use Conflict Identification Strategy

Land Use Modeling and Visualization
GeoPlan Center at the University of Florida



LUCIS

Land Use Conflict Identification Strategy is a

“What if?” land use scenario model developed by professors and researchers at the University of Florida GeoPlan Center

Goal-driven GIS model that produces a spatial representation of probable patterns of future land use

How does the LUCIS model work?

LUCIS analyzes historical development patterns and their relationship to show how suitable specific land areas are for certain uses.

- **Agricultural, Conservation, and Urban**
- LUCIS identifies sensitive environmental factors that would be impacted by urban development, and conversely areas that are positive factors for conservation uses (i.e. wetlands, floodplains, endangered species or habitat, biodiversity).
- LUCIS also identifies suitable and/or unsuitable lands for specific types of urban development potential or agricultural productivity (i.e. crops, timber production, or residential and commercial suitability).

LUCIS Modeling Process

1. Determine Land Use Suitability

How appropriate are certain locations for future development, future agricultural use, or future conservation opportunities given existing physical, access or location characteristics and economic value?

2. Categorize Land Use Preference

There are numerous factors to consider when determining if land is suitable for a particular use (e.g. Agriculture, Conservation, or Urban). When all of these factors are considered together, then LUCIS assists in determining which lands are preferred for those uses?

3. Determine Land Use Conflict

The intrinsic value of lands dictate the appropriateness of future use, but are there areas that can naturally support more than one type of use? Therefore, to what degree is one future use preferred over another?

LUCIS Alternative Futures Depend Upon

What Type of Future We Are Trying to Achieve?

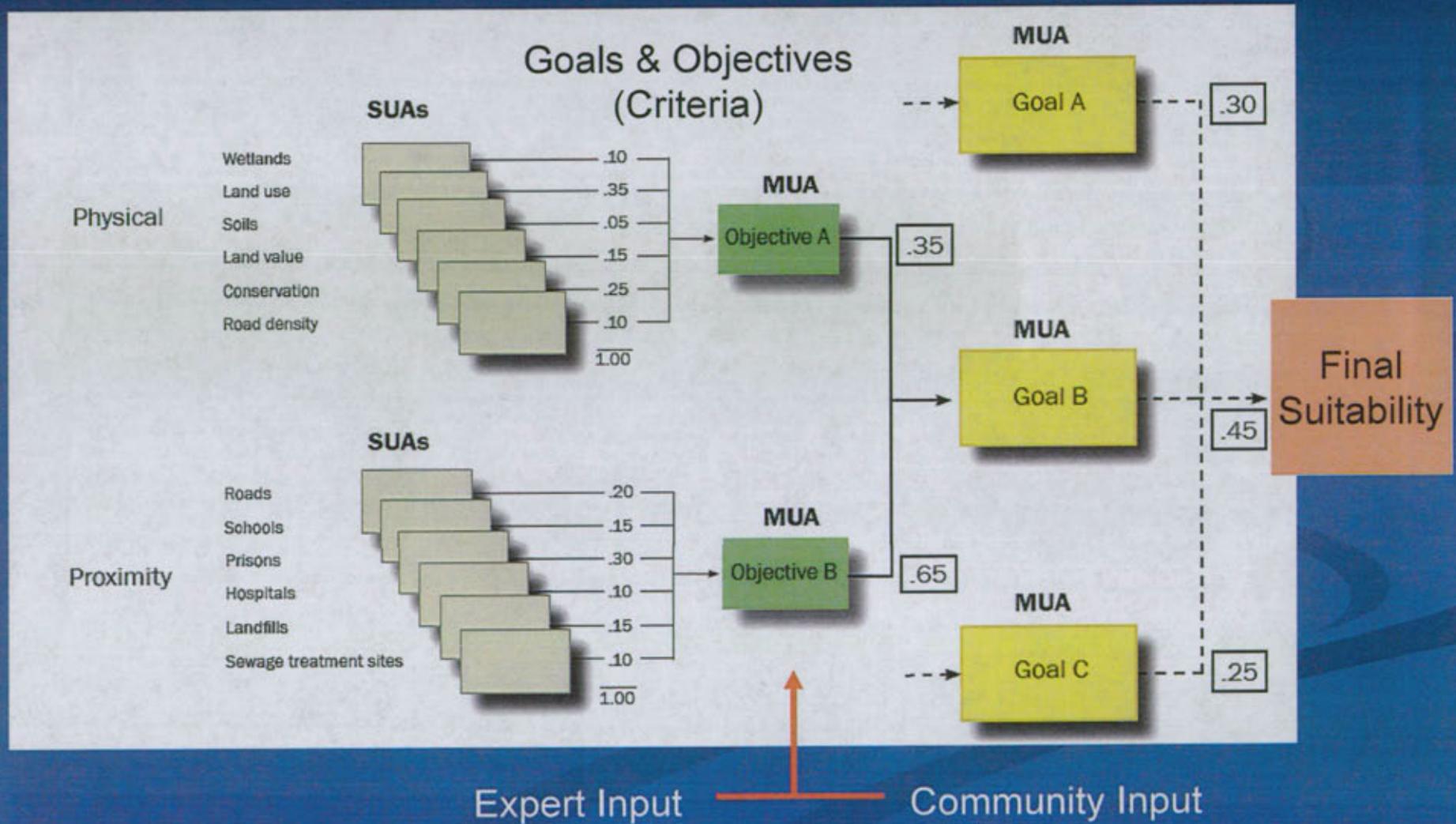
Continued Trend, Urban Centers, Increased Green Areas

How Local or Regional Policy Changes Guide Future Development?

Increased Redevelopment, Implementation of Mass Transit Options

What might be the Impact of Future Growth on Transportation, Sensitive Natural Areas, and the Economy?

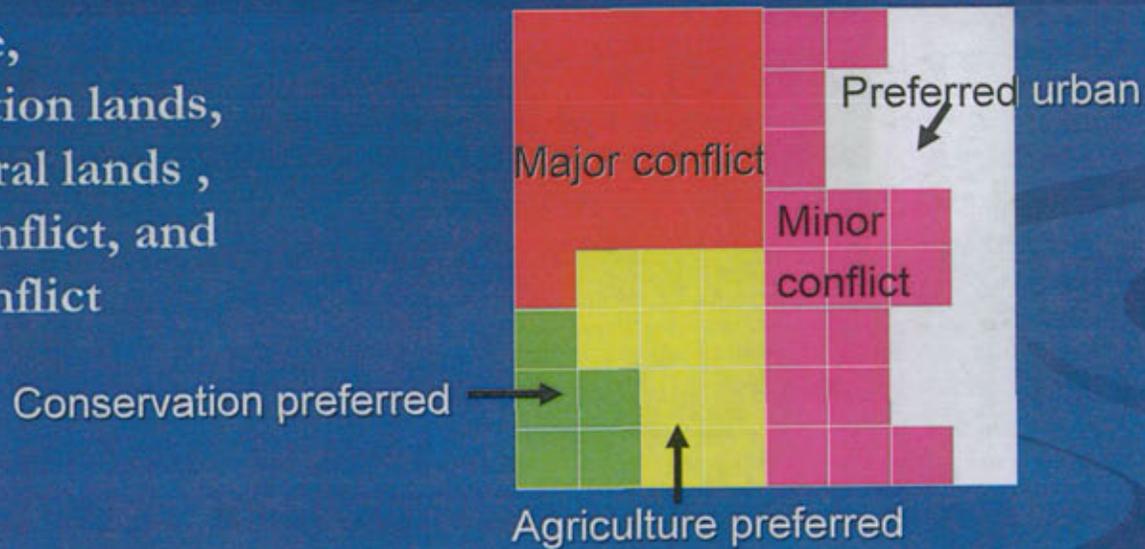
Conceptual GIS Suitability Modeling



Preference is Organized to Identify
Conflict

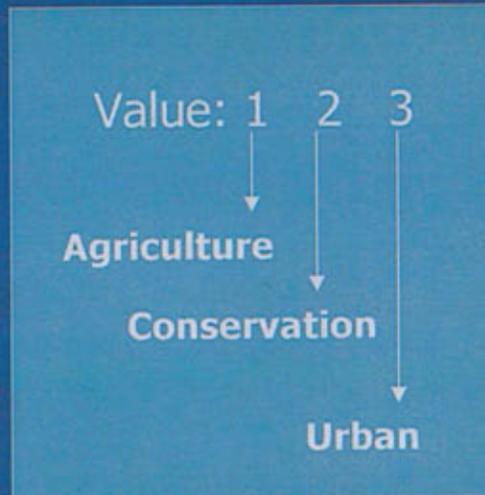
The computer model detects conflict, based on which lands are most appropriate (based on their) characteristics for:

- 1) urban use,
- 2) conservation lands,
- 3) agricultural lands ,
- 4) minor conflict, and
- 5) major conflict

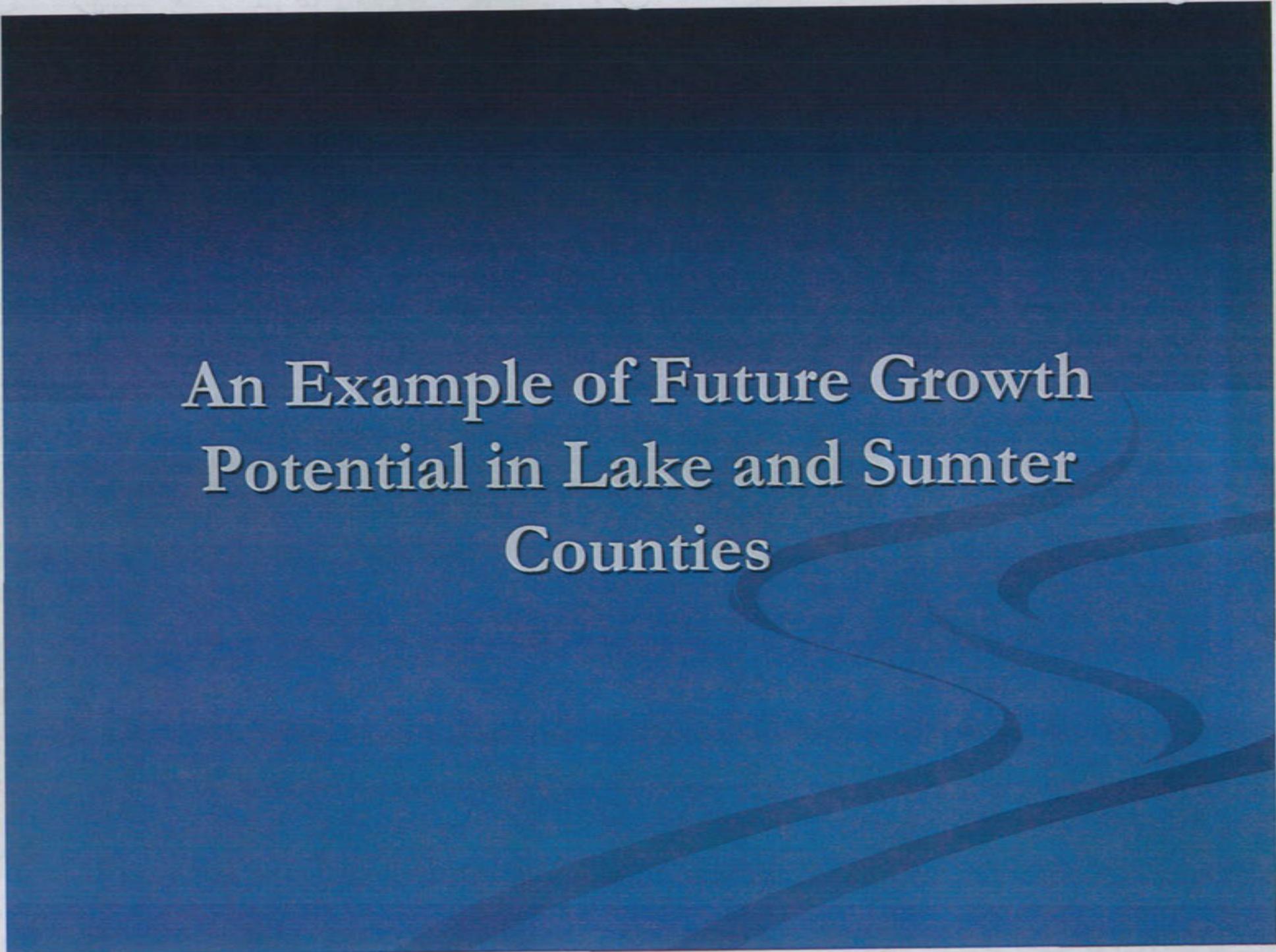


LUCIS Conflict Analysis

- The collapsed preference scores are organized to spatially identify land use conflict



Attributes of reconflictsd		
ObjectID	Value	Count
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2	113	69929
3	121	16205
4	122	70074
5	123	40398
6	131	30009
7	132	24793
8	133	3621
9	211	39
10	212	131591
11	213	121003
12	221	40283
13	222	361609
14	223	71609
15	231	107637
16	232	203078
17	233	7970
18	311	12
19	312	222157
20	313	97945
21	321	26828
22	322	756692
23	323	101776
24	331	47376
25	332	286633
26	333	11976

The background is a solid blue color with a subtle pattern of wavy, horizontal lines that create a sense of depth and movement, resembling water ripples or a stylized landscape. The text is centered and rendered in a light, serif font with a slight drop shadow.

**An Example of Future Growth
Potential in Lake and Sumter
Counties**

Allocation Summary

Employment – Lake County

	2005	2015 (new)	2020 (new)	2025 (new)	2030 (new)	2035 (new)	Total New
Service							
TREND	57,493	21,362	9,194	7,501	7,143	7,640	52,840 (Total Empl.: 110,333)
COMPOSITE	57,493	20,796	9,544	7,894	7,143	7,652	53,029 (Total Empl.: 110,552)
Comm							
TREND	24,283	10,379	2,597	2,198	1,687	2,249	19,110 (Total Empl.: 43,393)
COMPOSITE	24,283	9,838	3,134	2,161	1,817	2,130	19,080 (Total empl.: 43,363)
Industrial							
TREND	19,808	5,241	1,893	1,572	1,685	2,170	12,561 (Total Empl.: 32,369)
COMPOSITE	19,808	5,248	1,894	1,544	1,736	2,132	12,554 (Total Empl.: 32,362)

Allocation Summary

Employment – Sumter County

	2005	2015 (new)	2020 (new)	2025 (new)	2030 (new)	2035 (new)	Total New
Service							
TREND	8,523	3,465	1,451	1,135	1,105	1,110	8,266 (Total Empl.: 16,789)
COMPOSITE	8,523	3,396	1,487	1,195	1,068	1,316	8,462 (Total Empl.: 16,985)
Comm							
TREND	3,256	2,500	710	484	440	454	4,588 (Total Empl.: 7,844)
COMPOSITE	3,256	2,427	713	505	428	450	4,523 (Total Empl.: 7,779)
Industrial							
TREND	3,504	1,536	562	368	423	501	3,390 (Total Empl.: 6,894)
COMPOSITE	3,504	1,638	520	386	396	530	3,470 (Total Empl.: 6,974)

Overview

LAKE COUNTY

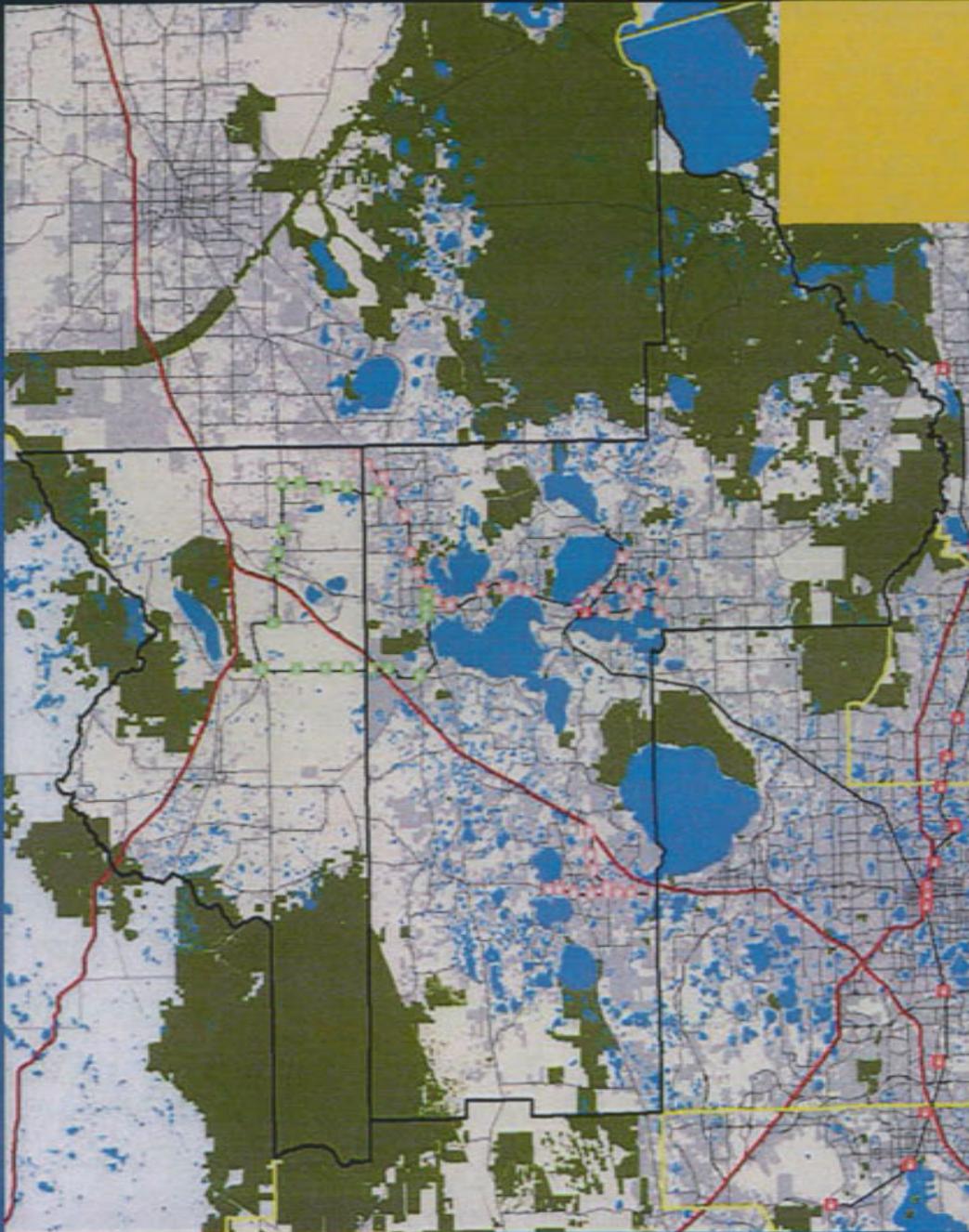
2005 Population: 263,642

Projected 2035 Population: 504,500

SUMTER COUNTY

2005 Population: 66,447

Projected 2035 Population: 188,500



LUCIS Conflict

Legend

Existing Conservation

Existing Urban

Open Water

LUCIS Conflict

Agriculture Preference

Conservation Preference

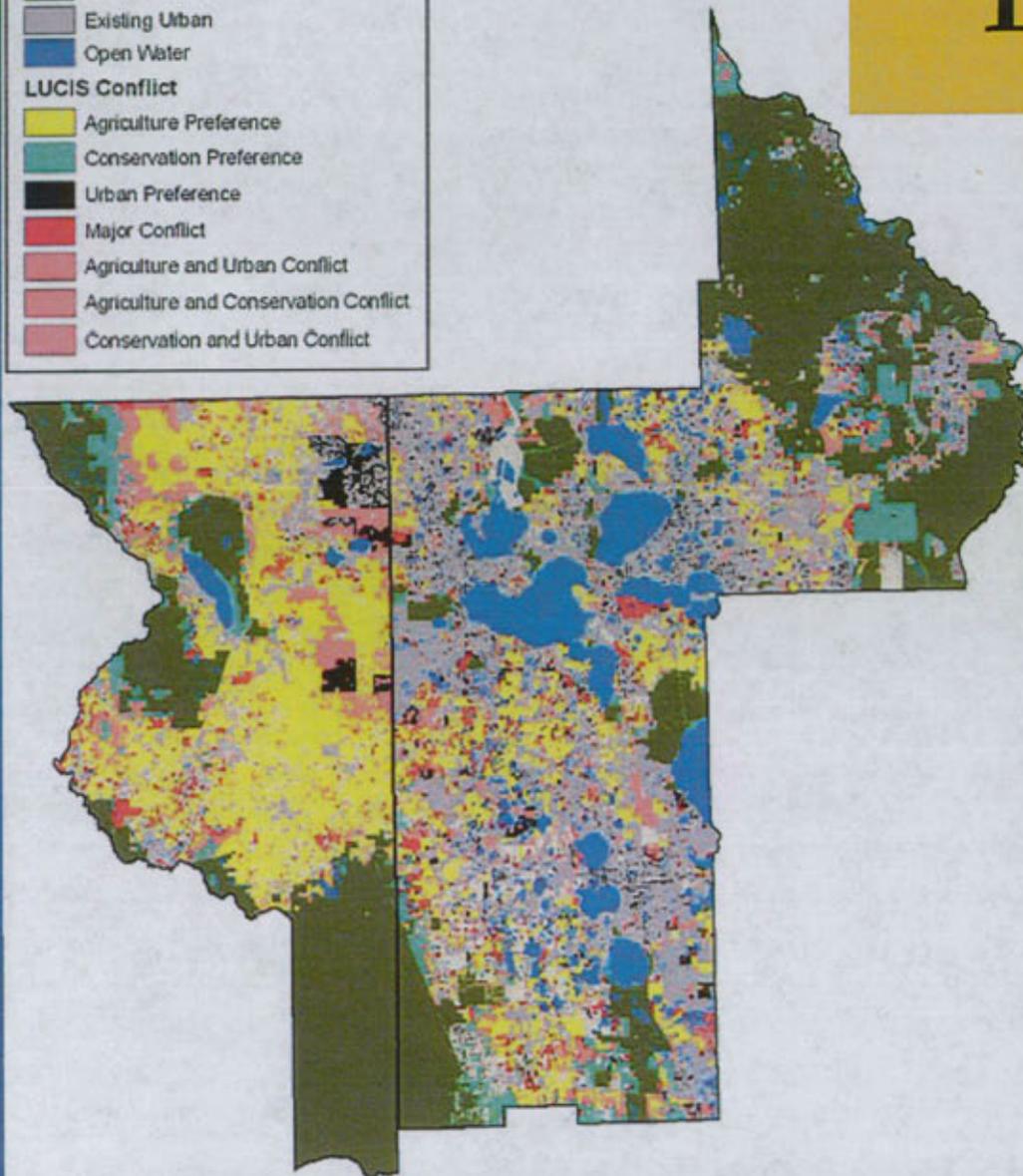
Urban Preference

Major Conflict

Agriculture and Urban Conflict

Agriculture and Conservation Conflict

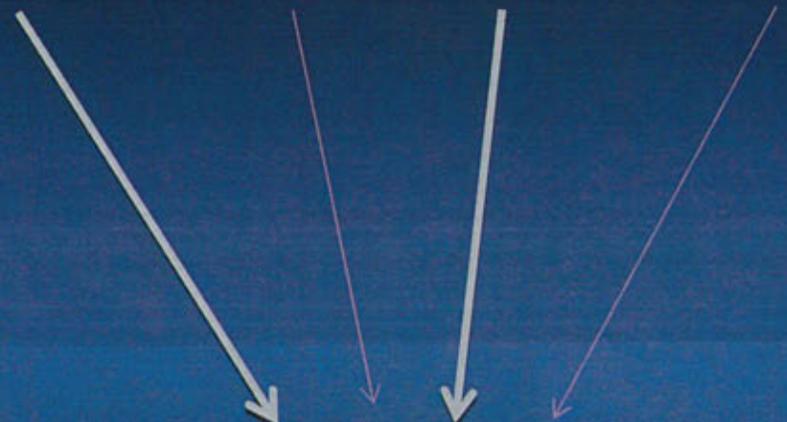
Conservation and Urban Conflict



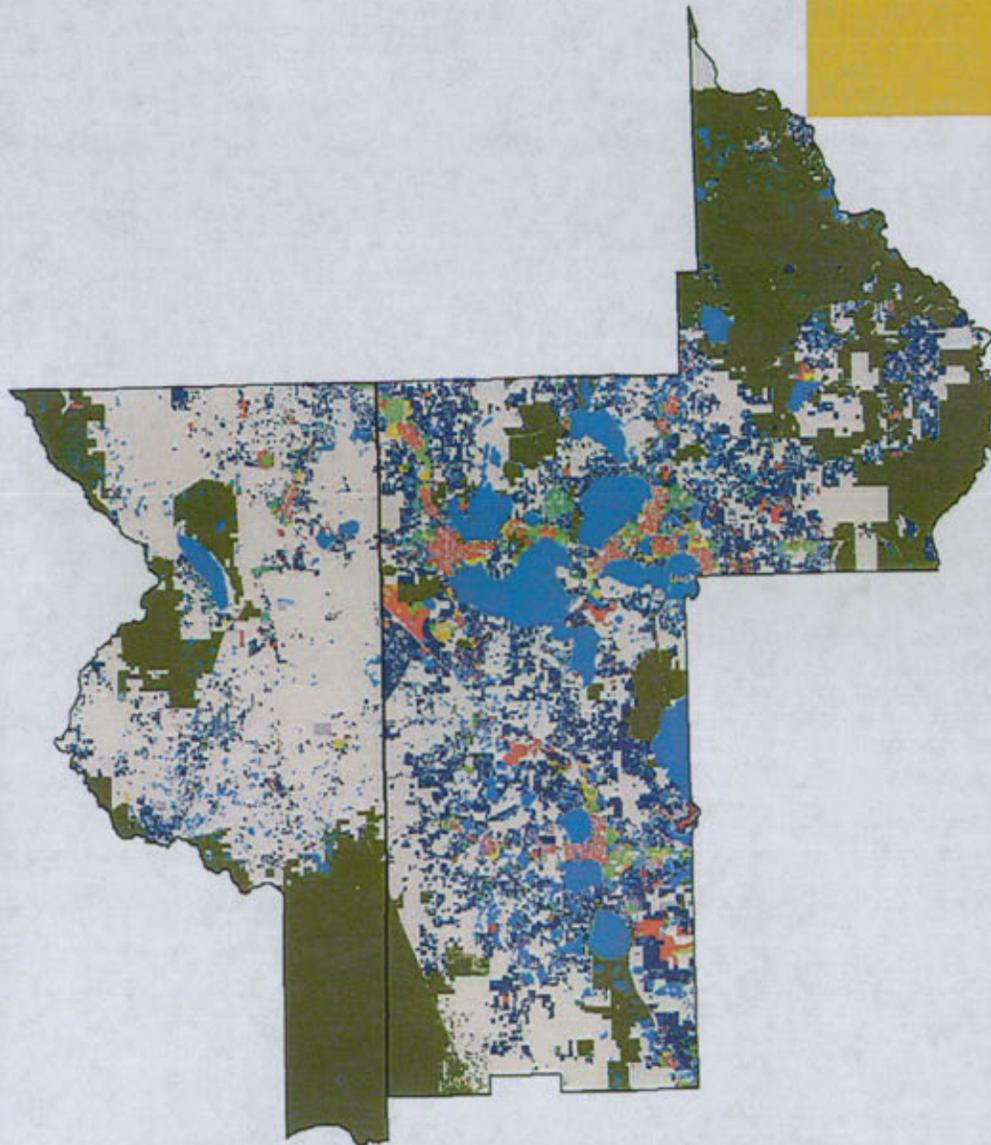
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9	1222	167
10	1223	161
11	1232	60
12	1233	157
13	1312	292
14	1313	266
15	1322	176
16	1323	224
17	2112	530
18	2113	125
19	2122	1081
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21	2132	2
22	2133	11
23	2212	2067
24	2213	5345
25	2221	2
26	2222	10191
27	2223	86032
28	2232	762
29	2233	23196
30	2311	15
31	2312	1068
32	2313	1494
33	2321	2
34	2322	5079
35	2323	70225
36	2331	3
37	2332	1052
38	2333	38760
39	3112	12

Commercial Retail Multi-family Single Family

3131



LUCIS Mixed Use Conflict



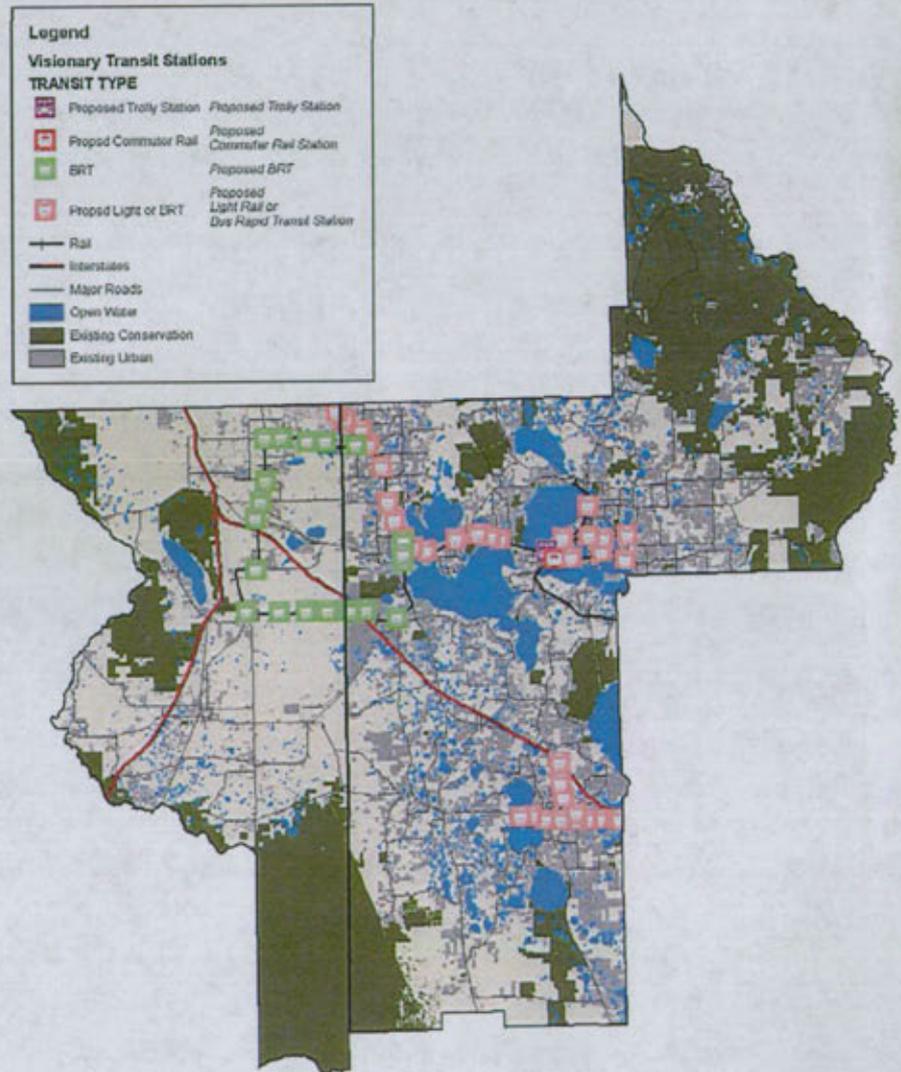
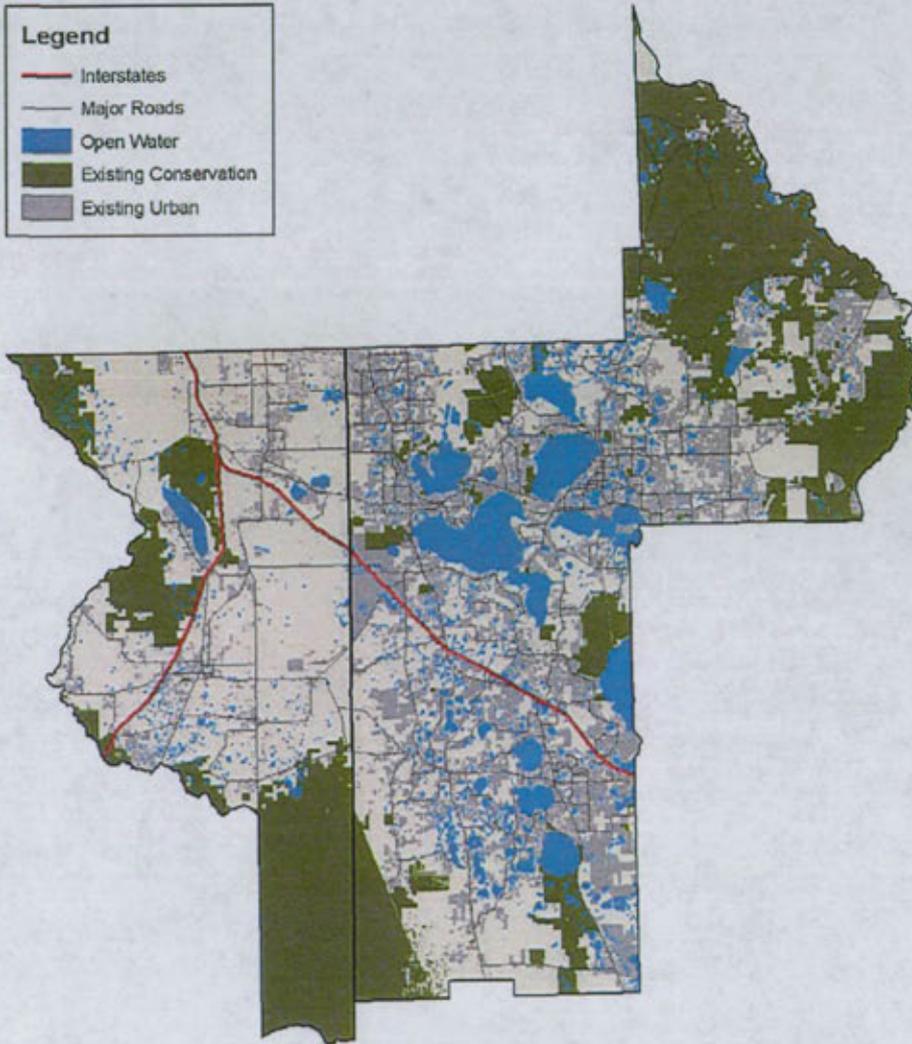
Legend

- Existing Conservation
- Existing Urban
- Open Water

CONFLICT

- All
- Commercial
- Commercial and Multifamily
- Commercial and Retail
- Commercial and Single Family
- Commercial, Multifamily and Single Family
- Commercial, Retail and Multifamily
- Commercial, Retail and Single Family
- Multifamily
- Multifamily and Single Family
- Retail
- Retail and Single Family
- Retail, Multifamily and Single Family
- Single Family

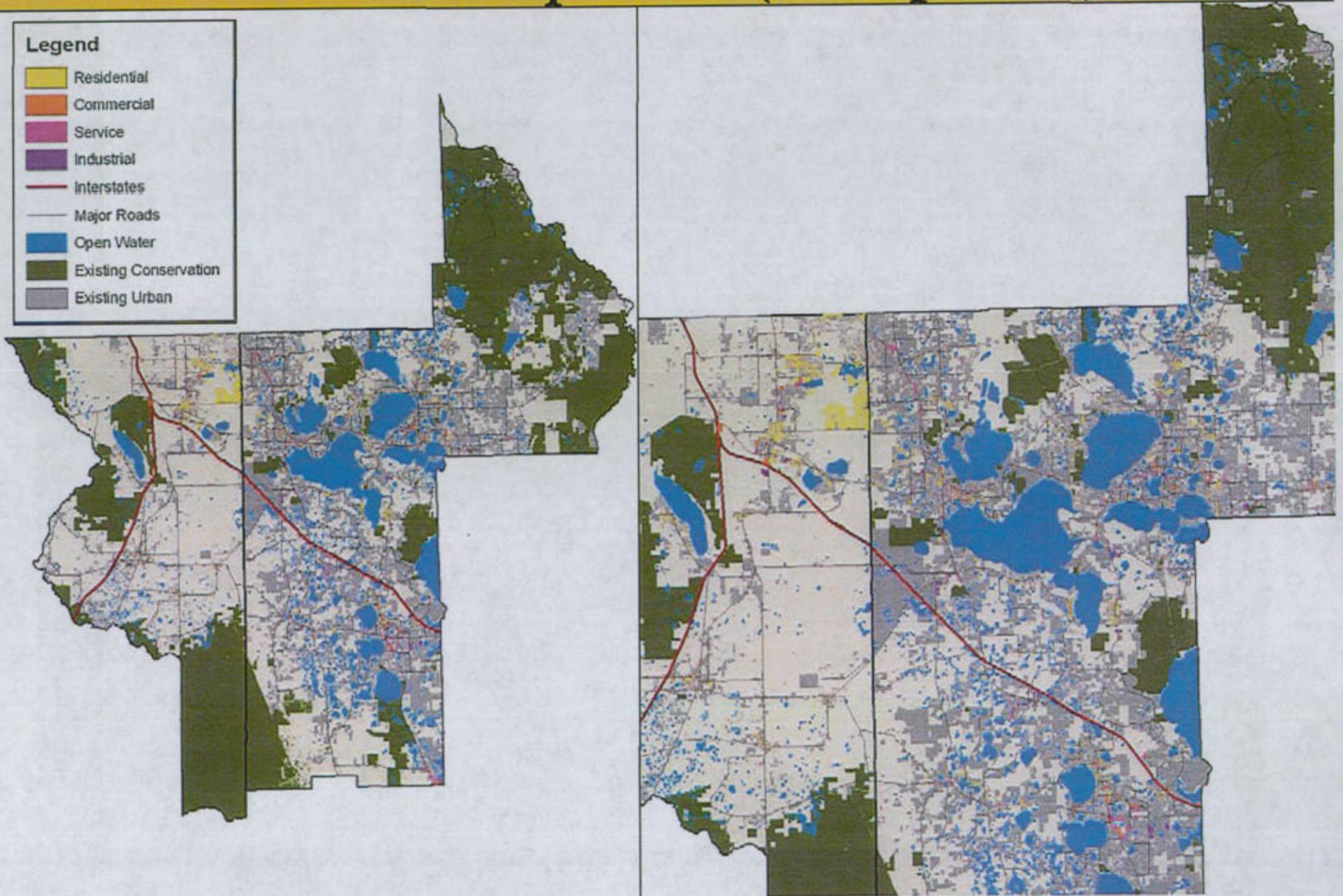
Existing Urban



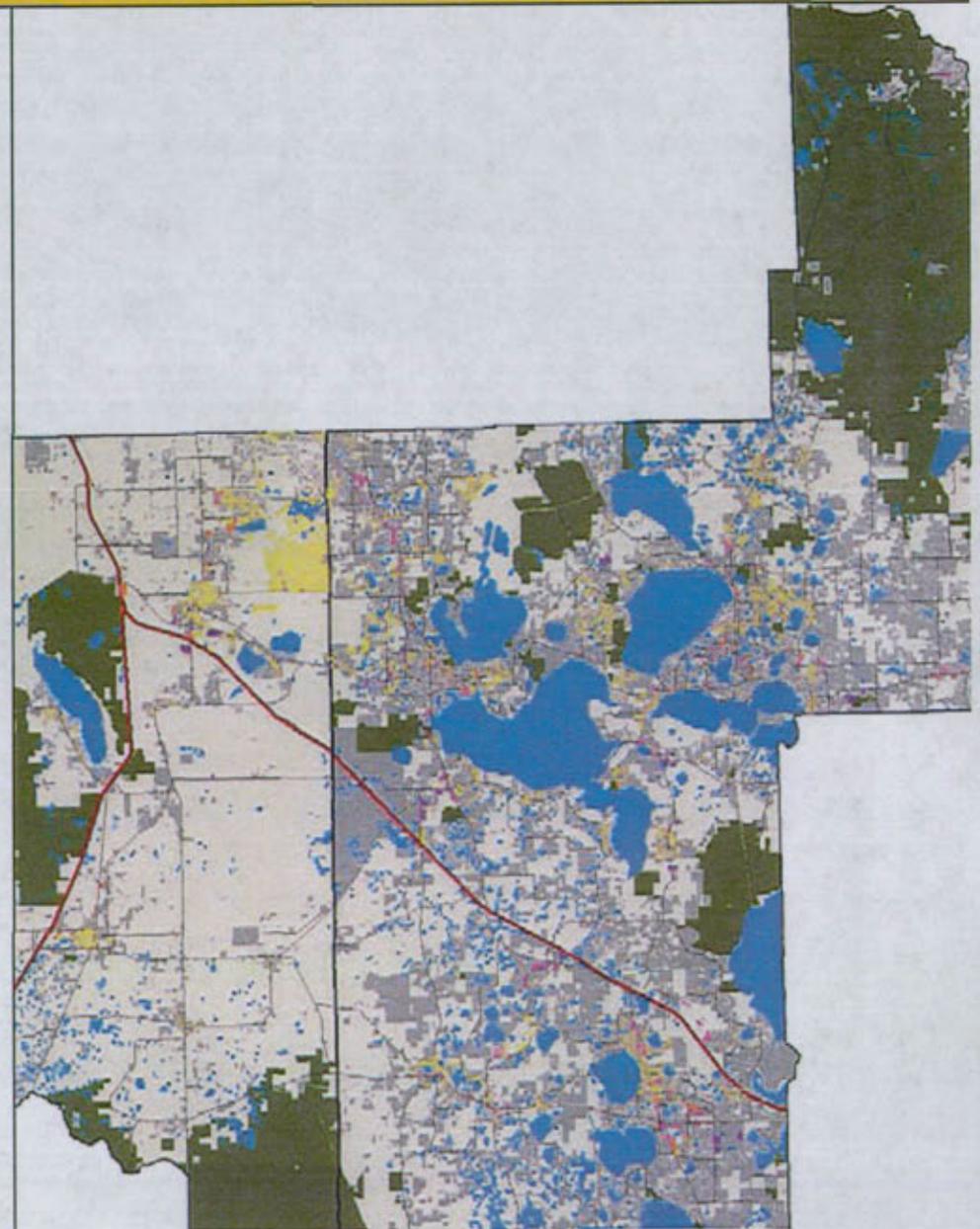
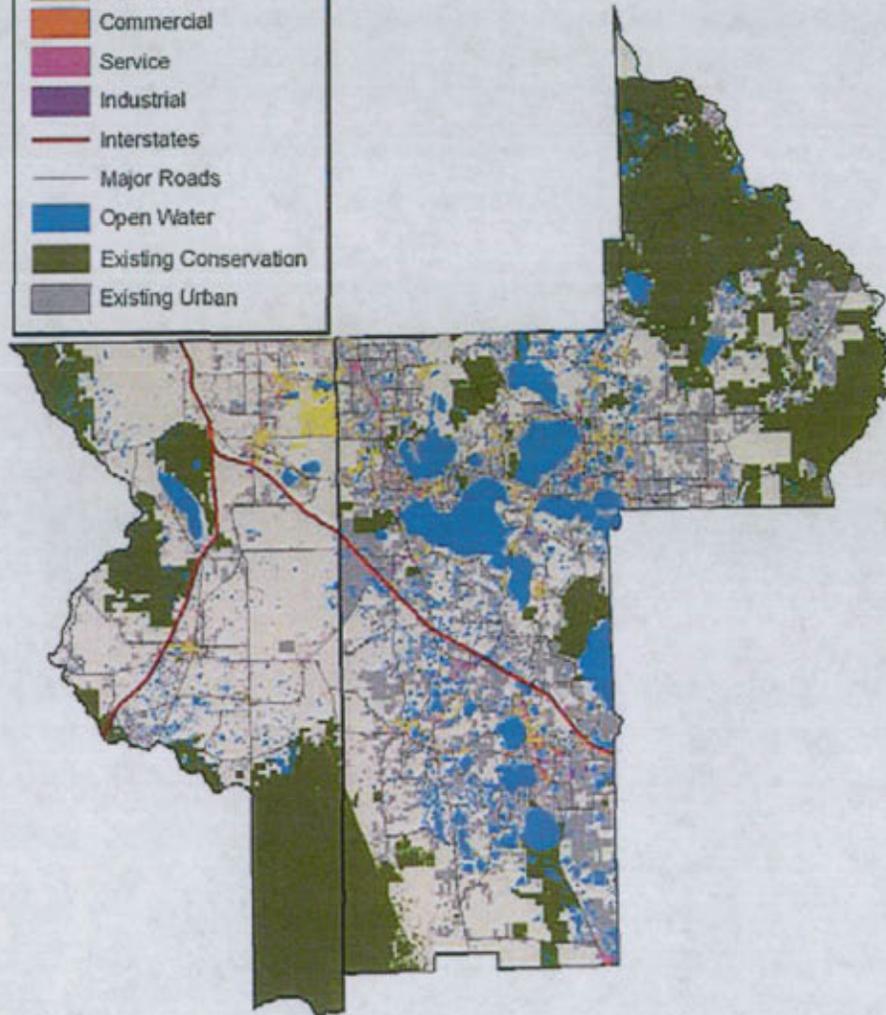
2015 Development (Composite)

Legend

- Residential
- Commercial
- Service
- Industrial
- Interstates
- Major Roads
- Open Water
- Existing Conservation
- Existing Urban



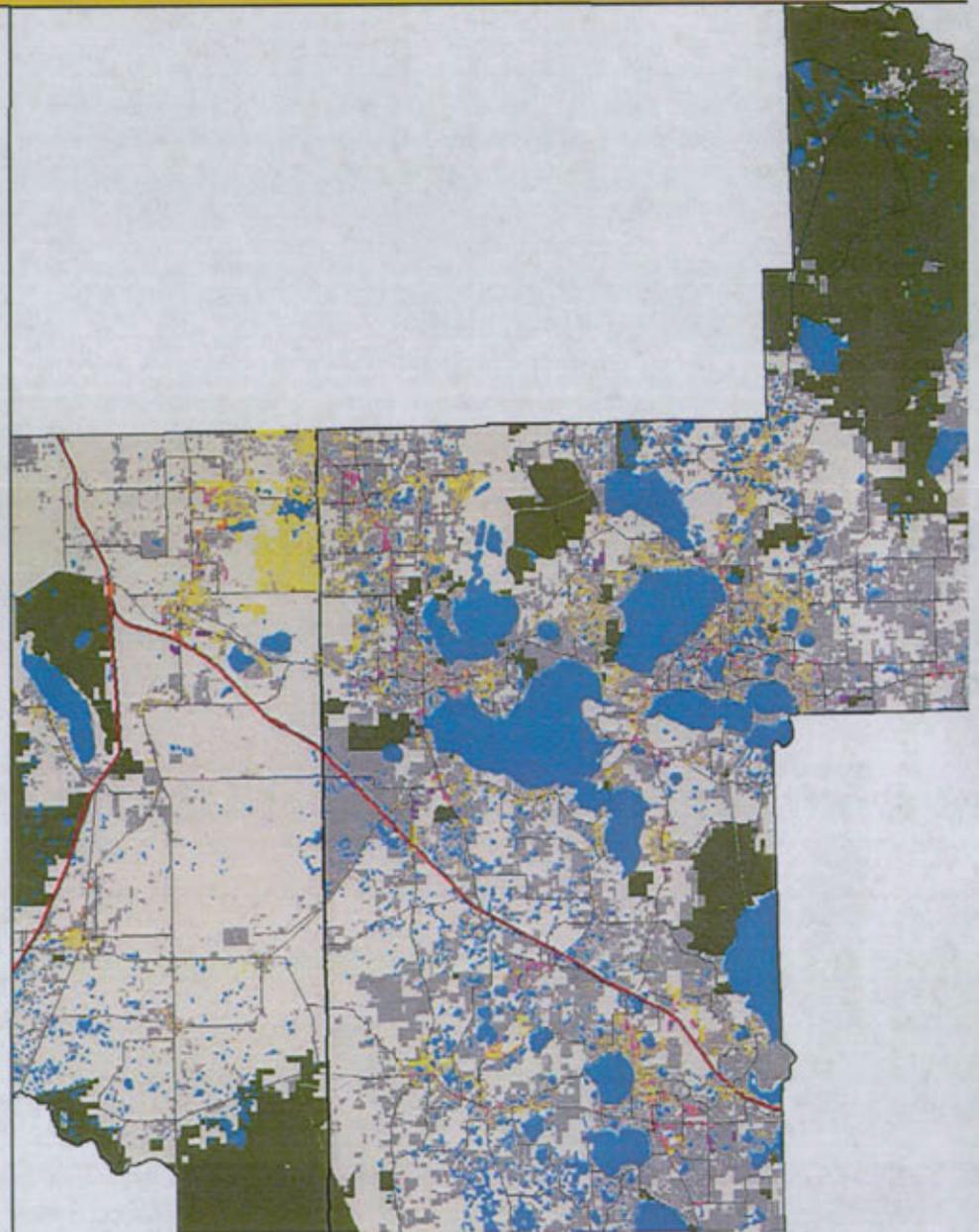
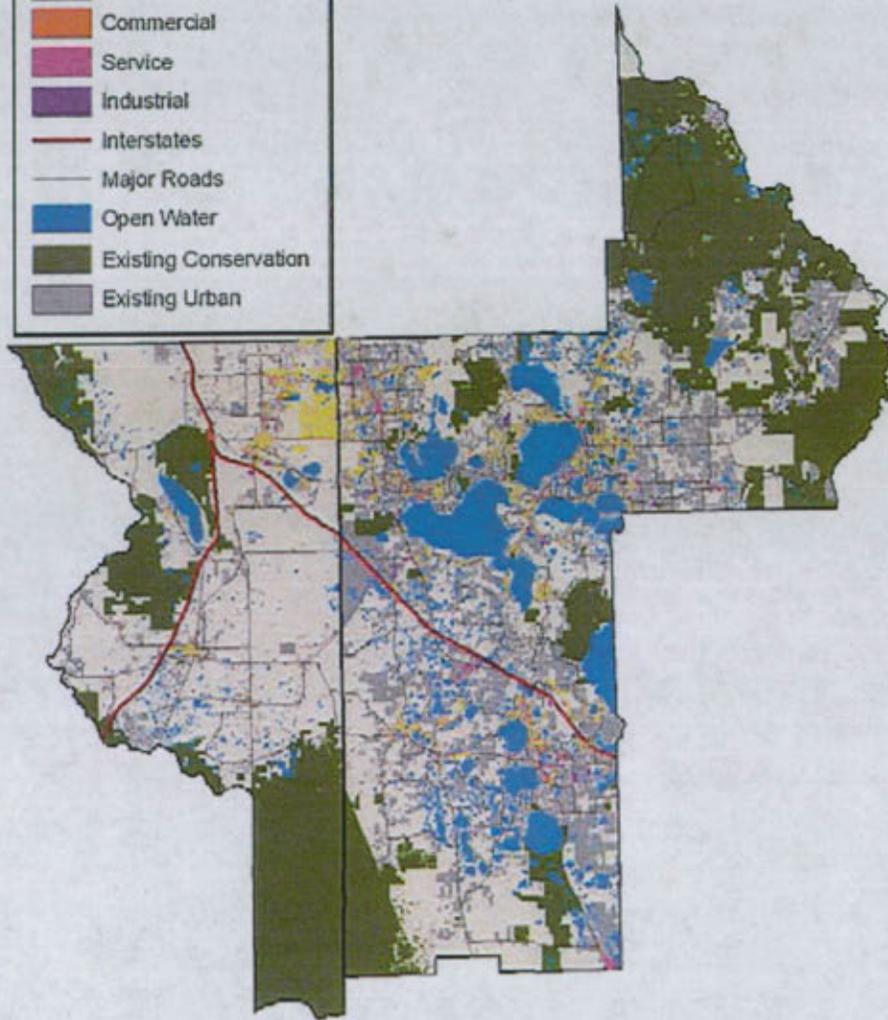
2020 Development (Composite)



2025 Development (Composite)

Legend

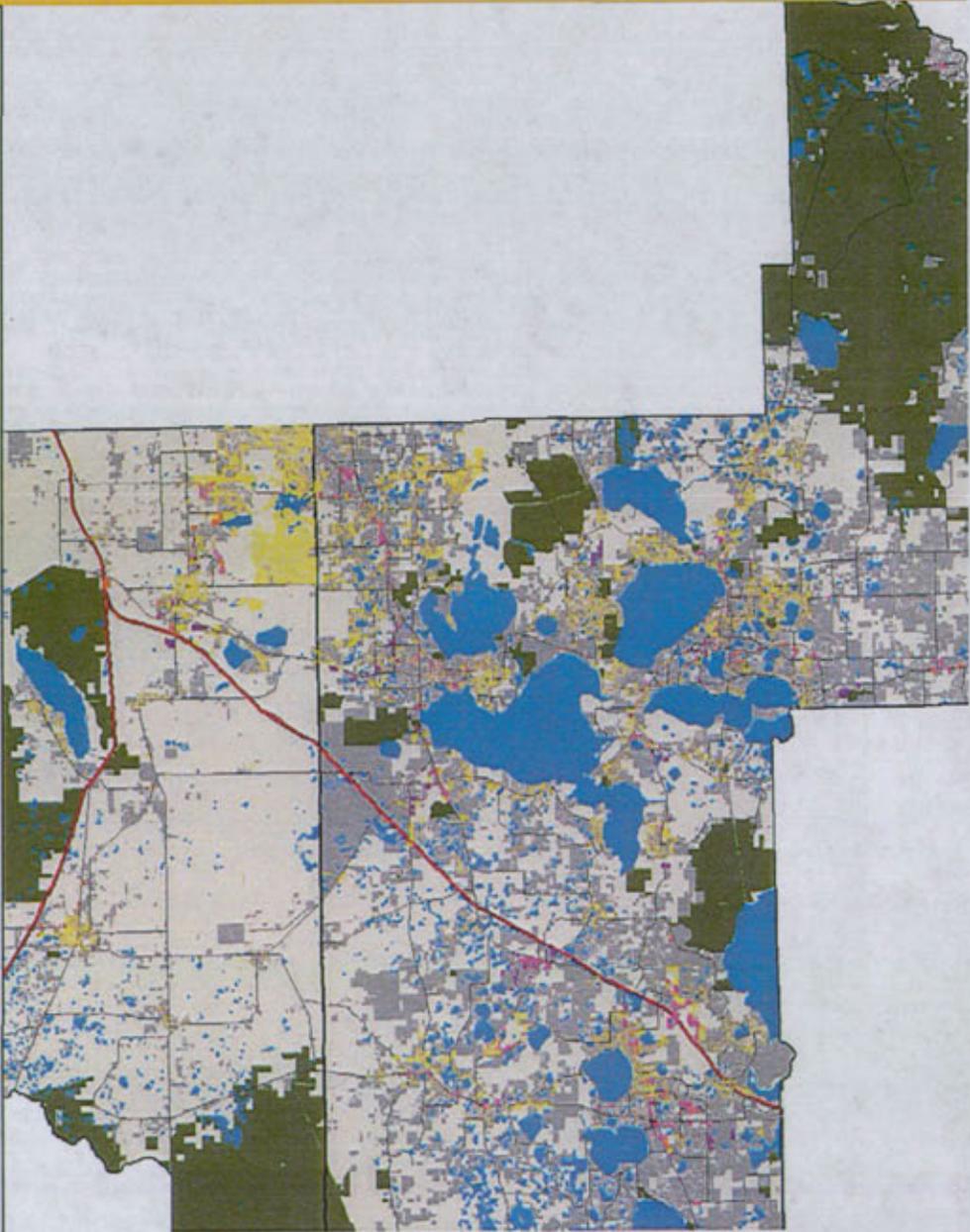
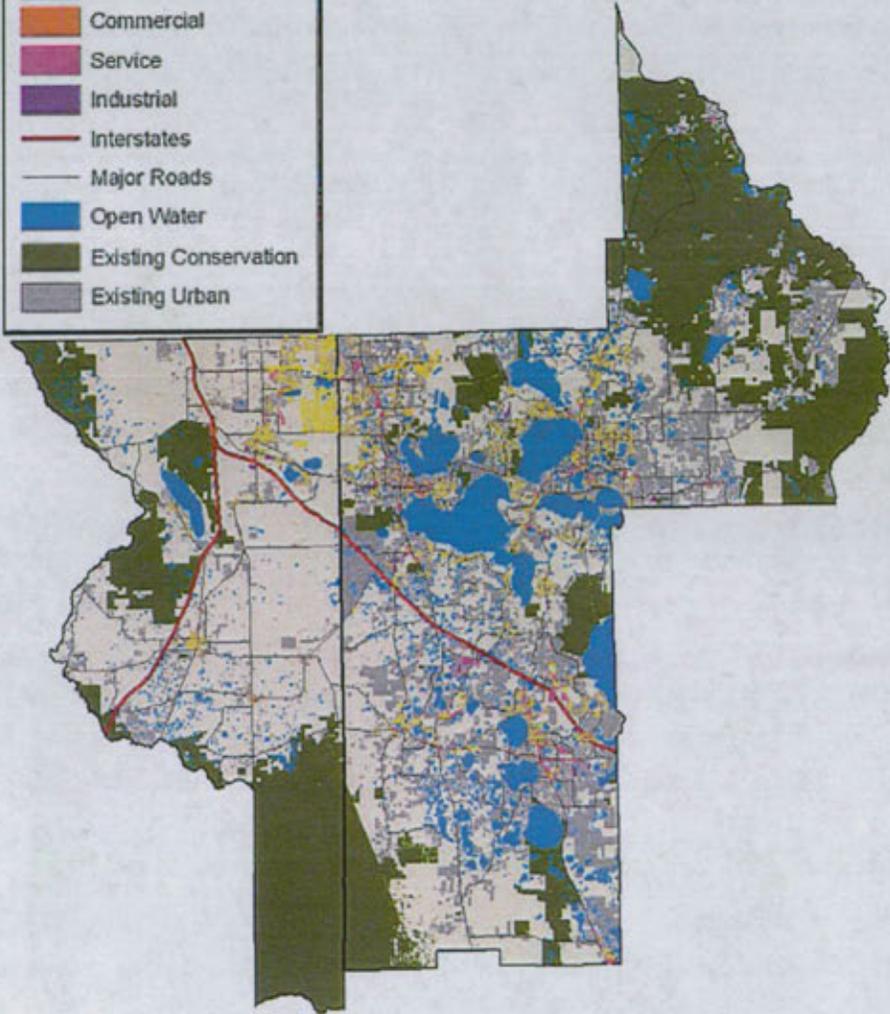
- Residential
- Commercial
- Service
- Industrial
- Interstates
- Major Roads
- Open Water
- Existing Conservation
- Existing Urban



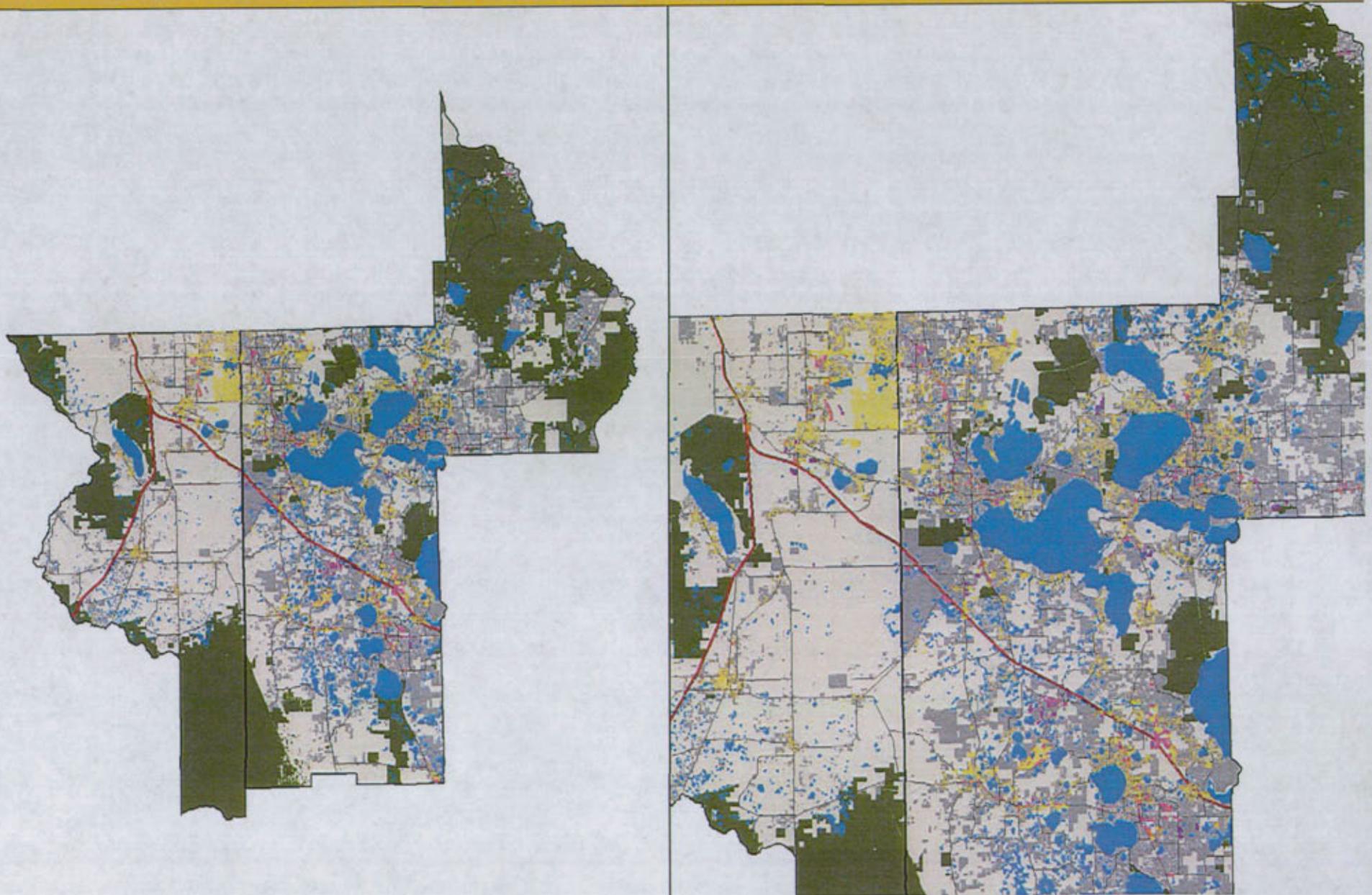
2030 Development (Composite)

Legend

- Residential
- Commercial
- Service
- Industrial
- Interstates
- Major Roads
- Open Water
- Existing Conservation
- Existing Urban



2035 Development (Composite)



LUCIS – Redevelopment and Densification

The **L**and **U**se **C**onflict **I**dentification **S**trategy also provides for the identification of areas in existing regional cities that, through redevelopment, i.e. mixed use development, new retail and commercial opportunities, and higher density multi-family residential development might increase the regional density and thereby decrease open space development in low density sprawl.

Redevelopment Area



Residential



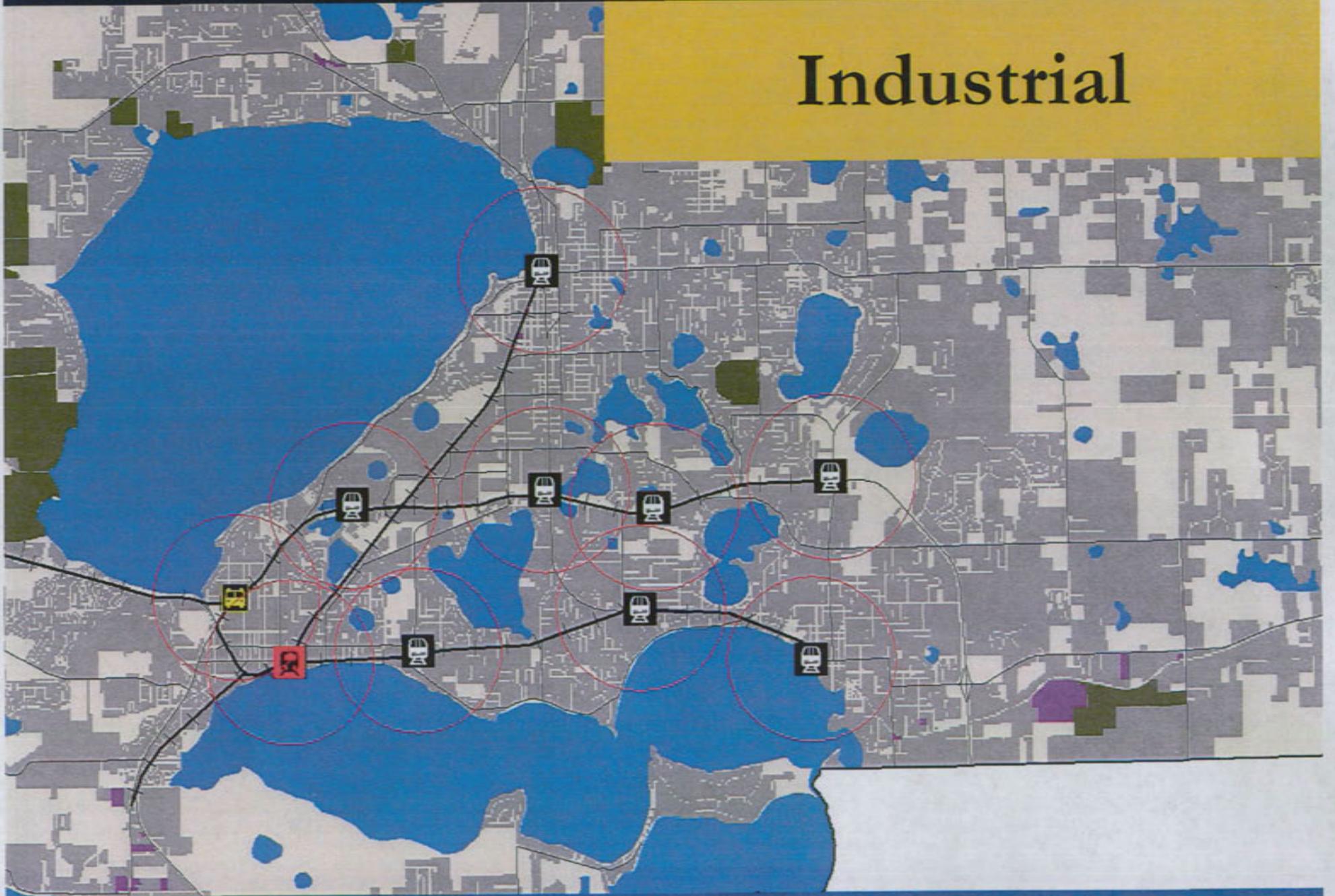
Commercial



Service



Industrial



Retail, Commercial, Industrial, and Residential



Downtown Eustis Before



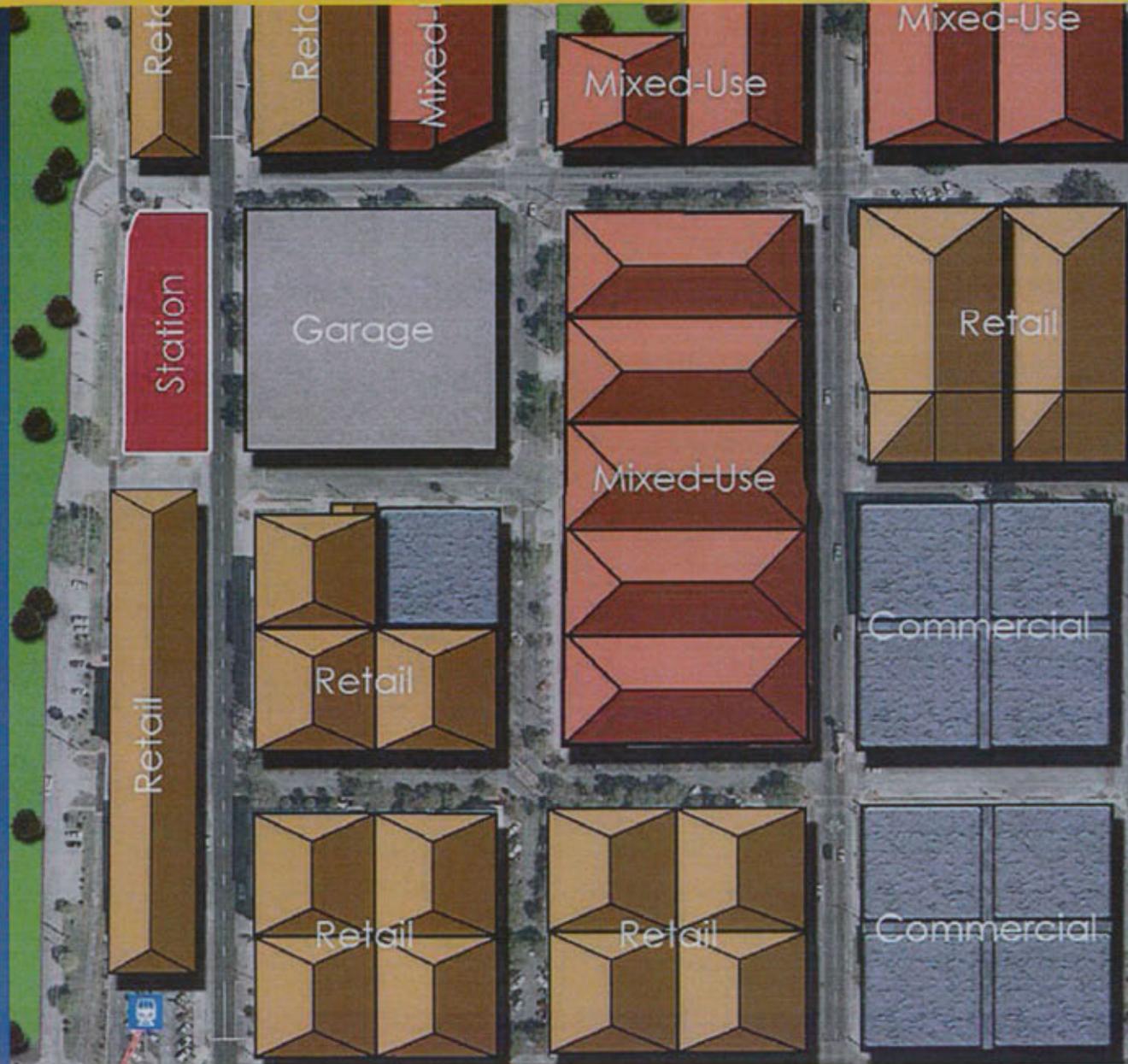
Downtown Eustis After



Downtown Eustis Land Use Plan



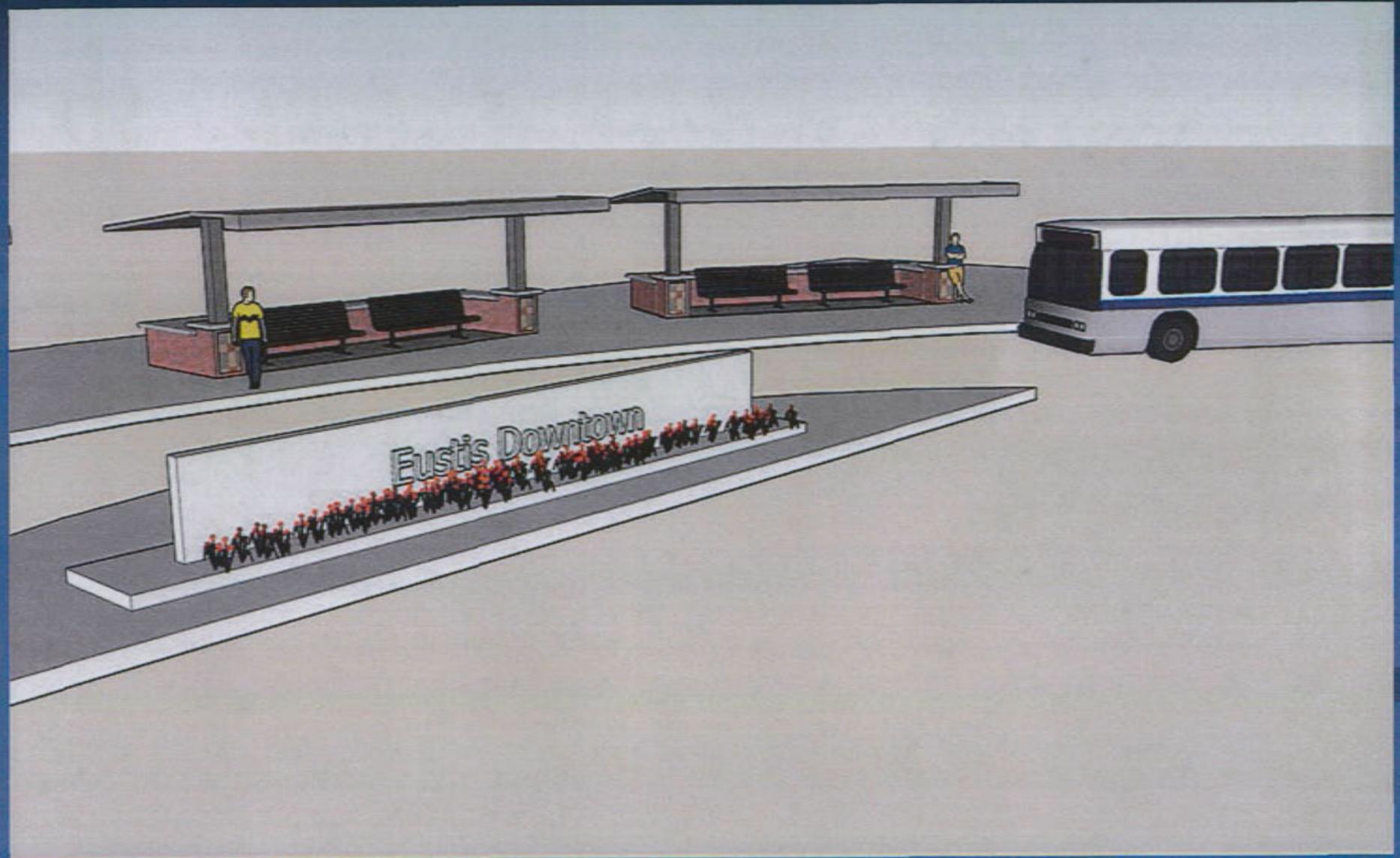
Downtown Eustis Site Plan



Integration of BRT into Downtown Landscape



Integration of BRT into Downtown Landscape



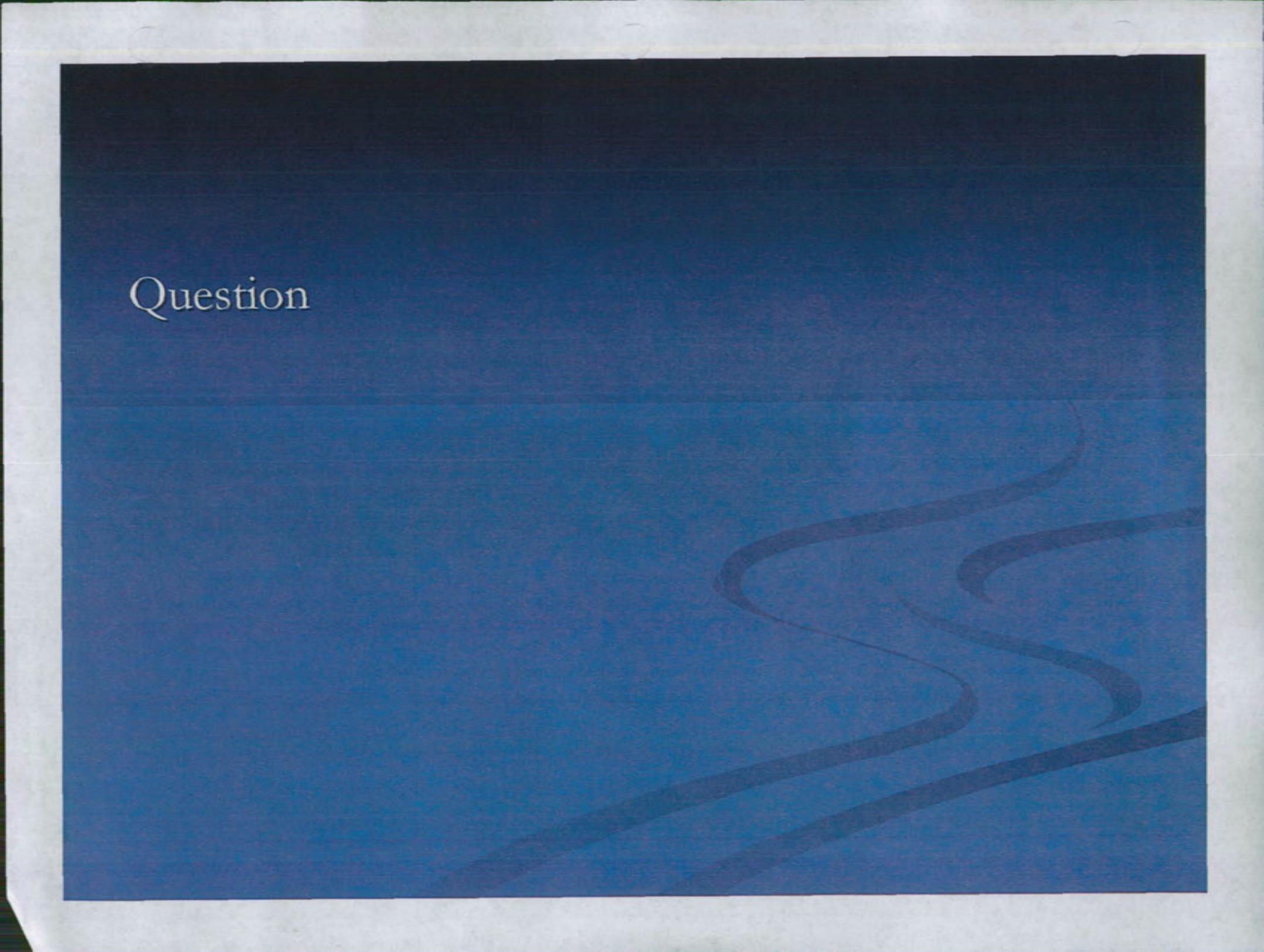
Some Final Remarks

LUCIS is a method/model for identifying land use opportunities and conflict?

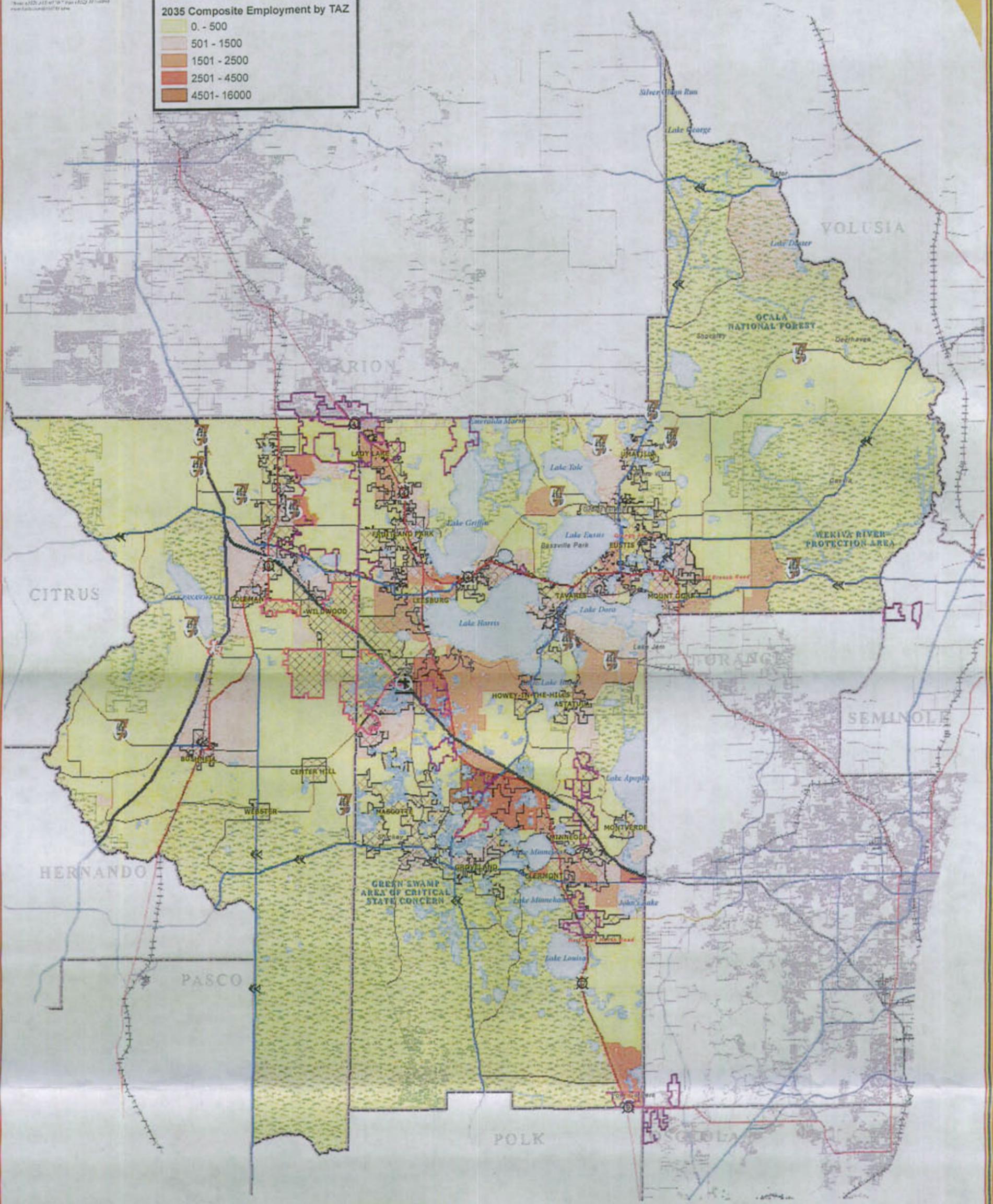
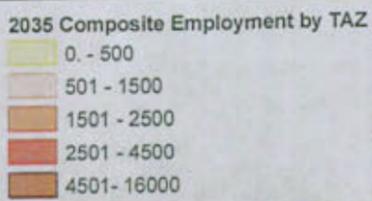
LUCIS helps in the understanding/allocation of employment and population? However, the allocation of population and employment is more often than not policy oriented, which can be either development based or conservation based?

LUCIS is a tool not the final answer – if the land use policy is toward low density development (sometimes called sprawl) then LUCIS shows where the conflict will occur --- often indicating that the areas of high agricultural and conservation preference will be developed.

Question

The image features a solid blue background. On the right side, there is a decorative pattern of several overlapping, wavy, horizontal lines in a slightly darker shade of blue, creating a sense of movement or depth. The word "Question" is printed in a white, serif font in the upper left quadrant.

LUCIS COMPOSITE 2035 EMPLOYMENT



LEGEND

- | | | |
|--------------------|-------------|---|
| Water Body | County Road | Development of Regional Impact (DRI) |
| Conservation Areas | State Road | |
| County Delineation | US Highway | PROPOSED;
PENDING |
| Municipal Area | Interstate | APPROVED |
| Active Railroad | Turnpike | |

Policy 1.4.2 Workplace District (WD) Future Land Use Category

The Workplace District designation is a special land use category intended for a limited number of sites within the County with the following characteristics: a high level of transportation access, adequate public services and facilities, strong market demand factors for office, health services, research, and/or low impact high tech manufacturing uses, a land ownership pattern conducive to land assembly and common master planning; proximity to residential neighborhoods, and generally unconstrained physical site conditions and amenities. Sites that exhibit such characteristics are identified on the Future Land Use Map and shall be "targeted" by Lake County for the location of major workplace uses that serve to promote economic development and generate high-wage employment opportunities.

The planning, marketing and design of designated Workplace Districts shall be guided by a master plan developed for each such district. Lake County shall have the responsibility for the approval of such plans but the preparation of the plans can be initiated by one or more of the following parties: property owners/consultants, Lake County, and/or a City if the site is located within an adopted Joint Planning Area.

No rezoning of land within a designated Workplace District shall be approved unless a master plan has been adopted by Lake County. Until such time as a master plan has been adopted by Lake County, development of lands within this land use category may continue to be developed consistent with existing zoning and development approvals.

Two categories of land uses shall be utilized to distinguish between the "primary" type of uses that Lake County desires for these districts and uses that "support" or provide a necessary accessory function for the primary uses. Primary uses shall include: professional and corporate offices; major health care facilities such as hospitals, outpatient surgical care or diagnostic centers; businesses that provide services or goods to a regional, national or global market, educational and research institutions such as universities and technical schools; and low-impact/high-tech manufacturing uses. Support uses may include higher density residential, commercial, hotel, primary/secondary schools and personal services.

Support uses shall be limited to no more than twenty-five (25) percent of the net land area of the individual Workplace District and shall, wherever possible, be included within the building, building footprint or building site of a primary use. Freestanding support uses shall be developed after the completion of a significant portion of the principal development. Maximum amounts of development within the support use category shall be established upon approval of the master plan. Residential densities shall be calculated over residential areas, and 25% of the net land area of the Workplace development site shall be planned and reserved as common open space.